

**Minutes**  
**Jefferson County Commission**  
**Thursday, April 19, 2012**

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A meeting of the Jefferson County Commission was held on Thursday, April 19, 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, Walt Pellish and Frances Morgan. Also present were Sandy Slusher McDonald, Interim County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddy, Bailiff. (An audio tape of the April 19, 2012 meeting is available through the Jefferson County Commission Office.)

**PLEDGE OF ALLEGIANCE**

Commissioner Morgan led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Motion by Ms. Morgan to approve the Minutes of the April 12, 2012 regular meeting as amended. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the Minutes of the April 12, 2012 Special Session 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 \$111,832.65, being purchase order numbers: 51009, 50097, 51182, 51184, 51183, 51185, 51186, 51187, 51188, 50702, 49612 and 50788. Motion seconded by Ms. Widmyer and unanimously approved.

**APPROVAL OF ACCOUNTS PAYABLE**

Motion by Ms. Morgan to approve the accounts payable in the amount of \$115,952.87. Motion seconded by Mr. Manuel and unanimously approved.

| CHKNO  | DEPT | VENDOR                    | PONUM | POAMT       | NOAMT     | CHECK AMOUNT |
|--------|------|---------------------------|-------|-------------|-----------|--------------|
| 067008 | 439  | AMERICAN PLANNING ASSOC   | 50703 | \$ 205.00   | \$ -      | \$ 205.00    |
| 067009 | 425  | ABH SERVICES, INC.        | 51139 | \$ 280.00   | \$ -      | \$ 280.00    |
| 067010 | 425  | ALLIANCE ELECTRIC LLC     | 51138 | \$ 3,382.50 | \$ -      | \$ 3,382.50  |
| 067011 | 401  | ANALYTICAL SERVICE, INCOR | 51019 | \$ 5,705.00 | \$ -      | \$ 5,705.00  |
| 067012 | 424  | B-K OFFICE SUPPLY INC     | 51136 | \$ 391.00   | \$ -      | \$ 391.00    |
| 067012 | 424  | B-K OFFICE SUPPLY INC     | 51146 | \$ 678.00   | \$ -      | \$ 678.00    |
| 067013 | 406  | ELIZABETH JUNE BOWERS     |       | \$ -        | \$ 102.00 | \$ 102.00    |
| 067014 | 402  | WV ASSOC OF COUNTY CLERK  | 51052 | \$ 650.00   | \$ -      | \$ 650.00    |
| 067015 | 424  | CENTRAL ELEVATOR          | 51133 | \$ 160.00   | \$ -      | \$ 160.00    |
| 067015 | 425  | CENTRAL ELEVATOR          | 51133 | \$ 480.00   | \$ -      | \$ 480.00    |
| 067016 | 439  | DAWN E.CHILDS             |       | \$ -        | \$ 117.00 | \$ 117.00    |
| 067017 | 424  | DAYCON                    | 51128 | \$ 4,383.09 | \$ -      | \$ 4,383.09  |



**PRESENTATIONS:**

1. Motion by Mr. Manuel to adopt and execute the Resolution recognizing May 6, 2012 as Martin Delany Day. Motion seconded by Ms. Widmyer and unanimously approved.

The Resolution was presented to George Rutherford, President of the West Virginia Branch of the NAACP in honor of Mr. Delany's many important contributions to the progress of Black people in America. Mr Rutherford invited the Commissioners to a birthday party on Sunday, May 6, 2012 beginning at 3:00 p.m. at the Star Lodge and the Opportunity Learning Center. Further, the African American Heritage Festival will host a birthday for Mr. Delany on August 17, 2012 in the County Employee Parking Lot. Everyone is invited.

