

APPROVED: _____

DATE: _____

**MINUTES
PUTNAM COUNTY COMMISSION REGULAR SESSION
February 24, 2022**

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

GENERAL BUSINESS

Commissioner Ellis made a motion to approve the February 8, 2022 minutes. Commissioner Foster 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 for the Putnam County Commission sitting as Board of Review and Equalization that the exhibits submitted by Craig Griffith, counsel for Cathcart Group, on February 7, 2022 be made a part of the record as presented by the Commission Secretary
2. An Order to add to payroll Leslie Oakes, Part-time, Kennel Tech/Office Assistant, Department 716, \$10.25/hourly, effective February 14, 2022 as presented by the Commission Secretary
3. An Order to make a payroll change for Sara Whitney, Full-time, Investigator, Department 405, \$50,000.00/annually, effective March 16, 2022 as presented by the Commission Secretary
4. An Order to make a payroll change for Nancy Bellomy, Full-time, Investigator/Office Manager, Department 405, \$50,000.00/annually, effective March 16, 2022 as presented by the Commission Secretary

5. An Order to add to payroll Jessica Caswell, Full-time, Telecommunicator, Department 712, \$19.00/hourly, effective February 18, 2022 as presented by the Commission Secretary
6. An Order to add to payroll Felisa Franco, Full-time, Telecommunicator, Department 712, \$19.00/hourly, effective February 18, 2022 as presented by the Commission Secretary
7. An Order to add to payroll Corey Coen, Full-time, Telecommunicator, Department 712, \$19.00/hourly, effective February 18, 2022 as presented by the Commission Secretary
8. An Order to delete from payroll Chase Jeffries, Part-Time, Custodian, Department 424, effective February 16, 2022 as presented by the Commission Secretary
9. An Order to delete from payroll Jamie Moffatt, Part-Time, Telecommunicator, Department 712, effective February 17, 2022 as presented by the Commission Secretary
10. An Order to add to payroll Ronald Hayson, Full-time, Field Appraiser, Department 407, \$11.00/hourly, effective February 28, 2022 as presented by the Commission Secretary

Commissioner Foster 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 \$170.00 payable to QLABS for January 2022 invoice
12. An Order to issue a check from the Putnam County Community Criminal Justice Fund in the amount of \$3,825.00 payable to New Horizons Therapy Services for February 7, 2022 through February 17, 2022 invoice

Commissioner Foster seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

John Webster with Appalachian Power gave recognition to the letter from the Commissioners and reported Five and Twenty Mile Creek Road vegetation management is currently being completed.

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: Charles Wesley Boggess, Michael Lee Truman

Long Form Settlements: Philip Daniel Lemon

An Order to disburse the sum of \$48.00 from the Fiduciary Special Fund made payable to Brian Wood, Clerk, for recording settlements.

An Order approving the Partial Settlement Report of Mary Kay Harrison, Executrix of the Estate of Richard Lee Harrison.

Hearing and Order Administratively Closing Delinquent or Unprogressed Estates of Robert Alton Clay, Terry Lee Cooper, Paul Richard Coyner, Shirley Ann Craft, Betty Gertrude Crist, and Catherine Lee Henson.

An Order of "Estate Listing" of Actions of Fiduciary Supervisor from February 4, 2022 through February 19, 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.

Commissioner Ellis made a motion to approve the order to administratively close the Estates of Robert Alton Clay, Terry Lee Cooper, Paul Richard Coyner, Shirley Ann Craft, Betty Gertrude Crist, and Catherine Lee Henson as presented by Mr. Frye. Commissioner Foster seconded the motion. The motion carried unanimously.

KRAIG BARKER, EMS DIRECTOR

Commissioner Foster requested the information from Kraig Barker be made as part of the record.

Commissioner Ellis made a motion to provide an increase in pay for the EMS employees as presented by Mr. Barker. Commissioner Foster seconded the motion. The motion carried unanimously.

MIKYLE WHITE, OES/911 DIRECTOR

Following a review of the Confidence 911 Tower Construction bids by Mikyle White, Commissioner Foster made a motion to reject the lowest Confidence 911 Tower Construction bid from Telconn and to award the bid to Premier Construction for meeting all the requirements. Commissioner Ellis seconded the motion. The motion carried unanimously.

Mikyle White reviewed the Strategic Plan for the Putnam County 911 Tower System.

ALAN PRITT, PRITT & SPANO

Alan Pritt appeared before the Commission to provide an Opioid Litigation update. Mr. Pritt explained we have a Memorandum of Understanding which has a formula and Putnam County will get 1.78% of the money collected.

BUDGET HEARINGS

The County Commission and County Manager Jeremy Young held budget hearings for Putnam County Parks & Recreation, Putnam County Libraries, Putnam County Convention and Visitors

Bureau, Putnam County Development Authority, Putnam County WVU Extension, and Putnam County Day Report.

JAMEY HUNT, DAY REPORT DIRECTOR

Commissioner Ellis made a motion to approve and authorize the President to sign the Community Corrections Grant Application as presented by Mr. Hunt. Commissioner Foster seconded the motion. The motion carried unanimously.

TINA PECK, DAEA PROGRAM DIRECTOR

Commissioner Ellis made a motion to approve the petition to accept and file the complaint for DAEA Case 2022-04 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve the order to file the complaint for Dilapidated & Abandoned Enforcement Agency Case 2022-04 that probable cause exists to believe the property contains refuse, trash, and 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 with the amendment to make the structure structurally sound or demolish the building as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve the final order for DAEA Case 2021-12 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to approve the final order for DAEA Case 2022-03 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to dismiss DAEA Case 2021-64 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to dismiss DAEA Case 2021-50 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to dismiss DAEA Case 2021-62 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to dismiss DAEA Case 2019-15 as presented by Ms. Peck. Commissioner Foster seconded the motion. The motion carried unanimously.

