

# Minutes

## Jefferson County Commission

Thursday, October 6, 2011

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A meeting of the Jefferson County Commission was held on Thursday, October 6, 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 October 6, 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 Manuel led the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

Motion by Mr. Manuel to approve the Minutes of the September 29, 2011 meeting as amended. Motion seconded by Ms. Widmyer and unanimously approved.

### **APPROVAL OF PURCHASE ORDERS**

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$102,385.22, being purchase order numbers: 50442, 50445, 50531, 53220, 50571, 49557, 53226, 53227, 49107, 53257, 53179, 50561, 50562, 50563, 50569, 50570, 50427, 50428, 50573 and 50554. Motion seconded by Mr. Manuel and unanimously approved.

### **APPROVAL OF ACCOUNTS PAYABLE:**

Motion by Ms. Morgan to approve the accounts payable in the amount of \$697,394.78. Motion seconded by Mr. Manuel and unanimously approved.

### **PUBLIC COMMENT**

- Nance Briscoe – stated that the public comments made at the September 15, 2011 public hearing and power point presentations must be included and made part of the record of the hearing on October 10, 2011.
- Matt Knott – spoke about the major and minor site plan process.
- Kathy Knight – spoke about the Planning and Zoning By-Law proposed changes and issues regarding cottage industries.

### **PRESENTATIONS:**

1. **Tiffany Lawrence of the West Virginia House of Delegates**, presented the following grants to:
  - Star Lodge in the amount of \$17,400
  - Fisherman's Hall in the amount of \$4,500
  - Jefferson County Black History Preservation Society in the amount of \$2,000

**2. Angie Banks, County Assessor: Exonerations.**

Angie Banks, County Assessor, requested exoneration for Marc & Karen Caminiti in the amount of \$249.22. Motion by Mr. Manuel to approve exoneration of \$249.22 for Marc & Karen Caminiti, Ticket No. 309264. Motion seconded by Ms. Widmyer and unanimously approved.

<b>Name</b>	<b>District</b>	<b>Type</b>	<b>Ticket #</b>	<b>Amount</b>
Marc & Karen Caminiti	Kabletown	Personal Property	309264	\$249.22

**3. Rose Keesecker, Billing Clerk at the Eastern Regional Jail** reported on the process used to determine the monthly amounts charged to the Commission and explained the breakdown of the monthly bill.

**The Commission took a short break at 10:30 a.m.**  
**The Commission reconvened the meeting at 10:40 a.m.**

**NEW BUSINESS:**

**4. Tim Boyde, County Administrator** – request for authorization to fill an Administrative Assistant vacancy at the Emergency Communications Center.

Motion by Mr. Manuel to approve the request to advertise to fill an a vacancy for an Administrative Assistant at the Emergency Communications Center as a Grade II, Step A beginning at an hourly salary of \$14.08. Motion seconded by Mr. Pellish and unanimously approved.

**5. Tom Bayuzik, Jefferson County Development Authority** – request to schedule a date and time for a presentation of the Authority’s activities and a report on the overall economic development outlook for Jefferson County. (Removed from today’s Agenda.)

The Commission suggested that the economic development outlook and activities be discussed next month at a roundtable meeting and asked that Staff schedule the roundtable for the first Thursday in November, 2011.

**6. Bill Polk, Maintenance Director** – request that the Commission approve a Grant Resolution to enter into a contractual agreement with the Courthouse Facilities Improvement Authority and to authorize the Commission President to affix her signature to the said documents.

Motion by Ms. Widmyer to approve a Grant Resolution for the Commission to enter into a contractual agreement with the Courthouse Facilities Improvement Authority and to authorize the Commission President to affix her signature to the said documents. Motion seconded by Mr. Manuel and unanimously approved.

## RESOLUTION

The County Commission of Jefferson County met on Thursday, October 6, 2011 with a quorum present and passed the following resolution.

Be it resolved that the County Commission hereby authorizes Patricia Noland, Commission President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with Courthouse Facilities Improvement Authority to receive and administer funds pursuant to provisions of the Courthouse Facilities Improvement Fund Program.

Signed: \_\_\_\_\_  
Jennifer Maghan, County Clerk

7. **Continuation of the September 15, 2011 Public Hearing on the Proposed Zoning Text amendment for Article 4A, Section 2.2 and Section 10.3 of the Zoning and Land Development Ordinance and Section 20.203 of the Subdivision and Land Development Regulations regarding Home Occupations and Cottage Industries. (See separate Minutes of October 6, 2011 continuation of September 15, 2011 Public Hearing.)**
8. **Lynn Fields, Office of the County Clerk, Probate Office** came before the Commission to request that the Commission schedule a date and time to hold Public Hearings regarding the Grimes Estate and the Wilt Estate.

The Commission, by unanimous consent, agreed that Lynn Fields and Tim Boyde should discuss possible dates and schedule the hearings on a Thursday in the afternoon.

9. **Jennifer Brockman, Director of Planning and Zoning:**
  - Possible action on a proposed amendment to Article 4A, Section 2.2 and Section 10.3 of the Zoning and Land Development Ordinance, and Section 20.203 of the Subdivision and Land Development Regulations regarding Home Occupations and Cottage Industries - Discussion/Action

- Discussion of comments received and possible action on a proposed amendment to Sections of Article 24 of the Jefferson County Subdivision and Land Development Regulations regarding time-frames and noticing requirements for processing procedures - Discussion/Action
- Discussion of comments received and possible action on a proposed amendment to Articles 20 and 26 of the Jefferson County Subdivision and Land Development Regulations regarding the maximum square footage requirements for a minor site plan in each Zoning District - Discussion/Action
- Discussion of comments received and possible action on a proposed amendment to Article 12 of the Jefferson County Zoning and Land Development Ordinance (March 2011) regarding the process of amending the Zoning Map and/or Zoning Text - Discussion/Action
- Presentation and possible action on proposed revisions to the Bylaws of the Jefferson County Planning Commission - Discussion/Action

Motion by Ms. Morgan that the Commission hold open the time for the public's written comments on the four proposed amendments to be submitted to Staff by October 20, 2011 and voted on by commission on November 3, 2011. Mr. Manuel seconded the motion. Comment by Ms. Widmyer and Mr. Manuel that this motion applies only to the cottage industries. A vote was taken and carried 4 to 1 with Ms. Morgan voting against.

With regard to the proposed revisions to the By-Laws of the Jefferson County Planning Commission, motion by Mr. Pellish to approve the proposed revisions to the By-Laws of the Jefferson County Planning Commission. Motion seconded by Mr. Manuel and unanimously approved.

• **Roger Goodwin, Chief County Engineer:**

- Request approval to extend an offer of employment to fill the vacant position of Land Development Inspector.

Motion by Mr. Manuel to authorize Roger Goodwin, Chief County Engineer, to extend an offer of full-time employment to Joseph W. Kent to fill the vacant position of Land Development Inspector as a Grade V, Step 12 beginning at an annual salary of \$67,244.44. Motion seconded by Ms. Widmyer and unanimously approved.

- Partial release of the construction bond security for Kanawha Scales systems, Inc. - summit Point Automotive Research Center, LLC/STaSIS (file #S10-08).

Motion by Mr. Manuel to approve the partial release of the construction bond security for Kanawha Scales Systems, Inc. – Summit Point Automotive Research Center, LLC/STaSIS (file #S10-08). Motion seconded by Mr. Pellish and unanimously approved.

- Complete release of the construction bond security for PNGI Charles Town Gaming LLC - Hollywood Casino at Charles Town Races Area 5.2 loading dock & building addition (file #S10-09).

Motion by Ms. Morgan to approve the complete release of the construction bond security for PNGI Charles Town Gaming LLC – Hollywood Casino at Charles Town Races, Area 5.2 loading dock and building addition (file S10-09). Motion seconded by Mr. Pellish and unanimously approved.

**COUNTY ADMINISTRATOR REPORTS:**

**County Administrator Tim Boyde:**

- Reported that the Government access channel – Channel 17 on Comcast is currently up and should be operational in about a week.
- Reported that tomorrow he will meet with the County Administrator and the Director of Emergency Services of Loudoun County to discuss the Mutual Aid Agreement and its current status.

**COUNTY COMMISSIONER REPORTS:**

**Commissioner Widmyer:**

- Attended a Jefferson County Public Service District Meeting.
- Participated in a teleconference with the Eastern Panhandle Transportation Authority.
- Present at the Courthouse for election returns.
- Attended a Continuing Education course at Shepherd University – “Courses for Old People”

**Commissioner Manuel:**

- Participated in an Eastern Panhandle Transportation Authority teleconference with a representative of Senator Unger.
- Present at the Courthouse for election returns.
- Attended an Affordable Housing Partnership meeting.

**Commissioner Morgan:**

- Last week Ms. Morgan attended an Office of Emergency Management conference on planning for disaster for people with special needs.

**Commissioner Pellish:**

- Noted the passing of Charles Printz.
- Attended a meeting of the Jefferson County Emergency Services Agency regarding budgets and other issues.

**Commissioner Noland:**

- Present at the Courthouse for election returns.
- Attended a 4-H Leaders meeting and welcomed the new Extension Agent, Jane McNeil.
- Announced that October 29, 2011 is National Drug Take Back Day and drugs can be dropped off either at the Sheriff’s Department or the State Police.
- Attended an Affordable Housing Partnership meeting.

**10. The Commission took a short break.**

**The Commission reconvened at 12:30 p.m. for a Working Lunch Session.**

**11. Working Lunch Session** – Commissioners exchanged ideas for topics to be scheduled on the agenda for discussion and/or action in the future.

Following the work session, there being no further business, motion by Mr. Manuel to adjourn. Motion seconded by Mr. Pellish and unanimously approved.

Upon rising the meeting was adjourned until Thursday next, October 13, 2011.

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PATRICIA A. NOLAND, PRESIDENT