**RESOLUTION**

**MARTIN DELANY DAY  
MAY 6, 2012**

**WHEREAS**, Martin Robison Delany was born in Charles Town, Virginia (now West Virginia) near the intersection of Charles and Washington Streets on May 6, 1812; and

**WHEREAS**, Martin Delany was taught by his mother, Pati, to read which violated Virginia law that prohibited Blacks from reading; and

**WHEREAS**, Martin and his Mother as well as his five siblings left Charles Town and moved to Chambersburg, Pennsylvania where Blacks could openly read and write without persecution; and

**WHEREAS**, Martin Delany later became a barber and a laborer, later a physician's assistant and then a physician; and

**WHEREAS**, Martin Delany married Catherine A. Reynolds and fathered eleven children and in 1843 began publishing "The Mystery," an influential weekly focusing on Black issues and was the only such publication in all the United States; and

**WHEREAS**, from 1847 to 1849 he co-edited "The North Star" newspaper with Black leader Frederick Douglas; and

**WEHREAS**, after being nominated to Harvard Medical School, white northern students protested the presence of Delany and two other Black students and they were forced to leave the school; and

**WHEREAS**, in 1852 Delany published "The Condition, Elevation, Emigration and Destiny of the Colored People of The United States," and he argued there was no hope for the long-term success of Blacks and urged emigration to Africa; and

**WHEREAS**, in 1858 he spoke to a convention in Chatham, Ontario, Canada at the request of John Brown, but did not encourage Brown's Raid on Harpers Ferry, Virginia; and

**WHEREAS**, he traveled to Africa and England lecturing and confronted the American Ambassador at a convention which caused an international diplomatic incident; and

**WHEREAS**, in 1863 after the Emancipation Proclamation, he renewed his faith in the American dream, persuaded and recruited Blacks to fight for the Northern States and became a part of the Massachusetts 104<sup>th</sup> Regiment; and

**WHEREAS**, in 1865 Delany met with President Abraham Lincoln and proposed that the Union army commission Black field officers. President Lincoln was highly impressed with him and wrote Secretary of War DE. M. Stanton asking him to give Delany the first field officer commission given to a Black, calling him an “. . . extraordinary and intelligent Black man;” and

**WHEREAS**, in 1868 Major Delany resigned his commission and became active in Reconstruction Era politics. He ran for Lt. Governor of South Carolina, losing, but with strong support, and was appointed trial justice by the Republican Party. Later he was appointed as Sub-Assistant Commissioner for the newly-formed Freedman’s Bureau; and

**WHEREAS**, in 1885 Martin Delany died at home in Wilberforce, Ohio.

**NOW, THEREFORE, BE IT RESOLVED** that the Jefferson County Commission does hereby recognize May 6, 2012 as Martin Delany Day in honor of the 200<sup>th</sup> anniversary of his birth.

Adopted this 19th day of April, 2012.

JEFFERSON COUNTY COMMISSION

By: \_\_\_\_\_  
Patricia A. Noland, President

\_\_\_\_\_  
Dale Manuel, Commissioner

\_\_\_\_\_  
Lyn Widmyer, Commissioner

\_\_\_\_\_  
Walter Pellish, Commissioner

\_\_\_\_\_  
Frances Morgan, Commissioner

- 2. Stuart Stickel, Director, and Salli Martin, Auditor from the West Virginia State Auditor’s Office were present and conducted an exit interview for FY2010 and 2011. They noted that they found nothing out of the ordinary.
- 3. **Paul Shroyer, Director of Financial Management** presented a budget analysis for the month ending March 31, 2012. He will prepare a budget analysis for each month of the fiscal year.

**The Commission took a break at 10:52 a.m.**  
**The Commission reconvened the regular meeting at 11:00 a.m.**

- 4. **Fred Blackmer**, provided an update of the past compatibility assessment meeting regarding Morgan’s Grove Market Conditional Use Permit, specifically future stream monitoring of Town Run. Mr. Blackmer requested

that the County Commission include Town Run in any and all stream monitoring programs that it supports or funds.

Motion by Mr. Pellish to include the Town Run in any and all stream monitoring programs that the Commission supports or funds. Motion seconded by Ms. Widmyer and approved 4 to 1 with Ms. Morgan voting against.

5. **Lynn Fields, Deputy Clerk, Probate**, requested that the Commission approve the opened estates and proposed closure of estates as presented to the Commission Jennifer Maghan, County Clerk, in place of Ms. Fields.

Motion by Ms. Morgan to enter into a Fiduciary Quarterly Review Session. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the opening and closing of estates as presented. Motion seconded by Mr. Pellish and unanimously approved.

**Request by Ms. Maghan to approve the admission to record** of the decision of the Fiduciary Commissioner D. Frank Hill, III regarding a claim against the estate of Norman Wilt.

Motion by Mr. Manuel to admit the decision of Fiduciary Commissioner D Frank Hill, III to record as presented by Ms. Maghan. Motion seconded by Ms. Morgan and unanimously approved.

6. **John Reisenweber, Director of the Jefferson County Development Authority**, request that the Commission adopt and authorize the President of the Commission and the County Clerk to execute the Resolution of Participation and Cooperation (Local Economic Development Grant Program from the WV Development Office in the amount of \$31,008.00).

Motion by Mr. Manuel to adopt and authorize the President of the Commission and the County Clerk to execute the Resolution of Participation and Cooperation (Local Economic Development Grant Program from the WV Development Office in the amount of \$31,008.00) as presented. Motion seconded by Mr. Pellish and unanimously approved.

#### **NEW BUSINESS:**

7. **George Rutherford** request that the Commission approve the use of the County Parking Area on August 17, 2012 to be used as part of the Martin Robison Delany 200<sup>th</sup> Anniversary celebration.

Motion by Ms. Morgan to approve the use of the County parking Area on August 17, 2012 as part of the Martin Robison Delany 200<sup>th</sup> Anniversary celebration. Motion seconded by Mr. Manuel and unanimously approved.

8. **Commissioner Widmyer** led a discussion regarding letters of interest from new applicants and requests for reappointments to Commissions and Boards to be received at least one week prior to any County Commission decision.

Ms. Widmyer moved that letters of interest from new applicants and requests for reappointment to Commissions and Boards be received in the Commission Office at least one week prior to any action by the Commission. Ms. Morgan seconded the motion.

Mr. Manuel made an amendment to change the motion to read that “the County Commission encourages those submitting letters of interest or requests for reappointment to Boards and Commissions to do so at least one week prior to the Commission taking any action. Ms. Morgan seconded the amendment and the amendment was approved 4 to 1 with Ms. Widmyer voting against.

**DEPARTMENTS, BOARDS, COMMISSIONS AND AGENCY REPORTS:**

- Jefferson County Farmland Protection Board
- Historic Landmarks Commission

**COUNTY ADMINISTRATOR REPORTS:**

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

- Mentioned the FOCUS grant application in the amount of \$18,386.00.

**COUNTY COMMISSIONER REPORTS:**

**Commissioner Morgan:**

- Advised the Commission that she will not be able to attend the Commission meeting Thursday, May 17, 2012
- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the Jefferson County Emergency Services Agency regular meeting
- Attended the Special Session to Lay the Levy
- Participated in County Administrator interviews
- Participated in interviews for a Director for the Berkeley/Jefferson Day Report Center
- Attended a Historic Landmarks Commission meeting

**Commissioner Pellish:**

- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the Jefferson County Emergency Services Agency regular meeting
- Attended the Special Session to Lay the Levy
- Participated in County Administrator interviews
- Attended a Jefferson County Development Authority meeting
- Suggested that the Commission revisit the IT and impact fee issues

**Commissioner Widmyer:**

- Noted for the record a letter received from the Water Advisory Committee thanking Nichelle Hosby, Executive Secretary for the Commission, for her assistance.
- Ms. Widmyer reminded the Commission that it was also responsible for submitting quarterly reports just like the Department Heads and Electeds.
- Visited the Charles Town Farmers’ Market
- Attended Parks and Recreation’s Health Expo
- Attended Parks & Recreation’s regular meeting

- Advised the Commission that the Grand Opening of Moulton Park is scheduled for May 19, 2012 at 10:00 a.m.
- Noted that there are still problems with stormwater management ponds
- Noted that Windmill Crossing still does not have a buffer
- Participated in County Administrator interviews

**Commissioner Manuel:**

- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the Jefferson County Emergency Services Agency regular meeting
- Attended the Special Session to Lay the Levy
- Participated in County Administrator interviews
- Attended the NAACP forum on County Government
- Attended a Jefferson Center meeting
- Attended a Jefferson County Council on Aging meeting
- Attended a Parks and Recreation meeting

**Commissioner Noland:**

- Attended the Jefferson County Emergency Services Agency Community Informational Meeting
- Attended the NAACP forum on County Government
- Attended the Special Session to Lay the Levy
- Participated in County Administrator interviews
- Attended a Jefferson County Council on Aging meeting
- Attended a presentation by Showtime – a 4H Group

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, April 26, 2012 at 9:30 a.m.

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PATRICIA A. NOLAND, PRESIDENT