

Minutes

Jefferson County Commission

Thursday, May 5, 2016

A meeting of the Jefferson County Commission was held on Thursday, May 5, 2016 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Eric Bell, Dale Manuel, Patsy Noland, Walter Pellish, and Jane Tabb. Also present were Stephanie Grove, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, May 5, 2016 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Manuel led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Tabb to approve the April 19, 2016 Special Session to Lay the Levy minutes as presented. Motion seconded and unanimously approved.

Motion by Mr. Manuel to approve the April 21, 2016 Regular Meeting Minutes as presented. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDER

Motion by Mr. Manuel to approve the May 5, 2016 Purchase Order in the amount of \$22,500.00 to include Purchase Order No. 52339. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Manuel to approve the Payroll for April 21, 2016 in the amount of \$227,271.60. Motion seconded and unanimously approved.

Motion by Ms. Tabb to approve the Payroll for May 5, 2016 in the amount of \$230,547.00. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
076286	424	NOEMI BRUN		\$ -	\$ 77.44	\$ 77.44
076287	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
076288	405	RAYMOND E. BOYCE		\$ -	\$ 27.00	\$ 27.00
076289	405	NATHAN COCHRAN		\$ -	\$ 110.88	\$ 110.88
076290	700	PHILIP DRISH		\$ -	\$ 23.00	\$ 23.00
076291	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 6,251.61	\$ 6,251.61
076292	700	FEDEX		\$ -	\$ 81.08	\$ 81.08
076293	717	5 STAR AUTO GLASS		\$ -	\$ 301.00	\$ 301.00
076294	425	FIDELITY POWER SYSTEMS		\$ -	\$ 493.70	\$ 493.70
076295	433	JESSICA GORMONT		\$ -	\$ 38.00	\$ 38.00
076296	PAYROLL	THE HARTFORD		\$ -	\$ 4,526.10	\$ 4,526.10
076296	PAYROLL	THE HARTFORD		\$ -	\$ 2,241.55	\$ 2,241.55
076297	403	JEFFERSON CENTER		\$ -	\$ 100.00	\$ 100.00
076298	401	THE SPIRIT OF JEFFERSON		\$ -	\$ 45.26	\$ 45.26
076299	401	THE JOURNAL		\$ -	\$ 2,008.44	\$ 2,008.44
076299	424	THE JOURNAL		\$ -	\$ 62.83	\$ 62.83
076300	425	JEFFERSON COUNTY SOLID		\$ -	\$ 158.79	\$ 158.79
076301	425	JEFFERSON RENTAL		\$ -	\$ 61.49	\$ 61.49
076302	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
076303	PAYROLL	CARRIE L. LEHMAN		\$ -	\$ 2,250.00	\$ 2,250.00
076304	PAYROLL	HIGHMARK WV		\$ -	\$ 176,309.54	\$ 176,309.54
076305	425	MILLER'S SUPPLIES AT WOR		\$ -	\$ 181.53	\$ 181.53
076306	406	NATIONAL BAND & TAG CO		\$ -	\$ 1,554.74	\$ 1,554.74
076307	PAYROLL	NATIONAL VISION ADMIN.		\$ -	\$ 1,809.30	\$ 1,809.30
076308	428	OFFICEMAX		\$ -	\$ 523.59	\$ 523.59
076309	406	PIFER OFFICE SUPPLY, INC		\$ -	\$ 87.02	\$ 87.02
076310	405	SPECIALTY BUS SUPPLIES		\$ -	\$ 1,051.21	\$ 1,051.21
076311	405	THOMSON REUTER - WEST		\$ -	\$ 2,282.45	\$ 2,282.45
076312	401	WV STATE AUDITOR**		\$ -	\$ 2,552.00	\$ 2,552.00
076313	405	WV PROS.ATTYS ASSOC/WVPA		\$ -	\$ 1,350.00	\$ 1,350.00

TOTAL					\$ 217,198.47	\$ 217,198.47
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DEPT	NAME				DEPT AMTS
401/COM	CO. COMMISSION				\$ 14,244.62
403/CIR CLK	CIRCUIT CLERK				\$ 100.00
405/PA	PROS ATTY				\$ 4,821.54
406/ASSR	ASSESSORS				\$ 1,641.76
424/CTHS	COURT HOUSE				\$ 140.27
425/OB	OTHER BUILDING				\$ 895.51
428/DATAP	DATA PROCESSING				\$ 523.59
433/GIS	GIS/ADDRESSING				\$ 38.00
700/SHRF	SHERIFF DEPT				\$ 104.08
712/911	911 COMMUNICATION				\$ 1,000.00
717/GARAGE	CENTRAL GARAGE				\$ 301.00
PAYROLL	PAYROLL				\$ 193,388.10
TOTALS					\$ 217,198.47

Motion by Mr. Bell to approve the Accounts Payable for April 28, 2016 in the amount of \$217,198.47. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
076316	712	AT&T/GA		\$ -	\$ 40.53	\$ 40.53
076317	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 766.32	\$ 766.32
076318	425	BOLAND SERVICES		\$ -	\$ 308.00	\$ 308.00
076319	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
076320	PAYROLL	BUREAU F/CHILD SPprt ENF		\$ -	\$ 212.31	\$ 212.31
076321	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
076322	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
076323	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
076324	413	CASTO & HARRIS INC		\$ -	\$ 759.45	\$ 759.45
076325	425	CITY OF CHARLES TOWN		\$ -	\$ 40.00	\$ 40.00
076326	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
076327	401	RICOH USA, INC		\$ -	\$ 29.06	\$ 29.06
076327	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
076327	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
076327	405	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
076327	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
076327	425	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07

076327	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
076327	440	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
076327	700	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
076327	712	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
076328	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 1,134.72	\$ 1,134.72
076329	401	THE SPIRIT OF JEFFERSON		\$ -	\$ 38.66	\$ 38.66
076329	402	THE SPIRIT OF JEFFERSON		\$ -	\$ 220.70	\$ 220.70
076330	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,460.00	\$ 5,460.00
076331	PAYROLL	JASON MICKEY		\$ -	\$ 2,250.00	\$ 2,250.00
076332	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
076333	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
076334	ALLOC	JEFF CO PARKS &		\$ -	\$ 17,256.87	\$ 17,256.87
076335	413	PIFER OFFICE SUPPLY, INC		\$ -	\$ 10.95	\$ 10.95
076336	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,841.00	\$ 6,841.00
076337	404	SHERIFF OF JEFFERSON CO		\$ -	\$ 54.37	\$ 54.37
076338	404	SHERIFF OF JEFFERSON CO		\$ -	\$ 55.74	\$ 55.74
076339	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,006.34	\$ 10,006.34
076339	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 42,785.86	\$ 42,785.86
076339	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 39,888.27	\$ 39,888.27
076340	PAYROLL	WILLIAM SCHWEITZER		\$ -	\$ 1,038.63	\$ 1,038.63
076341	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 114.75	\$ 114.75
076342	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,985.00	\$ 2,985.00
076343	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 19,157.91	\$ 19,157.91
076344	405	THOMSON REUTER - WEST		\$ -	\$ 1,238.50	\$ 1,238.50
076345	402	XEROX CORPORATION		\$ -	\$ 1,428.04	\$ 1,428.04
TOTAL					\$ 158,060.59	\$ 158,060.59

Motion by Mr. Bell to approve the Accounts Payable for May 5, 2016 in the amount of \$158,060.59. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

COAL SEVERANCE			
002			
Date	Check #	VENDOR	Amount
4/29/2016	424	EASTRIDGE HEALTH SYSTEM	\$ 800.00
4/29/2016	425	LEWIS CO. CIRCUIT CLERK	\$ 44.06

TOTAL			\$ 844.06

Motion by Mr. Bell to approve the Manual Checks for April 29, 2016 in the amount of \$844.06. Motion seconded and unanimously approved.

PUBLIC COMMENT:

David Tabb, resident – updated the Commission on his pending case concerning the Excess Levy.

PRESENTATIONS

1. Ralph Lorenzetti, Prosecuting Attorney – requested approval to hire a summer intern for the Victim’s Advocate Office. This request is not within the Prosecuting Attorney’s Office. As a result, the Prosecuting Attorney is requesting \$10,188.00 to fund this position.

