

## Minutes

### Jefferson County Commission

**Thursday, March 15, 2012**

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A meeting of the Jefferson County Commission was held on Thursday, March 15 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, Jimmie Eddy and Richard Barron, Bailiffs. (An audio tape of this March 15, 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 Morgan led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Motion by Ms. Morgan to approve the March 8, 2012 Minutes of the regular Commission meeting as presented. Motion seconded by Mr. Pellish and unanimously approved.

Motion by Mr. Manuel to approve the Minutes of the March 8, 2012 Joint Jefferson County Commission and Jefferson County Planning Commission Public Meeting as presented. Motion seconded by Ms. Morgan unanimously approved.

Motion by Ms. Morgan to approve the March 7, 2012 Minutes of the FY 2013 Budget Workshop 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 \$162,754.99, being purchase order numbers: 50842, 50843, 53291, 53292, 50875, 51042, 51043, 51007, 51093, 51105, 51092, 51094, 51096, 51102, 51103, 51104, 51106, 51107, 51108, 50738, 50740, 50741, 50895, 51090, 51091, 50782, 50783, 51088, 51095, 51089 and 51100. Motion seconded by Mr. Pelish and unanimously approved.

#### **APPROVAL OF ACCOUNTS PAYABLE:**

Motion by Ms. Morgan to approve the accounts payable in the amount of \$183,552.04. Motion seconded by Ms. Widmyer and unanimously approved.

#### **PUBLIC COMMENT**

**Kathy Knight** endorsed Bill McLeod and Daniel Lutz for positions on the Jefferson County Planning Commission.

**David Tabb** voiced concerns about procedure at the March 8, 2012 Joint Jefferson County Commission and Jefferson County Planning Commission Public Meeting.

**PRESENTATIONS:**

**1. Angie Banks, County Assessor: Split Ticket and Exoneration.**

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

Upon presentation by Angela Banks, Assessor, motion by Ms. Morgan, seconded by Mr. Pellish 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 \$215.24, Ticket No. 303139, for the following. Motion unanimously approved.

NAME	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Laurie McDougall	Wife	\$3,400.00	\$77.04
Matthew McDougall	Husband	\$6,100.00	\$138.20
<b>TOTAL TAXES DUE:</b>			<b>\$215.24</b>

Angie Banks, County Assessor, requested exoneration for Thomas and Julie Flanagan in the amount of \$304.36. Motion by Mr. Manuel to approve exoneration of \$304.36 for Thomas and Julie Flanagan, Ticket No. 301783. Motion seconded by Ms. Widmyer and unanimously approved.

Name	District	Type	Ticket #	Amount
Thomas and Julie Flanagan	Charles Town	Personal Property	301783	\$304.36

**2. Roger Goodwin, Chief County Engineer – Request for approval of and authorization for Commission President to sign \$30,000.00 Grant Award – WVDEP Division of Water and Waste Management and Jefferson County Commission for the FY 11 Chesapeake Bay Regulatory and Accountability Grant, NPS1399.**

Motion by Ms. Widmyer to approve the Grant Award as presented by Mr. Goodwin and to authorize the Commission President to affix her signature to the document. Motion seconded by Mr. Manuel and unanimously approved.

**NEW BUSINESS:**

**3. Legislative update by Commissioner Manuel.**

**COUNTY ADMINISTRATOR REPORTS**

**Sandra Slusher McDonald, Interim County Administrator:**

- Reported that next week she will begin scheduling interviews for the County Administrator position. She asked that the Commissioners submit their applicant recommendations to her by Monday, March 19, 2012.
- Stated that time allowing there would be a short iPad training session after today’s Commission meeting.
- Reported that Staff emailed a revised March 2012 events calendar to all Commissioners. In the near future the calendars will appear on Commissioner iPads.
- Ms. McDonald explained that the Supreme Court Law Days on Commissioners calendars for Tuesday, March 27, 2012 is for informational purposes only. It is a day for students from Jefferson, Berkeley and Morgan counties to interact with Supreme Court Justices to learn more about the judicial system.

## **COUNTY COMMISSIONER REPORTS**

### **Commissioner Morgan:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.
- Attended a Farmland Protection Board meeting.
- Attended a Community Crime Justice Board meeting.
- Attended a Telemon Community Action meeting
- Attended the League of Women Voters Water Quality meeting.

### **Commissioner Pellish:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Attended a Planning Commission Public Meeting re: recreation uses.
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.

### **Commissioner Manuel:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Toured the Bakerton River sites regarding zoning amendments.
- Attended a Planning Commission Public Meeting re: recreation uses.
- Attended a Courthouse Security meeting re: grant information.
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.
- Reminded Commission of the AFT Forum for the School Board Candidates at Jefferson High School Auditorium at 7:00 p.m. this date.

### **Commissioner Widmyer:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.
- Attended the League of Women Voters Water Quality Forum.
- Announced that the Jefferson County Water Advisory Committee is sponsoring a Watershed Signage Dedication Event on Saturday, March 31, 2012 from 10:00 a.m. to 11:0 a.m. at Morgan's Grove Park in Shepherdstown, West Virginia

### **Commissioner Noland:**

- Conducted the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Conducted the Jefferson County Commission Budget Work Session on March 13, 2012.
- Attended the second half of the League of Women Voters Water Quality Forum.
- Announced that the League of Women Voters is sponsoring a breakfast on Saturday, March 17, 2012 at the

Dist. The event is open to the public and the Jefferson County Commissioners will be there to answer questions.

The Commission took a short break at 10:30 a.m.  
The Commission reconvened its regular meeting at 10:40 a.m.

**PRESENTATIONS continued:**

**4. Stephen Skinner, Esquire** advised the Commission that the U.S. Supreme Court has stayed the three judge panel's decision and reinstated the current plan. The Supreme Court will be deciding in the near future whether to take action on the present case.

**5. Interviews and Appointments to the Jefferson County Planning Commission – (2) three-year terms ending March 31, 2015.**

Applicants for the positions are William McLeod, Gene Taylor, Daniel Lutz, Jr., Matthew Knott and Stephen Stolipher. Stephen Stolipher was present for the interview.

Mr. Pellish nominated Gene Taylor and Stephen Stolipher for the positions.  
Ms. Morgan nominated William McLeod.

Mr. Stolipher received 3 votes, Mr. Taylor received 3 votes and Mr. McLeod received 2 votes.  
Stephen Stolipher and Gene Taylor are approved to fill the two three-year terms ending March 31, 2015 on the Jefferson County Planning Commission.

**6. Stephanie Grove, Assistant Prosecuting Attorney presented the revised Transition Plan** which included revised job descriptions for Roger Goodwin, Chief County Engineer and Michelle Mason, Impact Fee Program Specialist.

Motion by Ms. Widmyer to add to the Department of Engineering and the job description for Mr. Goodwin his suggestions that may be found on page four of his job description. Ms. Morgan seconded the motion and it passed 4 to 1 with Mr. Pellish voting against.

Motion by Mr. Manuel to approve the Transition Plan as presented to the body by legal counsel. Motion seconded by Ms. Noland, but failed 3 to 2 with Mr. Pellish, Ms. Morgan and Ms. Widmyer voting against.

Ms. Widmyer called for a Point of Order and stated that she would vote for the approval of the Transition Plan only so far as Impact Fees are concerned.

Motion by Mr. Manuel to approve the Transition Plan only insofar as it addresses Impact Fees exclusively.  
Motion seconded by Ms. Noland and passed 4 to 1 with Ms. Morgan voting against.

**7. Stacie Rohn of the Teen Court Project** provided an update on the project's progress so far and outlined the Teen Court's Scope of Work. Ms. Rohn requested that Mr. Manuel serve on the Teen Court Advisory Council. The Commission directed legal counsel to prepare an Order for collection of fees and to establish a segregated account to hold the fees within 30 days of its passage. Commissioners also recommended that counsel send a copy of the Order to all five municipalities.

**8. Ed Hannon and Ed Smith of the Jefferson County Emergency Services Agency** request that the County Commission set a date for a Public Hearing on the JCESA's 5-Year Plan Ordinance.

The public is still confused and it would prefer to give them another opportunity to ask more questions and learn more about the proposed emergency services/fire fee.

Motion by Mr. Manuel to schedule a Joint Public Information Session on Thursday, April 12, 2012 with the Jefferson County Emergency Services Agency at 7:00 p.m., location to be determined by the Interim County Administrator and Ed Hannon. Motion seconded by Ms. Widmyer and unanimously approved.

9. **Joe Sacchet, Director of the Berkeley/Jefferson Day Report Center** request that the Commission approve the Center's FY 2013 Grant submission.

Motion by Ms. Morgan to approve the Center's FY 2013 Grant submission pending a division of the dollar amount of \$168,872.89 so that Berkeley and Jefferson counties each pay one half. Motion seconded by Mr. Pellish and unanimously approved.

Motion by Mr. Manuel to enter into an Executive Session to discuss employment matters and conduct contract negotiations pursuant to WV Code §6-9A-4. Motion seconded by Ms. Widmyer and unanimously approved.

The Commission took a five minute break at 1:00 p.m. before the Executive Session.  
The Commission reconvened the regular meeting at 1:05 p.m.

It was the general consensus of the Commissioners that following the Executive Session the Commissioners would adjourn until Wednesday, March 21, 2012 when they will hold a workshop to finalize employee health plan options followed by a budget session.

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PATRICIA A. NOLAND, PRESIDENT

