

Minutes
Jefferson County Commission
Thursday, May 3, 2012

A meeting of the Jefferson County Commission was held on Thursday, May 3, 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 (at morning session), Walt Pellish and Frances Morgan. Also present were Debbie Keyser, Acting County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddy, Bailiff. (An audio tape of the May 3, 2012 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Manuel led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the April 26, 2012 regular meeting as amended. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF PURCHASE ORDERS,

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$14,998.26, being purchase order numbers 50845, 50882, 50881, 51014, 51207, 51196, 51197, 51198, 51199, 51201, 51203, 51204, 51205, 51200, 50701, 51208 and 51202. 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 \$95,466.08. Motion seconded by Mr. Manuel and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
067104	425	COMCAST		\$ -	\$ 307.69	\$ 307.69
067105	425	ABH SERVICES, INC.		\$ -	\$ 14,175.00	\$ 14,175.00
067106	716	ALPHA TECH PET	51148	\$ 147.37	\$ -	\$ 147.37
067107	425	ALLIANCE ELECTRIC LLC	51194	\$ 773.00	\$ -	\$ 773.00
067108	401	ANALYTICAL SERVICE, INCOR	51023	\$ 4,640.00	\$ -	\$ 4,640.00
067109	412	BARDANE PUBLIC HEALTH CT		\$ -	\$ 383.00	\$ 383.00
067110	406	ANGELA L BANKS		\$ -	\$ 107.00	\$ 107.00
067111	439	B-K OFFICE SUPPLY INC	50704	\$ 1,009.83	\$ -	\$ 1,009.83
067112	406	ELIZABETH JUNE BOWERS		\$ -	\$ 102.00	\$ 102.00
067113	716	BLUE RIDGE VETERINARY	51152	\$ 250.00	\$ -	\$ 250.00
067114	451	STEVE BARNEY		\$ -	\$ 161.05	\$ 161.05
067115	406	CASTO & HARRIS INC	53294	\$ 977.64	\$ -	\$ 977.64
067115	413	CASTO & HARRIS INC	51054	\$ 48,440.73	\$ -	\$ 48,440.73

067116	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
067117	413	CHARLES TOWN COPYING SRV	51053	\$ 166.50	\$ -	\$ 166.50
067118	440	CANAAN VALLEY INSTITUTE	51020	\$ 320.00	\$ -	\$ 320.00
067119	424	DAYCON	51192	\$ 1,428.69	\$ -	\$ 1,428.69
067120	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 44.30	\$ 44.30
067121	413	ESS ELECTION SYSTEMS &	51058	\$ 30.53	\$ -	\$ 30.53
067122	405	EMBASSY SUITES	50745	\$ 366.00	\$ -	\$ 366.00
067123	406	RHONDA FIELDS		\$ -	\$ 107.00	\$ 107.00
067124	700	GALLS,AN ARAMARK CO	50896	\$ 528.97	\$ -	\$ 528.97
067125	712	DAVID HOLMES		\$ -	\$ 45.00	\$ 45.00
067126	716	HILLSIDE VETERINARY HOSP	51147	\$ 150.68	\$ -	\$ 150.68
067126	716	HILLSIDE VETERINARY HOSP	51155	\$ 371.74	\$ -	\$ 371.74
067127	413	INTAB	51057	\$ 64.52	\$ -	\$ 64.52
067128	700	INTERNATIONAL POLYGRAPH	50899	\$ 1,000.00	\$ -	\$ 1,000.00
067129	413	JEFFERSON PUBLISH CO INC	51056	\$ 20.38	\$ -	\$ 20.38
067129	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 315.82	\$ 315.82
067130	700	JEFFERSON URGENT CARE LL	50900	\$ 190.00	\$ -	\$ 190.00
067131	401	LEWIS CO CIRCUIT CLERK		\$ -	\$ 70.04	\$ 70.04
067132	711	BARBARA J. MILLER		\$ -	\$ 342.00	\$ 342.00
067133	401	DALE MANUEL		\$ -	\$ 71.29	\$ 71.29
067134	406	VICTORIA MYERS		\$ -	\$ 107.00	\$ 107.00
067135	406	VICTORIA MYERS		\$ -	\$ 62.00	\$ 62.00
067136	425	MILLER & ANDERSON INC.	51195	\$ 1,657.61	\$ -	\$ 1,657.61
067137	406	JASON MICKEY		\$ -	\$ 102.00	\$ 102.00
067138	406	N.A.D.A. APPRAISAL GUIDE	53297	\$ 140.00	\$ -	\$ 140.00
067139	716	NATIONAL ANIMAL CNRL ASS	51150	\$ 125.00	\$ -	\$ 125.00
067140	406	VANDA NELSON		\$ -	\$ 107.00	\$ 107.00
067141	402	PIFER OFFICE SUPPLY, INC	51051	\$ 51.66	\$ -	\$ 51.66
067141	402	PIFER OFFICE SUPPLY, INC	51055	\$ 83.65	\$ -	\$ 83.65
067142	425	RCS SECURITY	51190	\$ 285.00	\$ -	\$ 285.00
067143	PAYROL L	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,438.00	\$ 6,438.00
067144	425	RCS SECURITY		\$ -	\$ 66.00	\$ 66.00
067145	700	SOFTWARE SYSTEMS, INC	50901	\$ 192.00	\$ -	\$ 192.00
067146	401	STAPLES CREDIT PLAN		\$ -	\$ 315.13	\$ 315.13
067146	424	STAPLES CREDIT PLAN		\$ -	\$ 173.44	\$ 173.44
067146	428	STAPLES CREDIT PLAN		\$ -	\$ 37.96	\$ 37.96
067146	700	STAPLES CREDIT PLAN		\$ -	\$ 1,783.09	\$ 1,783.09
067146	711	STAPLES CREDIT PLAN		\$ -	\$ 657.78	\$ 657.78
067147	440	SHERIFF OF JEFFERSON CO	51018	\$ 45.03	\$ -	\$ 45.03
067148	975	SUMMIT COMMUNITY BANK		\$ -	\$ 2,441.41	\$ 2,441.41
067149	716	SHERIFF OF JEFFERSON CO	50897	\$ 1,000.00	\$ -	\$ 1,000.00