- **Motion by Mr. Pellish to enter into Executive Session to discuss personnel matters. Motion seconded and unanimously approved.**
- **Motion by Mr. Bell to come out of Executive Session. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to approve the request to hire Adoneijah Gilmore as a summer intern within the Victim’s Advocate Office, beginning May 16, 2016 through September 2, 2016 at a salary of \$16.90 an hour and transfer the requested \$10,188.00 from the contingency fund to the Prosecuting Attorney’s budget. Motion seconded.**
- **Motion by Mr. Manuel to amend the previous motion to direct the Prosecuting Attorney to review all funding options for the hire of the summer intern. Motion seconded and unanimously approved.**

2. Barbara Miller, Director, Jefferson County Homeland Security and Emergency Management – requested approval to hire a Deputy Director/Planner/Program Manager at \$40,996.80.

- **Motion by Ms. Tabb to approve the hire of Stephen S. Allen as Deputy Director/Planner/Program Manager for the Homeland**

**Security and Emergency Management Department at \$40,996.80
(Grade 4, Step A). Motion seconded and unanimously approved.**

3. Roger Goodwin, Chief County Engineer
 - a. Requested the Complete Construction Bond Release for Asbury United Methodist Church/Asbury United Methodist Church Addition (File#S11-05) – Performance Bond No. 1000965945 with United States Surety Company, Timonium, MD.
 - **Motion by Mr. Manuel to authorize a complete release of the remaining \$100,000.00 from the construction bond for Asbury United Methodist Church – Asbury United Methodist Church Addition (File #S11-05). Motion seconded and unanimously approved.**
 - b. Requested the Complete Construction Bond Release for Colonial Hills Subdivision, Phase 1, Lots D1-D20 (File #00-03) – Letter of Credit #18107623-00-000 with PNC Bank, National Association, Pittsburgh, PA.
 - **Motion by Mr. Bell to authorize a complete release of the remaining \$163,750.00 from the construction bond amount for Mark Colonial Hills, LLC – Colonial Hills Subdivision, Phase 1, Lots D1-D20 (File #00-03). Motion seconded and unanimously approved.**
 - c. Requested the complete release of construction bond security for Kinsley Construction, Inc./Colonial Hills Subdivision, Phase 2, Lots TH1-TH60 – (File #04-33) Letter of Credit #SB1278560001 with M&T Bank, Baltimore, MD.
 - **Motion by Ms. Tabb to authorize a complete release of the remaining \$358,541.10 from the construction bond amount for Kinsley Construction, Inc. – Colonial Hills Subdivision, Phase 2, Lots TH1-TH60 (File #04-33). Motion seconded and unanimously approved.**
4. Nathan Cochran, Assistant Prosecuting Attorney – requested a review and report on the following cases: 15-AA-4; 16-AA-2; 15-C-282; 16-C-18; 13-C-432/15-1155; 16-C-43.
 - **Motion by Mr. Bell to enter into Executive Session. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

- **Motion by Ms. Noland to provide the Sheriff with \$20,000 to obtain professional appraisal services to further the progress of the Kelch Estate with reimbursement to the Commission from the Estate once settled. Motion seconded and unanimously approved.**
5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
 6. Karen Olden, Probate Office – request to Probate in Solemn Form in the Estate of Lawrence L. Cook.
 - **Motion by Mr. Bell to convene as a Fiduciary Review Board. Motion seconded and unanimously approved.**
 - **Motion by Ms. Tabb to permit the copy of the Last Will and Testament of Lawrence L. Cook to be probated in Solemn Form. Motion seconded and unanimously approved.**
 7. The Commission recessed for lunch at 12:00 pm.
The Commission reconvened at 1:30 pm.

NEW BUSINESS

8. Discussion to determine the process and request support for placing on the November General Election Ballot a Levy to support the following organizations: Jefferson Arts Council, Parks and Recreation, Libraries, and Fire Departments.
 - It was the consensus of the Commission to delay discussion/action on this item until additional research has been conducted.
9. Discuss possibility of a public hearing for citizens to provide input regarding the restructuring of the Departments of Planning, Zoning, Engineering, Impact Fees, and GIS.
 - **Motion by Mr. Manuel to hold a public hearing regarding the restructuring of the Departments of Planning, Zoning, Engineering, Impact Fees, and GIS. Motion seconded but fails on a vote of 1-4 with Mr. Bell, Ms. Noland, Mr. Pellish, and Ms. Tabb opposing.**
10. Ratification of the motion made on April 21, 2016 to approve the hire of Noemi Brun for the custodial vacancy within the Maintenance Department.
 - **Motion by Mr. Bell to approve the hire of Noemi Brun for the custodial vacancy within the Maintenance Department. Motion seconded and unanimously approved.**

11. Discuss the appointment to the Harpers Ferry/Bolivar Public Service District – one unexpired term ending June 30, 2016.

- **Motion by Mr. Bell to delay action on this item until the June 30, 2016 expiration of the term. Motion seconded and unanimously approved.**

FINANCIAL DIRECTOR REPORTS

- Review of HRA 18 month impact for employees due to the Highmark Medical Insurance Renewal period change from calendar year to fiscal year (July 1, 2016 – June 30, 2017)
 - Review WVCORP Self Insurance Renewal for Liability (Property, Automobile, Liability, Volunteer Accident & Sickness, and Line of Duty Act) and Workers' Compensation coverage for July 1, 2016 to July 1, 2017.
- **Motion by Mr. Bell to approve the insurance renewals for FY17 as recommended by Ms. Gordon. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

Ambulance Fee Update – Ms. Grove stated 81% of the ambulance fee billing for 2015 has been collected to date with delinquent bills continuing to be paid. Also, \$11,855 has been collected for 2016 due to the online payment option and delinquent payees opting to pay in advance of the issuance of the 2016 bills.

DEP Award for Jefferson County – Ms. Grove stated the County was the recipient of a WV Department of Environmental Protection Award due to their performance regarding the Stormwater Management regulations. Ms. Grove said Ms. Brockman from the Departments of Planning and Zoning would be happy to accept the award on the Commission's behalf during the awards ceremony in Charleston, WV on May 16.

12. Work Session – Amendments of the various sections of the Zoning and Land Development Ordinance (File #ZTA15-02) and the Subdivision and Land Development Regulations (File #STA15-04) regarding permitting campgrounds in certain Rural and Commercial zoning districts.
- The Commission discussed possible changes to a number of elements within the ordinance, including setbacks, the size of campsites, landscaping buffers, and provisions for different types of campsites. Ms. Brockman will return with edits at a later date for final review.

COUNTY COMMISSION REPORTS

Dale Manuel

- Attended Local Business Earth Day at the Shepherdstown Train Station.
- Visited the Charles Town Farmer's Market.
- Attended a meeting on Courthouse Facilities.
- Attended the Animal Welfare Pancake Day.
- Attended Earth Day at Morgan's Grove Park.
- Attended a PSD meeting.
- Attended an Affordable Housing meeting.
- Attended the Public Service Commission hearing dealing with rate increases for PSD customers.

Patsy Noland

- Attended the Leadership WV Tour of the Eastern Panhandle which included a discussion about Economic Development with stops at local businesses including Bloomery Distillery and Plantation, The Hub (Berkeley County), Hollywood Casino at Charles Town Races, and American Public University.
- Attended a Courthouse Facilities meeting.

Jane Tabb

- Attended an ESA meeting.
- Attended Career Day at Wright Denny School.
- Attended the Public Service Commission hearing on PSD rate increases.
- Attended a PSD meeting.
- Attended the Homeland Security and Emergency Management Quarterly Partnership Luncheon.
- Participated in Early Voting week.

Eric Bell

- Attended the Attorney General's press conference on predatory contractors in the area.
- Was the first ballot cast during Early Voting Week.
- Attended the opening of the Public Service Commission hearing on the PSD rate increases.
- Attended Juvenile and Adult Drug Court proceedings.
- Had a meeting with Bob Shefner of the Jefferson County Board of Health.
- Participated in a conference call with the County Commission of San Bernardino, California.

Walt Pellish

- Attended an Open House at the Child Advocacy Center in Martinsburg.
- Spent time with his grandson in Savannah at the Savannah College of Art and Design.

13. The meeting was adjourned at 2:40 pm on a motion by Mr. Bell. Motion was seconded and unanimously approved.

Patricia A. Noland, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant