

Minutes

Jefferson County Commission

Thursday, April 7, 2011

A meeting of the Jefferson County Commission was held on Thursday, April 7, 2011 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Patsy Noland, Dale Manuel, Frances Morgan, Lyn Widmyer and Walt Pellish; Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of this April 7, 2011 meeting is available through the Jefferson County Commission Office.)

The meeting was called to order at 9:30 a.m. by Commissioner Noland.

PLEDGE OF ALLEGIANCE

Commissioner Morgan led the Pledge of Allegiance. Ms. Morgan reminded the Commission that one year had passed since the tragedy at the Upper Big Branch Mine and the Commissioners observed a moment of silence in remembrance of the miners who lost their lives.

APPROVAL OF MINUTES

Motion by Ms. Widmyer to approve the Minutes of the March 31, 2011 regular meeting of the Jefferson County Commission as amended. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$13,221.38, being purchase order numbers: 48516, 49344, 49345, 49489, 49375, 48108, 48384, 49484, 49488, 49296, 49490, 49486, 49398 and 49397. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve the accounts payable in the amount of \$561,733.71. Motion seconded by Ms. Morgan and unanimously approved.

PUBLIC COMMENT

James G. Gibson, a resident of Jefferson County, attended the US 340 Corridor – East Gateway Plan Kickoff Meeting and became concerned with several issues. He shared these concerns with the Commission.

NEW BUSINESS:

Legislative Update:

Ms. Noland reported that the Governor signed the Chesapeake Bay Bill (SB245).

Mr. Manuel commended Senator Unger's work in connection with redistricting and his suggestion that the process should involve the citizens as well as the legislators.

UNFINISHED BUSINESS:

Appointment to the Jefferson County Development Authority by a Shepherdstown Municipal Representative
Mr. Boyde advised the Commission that he has received nothing from the Corporation of Shepherdstown. The Commission directed that this item be removed from the Agenda and rescheduled when the Commission receives communication from Shepherdstown officials.

PRESENTATIONS:

1. **Peter Fricke, Chairman of the Jefferson County Farmland Protection Board**, requested that the Commission convert their previously approved loan to the Farmland Protection Board in the amount of \$335,000.00 to a grant in order to comply with the State Auditor's recommendation.

Motion by Ms. Morgan to convert the previously approved loan of \$335,000.00 from the Jefferson County Commission to the Jefferson County Farmland Protection Board to a grant in accordance with the State Auditor's recommendation. Ms. Widmyer seconded the motion. The motion failed 3 to 2 with Ms. Noland, Mr. Manuel and Mr. Pellish voting "no" and Ms. Widmyer and Ms. Morgan voting "yes."

2. **Request by attorney James Kelsh for response** to his letter regarding utility consolidation.

Following discussion, the Commissioners directed Mr. Boyde to respond to Mr. Kelsh and advise him that the Commission is reviewing storm water management ordinances and is not prepared to act on his recommendation at this time.

PRESENTATIONS continued:

3. **Stephanie Grove, Assistant Prosecuting Attorney** updated the Commission on pending legal matters.

**The Commission took a 5-minute break at 10:30 a.m.
The Commission reconvened at 11:00 a.m.**

4. **Item No. 6 on the Agenda.** Mr. Boyde informed the Commission that although officials from the Solid Waste Authority had been invited to attend the Commission meeting no one from the Authority was present. The Commission directed this item be placed on the Agenda on a date when an official from the Solid Waste Authority would be present.

NEW BUSINESS CONTINUED:

5. **Motion by Mr. Manuel to amend** the requirement that the Emergency Services Agency use the \$75,000.00 earmarked for a training officer in next year's budget and replace same with language allowing the Emergency Services Agency to decide on which of the two and a half positions in the Strategic Plan they wish to fund. Motion seconded by Mr. Pellish and unanimously approved.

- 6. Request to revisit policy and adopt a Resolution regarding Appropriate Interface with County Commissioners, County Employees and Volunteers was discussed.** The Commission directed that Mr. Boyde revise the policy and submit the revised policy to the Commission for review and discussion.

COUNTY ADMINISTRATOR REPORTS:

- Mr. Boyde reported that during P-Card training it was made clear that the card could not be used to pay for employee meals. A change in the P-Card policy was made and "per diem pay" will most likely be instituted in accordance with GSA rates.
- He advised the Commission that an independent appraisal had been done on the McDaniel property on behalf of the County.
- He advised the Commission that the two policies he is working on, Conflict of Interest and Paid Accruals for Vacation, Holidays, Extended Sick Leave, will be submitted to the Commission by the end of the month. The paid accruals draft policy has been reviewed by elected officials and department heads and numerous revisions have been made. The draft submitted will be red-lined so the Commission can review the changes that have been made.

Ms. Widmyer had several questions for Mr. Boyde:

- She inquired as to the status of the scheduling of public hearings on impact fees. Mr. Boyde will submit a schedule to the Commission.
- She inquired if any roundtable discussions with the Development Authority had been scheduled to discuss how the Commission and the Development Authority can mutually work together.
- She inquired again about a Capital Improvements Plan and requested that Mr. Boyde put together an outline of a plan to be submitted to the Commissioners for review.

Mr. Manuel asked Mr. Boyde when he would have a draft plan restructuring the county government for the Commission.

Mr. Boyde has been tasked with many time-consuming projects and Ms. Widmyer suggested that he provide the Commission with a long-term plan for the completion of these projects and proposed dates of submission of each project to the Commission.

COUNTY COMMISSIONER REPORTS:

Commissioner Morgan had nothing to report this week.

Commissioner Pellish:

- Reported that he attended the dedication of "Terry Marcus Way" at the Business Park.
- He attended the bill signing (SB245) and luncheon with Governor Tomblin at the Bavarian Inn.
- As a private citizen, he attended Professional Communications Day at Shepherd University.

Commissioner Widmyer:

- Reported that she attended the bill signing (SB245) and luncheon with Governor Tomblin at the Bavarian Inn.
- As a citizen, she attended the Solid Waste Authority meeting.

- She reported that she has been speaking with Senator Unger regarding the widening of Rt. 340 to the Clarke County line.

Commissioner Manuel:

- Reported that he attended an Eastern Panhandle Transportation meeting.
- Attended an Affordable Housing meeting.

Commissioner Noland:

- Reported that she attended a Public Service District meeting.
- Attended a Court House Committee meeting.
- Attended the bill signing (SB245) and luncheon with Governor Tomblin at the Bavarian Inn.
- Attended an Affordable Housing meeting.

There being no further business, Ms. Morgan moved to adjourn the meeting. The motion was seconded by Mr. Pellish and unanimously approved.

Upon rising at 11:50 a.m., the meeting was recessed until Thursday, April 14, 2011 at 9:30 o'clock a.m.

PATSY A. NOLAND, PRESIDENT