

# Minutes

## Jefferson County Commission

**Thursday, October 21, 2010**

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A meeting of the Jefferson County Commission was held on Thursday, October 21, 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, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this October 21, 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.**

Motion by Mr. Manuel to approve the minutes of the September 7, 2010 Special Session/Public Hearing as presented. Motion seconded by Ms. Noland and unanimously approved. (An audio tape of the September 7, 2010 Special Session/Public Hearing is available through the Jefferson County Commission Office.)

Unanimous consent to hold over for one week approval of the Minutes of the October 14, 2010 meeting.

### **APPROVAL OF PURCHASE ORDERS**

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$92,424.69 being purchase order numbers: 49119, 48725, 48970, 48976, 49029, 49031, 48977, 48829, 48831, 49025, 49027, 49028, 49030, 49032, 49033, 48633, 49024 and 48595. Motion seconded by Mr. Manuel and unanimously approved.

### **APPROVAL OF ACCOUNTS PAYABLE**

Motion by Mr. Manuel to approve \$412,243.15 in accounts payable. Motion seconded by Ms. Morgan and unanimously approved.

Ms Widmyer recommended preparation and implementation of a policy for the use of the P-cards. Mr. Boyde advised that he was currently in the process of drafting a policy.

### **COUNTY ADMINISTRATOR REPORTS**

#### **County Administrator Tim Boyde:**

- (1) Reported that repairs are progressing at the Hunter House. He explained that the existing chimney is being torn down and will be built back up at a cost of \$9,000.00. Work should be finished in a week or two.

- (2) Reported that the IPrism web filter services need to be renewed. The vendor has extended a special offer whereby the Commission can purchase a 5-year renewal for the cost of a 3-year renewal. A regular 5-year renewal costs \$18,650.00 and a 3-year renewal is \$11,000.00. There would be a savings of \$7,650.00 by purchasing the 5-year renewal.

Motion by Mr. Manuel to authorize the purchase of a 5-year renewal of the IPrism web filter services at the cost of a 3-year renewal plan. Ms. Morgan seconded the motion and it was unanimously approved.

Ms. Widmyer commented that she received a letter from Lou Tiano of the Parks and Recreation Board complimenting Mark Schiavone, Kirk Davis and Bill Polk for working with them to save money on heating, air conditioning, lighting and electrical. The Board members extended special thanks to Bill Polk for walking the building with them.

## **COUNTY COMMISSION REPORTS**

### **Commissioner Patricia Noland:**

- (1) Reported that she attended the TIF meeting on October 18, 2010 and feels it would benefit Jefferson County.
- (2) Reported that on October 19, 2010 she attended the Jefferson Council on Aging meeting. She stated that its client base is continuing to grow and that it is currently looking for a new director. Meal service will be expanded to Harpers Ferry.

### **Commissioner Dale Manuel:**

- (1) Reported that on October 15, 2010 he attended the Breeders' Classic at the Charles Town Race Track. After the special County Commission Race Mr. Manuel and Ms. Morgan were given the opportunity to present trophies to the winners.
- (2) Reported that on October 16, 2010 he attended the Shepherdstown Train Station Reception and watched a film which outlined the remarks of individuals who had recollections of the train station and what was happening there in the past.
- (3) Reported that on October 18, 2010 he attended the Ranson Centennial Celebration at the Jefferson County Council on Aging. Watched a program on the roots of Ranson 1890 which was extremely informative.
- (4) Reported that he attended the TIF meeting on October 18, 2010. Stated that he would like to have more specifics on its impact on the education system and funding that's available for schools in Jefferson County.
- (5) Reported that he attended the Emergency Services Agency meeting on October 19, 2010. Emergency Services projected it may have a shortfall in the future, possibly as much as \$200,000.00.
- (6) Reported that on October 19, 2010 he attended a meeting of the Eastern Panhandle Transportation Authority. He stated that the Transportation Authority may need help with allocations for a truck and manpower.
- (7) Reported that on October 20, 2010 he attended a hot dog roast at the Open House Ranson at Lance/Slusher Park. This was part of the Ranson Centennial Celebration that is happening all week.

- (8) Reported that on October 20, 2010 he attended a meeting of Parks and Recreation. They are working on numerous grants, some of which are approved and some have been submitted. Also reported that Parks and Recreation had its elections and it retained its current officers.

**Commissioner Jim Surkamp:**

- (1) Reported that he attended the TIF meeting on October 18, 2010.
- (2) Reported that he attended the NAACPP Forum at the Clarion Hotel on October 19, 2010.

**Commissioner Frances Morgan:**

- (1) Reported that she and her niece attended the Breeders' Classic County Commission Stakes Race with Mr. Manuel and his wife on October 15, 2010. She noted that the Municipalities Stakes Race and the County Commission Stakes Race have the same purse as the Governor's - \$50,000.00.
- (2) Reported that on October 18, 2010 she traveled to the Day Report Center in Martinsburg and attended a small graduation for three people who had been through the whole program.
- (3) Reported that on October 19, 2010 she attended a special meeting of the Jefferson County Planning Commission.
- (4) Reported that on the evening of October 19, 2010 she attended the NAACP Forum regarding the State races at the Clarion Hotel.
- (5) Ms. Morgan noted that she read a very interesting article on the front page of the Herald Mail about the Governor of Pennsylvania kicking off the creation of an intermodal freight facility in Franklin County, Pennsylvania that will be worth millions and millions of dollars. According to the article it will bring thousands of jobs to the 81 corridor from Martinsburg stretching up to Carlisle.
- (6) Noted that with regard to election news a Virginia group had placed an ad in Nevada pleading with Latino voters not to vote. The justification behind it was that the candidates had all disappointed this particular group of voters and they were encouraged to boycott the vote.

**Commissioner Lyn Widmyer:**

- (1) Reported that she attended the Ranson Centennial Celebration about the history of Ranson on October 18, 2010.
- (2) Reported that she attended the Region 9 meeting on October 18, 2010 where it was reported that a new GIS staff member had been hired. Additionally, it was decided to establish a Neal Carpenter Community Service Award. Ms. Widmyer was selected to chair the committee for Region 9 regarding the Chesapeake Bay Initiative.

**Unanimous Support for the School Excess Levy:**

Motion by Ms. Morgan to express the Commission's support of a resolution and to authorize the drafting of a letter to be used as an advertisement and placed in the Journal and other newspapers and on the County Commission website. Motion seconded by Mr. Manuel and unanimously approved.

Ms. Widmyer will have a press release prepared which will state "Jefferson County Commission urges you to support the tax levy. Paid for by the Commissioners."

- **Edward Urzan** of 949 Summit Point, inquired as to the percentage of property tax that is allocated for the school levy and stated that he supports the school levy.

**PRESENTATIONS:**

**(1) Interview and Appointment – Jefferson County Summit Point Library**

Motion by Mr. Surkamp to appoint Edward Urzan to the Board of the Jefferson County Summit Point Library. Motion seconded by Mr. Manuel and unanimously approved.

**(2) Doug Pittinger, Director Jefferson County Emergency Services Agency – Strategic Plan Update**

Doug Pittinger presented an update on ESA's Strategic Plan. He stated that a formal fiscal management agreement between the fire companies had been signed. In process of hiring a consultant (Delta Development Group based in Pennsylvania) to put together a 5-year strategic plan for ESA. ESA is drafting a letter to Mr. Boyde regarding Commission assistance in paying the consultant's fee.

**(3) Lynn Fields, Deputy Probate Clerk – Estate Closings in October 2010**

Motion by Ms. Morgan to commence the quarterly fiduciary review. Motion seconded by Mr. Manuel and unanimously approved. Commissioner Noland recused herself.

Ms. Fields presented a listing of estate closings for approval. Motion by Mr. Manuel to accept the listing of estate closings as presented. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Mr. Manuel to adjourn the quarterly fiduciary review. Motion seconded by Ms. Morgan and unanimously approved.

**(4) Jennifer S. Maghan, County Clerk's Report**

Ms. Maghan reported on early voting statistics.

**(5) Lynn Fields, Deputy Probate Clerk**

**-Status of Proposed Order – First Interim Accounting of the John J. Warfield Estate**

The Commission received no objections to the proposed order as presented by the Prosecuting Attorney. Fiduciary Commissioner, David DeJarnett, Esq., had no objections to its entry.

Motion was made by Ms. Morgan to approve and adopt the First Interim Accounting of the John Warfield Estate. Ms. Noland seconded the motion and it was unanimously approved.