DAVID COLL, PLANNING DIRECTOR

David Coll presented a Proposed Text Amendment 2022-03 submitted by Jason Asbury, Chairperson for the Putnam County Ordinance Subcommittee, and the Putnam County Planning Commission for a Text Amendment to amend Article 1300.02 of the Putnam County Subdivision

Regulations – Design and Construction Requirements – Lots and Setbacks. Proposed language to be Added to Article 1300.02 of the Putnam County Subdivision Regulations – Design and Construction Requirements – Lots and Setbacks:

**Lot Averaging: The allocation of lot sizes in a residential subdivision based on the average lot size as defined below. The average lot size must equal or exceed 3,500 square feet. To determine the average lot size, the following formula shall be used:*

(Total square footage of the development) MINUS (Total square footage of the roads, common areas and other areas not available for residential development) DIVIDED BY (Total number of residential lots available for development) EQUALS (Average Lot Size).

At 7:11 p.m., Commissioner Ellis made a motion to open the public hearing. Commissioner Foster seconded the motion. The motion carried unanimously.

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

At 7:12 p.m., Commissioner Ellis made a motion to close the public hearing. Commissioner Foster seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACT: (1) The text amendment 2022-03 would protect and promote the public health, safety, convenience, moral and general welfare because it provides clarification to Article 1300.02 of the Putnam County Subdivision Regulations while promoting business growth and development. (2) It is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan because it allows us to maximize land use with a formula that is clear while allowing projects pass through the process smoothly without misunderstandings.

Commissioner Ellis made a motion to approve the text amendment 2022-03 as presented by Mr. Coll. Commissioner Foster seconded the motion. The motion carried unanimously.

David Coll presented a Proposed Text Amendment 2022-04 submitted by Jason Asbury, Chairperson for the Putnam County Ordinance Subcommittee, and the Putnam County Planning Commission for a Text Amendment to amend Article 1700.17 D. – Home Occupation of the Zoning Ordinance to clarify a Home Occupation:

- Removal of language that states a Home Occupation shall not be permitted to “*sell upon the premises articles produced elsewhere.*”
- Addition of language that states a Home Occupation “*shall include internet sales (the buying and selling of goods using the internet).*”

At 7:20 p.m., Commissioner Ellis made a motion to open the public hearing. Commissioner Foster seconded the motion. The motion carried unanimously.

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

At 7:20 p.m., Commissioner Ellis made a motion to close the public hearing. Commissioner Foster seconded the motion. The motion carried unanimously.

The County Commission made the following FINDINGS OF FACT: (1) The text amendment 2022-04 would protect and promote the public health, safety, convenience, moral and general

welfare because it promotes more business growth and adds internet sales. The Commissioners feel the definition of Home Occupation does limit many of the general welfare concerns that the public may have. (2) It is consistent with the adopted Comprehensive Plan, the U.S. Corridor 35 Plan, and the Teays Valley Land Use Plan by creating more business opportunities for people including internet sales.

Commissioner Ellis made a motion to approve the text amendment 2022-04 as presented by Mr. Coll. Commissioner Foster seconded the motion. The motion carried unanimously.

JEREMY YOUNG, COUNTY MANAGER

Commissioner Foster made a motion to modify the Comcast letter of support for the MBPS Grant Program for the specific areas that were previously discussed. Commissioner Ellis seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to table the Frontier Communication letter of support for the MBPS Grant Program until their meeting with the West Virginia Economic Development Authority. Commissioner Foster seconded the motion. The motion carried unanimously.

BOARD APPOINTMENT

Commissioner Ellis made a motion to appoint Jessica Kay Griffith to serve on the Putnam County Planning Commission Board, effective February 24, 2022 with a term to expire on February 6, 2024. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to appoint Andrew Bragg Jr. to serve on the Putnam County Community Criminal Justice Board, effective February 24, 2022 with a term to expire on September 11, 2024. Commissioner Foster seconded the motion. The motion carried unanimously.

JEREMY YOUNG, COUNTY MANAGER

Commissioner Ellis made a motion to approve the revision for the Putnam County Circuit Clerk Fund #403 for supplies and materials as presented by Mr. Young. Commissioner Foster seconded the motion. The motion carried unanimously.

Commissioner Ellis made a motion to issue check from the Putnam County American Rescue Plan Fund (#207-424-2-23.0) in the amount of \$60,000.00 payable to S & S Engineers, Inc. for work completed on the Putnam County Fiber Optic Broadband Project 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 (#001-401-2-23.0) in the amount of \$2,050.00 payable to WesBanco for Trustee Fees (invoice #6713) 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 Building Fund (#044-424-2-23.0) in the amount of \$239,720.96 payable to Silling Architects for design work

associated with the Putnam County Sheriff Facilities 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 TIF Fund (#273-430-5-66.0) in the amount of \$25,645.29 payable to WesBanco Bank, Inc. Trustee for January 2022 TIF Revenue (Acct #108507771 Revenue Fund) – Trustee is to issue debt service payments for Putnam Bonds 2017AB 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 Water and Sewer Fund (#045-809-5-66) in the amount of \$7,700.00 (invoice #37369) payable to Terradon Corporation for engineering services for the Jim Ridge Phase II Water Main Extension Project as presented by Mr. Young. Commissioner Foster seconded the motion. The motion carried unanimously.

ADJOURN

At 7:32 p.m., having no further business, Commissioner Ellis made a motion and Commissioner Foster seconded to adjourn the regular session of the County Commission until Tuesday, March 8, 2022 at 9:00 a.m.

Respectfully submitted,

Marcie Kimberling
Secretary