

Minutes
Jefferson County Commission
Thursday, December 8, 2011

Revised 12-13-11

A meeting of the Jefferson County Commission was held on Thursday, December 8, 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, Lyn Widmyer, Frances Morgan and Walt Pellish. Also present were Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddy, Bailiff. (An audio tape of the December 8, 2011 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Widmyer led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the December 1, 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 \$24,134.87, being purchase order numbers: 50552, 50651, 50749, 49109, 50750, 50631, 50645, 50646, 50648, 50649, 50751, 50752, 50753, 50437, 50439, 53139, 53140, and 53268. 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 \$289,716.67. Motion seconded by Mr. Pellish and unanimously approved.

PUBLIC COMMENT:

Jennifer Syron of Eastern Panhandle Organization of Homeowner Associations commented on WV Code 36B.

Heidi Parker, Jefferson County Resident, endorsed Roger Forshee for appointment to the Jefferson County Public Service District.

Jackie Milliron, Jefferson County Resident, endorsed Roger Forshee for appointment to the Jefferson County Public Service District.

Jennifer Maghan, Jefferson County Clerk, provided a redistricting update.

Debbie Royalty of the League of Women Voters, commented on several December 1, 2011 Agenda Items.

Debbie Royalty, Jefferson County Citizen, commented on the Cement Mill property.

Chris Cody, Jefferson County Citizen, endorsed Roger Forshee for appointment to the Jefferson County Public

Service District.

Motion by Mr. Manuel to reconsider the action regarding the Minutes of December 1, 2011. Ms. Morgan seconded the motion and it was unanimously approved.

Mr. Manuel recommended an additional amendment to the Minutes “to approve the magisterial districts and precinct alignment as necessary.” Motion by Mr. Manuel to amend the Amended Minutes in the manner stated. Motion seconded by Ms. Morgan and unanimously approved.

PRESENTATIONS:

1. **Lyle Bivens, Jefferson County Resident**, requested a Resolution in support of a Constitutional Amendment reversing the Supreme Court’s decision in Citizens United v. FEC which deals with the role of corporations in national elections.
2. **Interviews and appointment to the Jefferson County Public Service District for one (1) six-year term ending December 1, 2017.**
 - **Tyler Quynn of Charles Town, WV** spoke to the Commission regarding his qualifications to serve on the Jefferson County Public Service District.

The Commission took a short break from the interview process to welcome Charles Town’s Mayor Peggy Smith and Mike Schuler, Keith Carter and Cricky Shultz. Messrs. Schuler and Carter are employed by the development company that broke ground this morning for the Tractor Supply Co. store to be built in Charles Town.

The Commission took a short break at 10:50 a.m.

The Commission reconvened at 11:00 a.m.

- **William Strider of Ranson, WV** stated his qualifications to serve on the Jefferson County Public Service District.
- **Roger Forshee of Charles Town, WV** stated his qualifications to serve on the Jefferson County Public Service District.

Ms. Widmyer recommended that the West Virginia Ethics Committee be consulted regarding whether Mr. Quynn’s family business connections with the General Manager of the PSD conform to the WV Ethics Commission Guidelines for appointments to boards and commissions. Due to time constraints and legal research required no action will be taken at this meeting. An appointment will be made at next week’s meeting, Thursday, December 15, 2011.

3. **Don Jacobs of DIJ Management Consultant Services** explained the recently completed Jefferson County Compensation Classification.

At 11:33 a.m. Commissioner Noland called to order a Public Hearing for the purpose of receiving public input regarding a petition to rezone a 13.69 property by Twin Oaks Subdivision, LLC, property designated as Tax District Shepherdstown, Map 13, Parcels 26.1, 26.2, 6.3 & 26.4, located on Kearneysville Pike (WV 480) approximately 0.5 miles west of its intersection with Morgan Grove Road, adjacent to Morgan Grove Park. (See Special Session Minutes for December 8, 2011.)

Following the Public Hearing, the Commission broke for lunch break at 1:20 p.m.

The Commission reconvened its regular meeting at 2:15 p.m.

NEW BUSINESS:

4. **Tim Boyde** presented a proposal to engage a consultant, Debbie Keyser, on a part-time basis to handle various Human Research Projects and to train staff in certain matters pertaining to Human Resources starting next week.

Motion by Ms. Morgan to engage a consultant, Debbie Keyser, on a part-time basis to handle various Human Research Projects and to train staff in certain matters pertaining to Human Resources starting next week. Motion seconded by Mr. Manuel and unanimously approved.

5. **Tim Boyde** requested approval of the first draft of a Taxable Fringe Benefits Policy he prepared.

Motion by Ms. Morgan to approve the first draft of the Taxable Fringe Benefits Policy prepared by County Administrator Tim Boyde. Motion seconded by Mr. Manuel and unanimously approved.

6. Request by **Bill Polk, Maintenance Director**, to approve the employment of Laura Kuhn as a full-time Administrative Assistant in the Maintenance Department working a 35 hour week with a starting salary of \$33,846.62.

Motion by Mr. Manuel to approve the hiring of Laura Kuhn as a full-time Administrative Assistant in the Maintenance Department working a 35 hour week with a starting salary of \$33,846.62. Motion seconded by Ms. Widmyer and unanimously approved.