**(6) Legal Update – Ralph Lorenzetti, Prosecuting Attorney  
-Contract Brad Stevens**

Reported that the proposed contract for hiring attorney Brad Stevens will be presented to the Commission next week. **Ms. Hewitt-Thomas**, who works with Mr. Stevens, offered a brief overview of Mr. Stevens and his legal work. Mr. Stevens' fee for his legal services on the PATH Case , Case No. 09-0770-E-CN, is \$27,000.00. The Commission will determine if it will be paid in one lump sum or in installments, monthly or otherwise.

Motion by Mr. Manuel that attorney Brad Stevens' fee be paid in monthly installments. Ms. Morgan seconded the motion and it was unanimously approved.

Mr. Lorenzetti reported that he received a letter from attorney Michael Cassell who is representing individuals who are in opposition to rezoning. Mr. Lorenzetti would like to discuss this matter further with the Commission and asked that the Commission determine if this is an agenda item.

**(7) Legislative Issues - Interim Session**

Ms. Noland offered an update on several legislative issues. She reminded the Commission that Ms. Vivian Parsons will be here on November 29, 2010 at 3:00 p.m. to report on pending legislative issues. Ms. Noland and Ms. Widmyer recommended that at least one half hour before the 3:00 p.m. meeting on November 29, 2010, the Commissioners should discuss what issues they consider priorities and would like Ms. Parsons to focus on. The time for this discussion should be posted on the agenda.

**(8) Proclamation – November 14 – 20, 2010 – National Hunger and Homelessness Awareness Week in Jefferson County, WV (DM)**

Motion by Mr. Manuel to approve a Proclamation setting forth the week of November 14 – 20, 2010 as National Hunger and Homelessness Awareness Week in Jefferson County, WV. Motion seconded by Ms. Morgan and unanimously approved.

It was further recommended by the Commissioners to place boxes for the collection of donations in the lobby of the Hunter House and other Jefferson County offices.

**(9) Tim Boyde, County Administrator – Work Session #4**

**- Policies and Procedures**

- a. **Classification Plan** – Mr. Boyde explained how the Plan is designed and there were no revisions recommended by the Commission.
- b. **Calculation of Compensation** – Mr. Boyde explained the application of the calculations. Discussion followed and it was agreed that some revisions were needed. Mr. Boyde will make the recommended revisions and present a new draft to the Commission next week.

**(10) Cam Siegrist, Attorney, Bowles, Rice, McDavid, Graff & Love, PLLC  
Public Hearing on the Issuance of Commercial Development Bonds by Jefferson  
County**

The hearing was called to order at 11:30 a.m. Ed McDevitt, Esq. of Bowles, Rice, McDavid, Graff & Love, LLC and Bob Bates, President of Rural Housing Preservation Associates explained the housing rehabilitation program. Currently there are 43 housing units with Jefferson County having two projects, one in Harpers Ferry and one in Shepherdstown. Mr. McDevitt and Mr. Bates requested approval to issue tax exempt bonds and go forward with the two rehabilitation projects.

There was no public comment or questions regarding the projects.

Ms. Widmyer closed the public hearing and the Commission went into a work session.

Motion by Ms. Noland to approve two proposed rehabilitation projects, one in Harpers Ferry and one in Shepherdstown, subject to legal review and subject to final approval by the Jefferson County Commission. Motion seconded by Ms. Morgan and unanimously approved.

**(11) Alana C. Hartman, WV Department of Environmental Protection, Potomac Basin  
Coordinator**

Ms. Hartman presented the Commission with an update on the West Virginia Watershed Implementation Plan. Public meetings will be held on November 3, 2010 from 6:00 p.m. to 8:00 p.m. at the Martinsburg Holiday Inn, and on November 4, 2010 from 6:00 p.m. to 8:00 p.m. at the south Branch Inn in Romney, WV. The Romney meeting will be in the form of a webinar.

Also in attendance at Ms. Hartman's presentation to the Commission were Senator Herb Snyder and Delegates Tiffany Lawrence and Terry Walker. Following Ms. Hartman's presentation Senator Snyder and Delegate Lawrence commented on the Watershed Plan and other legislative issues.

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

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LYN WIDMYER, PRESIDENT



