

# Minutes

## Jefferson County Commission

Thursday, November 10, 2011

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A meeting of the Jefferson County Commission was held on Thursday, November 10, 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 November 10, 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 November 3, 2011 meeting as amended. Motion seconded by Mr. Pellish and unanimously approved.

### APPROVAL OF PURCHASE ORDERS:

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$143,927.86, being purchase order numbers: 52979, 53164, 53165, 53166, 53167, 53168, 50458, 50543, 50468, 53235, 50625, 50627, 50567, 50619, 50620, 50621, 50624, 50628, 52946, 50433, 53013, 53014, 53015, 53016, 50473, 50474, 50475, 50476, 50477, 50478, and 50622. Motion seconded by Ms. Morgan and unanimously approved.

### APPROVAL OF ACCOUNTS PAYABLE:

Motion by Ms. Morgan to approve the accounts payable in the amount of \$148,890.91. Motion seconded by Mr. Pellish and unanimously approved pending investigation of the tax on one of the items.

### PUBLIC COMMENT

- **Dave Tabb, Charles Town resident** commented that Robert's Rules of Procedure should be shared with the Planning Commission; stated that he received a letter from the State Highway Department regarding the stoplight at Koonce Road and the U.S. Customs and Border Patrol facility.
- **Kathy Knight, President of the Carriage Park HOA** commented on Section 12.3 of the proposed Zoning Amendment regarding notification; stated that the Commission should prepare a Resolution for Veteran's Day honoring soldiers of all wars.

### PRESENTATIONS:

1. **Angie Banks, County Assessor:**

**NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES**

Upon presentation by Angela Banks, Assessor, motion by Ms. Morgan, second by Mr. Manuel 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, in the amount of \$510.02, Ticket No. 313400, for the following. Motion unanimously approved.

NAME	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Gregory Scott Burke	Husband	\$10,600.00	\$292.22
Jessie Burke	Wife	\$ 7,900.00	\$217.80
<b>TOTAL TAXES DUE:</b>			<b>\$510.02</b>

**NEW BUSINESS:**

**2. Approval to reappoint Dave Withers to the Jefferson County Emergency Services Agency as recommended by the Jefferson County Fire and Rescue Association.**

Motion by Mr. Manuel to reappoint Dave Withers to the Jefferson County Emergency Services Agency as recommended by the Jefferson County Fire and Rescue Association. Motion seconded by Ms. Morgan and unanimously approved.

**3. Approval of Resolution in Support of Service People.**

Motion by Ms. Morgan to approve the Resolution in Support of Service People. Motion seconded by Mr. Manuel and unanimously approved.

**4. Bill Polk, Maintenance Director request to hire an Office Assistant to fill a vacancy in the Maintenance Department.**

Motion by Mr. Manuel to authorize Bill Polk, Maintenance Director, to advertise for a qualified individual to fill a vacancy in the Maintenance Department. Motion seconded by Mr. Pellish and unanimously approved.

**5. Work Programs for Certain Departments, Boards and Commissions (LW).**

Discussion regarding how often reports should be received by the Commission and on what dates the reports should be received and the form of the reports. It was unanimously agreed by the Commissioners that this matter would be held over until next week’s agenda for additional discussion.

**UNFINISHED BUSINESS:**

**6. Appointments to the Jefferson County Emergency Services Agency:**

- **One Citizen representative term ending November 2, 2014**
- **One Fire representative term ending November 2, 2014**
- **One Fire/EMS representative term ending November 2, 2014**

Ms. Morgan nominated Marty Freeman to be reappointed as the Citizen representative of the Jefferson County Emergency Services Agency for the term ending November 2, 2014. The Commission **unanimously approved Marty Freeman’s reappointment** as the Citizen representative of the Jefferson County Emergency Services Agency for the term ending November 2, 2014.

Ms. Morgan nominated Michael Mood to be reappointed as the Fire representative of the Jefferson County Emergency Services Agency for the term ending November 2, 2014. The Commission **unanimously approved Michael Mood's reappointment** to be the Fire representative of the Jefferson County Emergency Services Agency for the term ending November 2, 2014.

Mr. Manuel nominated Alan Williams to be the Fire/EMS representative of the Jefferson County Emergency Services Agency for the term ending November 2, 2014. The Commission voted **4 – 1 to appoint Alan Williams** to be the Fire/EMS representative of the Jefferson County Emergency Services Agency for the term ending November 2, 2014. Ms. Widmyer voted “no.”

**The Commission took a short break at 10:27 a.m.**  
**The Commission reconvened its meeting at 10:40 a.m.**

**PRESENTATIONS continued:**

- 7. Jennifer Brockman, Director of Planning and Zoning – discussion of comments received October 6-20, 2011 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 Text.**

Motion by Ms. Widmyer to approve the Amendments to Article 12 of the Jefferson County Zoning and Land Development Ordinance regarding the process of amending the zoning map and/or test as presented on September 15, 2011 with revisions 1 through 5 as set forth in the Agenda Request for November 3, 2011, with the addition of revision number 6 specifying that the Planning and Zoning Department will send out the notices. Motion seconded by Ms. Morgan and unanimously approved.

The Commission directed Planning and Zoning to meet with the legal department to research and obtain an answer as to in what stages of the map amendment process a traffic study can legally be required of the petitioner.

**Jennifer Brockman, Director of Planning and Zoning - discussion of comments received October 6-20, 2011 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.**

The Commission directed Planning and Zoning to review the proposed square footage requirements, consider the other options suggested by the Commissioners, put the options in writing and bring them before the Commission for discussion and possible action.

**Commissioner Pellish left the meeting at 11:25 a.m.**

**NEW BUSINESS:**

- 8. Tim Boyde – Draft Cable Channel Policy discussion and request for approval.**

Motion by Ms. Morgan for interim approval of the proposed Cable Channel Policy with the changes suggested by the Commissioners to be incorporated therein. Ms. Widmyer seconded the motion and it was unanimously approved.

**COUNTY ADMINISTRATOR REPORTS:**

- Met with the Space Needs Committee on November 7, 2011. Minutes from that meeting will be submitted at

the next Commission meeting.

- By Friday, November 11, 2011 the Prosecutor's Office will be totally moved to 201 N. George Street. It should be up and functional on Monday, November 14, 2011.
- Reported that the State approved in concept the Memorandum of Understanding between Loudoun County, VA, Jefferson County, WV and the State of West Virginia. The final touches just need to be put on the MOU which means that Jefferson County now has an ongoing Mutual Aid Agreement or a continual Mutual Aid Agreement with Loudoun County, VA.
- Announced that next week is National Geography Awareness Week and the GIS Department has put together several presentations.
- Met with an individual who may provide some Human Resources assistance. She will put together a scope of work and it will be submitted either on December 1<sup>st</sup> or 8<sup>th</sup>, 2011.

### **COUNTY COMMISSIONER REPORTS:**

#### **Commissioner Widmyer:**

- Attended a Planning Commission meeting.
- Suggested adding a legislative discussion to the Agenda for next week. Mr. Boyde will research what the Commission needs to do to sponsor legislative meetings for all counties.
- Participated in "Clean Up Shenandoah" river.
- Attended the Leadership Jefferson luncheon.
- Announced that Saturday at 1:30 p.m. trees will be planted at North Jefferson along the bike path.

#### **Commissioner Manuel:**

- Attended the Space Needs Committee meeting.
- Attended the Leadership Jefferson luncheon.
- Announced that Saturday is the Boy Scouts Local Food Drive.

#### **Commissioner Morgan:**

- Attended a Jefferson County Board of Health meeting.

#### **Commissioner Noland:**

- Attended the Leadership Jefferson luncheon.
- Announced that there is a Board of Education meeting on December and the Board would like the County Commissioners to attend as a topic will be future building programs.

There being no further business, motion by Mr. Manuel to adjourn. Motion seconded by Ms. Widmyer and unanimously approved.

Upon rising at 11:50 a.m. the meeting was adjourned until Thursday next, November 17, 2011.

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PATRICIA A. NOLAND, PRESIDENT

