

Minutes

Jefferson County Commission

Thursday, May 6, 2010

A meeting of the Jefferson County Commission was held on Thursday, May 6, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. The meeting was attended by Lyn Widmyer, President, Commissioners Patsy Noland, Frances Morgan and Jim Surkamp, Tim Boyde, County Administrator and Nichelle Hosby and Debbie Stellato, Administrative Assistants. Commissioner Dale Manuel was not present at opening.

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

1. PLEDGE OF ALLEGIANCE
2. MOTION BY MS. MORGAN to approve the Minutes of the Regular Session held on Thursday, April 29, 2010 at the Old Charles Town Library meeting room as presented. Motion seconded by Ms. Widmyer and unanimously approved.
3. MOTION BY MS. MORGAN to approve Purchase Orders in the amount of \$50,828.13 for purchase numbers: 47116, 48121, 48123, 48134, 48367, 48400, 47114, 47115, 48224, 48370, 48312, 48399, 48401, 47959, 47796. Motion seconded by Ms. Widmyer and unanimously approved.
4. MOTION BY MS. NOLAND to approve the accounts payable in the amount of \$57,175.93. Motion seconded by Ms. Morgan and unanimously approved.
5. UNDER PUBLIC COMMENT, Nichelle Hosby introduced Debbie Stellato as the temporary Administrative Assistant.
6. TIM BOYDE reported that an Executive Session is needed with Greg Bailey, Attorney to discuss a pending legal matter concerning the County Clerk.

Mr. Boyde reported that an Executive Session is needed with Stephanie Grove to discuss a pending legal matter concerning the City of Charles Town and Impact Fees.

Mr. Boyde reported that Commissioner Manuel would be late due to a previous obligation.

Mr. Boyde reported on the department head meeting he attended.

7. MS MORGAN REPORTED on the Workforce Investment Board.
8. MR. SURKAMP REMINDED everyone that he would be giving a speech tonight concerning Martin DeLaney.
9. MS. WIDMYER REPORTED on the Public Service District meeting she attended.

Ms. Widmyer reported on the Volunteer Participation Mock Disaster Drill she attended.

Ms. Widmyer reported on the Potomac Street Revitalization Project in Harpers Ferry she attended.

Commissioner Manuel arrived at 9:52

10. MR. MANUEL REPORTED on the Development Authority meeting he attended.

Mr. Manuel reported on the Jefferson County Council on Aging meeting he attended.

Mr. Manuel reported on the Middleway Pig Roast he attended.

11. MS. NOLAND REPORTED that the Court continued proceedings pertaining to the County Clerk's lawsuit until next month.

12. DANIEL LUTZ, JR. REQUESTED use of the County meeting room to conduct casting calls for the upcoming Heritage Days Play.

Motion was made by Ms. Noland to approve the use by Daniel Lutz, Jr. of the County meeting room to conduct casting calls for the Heritage Days Play. Motion seconded by Mr. Manuel and unanimously approved.

Mr. Surkamp stated for the record that he will not support the use of the "N" word in the play.

13. GREG BAILEY, ATTORNEY reported that he needed to have an Executive Session.

Motion was made by Mr. Manuel to enter into an Executive Session for the purpose of discussing pending litigation concerning the County Clerk's lawsuit. Motion seconded by Ms. Morgan and unanimously approved at 10:10 a. m.

The Commission took a ten minute break at 10:35 a. m.
The Commission reconvened at 10:42 a. m.

Motion by Ms. Morgan to come out of Executive Session and enter into Regular Session. Motion seconded by Mr. Manuel and unanimously approved.

14. JENNIFER MAGHAN REPORTED on the dates of early voting and setting the time for Canvass on Friday, May 14, 2010.

The Commission agreed to meet at 9:30 a.m. on Friday, May 14, 2010 and to reconvene at 1:00 on Monday, May 17, 2010 to complete the Canvass.

Ms. Maghan reported that voter turnout has been low.

15. MS. WIDMYER REPORTED that she had received a letter from Kanawha County seeking support for House Bill 4177, the Fallen Miners' Fund.

By unanimous consent, the Commission agreed to send a letter of support to the Governor for House Bill 4177.

16. MOTION BY MR. MANUEL to take off the table the motion to reappoint three members to the HOME Consortium Council. Motion seconded by Ms. Noland and unanimously approved.

Motion by Mr. Manuel to reappoint Katie See, Terry Marcus and Dale Manuel to the HOME Consortium Council. Motion seconded by Ms. Noland and unanimously approved.

17. MOTION BY MR. MANUEL to approve the Resolutions to enter into contractual agreement for the administration of grant funds for the Animal Welfare Society – Spay/Neuter Program and the Freedom's Run Event for Health and Heritage. Motion seconded by Ms. Morgan and unanimously approved.

18. MOTION BY MS. MORGAN to approve the Resolutions to enter into contractual agreement for administration of grants for the Star Lodge/Locke House and the Jefferson County Black History Preservation Society and to authorize the president to affix her signature upon the appropriate documents. Motion seconded by Mr. Manuel and unanimously approved.

19. MARK SHIELDS REQUESTED that the Commission approve the proposal that septic tank pumping and drain field inspections be done every five years.

By unanimous consent the Commission decided to refer this matter to legal counsel for review.

20. ROGER GOODWIN REPORTED on the Property Safety Ordinance Amendments, Section 3.1 Meeting.

Fred Blackmer was present and gave comments.

Unanimous consent to hold a public hearing in two weeks during the May 20, 2010 Commission Meeting to discuss meeting times for the Property Safety Ordinance Enforcement Agency.

21. ROGER GOODWIN AND MASON CARTER PRESENTED a power point presentation on Property Safety Ordinance Compliance.
22. STEPHANIE GROVE DISTRIBUTED her "To Do" list.
23. MOTION BY MS. MORGAN to enter into Executive Session to discuss pending litigation concerning the City of Charles Town versus the County Commission. Motion seconded by Mr. Manuel and unanimously approved.
24. MOTION BY MS. MORGAN to adjourn from Executive Session. Motion seconded by Mr. Manuel and unanimously approved.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.

LYN WIDMYER, COMMISSION PRESIDENT