

APPROVED: _____

DATE: _____

**MINUTES
PUTNAM COUNTY COMMISSION REGULAR SESSION
September 30, 2021**

OPENING

Commissioners C. Brian Ellis, Ronald R. Foster and R. Andrew Skidmore were present when the 5:30 p.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

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 September 14, 2021 minutes. Commissioner Ellis 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 make a payroll change for Mikyle White, Full-time, 911 Deputy Director, Department 711/712 50-50 split, \$60,000.00/annually, effective October 1, 2021 as presented by the Commission Secretary
2. An Order to delete from payroll Floyd Perdue, Part-Time, Humane Officer, Department 716, effective September 18, 2021 as presented by the Commission Secretary
3. An Order to make a payroll change for Seth Lewis, Full-time, Corporal, Department 700, \$21.88/hourly, effective October 3, 2021 as presented by the Commission Secretary
4. An Order to make a payroll change for Joshua Warner, Full-time, Corporal, Department 700, \$21.88/hourly, effective October 3, 2021 as presented by the Commission Secretary
5. An Order to add to payroll Donathan Jude, Full-time, Deputy Sheriff, Department 700, \$17.15/hourly, effective October 3, 2021 as presented by the Commission Secretary

6. An Order to add to payroll Trevor Montgomery, Full-time, Deputy Sheriff, Department 700, \$17.15/hourly, effective October 3, 2021 as presented by the Commission Secretary
7. An Order to delete from payroll Clark Riffle, Full-time, Field Appraiser, Department 407, effective September 24, 2021 as presented by the Commission Secretary
8. An Order to add to payroll David Coll, Full-time, Planning Director, Department 439, \$70,000.00/annually, effective October 1, 2021 as presented by the Commission Secretary
9. An Order to add to payroll Gracen Masters, Full-time, Conservator Accounts Manager, Department 404, \$14.25/hourly, effective October 3, 2021 as presented by the Commission Secretary
10. An Order to make a payroll change for Kathleen Payne, Full-time, Tax Clerk, Department 404, \$14.50/hourly, effective October 3, 2021 as presented by the Commission Secretary
11. An Order to make a payroll change for Kathy Rayburn, Full-time, Tax Clerk, Department 404, \$12.09/hourly, effective October 3, 2021 as presented by the Commission Secretary
12. An Order to make a payroll change for Tandy Boggess, Full-time, Tax Clerk, Department 404, \$11.75/hourly, effective October 3, 2021 as presented by the Commission Secretary
13. An Order to make a payroll change for Deirdre Higginbotham, Full-time, Tax Clerk, Department 404, \$13.00/hourly, effective October 3, 2021 as presented by the Commission Secretary
14. An Order to make a payroll change for Tracy Thacker, Full-time, Office Assistant, Department 404, \$18.00/hourly, effective October 3, 2021 as presented by the Commission Secretary
15. An Order to make a payroll change for Farrah Crane, Full-time, Chief Tax Deputy, Department 404, \$52,599.92/hourly, effective October 1, 2021 as presented by the Commission Secretary

Commissioner Ellis seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

There were none.

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: Clifford Wayne Adkins, Charles Newton Barrett, Ava Madonna Buck, Mark Alan Burks, Janice Elaine Gamerdinger,

Sharon Sue Garton, Naomi Elogene C. Hale, Robert Allen Hughes, David Emory Jeffries, John Robert Marshall, Sr., Joan Bernice McCallister, Judith Ann O'Neil, John Maurice Rockwell, Jr., Mark B. Saunders, Marsha Louise Stewart, Joretta Jewel Taylor, Robert Hyde Zeliff

Long Form Settlements: Larry Ransel Huffman, Dorothy Mae Siebel

An Order to disburse the sum of \$247.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

An Order approving the appointment of Scott Matthew Hager as Executor of the Estate of William Ronald Hager due to the death of former Executrix, Carolyn Sue Hager.

Hearing and Order Administratively Closing Delinquent or Unprogressed Estates of John Howard Call, Jacob Scott Camarillo, Kelly Edward Chapman, Brandford Anvel Cobb, Harley Thomas Curry, III, Betty L. Ernest, and Frederick Olen Erskine.

Hearing and Order Administratively Closing Delinquent or Unprogressed Estates of Mary Evelyn Bailey, Vinson Bailey, Ray Bruce Baker, Jacob Dwayne Ball, Isreal Michael Ford, Beatrice Arlene Jividen, and Harold Lee Sturgeon.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from September 12, 2021 through September 25, 2021.

Commissioner Skidmore made a motion to approve the documents as presented and authorize President 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 the Convention and Visitors Bureau in the amount of \$53,000.00, to Parks and Recreation Commission in the amount of \$38,000.00, 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 Spay and Neuter Fund in the amount of \$90.00 payable to Help for Animals for services provided 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 (#044-425-2-23.0) in the amount of \$149,050.00 made payable to Benchmark Construction, Inc. for work completed on the Lake Chadesa Culvert Repair 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 TIF #3 (Hurricane) Fund (#276-430-2-35.0) in the amount of \$4,831.55 payable to Putnam County Bank to purchase a cashier's check payable to City of Hurricane to close account created in error 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 General County Grant Fund in the amount of \$61,056.00 made payable to General County Fund for reimbursement of JAG Grant #2018-DJ-BX-0035 and 2019-DJ-BX-0312 as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

LISA COPLEY, ACCOUNTANT

Ms. Copley appeared before the Commission to present the financial statements for Putnam County for the fiscal year ended June 30, 2021. Commissioner Skidmore made a motion to approve the financial statements as presented by Ms. Copley. Commissioner Ellis seconded the motion. Commissioner Skidmore amended his motion to authorize the President to sign. Commissioner Ellis seconded the motion. The motion carried unanimously.

BREAST CANCER AWARENESS PROCLAMATION

Commissioner Skidmore read aloud a Proclamation designating October 1, 2021 as Putnam County Breast Cancer Awareness Day in recognition of October being National Breast Cancer Awareness Month.

JEREMY YOUNG, COUNTY MANAGER

Commissioner Skidmore made a motion to affirm the decision to reject all bids from the Confidence 911 Tower bid opening on September 14, 2021 and to re-bid the project in 2022 as presented by Mr. Young. Commissioner Ellis seconded the motion. The motion carried unanimously.

LARRY FRYE, INTERIM PLANNING DIRECTOR

Commissioner Skidmore made a motion to accept the bid from Reclaim for the demolition of 6321 South Poca River Road, Poca, WV as presented by Mr. Frye. Commissioner Ellis seconded the motion. The motion carried unanimously.

TINA PECK, PLANNER

Tina Peck presented the petitioning for a text amendment submitted by Jimmy Calhoun, P.E., of Calhoun Engineering in Hurricane, WV, to revise Article 650, §650.2, "C-2" High Density Commercial District, PERMITTED PRINCIPAL USES, and Article 150, §150.2, Definitions, of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia; to add Heavy Construction and Farm Equipment sales, lease, or services as a permitted principal use.

At 5:52 p.m., Commissioner Skidmore made a motion to open the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

President Foster opened the public hearing and asked for public comments; there were none.

At 5:53 p.m., Commissioner Skidmore made a motion to close the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACTS: (1) Commissioner Skidmore made a motion that the text amendment would protect and promote the public health, safety, convenience, moral and general welfare due to the fact that it addresses convenience of business owners and citizens to purchase and service heavy construction and farm equipment. Commissioner Ellis seconded the motion. The motion carried unanimously. (2) Commissioner Skidmore made a motion that it is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan because he does not feel that Heavy Construction and Farm Equipment sales, lease, or services is any different than other permitted uses. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve the text amendment submitted by Jimmy Calhoun, P.E., of Calhoun Engineering in Hurricane, WV, to revise Article 650, §650.2, “C-2” High Density Commercial District, PERMITTED PRINCIPAL USES, and Article 150, §150.2, Definitions, of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia; to add Heavy Construction and Farm Equipment sales, lease, or services as a permitted principal use. Commissioner Ellis seconded the motion. The motion carried unanimously.

LARRY FRYE, INTERIM PLANNING DIRECTOR

Larry Frye presented the proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 150.02, 250.02, 300.02, 550.02, 550.04, 600.02, 600.04, 650.02, 700.02, 750.04, 800.02, and 800.04.” These changes would modify Article 150.02 to add definitions for “Act”, “Bureau”, “Dispensary (Medical Cannabis)”, “Grower”, “Grower/Processor”, “Home Hosting”, “Medical Cannabis”, Medical Cannabis organization”, “Permit”, and “Processor”. Also, to add “Medical Cannabis Grower and Processor” as Permitted Principal Use to Article 250.02; add “Medical Cannabis Grower, Laboratory, and Processor” to Article 300.02 as Permitted Principal Use; add Medical Cannabis Dispensary: Limited to 5,000 square feet in floor area” to Article 550.02 as a Permitted Principal Use; add “Medical Cannabis Dispensary; over 5,000 square feet in size” to Article 550.04 as a Special Permit Use; add “Medical Cannabis Dispensary: Limited to 20,000 square feet in floor area”, “Medical Cannabis Grower”, “Medical Cannabis Laboratory” and “Medical Cannabis Processor” to Article 600.02 as Principal Permitted Use; add “Medical Cannabis Dispensary; over 20,000 square feet in size” to Article 600.04 as a Special Permit Use; add “Medical Cannabis Dispensary”, “Medical Cannabis Grower”, “Medical Cannabis Laboratory”, and Medical Cannabis Processor” to Article 650.02 as a Permitted Principal Use; add “Medical Cannabis Dispensaries” to Article 700.02 as a Permitted Principal Use; add “Medical Cannabis Laboratory” to Article 750.04 as a Special Permitted Use; add “Medical Cannabis Growers” and “Medical Cannabis Processors” to Article 800.02 as a Principal Permitted Use; and add “Medical Cannabis Dispensaries” and “Medical Cannabis Laboratory” to Article 800.04 as a Special Permit Use.

At 6:01 p.m., Commissioner Skidmore made a motion to open the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

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

Pastor Sonny Williams asked what this would look like in layman's terms. Following Commissioner Foster's explanation, Pastor Williams said he feels marijuana is a gateway drug and the revenue is not worth the consequences.

At 6:08 p.m., Commissioner Skidmore made a motion to close the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACTS: (1) Commissioner Skidmore made a motion that the text amendment would protect and promote the public health, safety, convenience, moral and general welfare due to the fact that the amendment is consistent with the will of the voters and Putnam County is in favor of the medical cannabis criteria. Commissioner Ellis seconded the motion. The motion carried unanimously. (2) Commissioner Skidmore made a motion that it is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan because the amendment looks at the agricultural part of the Zoning Ordinance for growers, and looks at the retail part of the Zoning Ordinance for dispensaries, and each medical cannabis facility is being fitted within a category of the Zoning Ordinance. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve the Text Amendment to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 150.02, 250.02, 300.02, 550.02, 550.04, 600.02, 600.04, 650.02, 700.02, 750.04, 800.02, and 800.04." These changes would modify Article 150.02 to add definitions for "Act", "Bureau", "Dispensary (Medical Cannabis)", "Grower", "Grower/Processor", "Home Hosting", "Medical Cannabis", "Medical Cannabis organization", "Permit", and "Processor". Also, to add "Medical Cannabis Grower and Processor" as Permitted Principal Use to Article 250.02; add "Medical Cannabis Grower, Laboratory, and Processor" to Article 300.02 as Permitted Principal Use; add "Medical Cannabis Dispensary: Limited to 5,000 square feet in floor area" to Article 550.02 as a Permitted Principal Use; add "Medical Cannabis Dispensary; over 5,000 square feet in size" to Article 550.04 as a Special Permit Use; add "Medical Cannabis Dispensary: Limited to 20,000 square feet in floor area", "Medical Cannabis Grower", "Medical Cannabis Laboratory" and "Medical Cannabis Processor" to Article 600.02 as Principal Permitted Use; add "Medical Cannabis Dispensary; over 20,000 square feet in size" to Article 600.04 as a Special Permit Use; add "Medical Cannabis Dispensary", "Medical Cannabis Grower", "Medical Cannabis Laboratory", and "Medical Cannabis Processor" to Article 650.02 as a Permitted Principal Use; add "Medical Cannabis Dispensaries" to Article 700.02 as a Permitted Principal Use; add "Medical Cannabis Laboratory" to Article 750.04 as a Special Permitted Use; add "Medical Cannabis Growers" and "Medical Cannabis Processors" to Article 800.02 as a Principal Permitted Use; and add "Medical Cannabis Dispensaries" and "Medical Cannabis Laboratory" to Article 800.04 as a Special Permit Use. Commissioner Ellis seconded the motion. The motion carried unanimously.

Larry Frye presented a proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 1700 and Article 150. These changes would modify Article 1700.17 D 1 to add (d) "The accessory structure must be of the same quality of materials or of the same architectural type as the principal residence.", and (e) "Any home occupation included in Article 1700.17 D. 3 shall be considered a residential use and

not a commercial use.” Modification to Article 1700.17 D to add “bed and breakfast establishments or tourist homes, home hosting, and salons” to the current list of Home Occupations; and remove “bed and breakfast establishments or tourist homes” from Article 1700.17 D. 4. Also, modify Article 150.02 to include a definition of “Home Hosting”.

At 6:17 p.m., Commissioner Skidmore made a motion to open the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

President Foster opened the public hearing and asked for public comments; there were none.

At 6:17 p.m., Commissioner Skidmore made a motion to close the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACTS: (1) Commissioner Skidmore made a motion that the text amendment would protect and promote the public health, safety, convenience, moral and general welfare due to the fact that although Airbnb and home hosting have not been an issue yet, the recent improvements to Valley Park and the construction of Bridge Park will attract people to the area and Putnam County needs to be ready. Commissioner Ellis seconded the motion. The motion carried unanimously. (2) Commissioner Skidmore made a motion that it is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan because the amendments fit within the criteria and update the Zoning Ordinance to what is happening across county and enables Putnam County to participate. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve the Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 1700 and Article 150. These changes would modify Article 1700.17 D 1 to add (d) “The accessory structure must be of the same quality of materials or of the same architectural type as the principal residence.”, and (e) “Any home occupation included in Article 1700.17 D. 3 shall be considered a residential use and not a commercial use.” Modification to Article 1700.17 D to add “bed and breakfast establishments or tourist homes, home hosting, and salons” to the current list of Home Occupations; and remove “bed and breakfast establishments or tourist homes” from Article 1700.17 D. 4. Also, modify Article 150.02 to include a definition of “Home Hosting”. Commissioner Ellis seconded the motion. The motion carried unanimously.

Larry Frye presented a proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 200 of the Improvement Location Permit Ordinance to add Article 200.07 to require a residential construction project to be completed within 24 months following the date on which the permit was issues, otherwise the applicant will be required to pay a new permit fee in the same amount as the original permit fee; and to add Article 200.08 to require a non-residential construction project to be completed within 30 months following the date on which the permit was issues, otherwise the applicant will be required to pay a new permit fee in the same amount as the original permit fee unless waived by a 2/3 vote of the Planning Commission.

At 6:23 p.m., Commissioner Skidmore made a motion to open the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

President Foster opened the public hearing and asked for public comments; there were none.

At 6:23 p.m., Commissioner Skidmore made a motion to close the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACTS: (1) Commissioner Skidmore made a motion that the text amendment would protect and promote the public health, safety, convenience, moral and general welfare because construction areas that are left undone can lead to an unsafe environment. Commissioner Ellis seconded the motion. The motion carried unanimously. (2) Commissioner Skidmore said it is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan because we are finding out that Putnam County is running out of useful land, and this will encourage developers to develop land in a timely manner. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve a proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 200 of the Improvement Location Permit Ordinance to add Article 200.07 to require a residential construction project to be completed within 24 months following the date on which the permit was issued, otherwise the applicant will be required to pay a new permit fee in the same amount as the original permit fee; and to add Article 200.08 to require a non-residential construction project to be completed within 30 months following the date on which the permit was issued, otherwise the applicant will be required to pay a new permit fee in the same amount as the original permit fee unless waived by a 2/3 vote of the Planning Commission. Commissioner Ellis seconded the motion. The motion carried unanimously.

Larry Frye presented a proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 1400.07(C)(2)(b) to add "(See also § 1400.12A). Add Section 1400.12A to permit pole signs of a maximum of 100 feet in height if located within 2,000 linear feet of the centerline of an intersection along I-64 and U.S. 35 for restaurants, gasoline stations, hotels, and motels, with a sign at the top not to exceed 500 square feet. Also add Article 1400.12B "Medical Cannabis" to provide that Medical Cannabis Dispensaries, Grow Facilities, Processing Facilities and Laboratories must follow the requirements of the W.Va. Code by including, but not limited to, the term "Medical Cannabis" and not contain images (including cartoons) depicting marijuana consumption or a marijuana leaf. Also, the signage for each facility shall follow the requirements for a retail business in the applicable zone where the facility is located.

At 6:32 p.m., Commissioner Skidmore made a motion to open the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

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

Paster Sonny Williams asked if the signage will be limited or expanding. Mr. Frye explained they will have to follow the ordinance for retail business and the content will be restricted.

At 6:35 p.m., Commissioner Skidmore made a motion to close the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACTS: (1) Commissioner Skidmore made a motion that the text amendment would protect and promote the public health, safety, convenience, moral and general welfare because pole signs allow interstate traffic to see signs for specific businesses while traveling on the interstate, and the signs for medical cannabis are restrictive in the type and graphics that can be used. Commissioner Ellis seconded the motion. The motion carried unanimously. (2) Commissioner Skidmore made a motion it is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan because Putnam County needs to utilize the land available, and the land located close to the interstates is the most valuable commercial land that is available in Putnam County. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Skidmore made a motion to approve a proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 1400.07(C)(2)(b) to add "(See also § 1400.12A). Add Section 1400.12A to permit pole signs of a maximum of 100 feet in height if located within 2,000 linear feet of the centerline of an intersection along I-64 and U.S. 35 for restaurants, gasoline stations, hotels, and motels, with a sign at the top not to exceed 500 square feet. Also add Article 1400.12B "Medical Cannabis" to provide that Medical Cannabis Dispensaries, Grow Facilities, Processing Facilities and Laboratories must follow the requirements of the W.Va. Code by including, but not limited to, the term "Medical Cannabis" and not contain images (including cartoons) depicting marijuana consumption or a marijuana leaf. Also, the signage for each facility shall follow the requirements for a retail business in the applicable zone where the facility is located. Commissioner Ellis seconded the motion. The motion carried unanimously.

Larry Frye presented a proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 600.04 Q. to read "Pawnshops: as defined in Article 1700.17Q"; to modify Article 650.02 LL. to read "Pawnshops: as defined in Article 1700.17Q"; and modify Article 1700.17 Q. to change the heading to "Pawnshops", change No. 1 to "The loaning of money..."; strike No. 2 in the current ordinance; add the new No. 2 to read "No pawnshop shall be located closer than 300 feet from a church, school, or residential building."

At 6:42 p.m., Commissioner Skidmore made a motion to open the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

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

David Crouch, John Williams, Delores Lowe, and Nate Lowe were against the Text Amendments to the Zoning Ordinance. They did not feel there is a need to change the Zoning Ordinance and felt Valley Outdoors should have followed the proper permitting process.

Robert Miller was in favor of the Text Amendments to the Zoning Ordinance.

Glenn Yeager said he is tired of hearing kids are in jeopardy because some neighbors are glad they are there.

Pastor Sonny Williams understands the need for changing amendments for community growth and is not against the second amendment rights.

At 7:06 p.m., Commissioner Skidmore made a motion to close the public hearing. Commissioner Ellis seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACTS: (1) Commissioner Skidmore made a motion that the text amendment would protect and promote the public health, safety, convenience, moral and general welfare because of the amount of State and Federal regulations in place relating to the sale of firearms, and the County Zoning Ordinance need not be more restrictive than State and Federal regulations regarding retail firearms. Commissioner Foster seconded the motion. Commissioner Ellis voted nay. The motion carried. (2) Commissioner Skidmore made a motion that it is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan because this amendment deals with land use, and the Zoning Ordinance does not need to be more restrictive as it relates to the Second Amendment and Federal and State governments. Commissioner Foster seconded the motion. Commissioner Ellis voted nay. The motion carried.

Commissioner Skidmore made a motion to approve a proposal for Text Amendments to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV, to modify Article 600.04 Q. to read "Pawnshops: as defined in Article 1700.17Q"; to modify Article 650.02 LL. to read "Pawnshops: as defined in Article 1700.17Q"; and modify Article 1700.17 Q. to change the heading to "Pawnshops", change No. 1 to "The loaning of money..."; strike No. 2 in the current ordinance; add the new No. 2 to read "No pawnshop shall be located closer than 300 feet from a church, school, or residential building." Commissioner Foster then moved to amend the motion to modify Article 150 (Definitions) to include new definitions for "Business, Retail" to include a statement that the Zoning Ordinance will be no more restrictive than State or Federal Law, and "Business, Retail Pawnshop" be amended to remove any reference to firearms. Commissioner Skidmore seconded the motion. Commissioner Ellis voted nay. The motion carried.

ADJOURN

At 7:17 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, October 12, 2021 at 9:00 a.m.

Respectfully submitted,

Marcie Kimberling
Secretary