

Minutes

Jefferson County Commission

Thursday, June 2, 2011

A meeting of the Jefferson County Commission was held on Thursday, June 2, 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 and Lyn Widmyer. Commissioner Walt Pellish was absent with notification. Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddy, Bailiff. (An audio tape of this June 2, 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 May 19, 2011 regular meeting of the Jefferson County Commission as amended. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the Minutes of the May 19, 2011 Public Hearing as presented. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Widmyer to approve the Minutes of the May 20, 2011 canvass by the Jefferson County Commission sitting as a Board of Canvassers as presented. Motion seconded by Mr. Manuel and approved 4 to 0. Ms. Morgan abstained from voting as she was not present at the canvass on May 20, 2011.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$62,184.75, being purchase order numbers 48523, 48524, 52971, 48966, 48697, 52880, 52879, 52884, 52881, 52829, 48889, 49543, 52835, 52834, 52833, 52832, 52831, 52830, 52837, 52839, 52840, 52842, 52928, 49407, 49399, 52953, 52836, 49428, 52838, 49520, 49521 and 48111. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve the accounts payable for May 26, 2011 in the amount of \$271,704.98. Motion seconded by Ms. Morgan and unanimously approved.

The Commissioners agreed to hold the vote on the accounts payable for June 2, 2011 until Ms. Morgan has had an opportunity to complete her review.

PUBLIC COMMENT

There was no public comment.

PRESENTATIONS:

1. **Jennifer S. Maghan, County Clerk**, submitted three certification documents and requested that each Commissioner affix his or her signature to the documents certifying the results of the canvass conducted by the Board of Canvassers on May 20, 2011. Ms. Maghan advised that no bonds had been posted and she had received no requests for recounts. Ms. Widmyer, Mr. Manuel and Ms. Noland signed the certifications. Ms. Morgan abstained as she was not present at the canvass and Mr. Pellish was not present at this County Commission meeting.

APPROVAL OF ACCOUNTS PAYABLE continued:

Motion by Ms. Morgan to approve the accounts payable for June 2, 2011 in the amount of \$68,391.33. Motion seconded by Mr. Manuel and unanimously approved.

Ms. Noland reported changes in the Agenda for this meeting.

- Roger Goodwin, Chief County Engineer’s presentation regarding Rattlesnake Run, Inc. is rescheduled for June 23, 2011.
- A decision by the Commission on the Proposed 2011 Land Development Fee Schedule and Building Permit Fee Changes is rescheduled for June 23, 2011.
- Elizabeth Wheeler, Administrator of the Jefferson County Farmland Protection Board’s request regarding approval of two Deeds of Farmland Conservation Easement; these items will be reset at a later date.

UNFINISHED BUSINESS:

2. Tim Boyde, County Administrator –Absence Time with Pay Policy – Discussion/Action.

Mr. Boyde explained that suggested changes had been made to the proposed policy and that it had been reviewed by the department heads and elected officials. He stated that the only other change, suggested by the Sheriff’s Department, was to change the wording to state “all full time “non sworn” employees.” Mr. Manuel suggested several changes to page 1 of the proposed policy.

Mr. Manuel, on page 1, moved to strike “in the absence of elected official or department policy” and leave in “a request for the same vacation time within one department shall be decided by service time.” Ms. Widmyer seconded the motion and the policy was unanimously approved with the recommended changes.

Election Certification Revisited:

Ms. Widmyer made a motion that the Commission approve the certification of the primary election results. Motion was seconded by Mr. Manuel and approved 4 to 0. Ms. Morgan abstained from voting due to her absence from the canvass.

3. **Senator Herb Snyder** presented a Grant Award to the Jefferson County Sheriff’s Department to be used to purchase in-car cameras and other equipment as the funds allow.

Mr. Manuel moved to approve the Grant Resolution and Contract for the Jefferson County Sheriff's Department in the amount of \$23,000.00. Ms. Morgan seconded the motion and it was unanimously approved.

