

Minutes

Jefferson County Commission

Thursday, February 9, 2012

A meeting of the Jefferson County Commission was held on Thursday, February 9, 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, Interim County Administrator, Debbie Stellato, Administrative Assistant and Jimmie Eddy, Bailiff. (An audio tape of this February 9, 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 Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the Public Hearing on January 26, 2012 as presented. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the January 30, 2012 Emergency Meeting Minutes as presented. Motion seconded by Ms. Widmyer and unanimously approved.

Motion by Mr. Manuel to approve the February 1, 2012 Board of Review and Equalization Minutes as presented. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Mr. Manuel to approve the Revised Minutes of the February 2, 2012 County Commission regular meeting as presented. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$30,457.91, being purchase order numbers: 50668, 50669, 50948, 50957, 50817, 50927, 50946, 50949, 50953, 50955, 50958, 50729, 50730, 50731, 50732, 50779, 50780, 50816 and 50954. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE:

Motion by Ms. Morgan to approve the accounts payable in the amount of \$61,674.69. Motion seconded by Mr. Manuel and unanimously approved.

PUBLIC COMMENT

David Tabb commented on several miscellaneous items, including inequity in minutes allowed each person for public comment, the Commissioners' new iPads and renovating the Commission meeting room.

Before the Agenda items Mr. Manuel requested unanimous consent from the Commissioners to clarify some confusion regarding the proposed “no texting” legislative Bill. Unanimous consent was given and Mr. Manuel explained that the Bill’s actual purpose is to deter texting of legislators once the legislative session has convened and deliberations have begun.

NEW BUSINESS:

- 1. Request by Sheriff Bobby Shirley to hire a part-time bailiff.** Sheriff Shirley and the Commission agreed that he had already been authorized to hire a part-time bailiff, but that at that time he did not have the applicant’s name. The Sheriff informed the Commission that the part-time bailiff’s name is Stacey Lynn Smallwood.

PRESENTATIONS:

- 2. Angie Banks, County Assessor: Exonerations.**

Angie Banks, County Assessor, requested exonerations for Muntaha S. Haddad in the amount of \$444.06. Motion by Ms. Morgan to approve exonerations of \$444.06 for Muntaha S. Haddad, Ticket No. 309989. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
Muntaha S. Haddad	Kabletown	Personal Property	309989	\$444.06

- 3. Barbara Miller, Director of Homeland Security and Emergency Management. Request for approval of the 2012 Emergency Operations Plan (EOP).**

Ms. Miller provided the background of the Emergency Management Plan and gave an overview of the 2012 Emergency Management Plan.

Motion by Mr. Manuel to approve the 2012 Emergency Management Plan as outlined by Ms. Miller. Motion seconded by Ms. Morgan and unanimously approved.

NEW BUSINESS continued:

- 4. Inclusion of the following as part of the reorganization discussion: all recommendations in Mr. Boyde’s exit memo including the HR Director position be on a part-time basis (LW)**

Motion by Ms. Widmyer to include discussion of a part-time HR Director as part of the reorganization discussion already scheduled on next week’s Agenda. Motion seconded by Ms. Morgan.

Because a full-time HR Director had previously been approved by the Commission, Ms. Noland stated that according to Roberts Rules of Procedure Ms. Widmyer could not make such a motion. Ms. Widmyer withdrew her motion. The Commission gave its unanimous consent to Ms. Widmyer’s suggestion of formally noticing the public of next week’s reorganization discussion and review of a fiscal impact statement to be provided by Paul Shroyer. Ms. Morgan added that there could also be an Executive Session if personnel matters are placed on the Agenda next week.

5. Interview and appointment to the Jefferson County Building Commission for an unexpired term ending July 27, 2015.

Mr. James M. Davis of Shepherdstown, WV came before the Commission and provided his qualifications for the position.

Motion by Mr. Pellish to approve Mr. James M. Davis to serve on the Jefferson County Building Commission for the unexpired term ending July 27, 2015. Motion seconded by Mr. Manuel and unanimously approved.

The Commission took a short break at 10:15 a.m.

The Commission reconvened at 10:28 a.m.

UNFINISHED BUSINESS:

6. Decision on the Petition of William E. Knode and Jo Ann Knode to vacate unused streets and alley as shown on Map of Trussell's Addition, situated in Shepherdstown District, Jefferson County, West Virginia, under West Virginia Code §7-1-3h.