067150	716	VALLEY PET CEMETERY	50687	\$ 162.38	\$ -	\$ 162.38
067150	716	VALLEY PET CEMETERY	51151	\$ 163.38	\$ -	\$ 163.38
067151	716	WV BOARD VETERINARY MED	51149	\$ 250.00	\$ -	\$ 250.00
067152	440	WV CODE OFFICIALS ASSOC	51021	\$ 150.00	\$ -	\$ 150.00
067153	440	WV CODE OFFICIALS ASSOC	51022	\$ 120.00	\$ -	\$ 120.00
067154	716	WEBSTER VETERINARY SUPPL	50898	\$ 141.79	\$ -	\$ 141.79
TOTAL						\$ 95,466.08
TOTAL				\$ 65,444.08	\$ 30,022.00	\$ 95,466.08

PUBLIC COMMENT:

Annette van Hilst brought materials pertaining to the proposed Capriotti rezoning that were omitted from the Planning Department’s package to the Commissioners.

Missy Grove expressed her views about bullets from the 340 Defense shooting range coming into her yard and her neighbor’s yard and she fears for her children’s safety. She beseeched the Commission to do something about the situation before someone is injured or killed.

The Commission could not converse with Ms. Grove during Public Comment but stated that this was a serious matter and would be revisited later in the meeting.

PRESENTATIONS:

- 1. Roger Goodwin, Chief County Engineer, and Michelle Mason of the Office of Impact Fees,** presented and explained the proposed FY2013 Capital Improvement Plan for the Impact Fee Program for project submissions.

Motion by Mr. Manuel to accept and approve the FT2013 Capital Improvement Plan for the Impact Fee Program as presented by Mr. Goodwin. Motion seconded by Ms. Morgan and unanimously approved.

- 2. Mike Wiley of Jefferson County Citizens for Economic Preservation** requested that the Commission consider an amendment to the Subdivision Regulations to change the sunset date for extension of plan approvals from July 1, 2012 to July 1, 2015.

Stephanie Grove, Assistant Prosecuting Attorney, advised that the County Commission legally has authority to amend the Subdivision Regulations should it be warranted.

Jennifer Brockman, Director of Planning and Zoning, added that there is no requirement for the Planning Commission to be notified before a developer comes before the Commission and requests an amendment to Subdivision Regulations.

Motion by Ms. Morgan to refer Mr. Wiley’s request to the Planning Commission. No second to the motion was forthcoming and the motion died.

Motion by Mr. Manuel to schedule a Public Hearing to discuss an amendment to the Subdivision Regulations in order to extend the sunset date for plan approvals from July 1, 2012 to July 1, 2015 in accordance with the

request of Mike Riley and the JCCEP and invite the Planning Commission members to attend. Motion seconded by Mr. Pellish and carried 3 to 2 with Ms. Morgan and Ms. Widmyer voting against.

