

Minutes
Jefferson County Commission
Thursday, July 15, 2010

A meeting of the Jefferson County Commission was held on Thursday, July 15, 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. (An audio tape of the July 15, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:35 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES.

Jefferson County Commission Regular Meeting Minutes of July 8, 2010.

Mr. Manuel moved that the Minutes be accepted as presented. Ms. Morgan seconded the motion. Two minor amendments were suggested, after which Commissioner Widmyer called for a vote on the Minutes of July 8, 2010 as amended, and the Minutes as amended were unanimously approved. (An audio tape of the July 8, 2010 meeting is available through the Jefferson County Commission Office.)

Minutes of Special Session held on July 8, 2010.

No formal Minutes were recorded of this session. An informal summary has been provided. An audio tape of the July 8, 2010 Special Session was made and is available through the Jefferson County Commission Office.

Ms. Noland made a motion that the recorded summary of the July 8, 2010 Special Session be approved as presented. Ms. Morgan seconded the motion and it was unanimously approved.

APPROVAL OF PURCHASE ORDERS

MOTION BY MS. MORGAN to approve Purchase Orders in the amount of \$14,066.16, being purchase order numbers 48645, 48483, 48644, 48159, 48377, 47974, 47975, 48618, 48620, 48256, 48255, 48257, 48258. Ms. Noland seconded and the motion was unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

MOTION BY MS. NOLAND to approve \$ 263,826.71 in accounts payable. Ms. Morgan seconded and the motion was unanimously approved.

SPECIAL NOTE

Subsequent to approval by the Commission of the amount of accounts payable, Mr. Manuel made a motion that a special item be placed on the July 15, 2010 Agenda, specifically, a discussion by Roger Goodwin of the Engineering Department with regard to issues concerning construction at Chapel View Subdivision. Ms. Noland seconded the motion, however it was decided that a motion was unnecessary and the item was placed on the Agenda. It was recommended that the Commission first hear general Public Comment and then Mr. Goodwin's presentation and Special Public Comments.

PUBLIC COMMENT (General)

KERYN NEWMAN extended an invitation to the Commissioners to join the Stop PATH Committee Meeting at the Quality Inn in Harpers Ferry, West Virginia on July 19, 2010 from 4 – 8 p.m. Ms. Newman reported that one of the main topics will be expanding the scope to cover the entire length of the line.

KAY MOORE requested an update on the status of the test wells on the mountain. She was concerned that it had been over a year since the test wells were proposed and the residents on the mountain were still waiting for results. Tim Boyde responded that Roger Goodwin of the Engineering Department would be presenting proposed contracts to the Commission at next Thursday's regular meeting.

JOHN MAXEY (speaking as a private citizen) voiced his dismay over the approval by the State of West Virginia of a final plat of the Brownfield Development.

CHARLOTTE HERNANDEZ-VELEZ along with George Holland, members of the newly-established IT Blue Ribbon Panel, reported that the panel had its first meeting to commence planning and formal organization. Ms. Hernandez-Velez stated that the Committee is ready to prepare draft By-Laws and should be able to present them to the Commission at next week's meeting. One of Mr. Holland's endeavors will be to work on attracting high tech businesses to Jefferson County.

SPECIAL PUBLIC COMMENTS (re: bonding issues concerning Chapel View Subdivision)

ROGER GOODWIN opened the discussion with a short status report.

JENNIFER SYRON of Kearneysville, West Virginia offered a presentation on behalf of herself and the other residents of Chapel View, citing deficiencies within the project and the residents' concerns regarding their physical safety, the County's fiscal responsibility, the financial impact of substandard construction and various problems with the roads in the subdivision.

Ms. Widmyer recommended that the residents of Chapel View prepare and transmit to the Jefferson County Engineering Department a list of their concerns, and that the Engineering Department respond to each one of the items listed. All Commissioners were in agreement with this suggestion.

Additionally, the Commission instructed Roger Goodwin to prepare an Interim Report to be presented to the Commissioners for review in 3 to 4 weeks.

The Commission took a 5-minute break at 10:15 a.m.

The Commission reconvened at 10:20 a.m.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

- (1) Delegates Doyle, Walker and Lawrence were on the Agenda to meet with the Commissioners and provide legislative updates, however, they are in Charleston for a special session called by Governor Manchin and cannot be here today.
- (2) Jennifer Brockman requested a brief addition to the Agenda to present an overview of issues concerning the quarry and to introduce the new Zoning Administrator, Steve Barney.
- (3) Received correspondence from the Planning Commission (copy of the letter that was sent to Kelly Goes) discussing the quarry issue. Copies were provided to the Commissioners for review.
- (4) Received unsolicited correspondence from Delta Development Corporation, a development consulting organization based out of Pennsylvania. Delta Development has done work with the City of Charles Town and a number of other entities. They have secured federal funding for water, sewer infrastructure (STAG Grants) services. The Commissioners were provided with a copy of this correspondence and, if there is an interest in pursuing this further Mr. Boyde will bring representatives in for a face to face discussion with the Commission.
- (5) Regarding the discussion last week, the Potomac Headwaters survey has been completed and submitted by the Engineering Department for Commission review. If changes are deemed necessary, Engineering will make the revisions and resubmit the survey.
- (6) The Commission needs to discuss cancelling the August 23, 2010 meeting as it falls within Jefferson County Fair week. Historically the Commission meetings have been cancelled during the week of the fair.

Ms. Widmyer voiced her support for cancelling the meeting. A motion was made by Ms. Noland that the August 23, 2010 Commission meeting be cancelled due to it being fair week. Mr. Surkamp seconded the motion and it was unanimously approved.

COUNTY COMMISSION REPORTS

Commissioner Noland:

- (1) Nothing to report this week.

Commissioner Manuel:

- (1) Attended meeting at the Jefferson County Council on Aging. The Jefferson Center reports it has completed two contracts. Things are going well in this direction.

Commissioner Morgan:

- (1) Reported that she received the proposed text of Morgan County's zoning ordinance.
- (2) Attended a meeting of the Farmland Protection Board.
- (3) Attended a meeting of the Criminal Justice Board regarding the Day Report Center. The Board needs to recruit a Jefferson County mental health professional. Ms. Morgan asked for suggestions. The Board also is in need of assistance with its website. Suggested maybe Charlotte Hernandez-Velez could contact them and offer her expertise.
- (4) Reported that there is a luncheon with Judicial Officers being scheduled in August, 2010.

Commissioner Surkamp:

- (1) Nothing to report this week, however, he will be attending many meetings during the coming week and will report on same at the next Commission meeting.

Commissioner Widmyer:

- (1) Attended a Region 9 Full Council meeting. The Council is attempting to get GIS support which it really needs. Ranson Mayor David Hamill was elected Secretary.

PRESENTATIONS

Added to Agenda:

Jennifer Brockman introduced Steve Barney, the new Zoning Administrator of the Planning and Zoning Department.

Ms. Brockman offered an overview of the Brownfield development recently approved by the West Virginia Development Authority without the input of the Jefferson County Commission. She presented a plat of the Old Standard Quarry land that was recorded on June 18, 2010. Comments by the Commissioners followed.

- (1) **No legislative updates.** Delegates are in Charleston at a special session called by Governor Manchin.

- (2) **Quarterly Fiduciary Review:**

Lynn Fields of the Probate Department presented the Department's quarterly list of wills probated for review and the closure of the estates.

MS. MORGAN made a motion that that the Commission convene its quarterly fiduciary review. Mr. Manuel seconded the motion and it was unanimously approved.

After a brief discussion with Ms. Fields, MR. MANUEL made a motion that the recommendation by the Probate Department that the listed estates be closed be approved. Ms. Noland seconded the motion and it was unanimously approved.

(3) County Clerk's Report:

Jennifer Maghan, County Clerk, reported that she is keeping close tabs on the special session in Charleston with regard to a special election. She will keep the Commission informed of developments.

(4) Kit McGinnis – National Park Trust:

Thirty thousand dollar (\$30,000.00) funding request. Ms. McGinnis invited the Commission to the September 18, 2010 fundraiser for the Washington Family Homes. The funding will be used for restoration of the historic homes.

Mr. Boyde responded that in mid to late August the Commission will look at the allocation and will most likely discuss same on August 12, 2010.

(5) Barbara Miller:

Proposal for an Emergency Management Planning Grant from the County in the amount of \$90,080.00.

MR. SURKAMP made a motion to approve the 2011 EMPG s submitted. Mr. Manuel seconded the motion and it was unanimously approved.

(6) Mark Schiavone:

- a. Discussed the revision of General Fund 001 and requested the Commission's approval.

MR. MANUEL made a motion to approve the revision of General Fund 001 as submitted. Ms. Morgan seconded the motion and it was unanimously approved.

- b. Discussed revisions to the Coal Severance Fund and requested the Commission's approval.

MR. SURKAMP made a motion that the revisions to the Coal Severance Fund be approved as submitted. Mr. Morgan seconded the motion and it was unanimously approved.

(7) Stephanie Grove – Legal Update and Report::

Ms. Grove updated the Commission regarding legal matters pending.

(8) Legislative Issues:

Ms. Noland reminded the Commission of the special session in Charleston to determine the succession process – special primary election sought.

(9) Tim Boyde for Bill Polk re: Energy Policy:

In Mr. Polk's absence Mr. Boyde addressed a proposed Energy Policy to be used in County buildings. Mr. Polk is proposing to establish a set range of comfort levels based on heating and air conditioning. He proposes eventually eliminating space heaters completely from the buildings. Discussion followed and the Commissioners suggested that Mr. Boyde meet with the Department Heads for suggestions.

(10) Training for Persons Appointed to the Planning Commission:

Ms. Noland voiced her agreement with the training and suggested that prior to the first meeting the appointees should attend an APA Webinar, with continuing education once a year thereafter. She recommended that the County should provide funds necessary for this training.

Discussion followed with all Commissioners in agreement as to the necessity for the training. Ms. Morgan suggested that the Planning Commission should look into web-based training also.

Ms. Noland made a motion that the training be required to occur "within 90 days of taking office." It was requested that the Planning Commission be asked to review the policy that each person appointed to the Planning Commission be required to attend training within 90 days of their appointment by the APA or some qualified organization recommended by the APA. Each year thereafter the appointee shall attend continuing education which shall be paid for by Jefferson County. Ms. Widmyer seconded the motion and it was unanimously passed subject to Planning review.

(11) Approval of Contract Agreement – Victims of Crime Act Grant Award:

Mr. Manuel made a motion that the contract Agreement for Victims of Crime Act Grant Award be approved. Mr. Surkamp seconded the motion and it was unanimously approved.

(12) Request for Use of County Meeting Room:

A request was made by the Old Charles Town Library and the Jefferson County Museum to utilize the County Commission meeting room from 2 to 5 p.m. on October 8 and from 9:00 a.m. to 5:00 p.m. on October 9, 2010

Ms. Morgan made a motion to approve the reservation. Mr. Manuel seconded the motion and it was unanimously approved.

(13) Community Participation Grant Program – Camp Frame 4-H Association:

Request for approval of a Grant Contract and Resolution with regard to the Community Participation Grant Program – Camp Frame 4-H association in the amount of \$5,000.00.

Mr. Manuel made a motion that the Grant Contract and Resolution be approved in the amount of \$5,000.00. Ms. Noland seconded the motion and it was unanimously approved.

(14) Position Reclassification in the GIS Office:

It was requested that the GIS Office Administrative Assistant III be reclassified as full time.

Mr. Manuel moved to table deliberations on the unencumbered money balance when all requests can be heard at the same time. Ms. Noland seconded the motion. The vote was carried 3 – 2, with Mr. Surkamp and Mr. Morgan voting “no.”

The Commission broke for lunch at 12:30 p.m.

The Commission reconvened at 1:30 p.m.

(15) Roundtable Work Session – Shepherdstown Battlefield Grant:

Kirk Davis conducted a round table discussion regarding the possibility of transferring funds set aside for the Far Away Farms parcel to the Shepherdstown Battlefield land, emphasizing the significance of the Shepherdstown Battlefield. The discussion had been tabled by the Commission until this meeting. Present were:

John Howard, Superintendent of Antietam Battlefield

Ed Dunleavy, President, Shepherdstown Battlefield Preservation

Martin Burke, Historic Landmarks Commission

Tim Barr, Jefferson County Parks & Recreation Department

Seth Rivard, Jefferson County Engineering Department

Upon completion of Mr. Davis’ presentation and questions and discussion between the Commissioners and participants, the Commission recommended that the decision to transfer money/action be placed on the Agenda for next week’s meeting for a vote.

The Commission took a short break at 2:44 p.m.

The Commission reconvened at 2:44 p.m.

(16) P-Card Discussion:

At the request of Jennifer Maghan, County Clerk, the Commission was given a presentation of the new P-card system by Karen Ingram, Assistant Vice President of United Bank and Jack Berry, CPCP, Director of Local Government Programs, Office of the State Auditor. Also present were representatives from Morgan County where the P-card system has been utilized successfully for some time.

Following the presentation, at 3:30 p.m., Ms. Noland made a motion to adjourn the meeting. Mr. Manuel seconded the motion and it was unanimously approved.

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

LYN WIDMYER, COMMISSION PRESIDENT