

Minutes
Jefferson County Commission
Thursday, September 1, 2011

A meeting of the Jefferson County Commission was held on Thursday, September 1, 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, Nichelle Hosby, Executive Assistant and Jimmy Eddy, Bailiff. (An audio tape of this September 1, 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 Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Manuel to approve the Minutes of the August 18, 2011 meeting as presented.

Motion seconded by Ms. Morgan and unanimously approved.

Mr. Manuel noted that the Computer Assisted Dispatch meeting scheduled for August 23, 2011 was rescheduled for Wednesday, August 31, 2011.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$31,420.39, being purchase order numbers: 50414, 53155, 53156, 48821, 52926, 49545, 53211, 53117, 53115, 53113, 53114, 53122, 53121, 53120, 53119, 53259, 53255, 53116, 53118, 53123, 53124, 53125, 52991, 52997, 52996, 52995, 52994, 58992, 53154, and 52939 . Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE:

Motion by Ms. Morgan to approve the accounts payable for August 25, 2011 in the amount of \$250,547.36. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the accounts payable for September 1, 2011 in the amount of \$286,233.65. Motion seconded by Mr. Pellish and unanimously approved.

PUBLIC COMMENT

There was no public comment made.

Jennifer Maghan, County Clerk gave an update on the maintenance that will be required on the election equipment and on the upcoming election.

NEW BUSINESS:

- 1. Request for approval of re-appointment of Sergeant Kevin E. Plumer to the Jefferson County**

Enhanced 9-1-1 Advisory Board as a State Police Representative.

Motion by Mr. Manuel to approve the re-appointment of Sergeant Kevin E. Plumer to the Jefferson County Enhanced E 9-1-1 Advisory Board for a three year term expiring September 1, 2014. Motion seconded by Ms. Widmyer and unanimously approved.

2. Request for approval of amendments to the Agenda Policy.

Motion by Ms. Widmyer to approve the Agenda Policy with the added amendment that when a Holiday falls on a Monday, the Agenda will be posted on the preceding Friday. Motion seconded by Ms. Noland and unanimously approved.

3. Request for approval of amendments to the Meeting Session Policies.

Motion by Mr. Manuel to approve the amendments to the Meeting Session Policies. Motion seconded by Ms. Morgan and unanimously approved.

PRESENTATIONS:

4. Angela Banks, Assessor presented Exonerations' and Notice of Apportionment.

NOTICE OF APPORTIONMENT OF JOINTLY OWNER MOTOR VEHICLES

Upon presentation by Angela Banks, Assessor, Motion by Mr. Manuel, second by Mr. Pellish, to approve the Notice of Apportionment of Jointly Owned Motor Vehicles filed by a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, Ticket No. 314175 for Tax Year 2011, in the amount of \$264.66 for the following, the Motion was unanimously approved:

NAME	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Colleen Pope	Wife	\$ 5600	\$ 154.38
Samuel Pope	Husband	\$ 4000	\$ 110.28
TOTAL TAXES DUE:			\$ 264.66

Angela Banks, Assessor, requested exoneration for Jane V. Pilkington in the amount of \$24.92 for tax year 2011.

Motion by Ms. Morgan to approve exoneration of \$24.92 for Jane V. Pilkington, Ticket No. 316159. Motion seconded by Mr. Pellish and unanimously approved.

Angela Banks, Assessor, requested exoneration for Candace R. D 'Aurora in the amount of \$343.51 for tax year 2011.

Motion by Ms. Widmyer to approve exoneration of \$343.51 for Candace R. D' Aurora, Ticket No. 305410. Motion seconded by Mr. Manuel and unanimously approved.

Angela Banks, Assessor, requested exoneration for Paul J. and Annde N. Bailey in the amount of \$92.48 for tax year 2011.

Motion by Mr. Morgan to approve exoneration of \$92.48 for Paul J. and Annde N. Bailey, Ticket No. 305161. Motion seconded by Mr. Pellish and unanimously approved.

Angela Banks, Assessor, requested exoneration for Joan F. Keith in the amount of \$92.90 for tax year 2011.

Motion by Mr. Pellish to approve the exoneration of \$92.90 for Joan F. Keith, Ticket No. 315627. Motion seconded by Mr. Manuel and unanimously approved.

