

Jefferson County Commission

Thursday, August 12, 2010

A meeting of the Jefferson County Commission was held on Thursday, August 12, 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 Frances Morgan, Jim Surkamp and Dale Manuel, Tim Boyde, County Administrator and Nichelle Hosby. Commissioner Patsy Noland was absent. (An audio tape of the August 12, 2010 meeting is available through the Jefferson County Commission Office.)

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

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES.

Jefferson County Commission Regular Meeting Minutes of August 5, 2010.

Motion by Ms. Morgan to approve the minutes as amended. Motion seconded by Mr. Manuel and unanimously approved. (An audio tape of the August 5, 2010 meeting is available through the Jefferson County Commission Office.)

Jefferson County Commission Special Meeting Minutes of August 4, 2010.

Motion by Ms. Morgan to approve the minutes as presented. Motion seconded by Mr. Manuel and unanimously approved. (An audio tape of the August 4, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$52,611.07 being purchase order numbers 47349, 46800, 48484, 48169, 48173, 48175, 48779, 48781, 48782, 48783, 48624, 48625, 48592, 48461, 48780, 48784, 48785, 48786. Mr. Manuel seconded and the motion was unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve \$81,651.48 in accounts payable. Mr. Manuel seconded and the motion was unanimously approved.

PUBLIC COMMENT (General)

Virginia Lynch Graf reported on "net neutrality".

Robert Graf, Sr. reported that the Jefferson County Democratic Association will sponsor an Open House/Town Hall reception with the Democratic candidates on September 18, 2010 at the Old Charles Town Library meeting room.

Meredith Wait requested funds for the 250 year celebration for the Town of Shepherdstown.

Meredith Wait and Lois Turco reported on the Canal Town Initiative and requested seed money for the project. No decision was made at this time.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

- (1) Reported on the Preliminary meeting with staff concerning Court space.
- (2) Reported on the meeting with the Jefferson County Emergency Services Agency regarding strategic planning.
- (3) Reported on the Department Head meeting about Insurance.
- (4) Reported on third quarter priorities.

COUNTY COMMISSION REPORTS

Commissioner Manuel:

- (1) Reported that the Jefferson Center has 3 new clients, is approaching several possible sources of work and that they are in the process of obtaining a shredder.
- (2) Reported on the Subdivision Ordinance Public Hearing, that concerns that the document be policy neutral use the best science available to support document Trail Conservation, use of low impact design to control water pollution and recordation of conservation easements through Planning and Zoning.
- (3) Reported that at the Road Levy meeting, HOA representatives are exploring possible use of road levy bill to fix roads and the process requires petition of 60 percent.
- (4) Reported that the Jefferson County Council on Aging Jefferson Center is sponsoring a Dining to Donate night at Applebee's and that 20 percent of your bill will be donated to the Jefferson Center.

Commissioner Morgan:

- (1) Reported on the Board of Health meeting she attended.
- (2) Reported on the Planning Commission meeting she attended.
- (3) Reported that the Newseum in Washington, DC is sponsoring Kids 18 and under get in free until September 6, 2010.

Commissioner Surkamp:

- (1) Reported on the Board of Health meeting he attended.
- (2) Reported on the Public Hearing he attended on Subdivision and Land Development Amendments.

Commissioner Widmyer:

- (1) Reported on the Public Hearing on Subdivision and Land Development Amendments she attended.
- (2) Reported on the Hagerstown Eastern Panhandle Metropolitan Organization meeting she attended.
- (3) Reported on the National Association for the Advancement of Colored People meeting she attended.

PRESENTATIONS

- (1) Motion by Ms. Morgan to approve exoneration's due to erroneous assessments as presented by Angela Banks, Assessor. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
Joseph or Lana Tippett	Harpers Ferry	Personal Property	308572	202.18

- (2) **Barbara Miller – Director of Homeland Security and Emergency Management:**

Ms. Miller requested approval of the Proclamation for National Preparedness Month be the month of September 2010.

Motion by Mr. Manuel, to approve the Proclamation designating September 2010 as Nation Preparedness Month in Jefferson County and encourage all citizens to participate in readiness activities throughout the month. Motion seconded by Ms. Morgan and unanimously approved.

Commissioner Widmyer requested that Ms. Miller set a time to assist the Commission with preparing their Kits and plans during the month of September 2010.

