

**Minutes**  
**Jefferson County Commission**  
**Thursday, June 3, 2010**

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A meeting of the Jefferson County Commission was held on Thursday, June 3, 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, Jim Surkamp and Dale Manuel, Tim Boyde, County Administrator and Debbie Stellato.

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

1. PLEDGE OF ALLEGIANCE. Following the Pledge of Allegiance, Commissioners, staff and public attendees observed a moment of silence for long-time Ranson City Councilman Howard Shade who passed away on Wednesday, June 2, 2010.

SUGGESTION BY MS. MORGAN to amend the previously revised wording for the Minutes of May 20, 2010, so revised in Item No. 2 of the May 27, 2010 minutes, to read: "Beginning at 1:30 p.m. the Commission, with non-profit and governmental organizations providing social services to Jefferson County citizens, participated in a roundtable discussion organized by Community Alternatives to Violence."

Ms. Widmyer called for a vote and the May 20, 2010 and May 27, 2010 minutes were unanimously approved as amended.

2. MOTION BY MR. MANUEL to approve Purchase Orders in the amount of \$93,554.96, being purchase order numbers: 48280, 48610, 48425, 48428, 48430, 48432, 48193, 48103, 48375, 48426, 48427, 48429, 48431, 48434, 48270, 48271, 48272, 48273, 48274, 48433, 48554, 47798, 47800, 48585, and 48586. Motion seconded by Ms. Morgan and unanimously approved.
3. MOTION BY MS. MORGAN to approve the accounts payable in the amount of \$52,226.83. Motion seconded by Mr. Manuel and unanimously approved.
4. PUBLIC COMMENT:

MS. WIDMYER MADE REFERENCE to a letter received by the County Commission from John Allen, Jr., Chairman of the Jefferson County Historic Landmarks Commission thanking the Maintenance Department, specifically Bill Polk, for organizing and supervising the community service day at Poor House Farm on Saturday, May 15, 2010. Ms. Widmyer recommended that staff send a copy of the letter to Mr. Polk at the Maintenance Department and that it be posted for all maintenance staff to read.

Ms. Widmyer suggested that June 23, 2010 would be a convenient date to schedule a round table discussion regarding impact fees and all Commissioners were in agreement. MARK SCHIAVONE, DIRECTOR OF CAPITAL PLANNING AND MANAGEMENT is preparing a power point presentation for the meeting.

5. MR. BOYDE advised the Commission ROGER GOODWIN, CHIEF COUNTY ENGINEER, would be discussing building codes at the next County Commission meeting.

Mr. Boyde reported that there would be no legal update at this meeting as the Assistant Prosecutors are away at a legal conference.

Mr. Boyde reported on some slight water damage to the Circuit Clerk's Office. He stated that people would be brought in to dry the ceiling and that part of the ceiling will have to be replaced. Mr. Boyde further advised that the County will be filing a claim for incurred expenses with the vendor who worked on the ceiling previously as this problem has occurred before.

6. MS. MORGAN REPORTED on the Stop PATH Intervener Meeting that she attended.
7. MR. SURKAMP COMMENTED that the County might have a court decision regarding PATH that would help the Stop PATH group with their endeavor.
8. REMINDER FROM MR. MANUEL to attend the event at Applebee's today, June 3, 2010, from 11:00 a.m. to 12:00 a.m. to benefit the Animal Welfare Society of Jefferson County.
9. MS. WIDMYER REPORTED that although she did attend the Solid Waste Authority meeting, she watched a video which depicted what happens to the solid waste when it passes into Maryland from West Virginia.
10. MS. NOLAND REPORTED on Senate Bill 232 regarding Delinquent Land Sales.
11. MR. SURKAMP commented on broadband development.
12. MOTION BY MS. MORGAN to deny Dr. Ronald Flora's request for the use of the library meeting room for Stop Smoking Seminars and to send a letter to Dr. Flora denying his request and citing the language in the "County Meeting Room Policy" with regard to business organizations. Motion seconded by Ms. Noland and unanimously approved.

The Commission took a break at 9:55 a.m.

The Commission reconvened at 10:03 a.m.

13. KIRK DAVIS, CAPITAL PROJECTS MANAGER, presented a proposed Supplemental Agreement between The West Virginia Department of Transportation and the County Commission of Jefferson County, requesting that funds earmarked for the purchase of the Faraway Farm property for future development be used instead to acquire the Old Cement Mill property for the

development of a battlefield park. Discussion followed regarding the intention of the Parks & Recreation Board.

14. MOTION BY MR. MANUEL to table until paperwork is received from the Parks & Recreation Board stating their decision regarding the Old Cement Mill property. Motion seconded by Ms. Noland. Motion failed 2 - 3. Ms. Morgan, Mr. Surkamp and Ms. Widmyer voted no.

TONI MILBOURNE and BOBBY SHIRLEY OF THE PARKS AND RECREATION BOARD presented themselves before the Commission and stated that the Old Cement Mill property is not a “doable” property for the Board.

MOTION BY MS. MORGAN to place this matter in the hands of Kirk Davis, assisted by Tim Boyde, as necessary, to coordinate and schedule a round table work session with all stakeholders, including the Parks Commission, Historic Landmarks Commission and Shepherdstown Battlefield Preservation Association and prepare an agenda for planning purposes. Motion seconded by Ms. Widmyer and approved 4 – 1. Ms. Noland voted no.

15. JEFFREY POLCZYNSKI, DIRECTOR OF COMMUNICATIONS requested the Commission approve a contract in the amount of \$9,500.00 between the Jefferson County Commission, Emergency Communications and Global Data Consultants for IT services.

MOTION BY MR. SURKAMP to commit to the amount of \$9,500.00 and approve the contract between the Jefferson County Commission, Emergency Communications and Global Data Consultants for IT services. Motion seconded by Ms. Widmyer and unanimously approved.

16. JOHN MAXEY, JEFFERSON COUNTY PLANNING COMMISSION PRESIDENT, requested that the Commission make a decision as to whether the Planning Commission should expend \$1,000.00 to go forward with an appeal in the Far Away Farms Subdivision lawsuit, or if it should abstain from future legal action.

MOTION BY MS. MORGAN to approve funds in the amount of \$1,000.00 to continue the appeal in the Far Away Farms Subdivision lawsuit. Motion seconded by Mr. Surkamp. Motion defeated 3 – 2 with Ms. Noland, Mr. Manuel and Ms. Widmyer voting against the motion.

MOTION BY MS. NOLAND that the \$1,000.00 not be expended to appeal the decision of the Federal Court. Motion seconded by Mr. Manuel and approved 4 – 1. Mr. Surkamp voted no.

The Commission took a break at 11:40 a.m.

The Commission reconvened at 11:49 a.m.

17. JENNIFER MAGHAN, JEFFERSON COUNTY CLERK, requested the Commission to approve a bond as follows:

“RESOLVED that Jefferson Security Bank does execute and deliver to the County Commission of Jefferson County, West Virginia, a bond in the penal sum of Seven

Hundred and Fifty Thousand Dollars (\$750,000.00) as depository of public moneys pursuant to the provisions of Chapter 18, Article 9, Section 6, of the West Virginia Code, and that said bond be secured by deposit with First Tennessee Bank of Memphis, Tennessee the following security:

<u>Type</u>	<u>Pledged Par Value</u>	<u>Cusip</u>
GNMA REMIC Ser 5 PF	\$750,000.00	38374FCZ5
 Total Pledged	 \$750,000.00”	

MOTION BY MR. MANUEL to approve the Jefferson Security Bank bond in the amount of \$750,000.00. Motion seconded by Ms. Morgan and unanimously approved.

18. SALLY GRAN OF THE FINANCE DEPARTMENT reported on the journal entries for the FY10 Financial Statement and requested approval of same.

MOTION BY MS. MORGAN to approve the entries as presented by Ms. Gran in her packet. Motion seconded by Mr. Surkamp and unanimously approved.

The Commission adjourned for lunch at 12:10 p.m.

The Commission reconvened at 1:30 p.m.

19. SENATORS JOHN UNGER AND HERB SNYDER, DELEGATE TERRY WALKER AND THE COMMISSIONERS engaged in a roundtable discussion of pending legislative issues. Senator Unger suggested it would be beneficial to have these discussions on a more regular basis. The Commissioners agreed.

Ms. Morgan and Mr. Boyde left the meeting at 2:40 p.m.

MS. WIDMYER ADJOURNED the meeting at 3:20 p.m.

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

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LYN WIDMYER, COMMISSION PRESIDENT