

APPROVED: _____

DATE: _____

**MINUTES
PUTNAM COUNTY COMMISSION REGULAR SESSION
February 8, 2022**

OPENING

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 Commissioner Skidmore. The Pledge of Allegiance followed.

COUNTY CLERK

1. Edit registers and checks

Commissioner Ellis made a motion to approve invoices as reflected in the edit registers. Commissioner Foster seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

Commissioner Ellis made a motion to approve the January 27, 2022 minutes. Commissioner Foster seconded the motion. The motion carried unanimously.

ERRONEOUS ASSESSMENTS

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

Three Brothers Electric LLC, Ajay or Mahija Kottapalli, Acar Leasing LTD FKA GM Financial Leasing, Amy (Kuhn) Brunty, two for Alisa G. Cole, Taylor Whitmire Engel, Lexton W. Fizer Jr., two for Harmony Hospice, Pamela A. McGrew, Jordan S. McKinney, Juanita R. &/or Samuel Webb, William Bird, Diana Johnson Fizer, two for Carey Hamilton, Carol S. Kessler, Luu H. Pham, Freddie &/or Joyce Watts

19 Erroneous Assessment were approved totaling \$5,001.06 in deduction of taxes.

Commissioner Foster seconded the motion. The motion carried unanimously.

COURT ORDERS APPROVED

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

1. An Order approving an Amendment to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia to amend Article 200 of the ILP (Improvement Location Permit Ordinance) by adding provisions for conduits to be placed in all newly located or relocated structures and all new construction of any residential or

non-residential structure, including any major subdivision development, any manufactured home park development, any lease community development or other development in Putnam County for the installation of a new fiber optic system being developed in Putnam County.

2. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$2,825.00 payable to New Horizons Therapy Services for December 13, 2021 through December 22, 2021 invoice
3. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$4,375.00 payable to New Horizons Therapy Services for January 19, 2022 through February 3, 2022 invoice
4. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,644.23 payable to Hazelden Publishing
5. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,905.00 payable to Kimberly Sizemore for professional services rendered for January 2022 invoice
6. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$1,720.00 payable to EBE Investments for March 2022 invoice
7. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$140.00 payable to Reconnect, Inc. for January 2022 invoice

Commissioner Foster seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

Mayor Barrett informed the Commissioners that the City of Winfield is going to table Fiber B&O tonight.

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: Adam Kirk Bellew, Peggy Ann Chandler, Judy Mae Prather, Joyce Ann Samms, Jeffrey Scott Smith, Marsha Louise Stewart

Report and Notice of Fiduciary Supervisor on Order to Show Cause Against Delinquent or Unprogressed Estate (No Good Cause Shown):

John Kenneth Clark, Richard Eugene Clark, Oredo Lee Cutlip, Samuel Kenneth Cutlip, Albert Lee Davis, Terry Warren

Durhammer, Evelyn Bonnette Hinton, Larry Clayton Spence,
Deloris Jean Wheeler Spence

An Order to disburse the sum of \$185.00 from the Fiduciary Special Fund made payable to State Tax Department for estate tax administration fees.

An Order to disburse the sum of \$75.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

A General Order to Show Cause Against Delinquent or Unprogressed Estates for the Estates of Donald Cecil Arthur, Wilma Jo Brewer, Ruth Aileen Hudson, Dale Eric Hughes, Eric Matthew James, and Emmitt Gene Jeffrey, Sr.

An Order to reclose the Estate of James V. Hull, which was reopened by James v. Hull, Jr., for the sole purpose of transferring titles, as they have been transferred.

An order to reopen the Estate of Kathy Lee Buckley and appoint Charles Dana Buckley, for the sole purpose of distributing checks.

An order to reopen the Estate of Pearl Louise Gibson and appoint Katherine M. Milhorn as Executrix for the sole purpose of negotiating a check from City National Bank pursuant to Order of Circuit Court.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from January 21, 2022 through February 5, 2022.

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

JEREMY YOUNG, COUNTY MANAGER

Commissioner Ellis made a motion to issue a check from the General County Fund (#024-430-5-67.0) in the amount of \$7,500.00 payable to the Town of Eleanor for reimbursement out of the Putnam County Recreation Enhancement Fund as presented by Mr. Young. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to issue a check from the General County Fund (001-425-5-66.0) in the amount of \$50,000.00 payable to Putnam County Employee Benefits Fund as presented by Mr. Young. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to issue a check from the Putnam County Employee Benefits Fund in the amount of \$50,000.00 payable to Benefit Assistance Corporation for prepayment of insurance costs through June 2022 as presented by Mr. Young. Commissioner Foster seconded the motion. The motion carried unanimously.

BOARD APPOINTMENT

Commissioner Ellis made a motion to appoint Travis Willard to serve on the Putnam County Planning Commission Board, effective February 8, 2022 with a term to expire on February 6, 2025. Commissioner Foster seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 9:07 a.m., Commissioner Skidmore made a motion to enter into executive session for board interviews with Martha Carter and Andrew Bragg. Commissioner Ellis seconded the motion. The motion carried unanimously.

At 9:38 a.m., Commissioner Ellis made a motion to enter back into regular session. Commissioner Foster seconded the motion. The motion carried unanimously.

BID OPENING FOR CONFIDENCE 911 TOWER CONSTRUCTION

OES/911 Director Mikyle White appeared before the Commission to present three (3) bids for the Confidence 911 Tower Construction as follows: 1) Premier Construction LLC with a bid of \$886,685.46. 2) Meridian Communications & Construction, Inc. with a bid of \$1,169,751.00 3) Telconn, Inc. with a bid of \$763,600.00.

Commissioner Foster made a motion to award the bid for the Confidence 911 Tower Construction to Telconn, Inc. pending Mr. White's review of it meeting all the requirements as presented by Mr. White. Commissioner Ellis seconded the motion. The motion carried unanimously.

The Commissioners are going to Legislature this afternoon and will gather more information regarding the 911 Retirement Bill.

JEREMY YOUNG, COUNTY MANAGER

Commissioner Ellis made a motion to take the Legal Services for E-Cigarette Litigation off the table as presented by Mr. Young. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to sign an agreement with Giatrix Law Firm and Tyree Embree & Associates for Legal Services for E-Cigarette Litigation as presented by Mr. Young. Commissioner Foster seconded the motion. The motion carried unanimously.

TINA PECK, DAEA PROGRAM DIRECTOR

Commissioner Ellis made a motion to sign the order approving the Putnam County Dilapidated and Abandoned Ordinance Amendments as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to grant the landowner a 60-day extension for the remainder of cleanup to the property for DAEA Case 2021-41 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to refer DAEA Case 2021-58 back to the DAEA Board for further review as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

LARRY FRYE, COUNTY ATTORNEY

Mr. Frye reviewed the Amended Petition to Abandon Right of Way of 0.59 Acres in the Poca District of Putnam County, WV.

At 10:02 a.m., Commission Ellis made a motion to open the public hearing for the Amended Petition to Abandon Right of Way of 0.59 Acres in the Poca District of Putnam County, WV. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Skidmore opened the public hearing and asked for public comments; there were none.

At 10:03 a.m., Commissioner Ellis made a motion to close the public hearing. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve the Amended Petition to Abandon Right of Way of 0.59 Acres in the Poca District of Putnam County, WV as presented by Mr. Frye. Commissioner Foster seconded the motion. The motion carried unanimously.

RECESS

At 10:04 a.m., Commissioner Foster made a motion to take a short recess. Commissioner Ellis seconded the motion. The motion carried unanimously.

At 10:30 a.m., Commissioner Ellis made a motion to enter back into regular session. Commissioner Foster seconded the motion. The motion carried unanimously.

JOHN STUMP, STEPTOE & JOHNSON PLLC

Commissioner Ellis made a motion to approve the first reading of the proposed Ordinance of the County Commission Entitled: AN ORDINANCE AUTHORIZING AND APPROVING THE DESIGN, ACQUISITION, CONSTRUCTION, IMPROVEMENT, FURNISHING AND EQUIPPING OF PROPERTY TO BE CONVEYED BY THE COUNTY COMMISSION OF PUTNAM COUNTY (THE "COUNTY COMMISSION") TO THE PUTNAM COUNTY BUILDING COMMISSION (THE "BUILDING COMMISSION") LOCATED AT 236 COURTHOUSE DRIVE, SUITE 8, WINFIELD, WEST VIRGINIA, FOR USE AS A SHERIFF'S HEADQUARTERS (THE "PROJECT") BY THE COUNTY COMMISSION AND THE ISSUANCE BY THE BUILDING COMMISSION OF ITS LEASE REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 (THE "BONDS"), TO FINANCE THE COSTS THEREOF, THE FUNDING OF A DEBT SERVICE RESERVE FUND FOR THE BONDS, IF REQUIRED, AND THE PAYMENT OF COSTS OF ISSUANCE OF THE BONDS AND RELATED COSTS; AUTHORIZING AND APPROVING THE CONVEYANCE OF ALL REAL AND PERSONAL PROPERTY CONSTITUTING THE PROPERTY OF THE PROPOSED SHERIFF'S HEADQUARTERS WITH ALL BUILDINGS, IMPROVEMENTS,

FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH BY THE COUNTY COMMISSION TO THE BUILDING COMMISSION; AUTHORIZING THE LEASING OF THE PROPERTY OF THE PROPOSED SHERIFF'S HEADQUARTERS TOGETHER WITH ALL BUILDINGS, IMPROVEMENTS, FIXTURES, EQUIPMENT, RIGHTS OF WAY AND APPURTENANCES ASSOCIATED THEREWITH BY THE COUNTY COMMISSION FROM THE BUILDING COMMISSION PURSUANT TO A LEASE AGREEMENT TO BE EXECUTED AND DELIVERED BY THE PRESIDENT OF THE COUNTY COMMISSION; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE PRESIDENT OF THE COUNTY COMMISSION OF A CONTINUING DISCLOSURE AGREEMENT, AN OFFICIAL STATEMENT, AND A BOND PURCHASE AGREEMENT AMONG THE COUNTY COMMISSION, THE BUILDING COMMISSION AND THE UNDERWRITER FOR THE BONDS; APPROVING THE ADOPTION BY THE COUNTY COMMISSION OF CONTINUING DISCLOSURE POLICIES AND PROCEDURES WITH RESPECT TO THE CONTINUING DISCLOSURE AGREEMENT TO BE EXECUTED BY THE COUNTY COMMISSION IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING. Commissioner Foster seconded the motion. The motion carried unanimously.

ADJOURN

At 10:34 a.m., having no further business, Commissioner Ellis made a motion and Commissioner Foster seconded to adjourn the regular session of the County Commission until Thursday, February 24, 2022 at 5:30 p.m.

Respectfully submitted,

Marcie Kimberling
Secretary