

Minutes
Jefferson County Commission
Thursday, June 24, 2010

A meeting of the Jefferson County Commission was held on Thursday, June 24, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Lyn Widmyer, Patsy Noland, Frances Morgan, Jim Surkamp and Dale Manuel, Tim Boyde, County Administrator, and Nichelle Hosby.

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

1. PLEDGE OF ALLEGIANCE
2. MOTION BY MS. NOLAND to approve the June 17, 2010 Minutes as presented. Motion seconded by Mr. Manuel and unanimously approved.
3. MOTION BY MS. MORGAN to approve Purchase Orders in the amount of \$18,380.97, for purchase order numbers: 48476, 48152, 47785, 48364, 48453, 48457, 48458, 47973, 48455. Motion seconded by Mr. Manuel and unanimously approved.
4. MOTION BY MS. MORGAN to approve the accounts payable in the amount of \$246,828.87. Motion seconded by Mr. Manuel and unanimously approved.
5. NO PUBLIC COMMENT was made.
6. MR. BOYDE ADVISED the Commission that an internal budget revision 00F was needed for the County Clerk's office.

Mr. Boyde requested that this item be held over until the afternoon session for further discussion.

Mr. Boyde requested that two applications for Leadership Jefferson be accepted in the names of Tim Boyde and Todd Fagan.

Unanimous consent was given to approve the applications for Leadership Jefferson.

Unanimous consent was given to accept an application for Sandy McDonald for the 2011 year.

Mr. Boyde reported that Lieutenant Hanson had submitted a grant that will allow the purchasing of equipment for the Sheriff's Department.

Mr. Boyde reported that he met with the Director of Communications and US Cellar. The Communication office will be testing out the service for two weeks in known dead zones for cell coverage.

Mr. Boyde reported on a meeting with Healthcare representatives.

7. MS. MORGAN REPORTED on the Planning Commission meeting she attended.
8. MS. NOLAND REPORTED on the grand openings of CT Carpet One and Benjamin Moore that she attended.
9. MR. MANUEL REPORTED on the grand openings of CT Carpet One and Benjamin Moore that he attended.

Mr. Manuel reported on Farm Day 2010 that he attended.

Mr. Manuel reported on the public meeting at the Summit Point Library that he attended.

Mr. Manuel reminded the Commission of the grand opening of the Jefferson Center on June 25, 2010 and the Business Volunteer Recognition at the Senior Center beginning at 10:00 a.m. on July 16, 2010.

10. MS. WIDMYER REPORTED on the West Virginia Department of Environmental Protection meeting she attended.

Ms. Widmyer reminded the Commission that the Department of Highways would be present to discuss the WV 9 Bikeways on Tuesday, June 29, 2010 at 7:00 p.m.

11. APPOINTMENT TO THE Solid Waste Authority was made for a four-year term ending June 30, 2014.

Appointed to the Solid Waste Authority for a four-year term is:

- Dr. Peter Villa

Appointment to the Board of Health was made for a five-year term ending June 30, 2015.

Appointed to the Board of Health for a five-year term is:

- Mark Shield

Appointment to the Bolivar/Harpers Ferry Public Library was made for a four-year term ending June 30, 2014.

Appointed to the Bolivar/Harpers Ferry Public Library for a four-year term is:

- Lisa Kay Reed Palmer

Appointment to the Summit Point Library was made for a five-year term ending June 30, 2015.

Appointed to the Summit Point Library for a five-year term is:

- Catherine Burke

Appointment to the Eastern Panhandle Regional Planning and Development Council was made for a one-year term ending June 30, 2011 by a 3-2 vote. Ms. Widmyer and Ms. Morgan voted no.

Appointed to the Eastern Panhandle Regional Planning and Development Council for a one-year term is:

- Thomas Bayuzik

Appointment to the Harpers Ferry Public Service District was made for a six-year term ending June 30, 2016.

Appointed to the Harpers Ferry Public Service District for a six-year term is:

- Mayor James Addy

Appointment to the Enhanced 911 Board was made for an unexpired term ending September 1, 2012.

Appointed to the Enhanced 911 Board for an unexpired term is:

- Matthew Harris

Appointments to the Parks and Recreation Commission were made for a four-year term ending June 30, 2014.

Appointed to the Parks and Recreation Commission for a four-year term are:

- Jimmy Pierson by unanimous approval.
- Heather Morgan by a 4-1 vote. Mr. Manuel voted no.
- Paul Marshall by unanimous approval.
- Gene Taylor by a 3-2 vote. Mr. Surkamp and Ms. Morgan voted no.

12. **BILL POLK INTRODUCED** Denise Lambiotte as the new Animal Control supervisor.

Mr. Polk reported that he would like to award the Janitorial bid to Daycon and the fire alarm bid to Winchester Securities.

Motion by Ms. Noland to approve the contract bids to Daycon and Winchester Securities. Motion seconded by Ms. Morgan and unanimously approved.

13. **ROGER ETHIER REPORTED** on an ARC Energy RFP that he would like to have permission to complete. Mr. Ethier reported that this grant would be useful in planning and implementation of Community based energy projects.

Roger Goodwin, Chief County Engineer was present and gave additional comments.

Ed Burns was present and gave comment.

The Commission requested that Roger Goodwin take the lead on completing a study of energy conservation on the County's properties with assistance from Mr. Ethier and Mr. Polk and bring a proposal back to the Commission with the Hunter House as a model.

The Commission took a five minute break at 11:05 a. m.

14. JENNIFER SIREN COMMENTED that her subdivision Chaplin View is in both Jefferson County and Berkeley County and the Bond Release Policy.

15. STEPHANIE GROVE DISTRIBUTED her "to do" list.

Ms. Grove reported on the Dodson appeal and the denied order for Shenandoah Sales and Services.

16. JENNIFER MAGHAN REQUESTED approval to hire Heather Day as an Assistant County Clerk in the recording department commencing July 1, 2010.

Motion by Mr. Surkamp to approve the hiring of Heather Day as Assistant County Clerk in the recording department commencing July 1, 2010. Motion seconded by Ms. Morgan and unanimously approved.

Ms. Maghan requested approval of Depository Bonds for United Bank, BB&T and Bank of Charles Town.

Motion by Mr. Manual to approve the Depository Bond and letter of credit with United Bank in the amount of \$200,000,500.00. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Morgan to approve the Depository Bond and letter of credit with BB&T in the amount of \$279,000.00 subject to signature of the Prosecuting Attorney. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the Depository Bond and letter of credit with the Bank of Charles Town in the amount of \$12,000,000.00. Motion seconded by Ms. Noland and unanimously approved.

17. WARREN MICKEY REPORTED an update on behalf of the Eastern Panhandle Conservation Group on the Elk Run Project.

Budge Blake was present and gave comment.

18. ROGER GOODWIN, CHIEF COUNTY ENGINEER appeared before the Commission to request the following bonding:

Motion by Mr. Manuel to approve the complete release of a letter of credit in the amount of \$106,333.00 for Home Hill Corporation – North Hills at Cress Creek Subdivision, Lots 1-20 & Lot 21- Residue. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Noland to approve the partial release of a letter of credit in the amount of \$141,069.00 for Michael R Shveda - Shepherdstown Estates Subdivision, Lots 1-9 & Residue. Motion seconded by Ms. Morgan and unanimously approved.

The Commission asked Mr. Goodwin to look into the matter of Chaplin View brought up by Jennifer Siren.

Motion by Ms. Morgan to table this discussion for three weeks until Mr. Goodwin can research the matter further and come back before the Commission. Motion seconded by Mr. Manuel and approved 4-1. Mr. Surkamp voted no.

19. NO LEGISLATIVE UPDATES were made.

20. TIM BOYDE REPORTED on the Risk Pool presentation made on Thursday, June 17, 2010.

Mr. Boyde stated that he will review the contract with legal counsel Stephanie Grove.

By unanimous consent, the Commission tabled this discussion until 1:30 p.m.

21. DALE MANUEL REPORTED on the motion that after next year's budget obligations (\$750,000 in the unencumbered Capital Outlay Expenditures line item and \$70,000 for volunteer fire departments) are met with unencumbered funds that 50 percent of those remaining dollars be placed in the Capital Building Fund.

Motion by Mr. Manuel to defer discussion until Mr. Boyde has a dollar amount of the unencumbered funds. Motion seconded by Ms. Noland and unanimously approved.

Ralph Lorenzetti, Prosecuting Attorney, Magistrate Gail Boober and Judge John Yoder were present and made comment.

The Commission directed Kirk Davis, Sr. to actively seek a solution to the Court space issue.

22. Motion by Mr. Surkamp to approve the following Grant Resolutions for the Community Participation Grant Program. Motion seconded by Mr. Manuel and unanimously approved.

- Literacy Volunteers of the Eastern Panhandle
- Jefferson County Memorial Park Pool
- Substance Abuse Coalition
- FOCUS Coalition
- Mountain Community Library

The Commission recessed for lunch at 12:10 p.m.
The Commission reconvened at 1:32 p.m.

23. MS. WIDMYER ANNOUNCED that this would be reporter, Naomi Smoot's last day covering the Commission. Ms. Smoot has reported on the Commission for the past two years.

Naomi Smoot was present and gave comment.

24. TIM BOYDE REPORTED on internal budget revision 00F as requested by the County Clerk.

Mark Schiavone was present and gave comment.

Motion by Ms. Morgan to approve budget revision 00F as recommended by Mark Schiavone. Motion seconded by Ms. Noland and unanimously approved.

Mr. Boyde updated the Commission on the recommendation from Stephanie Grove to join the WV Risk Pool.

Motion by Ms. Morgan to approve joining the WV Risk Pool Insurance. Motion seconded by Ms. Noland and unanimously approved.

25. TIM BOYDE PRESENTED an organizational chart which puts the Planning & Zoning, Capital Planning & Management and Engineering back under the supervision of the County Administrator.

Motion by Ms. Widmyer to restore the supervision of the Departments of Planning & Zoning, Capital Planning & Management and Engineering under the County Administrator. Motion seconded by Mr. Surkamp and unanimously approved.

Motion by Mr. Manuel to accept the recommendation by the County Administrator to complete staff evaluations with department liaisons where applicable. Motion seconded by Ms. Noland and approved 4-1. Ms. Morgan voted no.

Motion by Ms. Morgan to leave Capital Projects under Capital Planning & Management and to add the job of purchasing to Capital Projects. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to table the discussion of GIS becoming a separate department. Motion seconded by Mr. Manuel and unanimously approved.

The Commission took a ten minute break at 2:20 p.m.

Ms. Morgan did not return to session.

Mr. Boyde presented a list of job descriptions for the Commission staff for approval to include an Administrative, Executive Assistants, and Deputy Administrator.

Motion by Ms. Noland to accept the job descriptions as presented by Mr. Boyde. Motion seconded by Mr. Manuel and was unanimously approved.

By unanimous consent the Commission agreed to place an Executive Session on the Thursday, July 8, 2010 Agenda regarding personnel matters and approval to advertise for an Administrative Assistant.

The Commission recessed until 6:00 p.m.

SPECIAL SESSION:

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the County Commission of said County and State continued and held at the Jefferson County Commission Meeting Room in the Old Charles Town Library, 200 E. Washington Steet, Charles Town, West Virginia, on Thursday, June 24, 2010, beginning at 6:00 o'clock p.m.

PRESENT: Lyn Widmyer; Commission President
James Surkamp; Patsy Noland; Dale Manuel; Commissioners
Tim Boyde, County Administrator
Jennifer Brockman, Zoning Director
Jennifer Snyder, Zoning Administrator
Seth Rivard, Planner, Planning & Zoning Dept.
Julie Quodala, Office Manager, Planning & Zoning Dept.
Commissioner Frances Morgan was absent.

Present in the audience were members of the public, Ed Burns and Paul Taylor, Esquire, as well as John Maxey, President of the Jefferson County Planning Commission.

In re: AMENDMENTS TO THE SUBDIVISION REGULATIONS ADOPTED OCTOBER 9, 2008

Commissioner Widmyer opened the Special Session at 6:00 p.m.

Jennifer Brockman, Zoning Director, made a short opening statement.

Jennifer Snyder, Zoning Administrator, gave a detailed presentation of the proposed Amendments to the Subdivision Regulations Adopted October 9, 2008.

Following Ms. Snyder's presentation, Ms. Snyder, Ms. Brockman and other Planning & Zoning Department staff members answered questions from the Commissioners. John Maxey also offered comments and clarification of the proposed Amendments.

Ed Burns offered comments regarding the proposed Amendments.

The Commissioners asked more questions of the Planning & Zoning Department staff, and staff answered accordingly.

Ed Burns made additional comments and asked questions.

Paul Taylor, Esquire inquired if the Amendments would be put into more “user friendly” language in the future.

Mr. Manuel made a motion to advertise two public hearings on the proposed Amendments to the Subdivision Regulations Adopted October 9, 2008. Ms. Noland seconded the motion and the motion was unanimously approved.

The Special Session was adjourned at 8:30 p.m.

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

LYN WIDMYER, COMMISSION PRESIDENT