

Minutes
Jefferson County Commission
Thursday, May 5, 2011

A meeting of the Jefferson County Commission was held on Thursday, May 5, 2011 in the County Commission meeting room at the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Patsy Noland, Dale Manuel, Frances Morgan, Lyn Widmyer and Walt Pellish; Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of this May 5, 2011 meeting is available through the Jefferson County Commission Office.)

The meeting was called to order at 9:30 a.m. by Commissioner Noland.

PLEDGE OF ALLEGIANCE

Commissioner Widmyer led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the April 28, 2011 regular meeting of the Jefferson County Commission as amended. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$19,462.29, being purchase order numbers 48961, 49275, 48819, 48694, 48691, 49318, 49319, 49321, 49323, 49313, 49315, 49604, 49611, 52810, 46903, 49483, 49580, 49403, 49400, 49402, 49404, 49606, 49608, 49602 and 49576. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve the accounts payable in the amount of \$113,558.12. Motion seconded by Mr. Manuel and unanimously approved.

PUBLIC COMMENT

There was no public comment.

NEW BUSINESS:

- 1. Review and adopt revised Policies, Procedures and Applications for Appointments to County Boards, Committees, Authorities and Commissions.**

Motion by Ms. Widmyer to adopt the revised Policies, Procedures and Applications for Appointments to County Boards, Committees, Authorities and Commissions as amended. Motion seconded by Mr. Manuel and carried 4 to 1, with Ms. Morgan voting “no.”

PRESENTATIONS:

2. **Jennifer Maghan, County Clerk.** Ms. Maghan provided the Commission with an early voting update.
3. **Stephanie Grove, Assistant Prosecuting Attorney,** provided an update on pending legal matters.

It was the general consensus of the Commissioners that it was not necessary for Ms. Grove to appear before the Commission every week and, in the future, she will attend only once a month, unless pending legal issues require her presence more frequently. Ms. Grove will instead submit her Updated Written Report each week to Mr. Boyde to be distributed to the Commissioners.

NEW BUSINESS continued:

4. **Approval of Resolution - Community Participation Grant for the Star Lodge #1 in the amount of \$17,400.00.**

Motion by Mr. Manuel to approve the Resolution for the Community Participation Grant for the Star Lodge #1 in the amount of \$17,400.00. Motion seconded by Ms. Morgan and unanimously approved.

5. **Approval of Resolution - Community Participation Grant for the Webb/Blessing House in the amount of \$17,400.00.**

Motion by Mr. Manuel to approve the Resolution for the Community Participation Grant for the Webb/Blessing House in the amount of \$17,400.00. Motion seconded by Mr. Pellish and unanimously approved.

6. **Approval of Resolution - Community Participation Grant for the Animal Welfare Society in the amount of \$10,000.00.**

Motion by Mr. Manuel to approve the Resolution for the Community Participation Grant for the Animal Welfare Society in the amount of \$10,000.00. Motion seconded by Ms. Morgan and unanimously approved.

7. **Approval of Resolution - Community Participation Grant for the Briggs Animal Adoption Center in the amount of \$20,000.00.**

Motion by Ms. Morgan to approve the Resolution for the Community Participation Grant for Briggs Animal Adoption Center in the amount of \$20,000.00. Motion seconded by Ms. Noland and unanimously approved.

PRESENTATIONS continued:

8. **Mark Dyck, President of the Jefferson County Development Authority,** offered a Power Point presentation explaining proposed plans which consisted of four options for improvements to Route 340 for the build-out of the USCBP ATC Facility.

Bob Gordon of Wm. H. Gordon Associates, Inc., Chris White of the U.S. Customs and Border Patrol, Chris Tisler of the office that prepared the traffic study of U.S. 340 for the Border Patrol and Dave Kramer of the Commissioner's Office, Charleston, WV, Department of Highways provided further information regarding the proposed improvements.

Ms. Morgan made a motion that the County Commission endorse Option No. 4 and direct Staff to prepare a letter to William H. Gordon Associates, Inc. stating the Commission's reasons for endorsing Option No. 4 and advising that the Commission understands that due to time and funding constraints it may be necessary to utilize Option No.'s 1 or 3 in the interim, but urging that these issues be addressed as a single intersection for both the north and south side of Rt. 340. Ms. Widmyer seconded the motion and it was unanimously approved.

The Commission took a short break at 11:00 a.m.

The Commission reconvened at 11:09 a.m.

- 9. Roger Ethier, Chairman of the Water Advisory Committee,** introduced Dr. Peter Vila of Shepherd University and offered a brief history of the water monitoring system and the reasons for implementing the water monitoring system.

Dr. Vila advised the Commission of the results of the Water Advisory Committee's stream monitoring over the past year by utilizing a power point presentation.

After discussion, the Commissioners were in consensus that county staff should manage the contract rather than the Water Advisory Committee, but rather asked Dr. Vila to prepare an RFP for their consideration with regard to the possibility of his work on an ongoing study and monitoring of the streams and his coordination with the EPA and its mandates for a cleaner Chesapeake Bay. Dr. Vila will prepare and submit an RPF to the Commissioners for their consideration.

- 10. Kirk Davis, Capital Projects Manager, and Martin Burke, John Allen of the Historic Landmarks Commission,** provided an update on the status of the Blunt/Cement Mill property. Mr. Burke reported that the County is still waiting on a Notice to Proceed regarding the Transportation Enhancement Grant available from Charleston, West Virginia. Upon receipt of the Notice, negotiators for the County can approach the owner of the property regarding price and terms for purchase.

Mr. Pellish made a motion that the County Commission rescind its offer to contribute \$100,000.00 toward the purchase of the property, even though the expenditure was previously approved. Ms. Noland seconded the motion.

Mr. Pellish moved to put this item on next week's agenda. No second.

Ms. Morgan made a motion to postpone consideration of Mr. Pellish's motion to rescind until a public hearing could be held regarding the purchase of the property. Ms. Widmyer seconded the motion and it carried 4 to 1, with Ms. Noland voting "no."

The public hearing will be scheduled for Wednesday, June 1, 2011 at 7:00 p.m. and appropriate and timely notice shall be given to the public.

The Commission broke for lunch at 1:00 p.m.

The Commission reconvened at 1:38 p.m.

11. Members of the Jefferson County Emergency Services Agency and Fire & Rescue personnel met with the Commission to discuss the use of fees or levies as a means to raise funds for the departments' operating expenses. After discussion, it was decided that Doug Pittinger of the JCESA would draft a letter to the fire companies soliciting their opinions as to how the monies should be collected and report back to the Commission with the results.

12. Final Approval of Property Acquisition.

Mr. Boyd reported that the purchase price of the McDaniel Hardwood property is \$500,000.00 plus additional costs of \$3,375.00, for a total purchase price of \$503,375.00. He stated that at this time the contract has not come back from the Seller.

Motion by Mr. Manuel to approve the purchase of the McDaniel Hardwood property for the amount stated. Motion seconded by Mr. Pellish. Motion carried 3 to 2, with Ms. Widmyer and Ms. Morgan voting "no."

13. It is the general consensus of the Commission that the request to approve two new positions in the maintenance department (carpenter and auto mechanic) shall be moved to another date for consideration.

Ms. Morgan moved to adjourn the Commission meeting. Ms. Widmyer seconded the motion and it was unanimously approved. The meeting was adjourned at 3:00 p.m.

Upon rising the meeting was adjourned until Thursday next, May 12, 2011 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT