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Agenda Packet:

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Minutes

Jefferson County Commission

Thursday, May 13, 2010

A meeting of the Jefferson County Commission was held on Thursday, May 13, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Frances Morgan and Dale Manuel, Tim Boyde, County Administrator and Nichelle Hosby and Debbie Stellato. Commissioner Jim Surkamp was not in attendance.

The Meeting was called to order at 9:32 a. m. by Commissioner Widmyer.

1. PLEDGE OF ALLEGIANCE
2. MOTION BY MR. MANUEL to approve the Minutes of the Regular Session held on Thursday, May 6, 2010 at the Old Charles Town Library meeting room as presented. Motion seconded by Ms. Morgan and unanimously approved.
3. MOTION BY MS. NOLAND to approve Purchase Orders in the amount of \$21,208.45 for purchase order numbers: 47909, 47911, 47912, 47930, 48410, 47782, 48166, 47118, 47117, 48371, 48369, 48372, 48348, 48404, 48406, 48407, 48409, 48371, 47960, 48402, 48408. Motion seconded by Mr. Manuel and unanimously approved.
4. MOTION BY MS. MORGAN to approve the accounts payable in the amount of \$173,314.48. Motion seconded by Mr. Manuel and unanimously approved.

5. PUBLIC COMMENT BY MR. WALT PELLISH. Mr. Pellish complimented the County Clerk, Jennifer Maghan, and her staff for the manner in which they handled the voting in the recent election. He suggested a few changes might be made in future elections to simplify the voting procedure.

6. TIM BOYDE reported on the upcoming Jefferson County Commission Nonprofit Day.

Mr. Boyde reported that the Shenandoah Professional Center Zoning Map Amendment be postponed until all five (5) Commissioners can be present.

Motion by Ms. Morgan to table this matter until May 27, 2010. Motion seconded by Mr. Manuel and unanimously approved.

7. MS. MORGAN REPORTED on the Board of Health meeting that she attended.

Ms. Morgan reported on the meeting she attended regarding the Jefferson/Berkeley Day Report Center. In addition, she reported on her recent meeting with the Local Elected Officials Group ("LEO's") in Romney, West Virginia.

Ms. Morgan cited an article in the Washington Post newspaper which stated that the EPA had reached a settlement with certain environmental groups.

Ms. Morgan made mention of the upcoming Mulch Madness Sale, the Public Forum on Health Legislation on May 26 and 27, 2010, and the County Commissioners' Association meeting.

8. MS. NOLAND REPORTED that the Association of Counties meeting is scheduled to be held on June 14 and 15, 2010 in Clarksburg, West Virginia and inquired as to Commissioners' attendance.

9. MS. NOLAND REPORTED that the Clean Harbors and PC Renewals event to be held at the fairgrounds will include electronic waste pickup and hazardous waste pickup will be July 31, 2010.

Ms. Noland reported on the 4-H leaders meeting she attended.

10. MR. MANUEL REPORTED on the Farmers Market and Jefferson County Council on Aging meetings he recently attended.

11. MS. WIDMYER REPORTED on the Parks & Recreation meeting she recently attended.

12. MOTION BY MS. WIDMYER to approve an exoneration due to an erroneous 2009 assessment as presented by Angela Banks, Assessor. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
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John C. Day, Jr.	Shepherdstown	Personal Property	315013	\$92.20
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13. MAGISTRATES GAIL BOOBER, William Senseney, and Bailiff Louis Brunswick, reported concerns regarding the locks and security at the Magistrate Court. Ms. Widmyer suggested that a meeting be scheduled next week with the Building & Safety Committee to discuss the problems. The Commissioners agreed that a meeting would be scheduled as proposed.

14. MOTION BY MORGAN to approve the complete release of a letter of credit for Uniwest Construction, Inc./Uniwest Group, LLC – Jefferson Crossing II, Lots 1A – 1E & Car Wash Site Plan for Lot 2 (File #07-29) in the amount of \$581,371.00. Motion seconded by Mr. Manuel and approved unanimously.

15. MARK SCHIAVONE REQUESTED that the Commission approve Budget Revision 00D to the General Fund.

Motion by Ms. Morgan to approve Budget Revision 00D. Motion seconded by Ms. Noland and unanimously approved.

Mr. Schiavone further requested that the Commission approve Budget Revision 006 to the General Fund.

Motion by Ms. Morgan to approve Budget Revision 006. Motion seconded by Ms. Widmyer. Subsidiary motion by Mr. Manuel to defer any action until next week's meeting to allow the Commissioners to receive and review all data.

Subsidiary motion by Mr. Manuel to defer any action until the Commission meeting next week. Motion seconded by Ms. Noland and unanimously approved.

16. JENNIFER MAGHAN REPORTED that on Friday, May 14, 2010 and Monday, May 17, 2010 a canvass of votes from the recent election will be held and advised that the location for the canvass has been changed.

17. STEPHANIE GROVE presented an update of legal issues.

18. TIM BOYDE REPORTED that Item No. 7 had been removed from the Agenda and would not be heard.

The Commission took a short break at 10:52 a. m.

The Commission meeting reconvened at 11:02 a.m.

19. DAVID DEJARNETT representing Mary Ellen Goff, Executrix of the Estate of William T. Goff, Jr., reported that Ms. Goff has petitioned the Court to allow her to resign as Administrator and to allow Henry Worcester to become the substitute Administrator.

D. FRANK HILL, Fiduciary Commissioner recommended the substitution.

JAMES T. CRAWFORD, ESQUIRE was present and gave comments.

MS. NOLAND MOVED to allow the resignation of Mary Ellen Goff as Administrator of the Estate of William T. Goff, Jr. and, pending completion of the paperwork and receipt of that paperwork and review by the County Commission, to appoint Henry Worcester as Administrator of the Estate. Mr. Manuel seconded the motion and approved reflecting a 3-1 vote. Ms. Morgan voted in the negative.

MOTION BY MS. MORGAN to adjourn. 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