7. **Stacy Dugan, President, Morgan County Commission** (left before the presentation due to time constraints). Mr. Boyde presented her request to approve a Resolution supporting the renovation of the Lodge and other improvements and amenities at Cacapon State Park to accommodate the increasing number of visitors.

Motion by Ms. Morgan to approve a Resolution supporting the renovation of the Lodge and other improvements and amenities at Cacapon State Park to accommodate the increasing number of visitors. Motion seconded by Ms. Widmyer and unanimously approved.

RESOLUTION IN SUPPORT OF THE CACAPON STATE PARK RENOVATIONS, ADDITIONS AND UPGRADES

Whereas, the Jefferson County Commission met on December 8, 2011 with a quorum present and supports the Cacapon State Park project of renovations, additions and upgrades; and

Whereas, the Commission recognizes that Cacapon State Park is important to the whole Eastern Panhandle since this park is 90 miles from the Washington/Baltimore metro area; and

Whereas, the Commission recognizes the need for this renovation with the closing of Coolfont and the conference and dining facilities the Woods Resort, there is no other golf resort based meeting space in the entire Panhandle. Cacapon needs upgraded to serve the conference market or that business will go to other states; and

Whereas, this Commission recognizes that this project is shovel ready with the recent completion of construction documents for as 67,000 SF addition that will feature new indoor/outdoor pool, spa, fitness center, new public dining room, upgrade to commercial kitchen, business center and 79 new residential

rooms; and

Whereas, in conjunction with the Lodge Renovations, the design team has also completed upgrades for other amenities of the Cacapon State Park, including the golf course, bunker reconstruction, strategic bunker relocation, and the incorporation of low maintenance native vegetation; and

Whereas, we recognize the importance of Cacapon State Park to tourism which generates more than \$30 million in revenue in Morgan County and employs more than 600 people.

NOW THEREFORE, BE IT RESOLVED, that we, the County Commissioners of Jefferson County, West Virginia supports the Cacapon State Park renovations, additions and upgrades.

By Order of the Jefferson County Commission

Patricia Noland, President

Dale Manuel, Vice President

Frances Morgan, Commissioner

Walter Pellish, Commissioner

Lyn Widmyer, Commissioner

8. **Ms. Widmyer** recommended that the Commission establish a uniform procedure for the review of rezoning requests. Ms. Widmyer prepared and presented a draft list of procedures for the Commission’s review. The Commissioners recommended that she submit the draft to Jennifer Brockman, Director of Planning & Zoning, for her review and approval. By unanimous consent it was agreed that if Ms. Brockman approved the draft the Commission would approve and implement the procedures.

COUNTY ADMINISTRATOR REPORTS:

County Administrator Tim Boyde:

- Requested permission to advertise the County Administrator position vacancy.

Motion by Ms. Morgan to authorize Mr. Boyde to post an advertisement for a County Administrator. Motion seconded by Mr. Pellish and unanimously approved.

- Announced that on December 15 and December 16, 2011 there will be mandatory training for all County employees, Electeds and Department Heads regarding sexual harassment.
- Reported that he drafted a Temporary Compensation Policy for the Commissioners review. Also included the Electeds should they be out for an extended period of time and the deputy takes over management duties. He would like to bring that on for decision on January 5, 2011.
- Reported that he is meeting with an individual who would like to be the County’s insurance broker.
- Reported that work is in process for updating the County’s web site. Also reported that plans are being made to upgrade the County Commission meeting room equipment and the room itself. He will report back to the

Commission with the progress.

COUNTY COMMISSIONER REPORTS:

Commissioner Morgan:

- Attended a history lecture in Shepherdstown.
- Attended a Jefferson County Board of Health meeting.
- Walked in the Charles Town Christmas Parade.
- Attended the Shepherdstown Fire Co.'s Christmas dinner.
- Attended the Chamber of Commerce Legislative Luncheon.
- Attended part of the Rt. 340 Planning meeting at the KOA Campground.

Commissioner Pellish:

- Attended a WV Development Authority meeting.

Commissioner Widmyer:

- Ran in the Berkeley County 5K Jingle Bell Run to benefit the Berkeley County Humane Society.
- Attended a Jefferson County Public Service Commission meeting.
- Attended a Girl Scouts meeting.
- Attended a Boy Scouts meeting.

Commissioner Manuel:

- Attended the Rt. 340 Planning meeting at the KOA Campground.
- Attended the Safety and Security meeting for the Courthouse.
- Attended the Jefferson County Board of Education meeting.
- Attended the Jefferson High School Community Chorus event.

Commissioner Noland:

- Attended the Jefferson County Board of Education meeting.
- Attended the CVB Strategic Planning meeting.
- Attended the Jefferson County Affordable Housing meeting.

Commissioner Morgan left the meeting.

Pursuant to legal counsel, Stephanie Grove's suggestion, motion by Mr. Pellish to enter into an Executive Session pursuant to Peters v. County Commission of Wood County. Motion seconded by Mr. Manuel and carried 4 to 1 with Ms. Morgan being absent for the vote. The Commissioners entered into an Executive Session at 3:05 p.m.

The Commissioners ended the Executive Session at 3:20 p.m. There being no further business the regular Commission meeting adjourned at the end of the Executive Session until Thursday next, December 15, 2011.

PATRICIA A. NOLAND, PRESIDENT

