

Minutes

Jefferson County Commission

Wednesday, July 20, 2011

A meeting of the Jefferson County Commission was held on Wednesday, July 20, 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 Patricia Noland, Dale Manuel, Frances Morgan, Lyn Widmyer and Walt Pellish; Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddy, Bailiff. (An audio tape of this July 20, 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 Morgan led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the July 14, 2011 meeting 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 \$115,223.85, being purchase order numbers: 49360, 53202, 53247, 53067, 53058, 49386, 48391, 53068, 53070, 53069, 53066, 53064, 53063, 53062 and 53061. Motion seconded by Ms. Morgan and unanimously approved.

PUBLIC COMMENT

Eleanor Finn of the League of Women Voters read a letter of introduction prepared by Peter Bradford, President of the West Virginia Chapter of the League of Women Voters.

UNFINISHED BUSINESS:

- 5. Appointment to the Eastern Panhandle Regional Planning and Development Council – term ending June 30, 2012.**

By unanimous consent the Commission opted to re-advertise this vacancy. Tom Bayuzik will continue in the position until a replacement is found.

APPROVAL OF ACCOUNTS PAYABLE:

Motion by Ms. Morgan to approve the accounts payable in the amount of \$356,219.30. Motion seconded by Mr. Manuel and unanimously approved.

NEW BUSINESS:

- 7. Tim Boyde – request to review and approve draft Travel Expense Policy.**

Several revisions to the draft Policy were discussed. By unanimous consent the Commissioners approved the Travel Expense Policy with the inclusion of their recommended changes.

APPROVAL OF MINUTES continued:

Motion by Mr. Pellish to approve the minutes of the June 30, 2011 meeting. Motion seconded by Mr. Manuel and unanimously approved.

Commissioner Morgan was called away from the meeting at 9:50 a.m.

PRESENTATIONS:

- 1. Jeffrey A. Polczynski, Director of Communications – Memorandum of Understanding between Jefferson County Health Department and Jefferson County Emergency Communications and the Jefferson County Commission/Approval of Memorandum of Understanding for operating a Closed Point of Dispensing (POD) Site.**

Because Mr. Polczynski is on vacation this week, Collet Crabill, Deputy Director, brought the request for approval of the Memorandum of Understanding before the Commission.

Motion by Mr. Manuel to approve the Memorandum of Understanding (MOU) between the Jefferson County Health Department and the Jefferson County Commission regarding a closed Point of Dispensing (POD) for the Jefferson County Emergency Communications Center and to authorize the Commission President to execute the Memorandum of Understanding. Motion seconded by Mr. Pellish and unanimously approved.

- 3. Roger Goodwin, Chief County Engineer:**

- a. Request partial release of the Construction Bond security for Beallair Homes, LLC – Beallair Subdivision, Phase 1, Lots 1-49 & Residue A-E (File #02-36) – Letter of Credit #7500942081 from Susquehanna Bank, Martinsburg, West Virginia.**

Motion by Mr. Manuel to approve the partial release of the Construction Bond security for Beallair Homes, LLC – Beallair Subdivision, Phase 1, Lots 1-49 & Residue A-E (File #02-36) – Letter of Credit #7500942081 from Susquehanna Bank, Martinsburg, West Virginia. Motion seconded by Mr. Pellish and unanimously approved.

- b. Michael Wiley on behalf of Beallair Homes, LLC owner/developer, requests tolling of the construction bond for the Beallair Subdivision, Phase 2, Lots 50 – 133 and Residue Parcel A- (File #05-412).**

Motion by Mr. Pellish to approve the tolling of the construction bond for the Beallair Subdivision, Phase 2, Lots 50 – 133 and Residue Parcel A- (File #05-412). Motion seconded by Ms. Widmyer and unanimously approved.

At the Commission's request, Mr. Goodwin provided an update on the status of test wells at Westridge Hills.

The Commission took a short break at 10:13 a.m.

Before the Commissioners departed for their break, **Stephanie Grove, Assistant Prosecuting Attorney,**

joined them in the meeting room and presented a revised draft of the Order from the June 23, 2011 meeting for approval. Motion by Mr. Manuel to approve the Order regarding the Map Rezoning Request. Motion seconded by Ms. Noland and carried 3 to 1, with Ms. Widmyer voting “against.” (Ms. Morgan had not yet returned to the meeting.)

The Commission reconvened at 10:25 a.m.

Commissioner Morgan returned to the meeting at 10:35 a.m.

COUNTY ADMINISTRATOR REPORTS:

County Administrator Tim Boyde:

- Mr. Boyde reported that based on the close of the fiscal year the County Commission has a “scrape” fund balance of \$3.4M so when you pull out the \$1.6M that is encumbered in the budget process through the line item of County Commission public contributions and other contributions, and when the amount set forth in Commissioner Manuel’s motion is deducted that leaves a balance of \$1.8M. With the 75%/25% split that leaves a balance of \$1,350,000 going into the Capital Outlay Account which could be used for buildings and other situations. Then \$450,000.00 would bump that Capital Contributions line item by \$450,000.00. That’s how the 75%/25% split translates in terms of funds.
- Reported that based on the directions last week, he did have an opportunity to enter into some initial lease negotiations with the facility on the corner of Liberty and George Streets. Very initial. A proposed lease is being reviewed by legal.
- Reported that he has had several discussions with the Sheriff, the Maintenance Director and the Supervisor of Animal Control regarding removing Animal Control from under the auspices of the Maintenance Director and putting it under the umbrella of the Sheriff’s Office.
- Mr. Polk has chosen a potential Carpenter and Auto Mechanic to fill his advertised positions and will be on next week’s agenda requesting approval to hire from the Commission.
- Advised that on Thursday, August 4, 2011, Jeff Polczynski, Director of E-911 Emergency Communications, will be at the meeting to brief the Commission on the CAD system.

Commissioner Morgan:

- Attended the Farmland Protection Association Quarterly Meeting in Pocahontas County, WV.
- Attended the opening of the Skybox Sports Bar and Stage at the Hollywood Casino.
- Attended a special meeting of the Farmland Protection Board.

Commissioner Pellish:

- Attended a reception at the Clarion Hotel for the Shepherdstown Library Project.

Commissioner Manuel:

- Attended the opening of the Skybox Sports Bar and Stage at the Hollywood Casino.
- Attended a Jefferson County Emergency Services Agency meeting.

Commissioner Widmyer:

- Attended a reception at the Clarion Hotel for the Shepherdstown Library Project.
- Attended the opening of the Skybox Sports Bar and Stage at the Hollywood Casino.

Commissioner Noland:

- Will attend a meeting of the Jefferson County Council on Aging this afternoon.

The Commission took at 10-minute break at 10:50 a.m.

At 11:00 a.m. the County Commission was convened by Ms. Noland as a Quarterly Fiduciary Review Board.

4. Lynn Fields, County Clerk Probate Office – Quarterly approval/closing of Wills/estates/accountings.

Ms. Morgan moved to approve the Accountings/Waivers, to close estates and to approve estates opened since the last quarterly hearing as recommended by Staff. Motion seconded by Mr. Manuel and unanimously approved.

Estate of Mildred Olga Valentine – request to approve and authorize the Commission President to execute an order appointing David S. Smith, Vice President of the Bank of Charles Town as Administrator of the Estate and discharging Sheriff Robert Shirley from his position as Curator of the Estate.

Motion by Mr. Manuel to approve and authorize the Commission President to execute an order appointing David S. Smith, Vice President of the Bank of Charles Town as Administrator of the Estate and discharging Sheriff Robert Shirley from his position as Curator of the Estate. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Morgan to adjourn the meeting. Motion seconded by Mr. Manuel and unanimously approved. The meeting was adjourned at 11:08 a.m.

Upon rising the meeting was adjourned until Thursday next, July 28, 2011 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT

