

# Minutes

## Jefferson County Commission

Thursday, January 19, 2012

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A meeting of the Jefferson County Commission was held on Thursday, January 19, 2012 in the County Commission meeting room at the Old Charles Town Library located at 200 E. Washington Street, Charles Town, West Virginia. Present were Commissioners Patricia Noland, Dale Manuel, Frances Morgan, Lyn Widmyer and Walt Pellish; Sandy McDonald, Deputy County Administrator, Debbie Stellato, Administrative Assistant and Richie Barron, Bailiff. (An audio tape of this January 19, 2012 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 Ms. Morgan to approve the Minutes of the January 12, 2012 meeting as presented. Motion seconded by Mr. Pellish and unanimously approved.

### APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$11,427.16, being purchase order numbers: 50662, 50661, 50838, 53189, 50833, 50834, 50835, 50923 and 50924. 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 \$555,536.99. Motion seconded by Mr. Manuel and unanimously approved.

### PUBLIC COMMENT

**Lyle Bivens** requested that the Commission issue a Resolution calling for the enactment of a constitutional amendment to reverse "Citizens United."

**Kathy Knight** commented on Agenda Item #9, specifically the proposed Rt. 11 Bike Trail.

**Matt Knott** also commented on Agenda Item #9, specifically Jefferson County Planning & Zoning Department's alternative recommendations regarding a proposed amendment to Articles 30 and 26 of the Jefferson County Subdivision and Land Development Regulations.

**David Tabb** commented that he feels there are still problems with the topics to be discussed in Agenda Item #9.

**PRESENTATIONS:**

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

Angie Banks, County Assessor, requested exoneration for Colonial Pacific Leasing Corp. in the amount of \$1,231.60. Motion by Ms. Morgan to approve exoneration of \$1,231.60 for Colonial Pacific Leasing Corp., Ticket No. 301251. Motion seconded by Mr. Manuel and unanimously approved.

Angie Banks, County Assessor, requested exoneration for Nance Briscoe, Cloverdale Heights Homeowners Assoc., Inc. in the amount of \$55.51. Motion by Ms. Morgan to approve exoneration of \$55.51 for Nance Briscoe, Cloverdale Heights Homeowners Assoc., Inc., Ticket No. 16308. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
Colonial Pacific Leasing Corp.	Charles Town	Personal Property	301251	\$1,231.60
Nance Briscoe, Cloverdale Heights Homeowners Assoc. Inc.	Kabletown	Real Estate	16308	\$55.51

**NEW BUSINESS:**

**2. Request to increase Chief Deputy County Clerk salary from \$45,100 to \$48,175.00 as a result of the Classification Compensation Study.**

Ms. Morgan made a motion to approve the increase in the Chief Deputy County Clerk’s salary from \$45,100.00 to \$48,175.00 as a result of the Classification Compensation Study. Motion seconded by Mr. Pellish and unanimously approved.

**3. Request for compensation during temporary assignment for Sandy Slusher McDonald from Deputy County Administrator to Interim County Administrator effective January 16, 2012.**

Mr. Pellish made a motion that Sandy Slusher McDonald be compensated as a Level VIII employee at the rate of \$97,375.00 during her temporary assignment as Interim County Administrator, effective January 16, 2012. Motion seconded by Mr. Manuel. Ms. Morgan asked if the motion was divisible. The Commissioners agreed that the motion was divisible.

Mr. Pellish withdrew his original motion. Ms. Morgan then made a motion that Sandy Slusher McDonald be temporarily assigned the position of Interim County Administrator. Motion seconded by Mr. Manuel and unanimously approved.

Mr. Pellish made a motion to approve a salary change for Sandy Slusher McDonald from \$61,538.00 to \$97,375.00 during the period that she acts as Interim County Administrator, effective January 16, 2012. Motion seconded by Ms. Noland and unanimously approved.

**PRESENTATIONS continued:**

- 4. Joe Cosentini, City Manager, Charles Town request to approve the Certificates of Annexation of the Moler Property and the property of First Charles Town Group and Willow Spring PSC.**

Motion made by Mr. Manuel to approve the Certificates of Annexation for the Moler property and the property of First Charles Town Group and Willow Spring PSC. Motion seconded by Mr. Pellish. Ms. Morgan asked whether the motion was not properly separable and the Commissioners agreed that it was separable. Mr. Manuel withdrew his original motion.

Mr. Manuel made a new motion that the Commission approve the Certificate of Annexation for the Bruce and Janet Moler property with the caveat that it will not go into effect until the legal description is provided. Motion seconded by Mr. Pellish and unanimously approved.

Mr. Pellish made a motion that the Commission approve the Certificate of Annexation for the property of First Charles Town Group and Willow Spring PSC. Motion seconded by Mr. Manuel and carried 4 -1 with Ms. Morgan voting “no.”

- 5. Request by Cheryl L. Keyrouse to approve funding of \$1,000.00 to assist with bus transportation to Jefferson County Day at the Capitol in Charleston, West Virginia.**

Mr. Manuel made a motion to approve a \$1,000.00 expenditure to assist with bus transportation to Jefferson County Day at the Capitol in Charleston, West Virginia. Motion seconded by Ms. Widmyer and unanimously approved.

**The Commission took a break at 10:25 a.m.**

**The Commission reconvened at 10:35 a.m.**

- 6. Barbara Miller, Director of Homeland Security and Emergency Management requested approval of appointments and reappointments to the Jefferson County Homeland Security and Emergency Management Steering Committee as presented to the Commission.**

Motion made by Ms. Widmyer to approve the following persons to serve on the Jefferson County Homeland Security and Emergency Management Steering Committee for a period of 2 years as presented to the Commission: Lane Donley (representing the Jefferson County Development Authority, pending approval of the Development Authority); Lori Kelly (representing the American Red Cross); Sanford “Sandy” Green (representing WV Homeland Security Region 3, Area Liaison); John Sherwood (representing the Jefferson County Chamber of Commerce); Jeff Polczynski (representing the Emergency Communications Center); Katherine Dunbar (representing non-profit organization Good Shepherd Inter-Faith Caregivers); Paul Espinosa (representing Utilities, Frontier Communications) and Ed Smith (representing Fire and Rescue). Motion seconded by Mr. Manuel and unanimously approved.

- 7. Bill Polk, Director of Maintenance, request to approve \$50,000.00 for the completion of the new maintenance building.**

The Commission directed that Paul Shroyer, Director of Financial Management, prepare a report detailing from which accounts the monies were previously deducted for construction of the new maintenance building, for what the monies were spent, the reasons for the expenditures and to describe where monies had been saved. The Commissioners further directed that this report and budget revisions be provided to them in two weeks at the February 2, 2012 meeting.

The Commissioners directed Mr. Polk to prioritize expenses still to be incurred, provide a floor plan of the maintenance building and project how much more monies will be needed to complete the project.

Ms. Morgan made a motion that the Commission convene as a **Fiduciary Review Board** to consider quarterly closing and estate approvals. Motion seconded by Mr. Manuel and unanimously approved.

**8. Lynn Fields, Deputy Probate Clerk, presented quarterly closings and estate closings for approval.**

Ms. Morgan made a motion to approve the quarterly closings/estate closings as recommended by the Deputy Probate Clerk. Motion seconded by Mr. Pellish and unanimously approved.

Following Ms. Fields' presentation the Commissioners adjourned as the Fiduciary Review Board and reconvened the regular Jefferson County Commission meeting.

**9. Linda Reeves request to approve her appeal of the Homestead Exemption denial by the County Assessor.**

Ms. Reeves presented her appeal of the denial by the County Assessor of the Homestead Exemption for tax year 2012. After consideration, motion by Ms. Widmyer to support the County Assessor's finding that Ms. Reeves had not provided the proper documentation as requested by the Assessor and was properly denied the use of the Homestead Exemption for tax year 2012. Motion seconded by Mr. Manuel and unanimously approved.

**10. Jennifer Myers, Interim Director of the Parks & Recreation Commission** provided an update on the progress of construction of Hite Park and Moulten Park.

**The Commission took a short break at 11:45 a.m.**

**The Commission reconvened at 11:55 a.m.**

**11. Jennifer Brockman, Director of Planning and Zoning, along with Seth Rivard, Planner, presented several options/alternative recommendations regarding a proposed Amendment to Articles 30 and 26 of the Jefferson County Subdivision and Land Development Regulations amending the maximum square footage requirements for a Minor Site in various Zoning Districts.**

Mr. Pellish made a motion to adopt Option No. 1. Motion seconded by Ms. Morgan and unanimously approved.

**Ms. Brockman sought the Commission's support and approval regarding the designation of certain roads in Jefferson County to be a part of a new proposed US Bike Route 11.**

Ms. Widmyer made a motion to direct the Planning Department Staff to prepare a letter to be sent to the Department of Transportation, State of West Virginia outlining the Commission's recommendations advising the State that the Commission approves of the concept but that it would suggest that the State include this in their study of the WV statewide bike trail in terms of its feasibility and safety. Motion seconded by Mr. Manuel and unanimously approved.

**NEW BUSINESS continued:**

**12. Request to hire a part-time Deputy Sheriff for the sole purposes of filling vacancies when deputies are off on military activation or assignment.**

Mr. Manuel made a motion to approve the hiring of a part-time Deputy Sheriff for the sole purposes of filling vacancies when deputies are off on military activation or assignment. Motion seconded by Mr. Pellish and unanimously approved.

### **13. Discussion of the possibility of outsourcing the county's IT system or grow our current system in-house.**

After discussion it was suggested that a committee should be formed comprised of unbiased individuals to explore the two options and report back to the Commission which option would be the best and the cost to the County. Ms. Noland previously spoke to Gary Wines, Berkeley County's IT Director, and he indicated that he would be interested in heading up the committee. Ms. Noland believes that others on the committee should include the Jefferson County Clerk, Jennifer Maghan, the Director of the GIS Department Todd Fagan, Chief Tax Deputy Teresa Hendricks and the Director of Financial Management, Paul Shroyer.

Mr. Pellish made a motion to approve the formation of a Committee as presented by Commissioner Noland to study the IT options and report on the possibility of outsourcing the county's IT system or growing the current system in-house. Motion seconded by Mr. Manuel.

Ms. Widmyer made an amendment to the motion adding that either IT Director Mark Schiavone or IT Technician Charlotte Hernandez should be included on the committee. Motion seconded by Ms. Morgan. The amendment failed by a vote of 3 – 2 with Mr. Manuel, Ms. Noland and Mr. Pellish voting "no."

Mr. Manuel made an amendment to include the Commission President Patsy Noland on the committee. There was no second and the amendment failed.

A vote was taken on the original motion and it was carried 3- 2 with Ms. Widmyer and Ms. Morgan voting "no,"

Ms. Noland directed that the committee meet and bring back a recommendation to the Commission by February 16, 2012 and that the Commission would take action at that time.

### **COUNTY ADMINISTRATOR REPORTS:**

#### **Interim County Administrator Sandy McDonald:**

- Reported that the County has received 15 to 20 applications for County Administrator. She would like to continue to advertise for another month.
- Reported that she has copies of previous IT reports to the Commission. Ms. Widmyer suggested that Ms. Hernandez should provide the Commission with an updated report.
- Reported that Gene Pierson would like to be reappointed to the Pan Tran Board. There are two vacancies as of this date.

### **COUNTY COMMISSION REPORTS:**

#### **Commissioner Widmyer:**

- Advised that the Jefferson County Board of Education is offering training on iPads and that the Commission might want to consider participating in the training.
- She requested a layout of the Budget Schedule.
- Met with the Staff of the Jefferson County Emergency Services Agency regarding the proposed fee.
- Attended a special Jefferson County Public Service District meeting.
- Attended a Parks and Recreation Commission meeting.

#### **Commissioner Manuel:**

- Attended a Blue Ridge Mountain Fire Company meeting regarding the proposed fire fees.

- Attended a Jefferson County Council on Aging meeting.
- Attended a Jefferson Center meeting.
- Attended a Parks and Recreation meeting.

**Commissioner Morgan:**

- Attended a Good Shepherd Interfaith Caregivers meeting.
- Attended the banquet at the Independent Fire Company.
- Attended the Martin Luther King Scholarship banquet.
- Attended a Blue Ridge Mountain Fire Company meeting regarding the proposed fire fees.

**Commissioner Pellish:**

- Attended a Shepherdstown Library Campaign meeting.
- Reported that the Jefferson County Development Authority has made a decision and will extend an offer to a candidate for Director.
- Suggested the Commissioners visit the Homeless Coalition.
- Voiced his concerns that the public seems to feel that the issue of fire fees is already decided.
- Attended a Planning Commission meeting.

**Commissioner Noland:**

- Attended the Independent Fire Company banquet.
- Met with Carol Goolsby of Region 9.
- Attended a Jefferson County Council on Aging meeting.

There being no further business, motion by Mr. Pellish to adjourn the meeting. Motion seconded by Mr. Manuel and unanimously approved. Upon rising the meeting was adjourned until Thursday next, January 26, 2012.

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PATRICIA A. NOLAND, PRESIDENT