Motion by Ms. Morgan to deny the Petition in total. Motion seconded by Ms. Widmyer. Motion passed 3 – 2, with Ms. Noland and Mr. Pellish voting “against”.

PRESENTATIONS continued:

7. Grant Update by Warren Mickey of the West Virginia Eastern Panhandle Transportation Authority.

Mr. Mickey provided background information regarding the West Virginia Eastern Panhandle Transportation Authority and offered a grant update.

8. Rebecca Burns, Office Manager, Engineering Department, for Roger Goodwin, Chief County Engineer requested:

- **Complete release of Letter of Credit for Harvest Hills Subdivision, Section 1, Phase 1, Lots A, B & Lots 28-50 & Residue – File #01-42.**

Motion by Ms. Widmyer to authorize the complete release of the Letter of Credit for Harvest Hills Subdivision, Section 1, Phase 1, Lots A, B & Lots 28-50 & Residue – File #01-42. Motion seconded by Mr. Manuel and passed 4 – 1, with Ms. Morgan voting “against.”

- **Complete release of Letter of Credit for Harvest Hills Subdivision, Section 1, Phase 11, Lots 51-71 & Lots 405-419 & Residue – File #07-01.**

- Motion by Ms. Widmyer to authorize the complete release of Letter of Credit for Harvest Hills Subdivision, Section 1, Phase 11, Lots 51-71 & Lots 405-419 & Residue – File #07-01. Motion seconded by Mr. Manuel and passed 4 – 1, with Ms. Morgan voting “against.”

- **Complete release of construction bond security for Eastern Management Development Center Addition/The Federal Group – Clarion Hotel & Conference – File #507-14 – Letter of Credit #A-09-03 with United Bank, Inc., Parkersburg, West Virginia.**

- Motion by Ms. Morgan to authorize the complete release of the construction bond security for Eastern

Management Development Center Addition/The Federal Group – Clarion Hotel & Conference – File #507-14 – Letter of Credit #A-09-03 with United Bank, Inc., Parkersburg, West Virginia.

- 9. Stephanie Grove, Jefferson County Assistant Prosecuting Attorney after having reviewed the written Job Description for the Human Resources Manager offered her legal opinion of the document.**

NEW BUSINESS continued:

- 10. Development of a capital plan to be instituted for FY 2013 (LW).**

Ms. Widmyer and the Commission agreed to include the development of a capital plan to be instituted for FY 2013 in the reorganization discussion on next week's Agenda.

- 11. Position of Civil Counsel should be in the County Commission budget (LW).**

Ms. Widmyer and the Commission agreed to include the position of Civil Counsel in the reorganization discussion on next week's Agenda.

- 12. Mr. Manuel provided the Commission with legislative updates on several pending Bills.**

COUNTY ADMINISTRATOR REPORTS:

Interim County Administrator Sandy McDonald:

- Ms. McDonald inquired if the Human Resources position was to be advertised.

Motion by Mr. Manuel to adopt the Human Resources Job Description and advertise the position without including a salary range or grade level. Motion seconded by Mr. Pellish. Motion passed 3 – 2, with Ms. Widmyer and Ms. Morgan voting “against.”

COUNTY COMMISSIONER REPORTS:

Commissioner Morgan:

- Attended a Jefferson County Board of Health meeting
- Participated in the Board of Review and Equalization hearing

Commissioner Pellish:

- Participated in a United Way program as a celebrity waiter at the Yellow Brick Bank in Shepherdstown, WV
- Reported that the Jefferson County Development Authority has hired an Executive Director

Commissioner Widmyer:

- Attended the opening session of Black History Month in Harpers Ferry, WV
- Attended a Jefferson County Public Service District meeting
- Participated in the Board of Review and Equalization hearing

Commissioner Manuel:

- Attended a Partnership for Affordable Housing meeting
- Participated in the Board of Review and Equalization hearing

Commissioner Noland:

- Attended a Partnership for Affordable Housing meeting
- Participated in the Board of Review and Equalization hearing
- Reported that Sunday she will travel to Charleston, WV to attend the Association of Counties Annual Meeting and will report back to the Commission

There being no further business, motion by Ms. Morgan to adjourn. Motion seconded by Mr. Pellish and unanimously approved. Upon rising the meeting was adjourned until Thursday next, February 16, 2012 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT

