

Amended Minutes
Jefferson County Commission
Thursday, October 13, 2011

A meeting of the Jefferson County Commission was held on Thursday, October 13, 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 and Walt Pellish. Commissioner Widmyer was absent with notice. Also present were Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddy, Bailiff. (An audio tape of this October 13, 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 **October 6, 2011 regular meeting** as presented. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the Minutes as amended of the **October 6, 2011 Public Hearing held at 10:30 a.m.** Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the Minutes as presented of the **October 6, 2011 Public Hearing held at 7:00 p.m.** at Blue Ridge Elementary School. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Pellish to approve Purchase Orders in the amount of \$129,804.23, being purchase order numbers: 53162, 50535, 50532, 50533, 50534, 53251, 50579, 50580, 50581, 53229, 53230, 49546, 49547, 50574, 50576, 50577, 50429, 50430, 53008, 53009, 53011, 53012 and 50578. 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 \$244,806.68. Motion seconded by Mr. Manuel and unanimously approved.

PUBLIC COMMENT

Comments by **David Tabb** regarding several issues: 1) Planning Commission's report of October 11, 2011 regarding Hite Road soil samples; 2) urban tree planting; 3) proposed zoning amendments exclusive of the cottage industry proposed amendments; 4) Case No. 11C125; 5) Planning Commission By-Laws; 6) proposed drilling of a well on a battlefield behind Kohl's.

Kathy Knight, President of the Carriage Park Homeowners' Association, commented on issues regarding the Rt.

340 corridor and cottage industries.

PRESENTATIONS:

- 1. Angie Banks, County Assessor** – request for approval of employment for vacancy position in Assessor’s Office.

Motion by Mr. Manuel to approve the promotion of a current part-time employee to a full time position in the Assessor’s Office at a beginning salary of \$30,384.70. Motion seconded by Mr. Pellish and unanimously approved.

NEW BUSINESS:

- 2. Abigayle Holler and Renee Ellenberger, National Youth Advocate Program** – request to approve the use of the County Commission meeting room on Thursday, November 3, 2011 from 6:00 p.m. to 8:00 p.m. for foster parent training.

Motion by Mr. Manuel to approve the use of the County Commission meeting room on Thursday, November 3, 2011 from 6:00 p.m. to 8:00 p.m. for foster parent training. Motion seconded by Ms. Morgan and unanimously approved.

- 3. Request for approval of applicants William Clarke, Joel Croson and Mark Pantalone for the Jefferson County Deputy Sheriff Reserves.**

Motion by Mr. Manuel to approve the applications of William Clarke, Joel Croson and Mark Pantalone for positions on the Jefferson County Deputy Sheriff Reserves. Motion seconded by Mr. Pellish and unanimously approved.

- 4. Request for decision on the allocation of \$9,277.53 received from the State of West Virginia as Methane Severance Tax Revenue for fiscal years 2009, 2010 and 2011.**

Motion by Mr. Manuel that the \$9,277.53 check for Methane Severance Tax Revenue be put into a fund allocated to libraries and fire companies. Motion seconded by Mr. Pellish and unanimously approved.

PRESENTATIONS continued:

- 5. Doug Pittinger, Jefferson County Emergency Services** – request for funding for two vehicles for the JCESA.

Mr. Pittinger introduced Edward Hannon, the new Deputy Director of the Jefferson County Emergency Services Agency after which Mr. Hannon described his work experience and qualifications for the position.

Motion by Mr. Manuel that the Commission utilize the fee fundable impact fees to purchase one new vehicle contingent upon a recommendation by the Jefferson County Emergency Services Agency that the fee fundable impact fees be used for this purpose, and then take Mr. Boyde’s suggestion and utilize the Coal Severance Fund to purchase the other necessary vehicle. Ms. Noland seconded the motion for purposes of discussion.

Ms. Morgan asked if Mr. Manuel’s motion was divisible and it was agreed that it could be divided into two motions. Ms. Noland called for a vote on the first motion wherein Mr. Manuel moved that the fee fundable impact fees be used to purchase one new vehicle, contingent upon a recommendation by the Jefferson County

Emergency Services Agency that the fee fundable impact fees be used. Motion was unanimously approved.

A vote was taken on Mr. Manuel's second motion wherein at Mr. Boyde's suggestion; the Coal Severance Fund would be used to purchase a vehicle for the County's fleet and subsequently one of the County's used fleet cars would be lent out to the Emergency Services Agency as their surplus property. Motion was unanimously approved.

The Commission took a brief recess at 10:20 a.m.

The Commission reconvened at 10:30 a.m.

COUNTY ADMINISTRATOR REPORTS:

County Administrator Tim Boyde:

- Mr. Boyde attended a meeting with individuals from Loudoun County and the Loudoun County Administrator, along with Mr. Polczynski of the County's 911 Center regarding the Mutual Aid Agreement. Stumbling blocks and possible solutions were discussed. He reported that he forwarded Loudoun County's possible solutions on to Mr. Gianato at the West Virginia Division of Homeland Security and Emergency Management and is waiting for his reply. Another meeting needs to be scheduled as the current Mutual Aid Agreement is due to expire on December 15, 2011.
- Mr. Jacobs was in Tuesday and Wednesday of this week doing some training and working with Staff regarding the classification compensation package that's currently in place. He will return on November 2, 2011 to do a workshop on Performance Management.
- Met with an individual who has some human resource experience to ascertain what he might be able to lend to the County either on a contractual or a consultation basis.
- With regard to the CFO applicants, Mr. Boyde stated that he is currently on the second round of interviews and should be able to come to some determination within the next week or two.

COUNTY COMMISSIONER REPORTS:

Commissioner Morgan:

- Attended a Jefferson County Board of Health meeting.
- Attended a Farmland Protection Board meeting and several related smaller meetings.
- Attended the County Commission Public Hearing at the Blue Ridge Elementary School regarding the request for rezoning of the Hott property.

Commissioner Pellish:

- Attended the County Commission Public Hearing at the Blue Ridge Elementary School regarding the request for rezoning of the Hott property.

Commissioner Manuel:

- Announced that the Moulton Park Boat Ramp is now open for public use.
- Attended the Independent Fire Company Gun Bash.
- Attended the County Commission Public Hearing at the Blue Ridge Elementary School regarding the request for rezoning of the Hott property

Commissioner Noland:

- Participated in the election canvass.
- Attended a Convention and Visitors Bureau Board meeting at the Clarion in Shepherdstown.
- Toured the Eastern Panhandle Free Clinic.
- Toured the County's new maintenance facility.
- Attended the County Commission Public Hearing at the Blue Ridge Elementary School regarding the request for rezoning of the Hott property

PRESENTATIONS continued:

- 6. Roger Goodwin, Chief County Engineer** – request to approve the complete release of the Construction Bond security for Beallair Homes LLC – Beallair Subdivisions, Phase 1, Lots 1-49 & Residue A-E (File #02-36).

Motion by Mr. Pellish to approve the complete release of the Construction Bond security for Beallair Homes LLC – Beallair Subdivisions, Phase 1, Lots 1-49 & Residue A-E (File #02-36). Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to require Beallair Homes LLC to replace the Construction Bond security with a Surety Bond in the same amount. Motion seconded by Mr. Pellish and unanimously approved.

The Commission took a brief recess at 10:49 a.m.

The Commission reconvened the meeting at 10:53 a.m.

- 7. Lynn Fields, Probate Office** – request that the Sheriff be appointed as Administrator of the Estate of Shawn Hufnagel.

Motion by Ms. Morgan to appoint the Sheriff as Administrator of the Estate of Shawn Hufnagel. Motion seconded by Mr. Manuel and unanimously approved.

- 8. Interviews and Appointments to the Building Commission were not discussed. No action taken.**

Motion by Ms. Morgan that the Commission enter into an Executive Session to discuss pending litigation and update several matters. Motion seconded by Mr. Manuel and unanimously approved. The Commission entered into an Executive Session at 11:00 a.m.

Motion by Ms. Morgan to conclude the Executive Session. Motion seconded by Mr. Pellish and unanimously approved. The Commissioners concluded the Executive Session at 11:45 a.m.

There being no further business, motion by Mr. Manuel to adjourn. Motion seconded by Ms. Morgan and unanimously approved. Upon rising the meeting was adjourned until Thursday next, October 20, 2011.

PATRICIA A. NOLAND, PRESIDENT