(3) Mark Schiavone – Director of Capital Planning and Management:

Mr. Schiavone requested permission to re-advertise for a bid proposal to conduct the school impact fee recalculation/pupil generation study and that the Board of Education has also set funds aside for this study.

Motion by Mr. Manuel to approve moving this project to the competitive bidding stage.
Motion seconded by Ms. Morgan and unanimously approved.

(4) Jennifer Maghan – County Clerk Report:

Ms. Maghan reported that Wednesday, August 18, 2010 is the date for public testing in preparation of the upcoming Special Election. The test will be held at the Hamilton Building beginning at 10:00 a.m.

Ms. Maghan reported that Convest has filed bankruptcy and stated that they owe the County \$35,000.00 and that they actually do not owe that since the County never used these funds.

(5) Approval of New Appointment to the Deputy Reserves – Joseph Alan Malcolm

Motion by Mr. Surkamp to approve the appointment of Joseph Alan Malcolm to the Jefferson County Deputy Reserves. Motion seconded by Mr. Manuel and unanimously approved.

(6) Legal Update and Report:

Stephanie Grove distributed her to do list.
Ms. Grove reported on her meetings with Department Heads.
Ms. Grove reported on her meetings with Parks and Recreation.
Ms. Grove reported that she will be meeting with Roger Goodwin concerning the Test Wells.

Motion by Ms. Morgan to enter into Executive Session to discuss pending litigation. Motion seconded by Mr. Surkamp and unanimously approved.

The Commission took a 5 minute break at 10:55

Motion by Mr. Manuel to come out of Executive Session. Motion seconded by Ms. Morgan and unanimously approved.

(7) Jennifer Brockman – Director of Planning and Zoning:

Ms. Brockman reported on the discussions concerning the Proposed Amendments to the 2008 Subdivision and Land Development Regulations.

Motion by Ms. Morgan to discuss the proposed amendments to the 2008 Subdivision and Land Development Regulations on Thursday, August 19, 2010. Motion seconded by Mr. Manuel and unanimously approved.

(8) Roger Goodwin – Chief County Engineer:

Roger Goodwin reported a brief update on the Chapel View Subdivision.

Barbara Fuller and Jennifer Siren, representatives of the Home Owners in Chapel View were present and gave comments.

Motion by Mr. Surkamp to formally “call-in” the bond due to the developer being non-responsive in completing the site improvements required by the Preliminary Plat (construction plans); and that:

- I. The Engineering Department staff notify the surety provider in writing that the developer has been non-responsive and has forfeited the bond; and

- II. The Engineering Development staff shall work with the surety provider and give the surety provider reasonable opportunity to complete site improvements in accordance with the Preliminary Plat; and
- III. The Bonding Administrator shall pull the Letter-of-Credit (surety) before the January 15, 2011 expiration date if the surety provider fails to complete the site improvements within a reasonable amount of time or declines the opportunity to complete the improvements; and the Bonding Administrator shall place the funds in an escrow account at a local bank for use in completing the site improvements; and
- IV. The County Administrator and the County's civil attorney shall provide guidance to staff on this matter.

Motion seconded by Ms. Morgan and unanimously approved.

(9) Legislative Issues:

Ms. Widmyer reported that Kelley Goes is available on Thursday, September 9, 2010.

Ms. Morgan suggested retaining a Lobbyist in Charleston.

(10) Health Insurance Decision:

Mr. Boyde reported the proposed options for Health care coverage.

Motion by Mr. Manuel to adopt the insurance proposal that retains the deductibles and co-pays at their current level, and further, that the Commission subsidize the family plan holder's premium at a level to ensure their contribution remains the same as last year. Motion failed.

Motion by Ms. Morgan to renew our insurance for the coming year with Mountain State Blue Cross Blue Shield with the proposed buy up program to retain the 100 percent level of coverage by the County tax payers of the premiums for the covered single employees and a 50 percent level of coverage for the families and to provide a cash reward for employees who complete the Health Lifestyles program at \$250.00 and to defer the proposal on short term disability until next year. Motion seconded by Mr. Surkamp and approved by a 3-1 vote. Mr. Manuel voted no.

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

LYN WIDMYER, COMMISSION PRESIDENT