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**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV**

RESOLUTION

The County Commission of Jefferson County, met on June 2nd, 2011 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the Jefferson County Sheriff's Department. The project will include the purchase of in-car cameras and other safety and law enforcement items with funds made available through the Governor's Community Participation Grant program in the amount of \$23,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Date: _____

Signed: _____
COUNTY CLERK

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- Joe Cosentini, City of Charles Town, Acting City Manager**, provided an update on steps being taken by the City to resolve the problems with the stormwater management at Windmill Crossing. He assured the Commission that the City would work in conjunction with the County in order to resolve all problems and stated that no permits would be issued by the City until the problems were fixed. **Roger Goodwin, Chief County Engineer** elaborated on the situation and discussed how the County and City intend to work together to resolve the stormwater management issues.

The Commission took a break at 10:20 a.m.

The Commission reconvened at 10:30 a.m.

- Tim Boyde, County Administrator** requested approval of the amended proposal by D. I. Jacobs Consulting Company, (1) to perform a Classification and Compensation Study for County employees, (2) to classify positions in the Office of the County Clerk, and (3) to develop an Employee Salary Compensation Program (Performance

Management System). Upon discussion, the consensus was that number (3), the development of a Performance Management System, could be done in-house with only minimal assistance from D. I. Jacobs.

Motion by Ms. Morgan to approve parts (1) and (2) of the amended proposal by D. I. Jacobs Consulting Company. Motion seconded by Mr. Manuel and unanimously approved based upon further cost negotiations between Mr. Boyde and D. I. Jacobs Consulting Company.

DEPARTMENT HEAD WRITTEN REPORT:

6. One Department Head report submitted from the Department of Planning and Zoning.

Motion by Mr. Manuel to accept the report submitted by Ms. Brockman, Director of the Department of Planning and Zoning. Motion seconded by Ms. Morgan and unanimously approved.

COUNTY ADMINISTRATOR REPORT:

- Staff sent out and received grant applications for the money from the VLT (video lottery funds) in the amount of \$115,000.00.
- Mr. Boyde has received quotes for Workers' Compensation renewal from the Risk Pool and Brick Street.
- Mr. Boyde has been meeting with the broker regarding the County's health care renewal. He believes substantial progress is being made based on the most recent quote.

COUNTY COMMISSION REPORTS:

Ms. Widmyer:

- Ms. Widmyer has been out of the State and, therefore, has no report this week.

Mr. Manuel:

- Attended the Harpers Ferry and Bolivar Law Enforcement Meeting at the invitation of Sheriff Shirley.
- Attended the Election Canvass.
- Attended the Council of Governments Meeting.
- Attended the Jefferson County Council on Aging yard sale.
- Attended the Jefferson County Commission Public Hearing regarding purchase of the Cement Mill Property.

Ms. Morgan:

- Attended a Board of Health Meeting.
- Attended the Annual Meeting of the Workforce Investment Board in Romney, West Virginia.

Ms. Noland:

- Attended the closing on the McDaniel Hardwoods property.
- Attended the Jefferson County Commission Public Hearing regarding the possible purchase of the Cement Mill Property.

PRESENTATIONS continued:

7. **Mark Schiavone, Director of Capital Planning and Management** explained how he arrived at the impact fee figures.

Motion by Ms. Noland to include a change in the Procedures Ordinance to state that the Jefferson County Commission shall make a decision either to roll up the fees or have them automatically roll up. Mr. Manuel seconded the motion and it was unanimously approved.

8. **Ronda Lehman, Blueridge Watershed Coalition** - request for the County Commission to Support a Grant Proposal and Match Funding.

Motion by Ms. Noland that the County Commission support the two grant proposals and matching funds in the amount of \$17,000.00 as requested. Mr. Manuel seconded the motion and it was unanimously approved.

9. **Teen Court** – request for approval of Resolution.

Mr. Manuel moved that the County Commission adopt a mandatory fee of up to five dollars to be assessed as provided in the West Virginia Code §49-5-13d; assessments collected by the Clerk of the Court pursuant to this subsection shall be deposited into an account specifically for the operation and administration of a teen court program; the Clerk of the Court of conviction shall collect the fees established in this subsection and shall remit the fees to the Teen Court program. Ms. Morgan seconded the motion and it was unanimously approved pending legal review.

There being no further business, motion by Ms. Morgan to adjourn. Motion seconded by Mr. Manuel and unanimously approved. The meeting was adjourned at 12:25 p.m.

Upon rising the meeting was adjourned until Thursday, June 9, 2011.

PATRICIA A. NOLAND, PRESIDENT