

Minutes
Jefferson County Commission
Thursday, January 12, 2012

A meeting of the Jefferson County Commission was held on Thursday, January 12, 2012 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, Nichelle Hosby, Executive Assistant and Jimmy Eddy, Bailiff. (An audio tape of the January 12, 2012 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Manuel to approve the Minutes of the January 5, 2012 regular meeting as amended. Motion seconded by Mr. Pellish and unanimously approved.

Motion by Ms. Morgan to approve the Minutes of the January 5, 2012 Public Hearing 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 \$118,643.73, being purchase order numbers: 50466, 50471, 50470, 53241, 53242, 50823, 50831, 50832, 50634, 50824, 50830, 50724, 50726 and 52136. 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 \$115,529.76. Motion seconded by Mr. Manuel and unanimously approved.

PUBLIC COMMENT:

Jennifer Maghan, County Clerk shared redistricting news.

Nance Briscoe asked that Item #11, EPOHOA's request to use the County Commission meeting room be removed from the agenda.

David Tabb reported on his oral argument before the West Virginia Supreme Court of Appeals on January 10, 2012.

UNFINISHED BUSINESS:

1. Request to approve the proposed Sexual Harassment Policy.

Motion by Ms. Morgan to approve the proposed Sexual Harassment Policy as amended. Motion seconded by

Mr. Pellish and unanimously approved.

2. Request to complete the revitalization of the County Commission Meeting Room.

Motion by Mr. Pellish to approve the revitalization of the County Commission Meeting Room at a cost of \$42,000.00 or less and to deduct the funds from either the Coal Severance Fund or the Unencumbered Fund. Motion seconded by Mr. Manuel and unanimously approved.

3. Request for approval to increase the Public Service District Board membership from three to five members.

The Commissioners unanimously agreed that more legal research must be done before making any decision on this matter.

PRESENTATIONS:

4. Don Jacobs, DI Jacobs Consulting Company – Mr. Jacobs explained the Classification and Compensation Study Final Report for the County Clerk.

Mr. Pellish made a motion that the Commission approve the concept of the Study and Final Report with implementation delayed until the start of the new fiscal year, along with the proviso that the Commission will make one adjustment which will be discussed on next weeks' agenda. Motion seconded by Mr. Manuel and unanimously approved.

5. Doug Montgomery introduced and explained the goals of the new task force "Eastern Panhandle Right Here, Right Now" to the Commission and asked for the Commission's endorsement.

Mr. Manuel made a motion to support and endorse the objectives and goals of the Eastern Panhandle Right Here, Right Now. Mr. Pellish seconded the motion and the motion carried 3 – 2 with Ms. Widmyer and Ms. Morgan voting "no."

The Commission took a short break at 10:40 a.m.

The Commission reconvened the meeting at 10:52 a.m.

6. Interviews and appointment to the Jefferson County Emergency Services Agency for an unexpired term ending November 2, 2013.

Sid White was present and presented his qualifications to serve on the JCESA to the Commissioners. **Robert Leeper** was not present but submitted his Resume for consideration.

Mr. Manuel made a motion to appoint Sidney Russell White, III to the Jefferson County Emergency Services Agency Board as a citizen member from the Harpers Ferry District to fill the unexpired term ending November 2, 2013 and it was unanimously approved.

7. Paul Shroyer, Director of Financial Management, presented and explained a preliminary budget which he prepared for the Commissioners review.

8. Sabrina Myers, Shenandoah Center, requested the Commission authorize a fee refund for permit #11-652 in the amount of \$25.20.

Ms. Morgan made a motion to approve and authorize the refund of the fee for permit #11-652 in the amount of \$25.20 to Shenandoah Center. Motion seconded by Mr. Manuel and unanimously approved.

9. **The Rezoning Requests Policy was discussed.** The Commissioners were in agreement that the document needs to be more defined and streamlined.
10. **Request for approval of sending a letter to WV legislators supporting Jefferson County citizens' concerns regarding a proposed reduction in the MARC (Brunswick Line) commuter rail services to Martinsburg, WV.**

Motion by Ms. Widmyer to approve the draft letter to legislators in support of Jefferson County citizens' concerns regarding the proposed reduction in the MARC (Brunswick Line) commuter rail services to Martinsburg, WV. Motion seconded by Ms. Morgan and unanimously approved. It was agreed that the letter would be put on the Commission website as well.

11. **Request for decision regarding the Zoning Map Amendment (Rezoning) for the James and Barbara Gibson property designated as Tax District: Harpers Ferry, Map 9, Parcel 39.1.**

Motion by Mr. Pellish to approve the requested rezoning of the James and Barbara Gibson property designated as Tax District: Harpers Ferry, Map 9, Parcel 39.1 as he finds it is consistent with the Comprehensive Plan. Mr. Manuel seconded the motion and the motion carried 3 – 2 with Ms. Morgan and Ms. Widmyer voting “no.”

COUNTY ADMINISTRATOR REPORTS:

County Administrator Tim Boyde:

- Mr. Boyde thanked the Commissioners for the opportunity to serve them in his capacity as County Administrator.
- Met with the Engineering and Planning Departments regarding a storm water management proposal.
- Met with Sally Gran, Debbie Keyser and Sandy McDonald regarding health care renewal.
- Met with Judge Sanders at the Circuit Court regarding Judge Yoder's office.
- Made inquiries of individuals who might be able to give the Commission some ideas on document management systems and the costs for the County Administration, Engineering, Planning & Zoning and GIS Departments.
- Regarding the County's broker-of-record, Mr. Boyde has had at least three inquiries from other brokers. He recommends that the Commission have them come in and explain what they can do for the County and at what cost.

COUNTY COMMISSION REPORTS:

Commissioner Morgan:

- Attended a Jefferson County Board of Health meeting.
- Attended part of the MARC train Town Hall meeting.
- Attended a Farmland Protection Board meeting.
- Attended the Jefferson County Emergency Services Agency meeting for the public.
- Participated in the NAACP's Martin Luther King, Jr. March.
- Attended the Open House at the Jefferson County Day Report Center.
- Attended a Community Criminal Justice Board meeting.

Commissioner Pellish:

- Attended a Planning Commission meeting.
- Attended a Jefferson County Development Authority meeting.
- Attended the Jefferson County Emergency Services Agency meeting for the public.
- Attended the Jefferson County Emergency Services Agency informational meeting at the Shepherdstown Fire Department.

Commissioner Widmyer:

- Attended a Blue Ridge Watershed Group meeting.
- Attended the MARC train Town Hall meeting.
- Attended a Water Advisory Committee meeting.
- Attended the Jefferson County Emergency Services Agency meeting for the public.
- Attended a Retired Federal Workers' meeting regarding the Emergency Services Authority proposed fee.

Commissioner Manuel:

- Attended the MARC train Town Hall meeting.
- Attended the Jefferson County Emergency Services Agency informational meeting at the Shepherdstown Fire Department.
- Attended the Open House at the Jefferson County Day Report Center.
- Attended the combined Jefferson County Emergency Services Authority and County Commission meeting.

Commissioner Noland:

- Attended an Air Quality Committee meeting.
- Attended a Partnership for Affordable Housing Retreat.
- Attended a Farmers Market Committee meeting.
- Attended the MARC train Town Hall meeting.
- Attended the Open House at the Jefferson County Day Report Center.

PRESENTATIONS continued:

- 12. Bill Polk, Director of Maintenance** provided the Commissioners with an update on the progress of the work on the columns at the County Courthouse, reported that the power was out at Bardane and advised that the boxwood bushes in front of the Courthouse would be removed over the weekend.

Following Mr. Polk's presentation, Mr. Pellish made a motion pursuant to Peters v. County Commission of Wood County to enter into an executive session per the request of County Administrator Tim Boyde to discuss a proposed Reorganization in County Government working document. Motion seconded by Mr. Manuel and carried 3 to 2 with Ms. Widmyer and Ms. Morgan voting "no." The Commissioners entered into an Executive Session.

Upon motion the Commissioners terminated the Executive Session at 2:40 p.m. There being no further business the regular Commission meeting adjourned at the end of the Executive Session until Thursday next, January 19, 2012.

PATRICIA A. NOLAND, PRESIDENT

