

APPROVED: _____

DATE: _____

**MINUTES
PUTNAM COUNTY COMMISSION REGULAR SESSION
October 12, 2021**

OPENING

Commissioners C. Brian Ellis 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.

APPOINTING PRESIDENT

Commissioner Ellis made a motion to appoint Commissioner Skidmore as acting President. Commissioner Skidmore seconded the motion. The motion carried unanimously.

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 Putnam County Community Criminal Justice Fund to the General County Fund, the sum of \$21,073.08 for July 2021 for payroll expenses
3. An Order to transfer from the Putnam County Community Criminal Justice Fund to the General County Fund, the sum of \$21,359.50 for August 2021 for payroll expenses
4. An Order to transfer from the General County Fund to the Putnam County Employee Benefit Fund, the sum of \$9,227.00 for June 2021 Optical and Dental Benefits
5. An Order to transfer from the General County Fund to the Putnam County Employee Benefit Fund, the sum of \$9,227.00 for June 2021 Optical and Dental Benefits
6. An Order to transfer from the General County Fund to the Putnam County Employee Benefit Fund, the sum of \$9,031.00 for July 2021 Optical and Dental Benefits
7. An Order to transfer from the General County Fund to the Putnam County Employee Benefit Fund, the sum of \$9,131.00 for August 2021 Optical and Dental Benefits

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

Commissioner Ellis made a motion to approve County Attorney Larry Frye preparing a letter of support under Brian Wood's direction regarding redistricting and for Brian Wood to advertise for redistricting. Commissioner Skidmore seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

Commissioner Ellis made a motion to approve the September 30, 2021 minutes. Commissioner Skidmore seconded the motion. The motion carried unanimously.

ERRONEOUS ASSESSMENTS

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

Paul E. Jr. &/or Jennifer Bailey, Arnold &/or Melissa Baines, Jerome B. & Jeanne A. Adkins, James Bellomy, Larry J. &/or Odella L. Boggs, Terry &/or Ruth Ann (Smith) Bowe, Gary L. &/or Kathy M. Carney, Christopher Randy &/or Whitney Carter, John S. Casto et ux, Chelsea D. (Walls) Childers, three for CR Hayes Construction LLC, two for Creek Bend Farms, Charles S. Crouch et ux, Richard M. Crout DDS Inc., Nicholas or Jennifer Estep, Robert T. Eskew, Joseph Forbes, Tyler Craig Goldsberry, two for William D. Guthrie, two for Harper & Son LLC, Sue & Shelby Hall, Alfred A. Hedrick, Terry S. &/or Lisa D. or Cheyenne Hedrick, Todd A. &/or Vickie J. Hudson, Angela M Hughes, Richard K. &/or Tammy E. Jeffries, Theron K. Jones, Gladys R. Johnson, Shelby Jean Ketchum, Kevin's Auto Body Inc., John Charles &/or Barbara Kay, Marion P. King, Eric M. Knapp, Wesley &/or Doris, Landers, two for Tony Lee, three for Kacie Legg, Charles L. Lemon, Bruce Levisay, Michael S. or Megan L. Mace, Autumn McCallister, Robert Gary &/or Dilemma L. McClain, Bradley G. McCoy, Joshua &/or Susan Meador, Michael G. &/or Stephanie D. Metz, Matthew Douglas Miller, four for Scott R. Morris et ux, Sandra K. Murriner, four for Nationwide Perre Agency Theresa Lynn Perre Agent, Frederick C. Jr. &/or Jenny Pace, James D. III &/or Amber Perry, two for Seth &/or Kristin Rhodes, two for Kari or David Ross, Douglas Sapp, Scott Depot Christ Fellowship, Charles Elijah Smith, Ashley D. & Scott D. Smolder, Toby Somerville, Stephen &/or Andrea E. Reed, Timothy A. &/or Valerie Street, Edith Strickland, Deidre Summers, two for The Chapel, Jon &/or Cynthia L. Thomack, Dorothy Underwood, Catherine E. Ward, Juanita R. &/or Samuel Webb, Julia Williams, Charles Cameron Workman, Gabrielle Wright, two for American Income Life, Dana &/or Cindy Barton, Kierra N. Bays, Canon Financial Services Inc., Zoe E. Chipps, Jonathan E. Clark et ux, Timothy Dailey, Jarrod &/or Mitsy Donohew, Michael &/or Cheryl Englund, two for Fifth Third Equipment Finance Company, Jeremy Francis, Yolanda G. Hall et con, John Harmon, Daniel C. Heffinger, three for Henderson Heirs Ofagens B. Henderson, Landquest LLC, Mary Lee, Blake Linville, Michael Marcum, Jean Mary Matovich, Virginia E. Milbee, two for National Tire Wholesale NTW, Amanda or Joshua Perry, Bonnie M. Prisk, Thomas A. or Beth A. Robinson, Michael E. &/or Charlotte "Christie" Simpson, Edward or Emily Weibl, William F. II & Rhea Varian, Cathy R. Voiles &/or Michael P. Demsey, Mary E. Youngblood

121 Erroneous Assessment were approved totaling \$70,262.01 in deduction of taxes.

Commissioner Skidmore seconded the motion. The motion carried unanimously.