Ms. Noland directed that Ms. Keyser meet with Staff and schedule a Public Hearing on an appropriate date. Ms. Brockman stated that she would put the issue on the agenda for the Planning Commission's next meeting and report back to the Commission at the May 31, 2012 meeting.

Before the next presentation the Commission discussed with Mason Carter, Code Enforcement Officer, Engineering Department, and Jennifer Brockman, options that the Commission might have in order to protect the public from bullets from the shooting range. Ms. Brockman provided a background of the Planning and Zoning Department's dealings with the 340 Defense shooting range over the past three years, including several injunctions against the range. Mr. Mason stated that the range seemed to be making every effort to conform to standards of safety. Mr. Mason also stated that he believes the shooting range should voluntarily shut down until it can assure the safety of the residents in the adjacent subdivision or the Planning Commission could obtain another injunction against them.

Ms. Morgan directed legal counsel to research the matter and find a way to amend or revise the safety standards for the shooting range to resolve this problem.

The Commission took a short break at 10:53 a.m.
The Commission meeting reconvened at 11:00 a.m.

3. **Paul Shroyer, Director of Financial Management** requested that the Commission approve Internal Budget Revision #1012.

Motion by Ms. Widmyer to approve Internal Budget Revision #1012 as presented by Mr. Shroyer. Motion seconded by Mr. Manuel and unanimously approved.

4. **Jennifer Brockman, Director of Planning & Zoning**, had two requests:

- (1) That the Commission approve the proposed contract with Manpower, a Temporary Agency, to provide the Planning and Zoning Department with experienced administrative support to update a database that provides critical information about all project files in a concise manner for easy reference by all Staff.

Motion by Mr. Manuel to authorize Ms. Brockman to execute the contract with Manpower for the purpose stated. Motion seconded by M. Pellish and unanimously approved.

- (2) Request by Ms. Brockman that the Commission schedule a Public Hearing on the landowner-initiated petition to amend the County Zoning Map to rezone a 8.98 acre property owned by Gene Capriotti, designated as Tax District: Harpers Ferry, Map: 9-2, Parcel: 58, located south of Rt. 340 William L. Wilson Freeway) and east of Rt. 27/2 (Allstadt's Hill Road).

Motion by Mr. Pellish to schedule a Public Hearing for the purpose stated by Ms. Brockman. Motion seconded by Mr. Manuel and unanimously approved. Ms. Keyser was directed to work with Staff to schedule the hearing on an appropriate date.

5. **Jennifer Maghan, County Clerk**, updated the Commission on early voting numbers. She reported that the numbers were historically low. The Commission encouraged citizens to go out and vote.
6. **The Commissioners** discussed the priorities of the Commission for the coming quarter.

Ms. Widmyer suggested (1) the CIP for the Capital Outlay Account, (2) get numbers to review the cost of a

CAD system. Ms. Widmyer directed Staff, working with the Acting County Administrator, to prepare a report on what could reasonably be expected to be accomplished in the next quarter and report back to the Commission.

Ms. Morgan suggested (1) that the Commission needs to have a follow-up system in place administered by the Acting County Administrator so that when projects are referred out to others there will be a record and follow up until the project is completed and (2) Commission needs to find out from legal counsel what are its requirements with regard to impact fees.

Mr. Pellish commented that (1) projects need to get done more quickly, including problems with the impact fees and (2) need to determine what the CAD program will cost and get it implemented.

Mr. Manuel thought that (1) the Courthouse repair and restoration and maintenance of other County buildings should be a priority in the next quarter and (2) follow up on projects referred out to others.

Ms. Keyser working with Staff was directed to schedule a work session on an appropriate date to discuss priorities.

7. **Sheriff Shirley** submitted a request to approve the appointments of five (5) new Deputy Reserves to the Jefferson County Deputy Reserve Program, being Dakota White, Wayne Gambrell, Allen Frazee, Glen Kincaid and Paul Hale. The Sheriff stated that these Deputy Reserves are strictly volunteers.

Motion by Mr. Manuel to approve the appointments of five (5) new Deputy Reserves to the Jefferson County Deputy Reserve Program in accordance with the list submitted by Sheriff Shirley. Motion seconded by Ms. Morgan and unanimously approved.

8. **Request for compensation during temporary assignment of Debbie Keyser from Human Resources Manager to Acting County Administrator, effective April 30, 2012.**

Motion by Mr. Pellish to increase the salary for Debbie Keyser from \$78,604.89 as Human Resources Manager to \$97,375.00 while serving as Acting County Administrator, effective April 30, 2012. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Widmyer to return Sandra Slusher McDonald to her former position of Deputy County Administrator from Acting County Administrator, effective April 30, 2012 and reinstate her regular salary of \$61,538.05. Motion seconded by Mr. Pellish and unanimously approved.

9. **Discussion and decision on the upcoming meeting schedule during weeks with a holiday for the months of May, June and July, 2012.**

Motion by Mr. Pellish that the Commission not schedule meetings on Thursday, May 24, 2012 and July 5, 2012. Mr. Manuel seconded the motion and it was unanimously approved. The Commission will meet on its regular schedule in June, 2012. Ms. Morgan advised the Commissioners that she will not be available for the May 17, 2012 meeting.

DEPARTMENT, BOARDS, COMMISSIONS AND AGENCY REPORTS:

Reports were submitted to the Commission by: Jefferson County Commission
Harpers-Ferry Bolivar PSD
Jefferson County Health Department

COUNTY ADMINISTRATOR REPORTS:

Acting County Commissioner Debbie Keyser:

- Reported that Payroll has established a new procedure not formerly in place which deals with employee changes and has prepared a new form (copy of which was handed to the Commissioners for review) which will remain with the record.
NOTE: Ms. Morgan directed Ms. Keyser to verify that each employee file has an I-9 certification.
- Submitted a copy of what will be given to employees next week at the employee health meetings. The meetings will begin on May 9, 2012 with the Department Heads and Electeds being the first to meet so that they can hear it first.
- Reported that the Wellness Program was revised in accordance with the Commission's recommendations.
- Submitted a draft of a Drug Free Work Policy for the Commissioners' review and comments. The County is applying for a grant and this draft policy meets the criteria for the grant. The draft has been reviewed by Stephanie Grove and the Department Heads.
- Submitted a cost sheet for obtaining different types of background checks on new hires from a private company.
- Submitted for review a copy of the job description in the ad that ran previously for the County Administrator's position. Asked the Commissioners to get back to her with any changes they feel are necessary before the ad is run again.
NOTE: Ms. Noland recommended to Ms. Keyser that she shadow another County Administrator for a couple of weeks as she thought this would be very helpful in Ms. Keyser's new role as Acting County Administrator. She stated that Berkeley County would be the most logical county because of its proximity to Jefferson.

COUNTY COMMISSONER REPORTS:

Commissioner Morgan:

- Reported that the Berkeley/Jefferson Day Report Center has a new Director, Jason Castillo.
- Went on the Charles Town Homes Tour.
- Attended a Homeless Coalition dinner.
- Attended a Democratic Association meeting.
- Attended the Maintenance Dept. Open House for the new facility.
- Attended the dedication of the Blue Ridge Primary School.

Commissioner Pellish:

- Spoke with John Reisenweber after his visit to the Kodak facility.
- Still need to find somebody to sit on the Airport Authority Board. Jefferson County Development Authority is to handle this project.

Commissioner Manuel:

- Attended a Democratic Association meeting.

- Attended the dedication of the Blue Ridge Primary School.
- Attended a We the People Candidates Forum for Blue Ridge residents.
- Attended a Jefferson County Emergency Services/Fire Chiefs meeting.
- Attended the Maintenance Dept. Open House for the new facility.
- Attended a meeting of the Partnership for Affordable Housing.

Commissioner Noland:

- Attended a Convention and Visitors Bureau meeting.
- Attended the dedication of the Blue Ridge Primary School.
- Attended the Maintenance Dept. Open House for the new facility.
- Attended a meeting of the Partnership for Affordable Housing.

Following the Commissioners' reports Ms. Noland called the meeting in recess until 1:30 p.m. when the Commission will view the presentation on the Water Budget Study.

The Commission reconvened at 1:30 p.m.

10. Roger Goodwin, Chief County Engineer and Analytical Services, Inc. provided a Power Point presentation of the Water Budget Study.

Mr. Goodwin provided the Commission with an introduction of the members of Analytical Services, Inc. and a brief background of the purpose of the Water Study.

Michael Maloy, Senior Geologist with Analytical Services, Inc. presented the details of the Water Study. Mr. Maloy acknowledged the assistance of intern Jeremiah Sanders and GIS Director, Todd Fagan with the study.

Mr. Maloy answered questions from the Commissioners and the Water Advisory Committee.

There being no further business, motion by Mr. Pellish to adjourn the meeting. Motion seconded by Mr. Manuel and the meeting was adjourned at 2:05 p.m.

Upon rising the Commission recessed until Thursday, May 10, 2012 at 9:30 a.m.

PATSY A. NOLAND, PRESIDENT

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