

Minutes
Jefferson County Commission
Thursday, June 10, 2010

A meeting of the Jefferson County Commission was held on Thursday, June 10, 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, and Commissioners: Dale Manuel, Patsy Noland, Frances Morgan, Tim Boyde, County Administrator and Nichelle Hosby.

The Meeting was called to order at 10:20 a. m. by Commissioner Widmyer.

1. PLEDGE OF ALLEGIANCE
2. MOTION BY MS. MORGAN to approve the June 3, 2010 minutes as amended. Motion seconded by Mr. Manuel and unanimously approved.
3. MOTION BY MS. MORGAN to approve Purchase Orders in the amount of \$156,400.84, for the following purchase order numbers: 48506, 482319, 48279, 48471, 48472, 48146, 48488, 48611, 48612, 48613, 48614, 48615, 48616, 48617, 48445, 48529, 48376, 48396, 48437, 48439, 47966, 47967, 47969, 47970, 48251, 48252, 48253, 48441, 48442, 48444, 48588, 47799, 48440. Motion seconded by Ms. Noland and unanimously approved.
4. MOTION BY MS. MORGAN to approve the accounts payable in the amount of \$250,194.34. Motion seconded by Mr. Manuel and unanimously approved.
5. NO PUBLIC COMMENT was made.
6. MR. BOYDE ADVISED the Commission that Stephanie Grove would not be present for Legal update.

Mr. Boyde informed the Commission that they would need an Executive Session with their Attorney regarding pending litigation with the County Clerk.

Mr. Boyde advised the Commission to enter into Executive Session after agenda item #1 in the interest of time.

7. BARBARA MILLER INTRODUCED her staff Jennifer Maggio and Terri Mehling from Emergency Management and Homeland Security. Also, Ms. Miller introduced Christopher Strong of the Sterling Office of National Weather Service.

Christopher Strong presented the 2010 Award of Re-certification of the StormReady Community Designation to Barbara Miller and the County Commissions.

8. MOTION BY MS. MORGAN to enter into Executive Session with Attorney Greg Bailey to discuss a proposed settlement in regards to pending litigation with County Clerk. Motion seconded by Mr. Manuel and approved unanimously.

The Commission took a five minute break at 10:55 a. m.

9. MOTION BY MS. MORGAN to approve the settlement agreement settling all issues as presented by Counsel. Motion seconded by Mr. Surkamp and approved unanimously.

10. MS. NOLAND REPORTED that she attended a Courthouse Facilities meeting in Charleston.

11. MR. MANUEL REPORTED on the Parks and Recreation subcommittee meeting he attended.

Mr. Manuel reported that he will meet with Mark Schiavone regarding impact fee use at Moulton Park.

Mr. Manuel reported that the Dog Park would cost an estimate of \$25,000 or more.

Mr. Manuel reported an Alcohol Policy for Sam Michaels Park is in question.

Mr. Manuel reported that a request was made for Kirk Davis to work with the Sam Michaels Master plan.

Mr. Manuel reported Eastern Panhandle Transportation meeting that he attended which included topics such as \$50,000 WV Department of Highways Community Partnership Grant that can be used for designing and planning only \$15,000 - \$16,000 per county.

Mr. Manuel reported on the Sheetz grand opening that he attended.

12. MS. MORGAN REPORTED on the Sheetz grand opening that she attended.

Ms. Morgan reported on the presentation at the Byrd Legislative Center on Shepherdstown proposal for a Green Library she attended.

Ms. Morgan reported on the Planning Commission meeting she attended.

Ms. Morgan reported on the Workforce Investment Board elected officials meeting she attended and that she will be serving as Vice Chair and Commissioner Petrucci in Berkeley County will be serving as Chair..

13. MR. SURKAMP REPORTED on the meeting Public Service District meeting he attended.

Mr. Surkamp reported on the HOA board that he serves on.

14. MS. WIDMYER REPORTED on the Shepherdstown Library meeting she attended.

Ms. Widmyer reported on the Public Service District Board meeting she attended.

Ms. Widmyer reported on a meeting with Mark Schiavone and Development Authority representatives she attended.

15. ROGER GOODWIN REPORTED that under the WV State Code, Title 87, Legislative Rule, State Fire Commission, Series 4, State Building Code, the State Fire Commission established new standards for the State building code on April 26, 2010. Mr. Goodwin stated that the new codes will take effect on July 1, 2010 and that the Commission must amend the current Building Code Enforcement Ordinance and adopt the new standards.

Motion by Ms. Morgan to approve the Resolution and the new Jefferson County Building Code Enforcement Ordinance and Order adopting the new State building codes that become effective on July 1, 2010. Motion seconded by Ms. Noland and approved unanimously.

Mr. Goodwin gave a brief update on the test wells study.

16. JENNIFER MAGHAN REPORTED on the annual SB232 which is the redemption of delinquent properties.

Ms. Maghan reported that last week's agenda item #8 Sally Gran – Journal entries for FY10 financial statement needs the full documentation included in the minutes that will be sent to the auditor's office.

Motion by Ms. Morgan to move to ratify the decision made last week and to include additional documentation in our records as presented. Motion seconded by Mr. Surkamp and approved unanimously.

17. MARK SCHIAVONE REPORTED that Revision 008 is expected to be the final adjustment to the general fund budget for any department that requires intra-department transfer of funds.

Motion by Ms. Morgan to approve the resolution to accept budget revision 008 to the General Fund to include the Primary Election with the \$57,300 with authorization for Mr. Schiavone to receive additional documentation and review to his satisfaction and to bring any unresolved issues to the Commission. Motion seconded by Mr. Surkamp and approved unanimously.

Mr. Schiavone gave a brief report on the Hotel/Motel Tax.

Mr. Surkamp requested the Video Lottery Tax update.

18. NO LEGISLATIVE UPDATE provided.
19. MOTION BY MS. MORGAN to approve the request for use of the meeting room by Daniel Lutz for a read through of a stage play. Motion seconded by Mr. Manuel and unanimously approved.
20. MOTION BY MS. MORGAN to adjourn the meeting. Motion seconded by Mr. Manuel and unanimously approved. Meeting was adjourned at 11:55 a.m.

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

LYN WIDMYER, COMMISSION PRESIDENT