COURT ORDERS APPROVED

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

1. An Order 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 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 as presented by the Larry Frye

2. An Order 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 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” as presented by the Larry Frye
3. An Order to approve the 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 as presented by the Larry Frye
4. An Order to approve the 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 as presented by the Larry Frye

5. An Order to approve the 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.” 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 as presented by the Larry Frye
6. An Order to make a payroll change for Mikyle White, Full-time, OES/911 Deputy Director, Department 711, \$60,000.00/annually, effective November 1, 2021 as presented by the Commission Secretary
7. An amended Order to make a payroll change for Farrah Crane, Full-time, Chief Tax Deputy, Department 404, \$52,599.92/annually, effective October 1, 2021 as presented by the Commission Secretary
8. An Order to make a payroll change for Jan Sigman, Full-time, Office Assistant, Department 700, \$14.50/hourly, effective October 17, 2021 as presented by the Commission Secretary
9. An Order to make a payroll change for Vanessa Hannabach, Part-time, Office Assistant, Department 700, \$14.00/hourly, effective October 17, 2021 as presented by the Commission Secretary
10. An Order to add to payroll Shawn Richmond, Part-time, Humane Officer, Department 716, \$10.35/hourly, effective October 6, 2021 as presented by the Commission Secretary

Commissioner Skidmore seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve payment of invoices as presented.

11. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$860.00 payable to EBE Investments Unit #4 for October 2021 Invoice
12. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$860.00 payable to EBE Investments Unit #3 for October 2021 Invoice

13. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$860.00 payable to EBE Investments Unit #4 for November 2021 Invoice
14. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$860.00 payable to EBE Investments Unit #3 for November 2021 Invoice
15. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$135.99 payable to Office Depot, Inc.

Commissioner Skidmore seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

Melisa Sigley appeared before the Commission in favor of a mask mandate in Putnam County Schools.

Melissa Oxley explained that WV Attorney General announced a directive for Putnam County Health Department and Putnam County Commission to have the authority for a mask mandate. County Attorney Larry Frye is going to research the matter.

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: Kyle Lee Hall, Wilkie Lemuel Hensley, Herman Clayton Matney, Keith Lee McClanahan, Frankie Caroline Cecil Hancock McClellan, Augusta Lucretia Rowley, Gregory Clay Thornton

Long Form Settlements: Magdalena Asmolo Kinnard, Doretta Lynn McClanahan

An Order to disburse the sum of \$65.00 from the Fiduciary Special Fund made payable to State Tax Department for estate tax administration fees.

An Order to disburse the sum of \$108.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from September 25, 2021 through October 8, 2021.

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

JAKE HUNT, EXECUTIVE DIRECTOR

Mr. Hunt appeared before the Commission to provide an update on WV Region 2 Workforce Investment Board. Mr. Hunt stated they provided services and work base learning services to 1087 people from July 1, 2019 to June 30, 2021.

CHIEF DERON WILKES, HURRICANE FIRE DEPARTMENT

Commissioner Ellis made a motion to approve 10% match funds on a FEMA Assistance to Firefighters Grant Award to Eleanor, Hurricane, Nitro, Teays Valley and Winfield Volunteer Fire Departments as presented by Mr. Wilkes. Commissioner Ellis amended his motion to specify the funds will come from department 425. Commissioner Skidmore seconded the motion. The motion carried unanimously.

Commission discussed with the Fire Departments that this is a one-time approval of the grant fund matching and does not guarantee approval in the future.

TIM HANNA, PROJECT COORDINATOR

Commissioner Ellis made a motion to approve a budget revision for the Other Buildings Fund #425 for contribution to gov't units as presented by Mr. Hanna. Commissioner Skidmore seconded the motion. The motion carried unanimously.

TERRY MARTIN, RIC

Mr. Martin said the Deerfield Estates project might will most likely exceed the \$1 million limit on the Critical Needs Grant Application and it may have to be applied for in two phases.

Commissioner Ellis made a motion to approve and authorize the President to sign the Evidentiary Review for Exempt Activities, Grantee Debarment Certification, Evidentiary Materials Checklist as presented by Mr. Martin. Commissioner Skidmore seconded the motion. The motion carried unanimously.

TINA PECK, PLANNER

Commissioner Ellis made a motion to approve the final order for Case 2021-46 that the landowner(s) shall comply with the recommendations contained in the complaint within sixty (60) days of the entry of this Order, unless granted an extension for good cause by the Putnam County Commission. Commissioner Skidmore seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve the final order for Case 2021-27 that the landowner(s) shall comply with the recommendations contained in the complaint within sixty (60) days of the entry of this Order, unless granted an extension for good cause by the Putnam County Commission. Commissioner Skidmore seconded the motion. The motion carried unanimously.

ADJOURN

At 9:50 a.m., having no further business, Commissioner Ellis made a motion and Commissioner Skidmore seconded to adjourn the regular session of the County Commission until Thursday, October 28, 2021 at 5:30 p.m.

Respectfully submitted,

Marcie Kimberling
Secretary