Angela Banks, Assessor, requested exoneration for MMD LLC in the amount of \$775.06 for tax year 2011.

Motion by Ms. Morgan to approve the exoneration of \$775.06 for MMD LLC, Ticket No. 28129. Motion seconded by Ms. Noland and unanimously approved.

Angela Banks, Assessor, requested exoneration for Jeffrey S. Lynn in the amount of \$9,557.56 for tax year 2011.

Motion by Mr. Manuel to approve the exoneration of \$9,557.56 for Jeffrey S. Lynn, Ticket No. 306294. Motion seconded by Ms. Morgan and unanimously approved.

- 5. Roger Goodwin, Chief County Engineer request complete release of construction bond security for Washington Homes of West Virginia, Inc. - Sheridan Sales Trailer (File #00-33) – Cash in escrow with United Bank in Charles Town, WV.**

Motion by Ms. Morgan to approve the complete release of the construction bond security for Washington Homes of West Virginia, Inc. – Sheridan Sales Trailer (file #00-33). Motion seconded by Mr. Pellish and unanimously approved.

Mr. Goodwin gave an update on the WV Phase II Watershed Implementation Plan (WIP) Region 9 Chesapeake Bay Summit he attended.

- 6. Nelson Parkinson of Hospice of the Panhandle requested a waiver of a building permit fee in connection with a Day of Caring project.**

Mr. Parkinson gave a report on a ramp and door that will be addressed during a Day of Caring.

Motion by Ms. Morgan to approve the waiver of building permit fees for the Day of Caring project. Motion seconded by Mr. Manuel and unanimously approved.

- 7. Ward Zigler discussed the Bullskin Run Historic District.**

Jennifer Brockman, Director of Planning and Zoning was present and gave comments.

The Commission took a ten minute break at 10:43 a.m.

The Commission reconvened at 10:53 a.m.

8. Barbara Miller, Director of Homeland Security and Emergency Management:

Ms. Miller reminded everyone that today begins National Preparedness Month.

Request to submit the Emergency Management Planning Grant Application.

Motion by Ms. Morgan to approve the Emergency Management Planning Grant Application as presented and authorize the President to affix her signature. Motion seconded by Mr. Manuel and unanimously approved.

Request to renew the Memorandums of Understanding with Jefferson County Schools.

Motion by Mr. Manuel to approve the Memorandums of Understanding with Jefferson County Schools and to authorize the President to affix her signature. Motion seconded by Mr. Pellish and unanimously approved.

Ms. Miller reported on the Mass Care Grant application available through the WV Department of Military Affairs and Public Safety and Volunteer, WV.

9. Lynn Fields, Deputy Probate Clerk, reported on the Petition of Leland C. Bradley to resign as Co-Executor of the Estate of Edwin Lee Demory.

Larry Osborne and George Miller were present and gave comment.
Stephanie Grove, Assistant Prosecuting Attorney was present and gave comment.

Motion by Ms. Noland to approve the Petition of Leland C. Bradley to resign as Co-Executor of the Estate of Edwin Lee Demory. Motion seconded by Mr. Pellish and unanimously approved.

10. Peter Fricke, Farmland Protection Board

Present were Elizabeth Wheeler, Liz Ubile, Eric Lewis, Chris Lotze and Shepherd Ogden.

Mr. Fricke presented a PowerPoint of the Farmland Protection Boards' annual report.

Motion by Ms. Widmyer to accept the Farmland Protection Board annual report as presented. Motion seconded by Ms. Morgan and unanimously approved.

Mr. Fricke revisited the discussion on \$502,000 in Federal Matching Funds.
Additional comments were Eric Lewis, Accountant for the Farmland Protection Board.

Motion by Ms. Morgan to allocate \$225,000 in local matching funds to the Farmland Protection Board. Motion seconded by Ms. Widmyer and failed 2-3. Commissioners Pellish, Noland and

Manuel voted no.

Amendment by Ms. Morgan to allocate \$103,000 in local matching funds or the actual available amount to the Farmland Protection Board. Motion seconded by Ms. Widmyer and failed 2-3. Commissioners Manuel, Noland and Pellish voted no.

Motion by Ms. Widmyer to allocate \$37,000 in local matching funds for the Farmland Protection Board. Motion seconded by Ms. Morgan and failed 2-3. Commissions Noland, Pellish and Manuel voted no.

The Commission agreed to send a Resolution to the Governor's office requesting that State funds be granted to the Farmland Protection Board in the amount of \$502,000.

11. Commissioner Widmyer requested the Planning Commission develop an overlay for neighborhood commercial that allows approval of zoning requests with conditions that protect the character of the adjoining neighborhood; address traffic issues, stormwater management, lighting and landscaping and size of development.

Jennifer Brockman, Director of Planning and Zoning, was present and gave comment. Stephanie Grove, Assistant Prosecuting Attorney was present and gave comment.

12. Bill Polk, Maintenance Director:

Mr. Polk gave an update on Columns of the Courthouse.

Request approval to award the Heating Fuel bid to Smith Oil Company with cost effective billing at .1327 cents per gallon.

Request approval to award the Propane bid to Thompson Gas with cost effective billing at .38 per cents per gallon.

Motion by Ms. Widmyer to accept the bids of Smith Oil Company to provide Heating Fuel and Thompson Gas to provide Propane as recommended by the Maintenance Director. Motion seconded by Ms. Morgan and unanimously approved.

Request approval to award the elevator service bid to KONE Inc.

Motion by Mr. Manuel to approve KONE Inc. the elevator service bid. Motion seconded by Ms. Noland and unanimously approved.

Request to accept/exchange surplus property between the Jefferson County Maintenance Department and the Jefferson County Board of Education. The Jefferson County Board of Education will receive a Surplus 2002 Ford F-250 Pickup Truck and the Jefferson County Maintenance Department will receive a surplus heating system.

Stephanie Grove, Assistant Prosecuting Attorney was present and gave comment.

Motion by Ms. Morgan to authorize the exchange of the 2002 Ford F-250 pickup and the heating system between the Jefferson County Maintenance Department and the Jefferson County Board of Education. Motion seconded by Mr. Manuel and unanimously approved.

Mr. Polk reported on the walk through of the Courthouse after the earthquake.

13. Agenda item number 9 regarding the Charles Town Heritage Festival and the Courthouse lawn was resolved and therefore removed from the Commission agenda.

COUNTY ADMINISTRATOR REPORTS:

County Administrator Tim Boyde:

- Reported that the request for the Regional Jail to meet with the Commission is in the works and will be forth coming.
- Reported on an email from Hospice of the Panhandle concerning an appreciation to Governmental Agencies for their support will be held September 21, 2011 at 11:30 a.m. at 122 Waverly Court.
- Reported on the Finance Director applications.

Request for update on NACo prescription drug program.

Request for a Fall schedule on Budgets.

Request for a Resolution in support of Postal Mail Processing in Martinsburg.

COUNTY COMMISSIONER REPORTS:

Commissioner Widmyer:

- Attended the Eastern Panhandle Trailblazers meeting.
- Attended the Jefferson County Emergency Services Agency.
- Attended the demonstration on the Computer Assisted Dispatch system.
- Attended a seminar on the Clean Water Standards

Commissioner Morgan:

- Attended the African American Festival.
- Attended the Jefferson County Fair.
- Attended the Farmland Protection Retreat.
- Attended the demonstration on the Computer Assisted Dispatch system.
- Attended the Jefferson County Emergency Services Agency meeting.
- Announced the Constitutional Day Lecture in Shepherdstown on September 14, 2011 at 7:00 p.m.
- Announced that there is a scholarship opportunity listed in the State Journal.

Commissioner Manuel:

- Attended the African American Festival and Parade
- Attended the Jefferson County Emergency Services Agency meeting.
- Attended the demonstration on the Computer Assisted Dispatch system.
- Attended the Jefferson County Fair.

Commissioner Pellish:

- Attended the demonstrations of the Computer Assisted Dispatch systems.
- Attended the Jefferson County Emergency Services Agency meeting.
- Attended the Jefferson County Fair.

Commissioner Noland:

- Attended the Jefferson County Fair.
- Attended the Jefferson County Emergency Services Agency meeting.
- Attended the Computer Assisted Dispatch demonstration.
- Reported that the Day Report Center is now open in Jefferson County.

There being no further business, Ms. Morgan made a motion to adjourn the meeting. Mr. Manuel seconded the motion and it was unanimously approved.

Upon rising the meeting was adjourned until Thursday, September 8, 2011 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT