

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

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

**PLEDGE OF ALLEGIANCE**

Commissioner Widmyer led the Pledge of Allegiance.

Following the Pledge of Allegiance Commissioner Noland asked for a moment of silence to remember Ed Burns and his excellent service and devotion to Jefferson County.

**APPROVAL OF MINUTES**

Motion by Ms. Morgan to approve the Minutes of the July 19, 2012 regular meeting as amended. Motion seconded by Mr. Manuel and unanimously approved.

**APPROVAL OF PURCHASE ORDERS**

Motion by Mr. Manuel to approve amended Purchase Orders in the amount of \$163,458.47 being P. O. Nos. 51157, 51158, 49981, 49932, 49938, 51131, 19883, 49885, 49887, 49935, 49936, 49710, 52027, 49777, 49927, 49929, 49779, 49930, 49933, 49934, 49633, 49634, 49637, 49638, 50916, 50917, 50919, 50920, 50921, 50922, 49917, 49928 and 53147. (Purchase order 49937 was held for more information). 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 \$341,459.85 for July 19, 2012. Motion seconded by Mr. Pellish and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
067737	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,107.70	\$ 4,107.70
067738	425	COMCAST		\$ -	\$ 346.96	\$ 346.96
067739	424	AT&T/IL		\$ -	\$ 0.52	\$ 0.52
067740	425	ABH SERVICES, INC.	49921	\$ 1,725.00	\$ -	\$ 1,725.00
067741	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,978.38	\$ 1,978.38

067742	425	B-K OFFICE SUPPLY INC	49768	\$ 169.00	\$ -	\$ 169.00
067742	425	B-K OFFICE SUPPLY INC	49922	\$ 1,312.00	\$ -	\$ 1,312.00
067743	424	BOLAND SERVICES	52829	\$ 270.00	\$ -	\$ 270.00
067743	425	BOLAND SERVICES	49772	\$ 609.50	\$ -	\$ 609.50
067743	425	BOLAND SERVICES	51117	\$ 991.01	\$ -	\$ 991.01
067744	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
067745	PAYROLL	BUREAU F/CHILD SPVRT ENF		\$ -	\$ 212.31	\$ 212.31
067746	439	JENNIFER M. BROCKMAN		\$ -	\$ 74.37	\$ 74.37
067746	439	JENNIFER M. BROCKMAN		\$ -	\$ 239.21	\$ 239.21
067747	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
067748	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
067749	440	CHOICE STAFFING, INC.		\$ -	\$ 688.50	\$ 688.50
067750	PAYROLL	COLONIAL LIFE		\$ -	\$ 1,070.52	\$ 1,070.52
067751	439	CLERK OF SUPREME COURT		\$ -	\$ 200.00	\$ 200.00
067752	424	DAYCON	49776	\$ 1,973.10	\$ -	\$ 1,973.10
067752	425	DAYCON	49774	\$ 1,580.24	\$ -	\$ 1,580.24
067753	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 46.80	\$ 46.80
067754	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
067755	424	DONALD B. RICE TIRE CO.	49775	\$ 459.25	\$ -	\$ 459.25
067756	717	FLEETPRIDE	49939	\$ 22.38	\$ -	\$ 22.38
067757	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 17,187.22	\$ 17,187.22
067758	425	GRAINGER, INC	49766	\$ 599.40	\$ -	\$ 599.40
067759	406	GLOBAL SCIENCE & TECH	49845	\$ 250.00	\$ -	\$ 250.00
067760	716	HILLSIDE VETERINARY HOSP	51159	\$ 29.85	\$ -	\$ 29.85
067761	412	MICHAEL HARMAN		\$ -	\$ 153.79	\$ 153.79
067762	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 1,110.00	\$ 1,110.00
067763	428	IBM CORPORATION		\$ -	\$ 1,407.00	\$ 1,407.00
067764	701	JEFF CO DEPUTY SHERIFF'S		\$ -	\$ 82.58	\$ 82.58
067765	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 1,978.38	\$ 1,978.38
067766	700	JEFFERSON PUBLISH CO INC	50918	\$ 32.10	\$ -	\$ 32.10
067767	425	JEFFERSON COUNTY SOLID	53045	\$ 27.20	\$ -	\$ 27.20
067768	712	JEFFERSON CO FAIR ASSOC	48181	\$ 225.00	\$ -	\$ 225.00
067769	425	JEFFERSON UTILITIES INC		\$ -	\$ 499.76	\$ 499.76
067770	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
067770	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,260.48	\$ 4,260.48
067771	424	JERRY'S FORD/LINCOLN/MER	49769	\$ 108.02	\$ -	\$ 108.02
067772	712	LANGUAGE LINE SERVICES		\$ -	\$ 107.27	\$ 107.27
067773	402	MATTHEW BENDER & CO	49709	\$ 224.32	\$ -	\$ 224.32
067773	403	MATTHEW BENDER & CO	49882	\$ 694.89	\$ -	\$ 694.89
067773	406	MATTHEW BENDER & CO	49844	\$ 125.78	\$ -	\$ 125.78
067774	PAYROLL	COMPROLLER OF MARYLAND		\$ -	\$ 782.56	\$ 782.56

067775	425	HOME DEPOT CREDIT SERVIC		\$ -	\$ 26.65	\$ 26.65
067776	711	BARBARA J. MILLER		\$ -	\$ 98.98	\$ 98.98
067777	PAYROLL	JENNIFER S. MAGHAN		\$ -	\$ 25.52	\$ 25.52
067778	439	MANPOWER	49949	\$ 534.12	\$ -	\$ 534.12
067779	439	MANPOWER	50720	\$ 443.12	\$ -	\$ 443.12
067780	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
067781	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 774.00	\$ 774.00
067782	712	NAEMD	50990	\$ 195.00	\$ -	\$ 195.00
067782	712	NAEMD	50991	\$ 80.00	\$ -	\$ 80.00
067783	405	OGLEBAY	50743	\$ 3,760.00	\$ -	\$ 3,760.00
067784	ALLOC	JEFF CO PARKS &		\$ -	\$ 20,722.95	\$ 20,722.95
067785	ALLOC	JEFF CO PARKS &		\$ -	\$ 55,510.15	\$ 55,510.15
067786	402	PIFER OFFICE SUPPLY, INC	49706	\$ 63.00	\$ -	\$ 63.00
067786	402	PIFER OFFICE SUPPLY, INC	49712	\$ 29.88	\$ -	\$ 29.88
067786	406	PIFER OFFICE SUPPLY, INC	49843	\$ 325.26	\$ -	\$ 325.26
067787	712	JEFFREY POLCZYNSKI		\$ -	\$ 35.65	\$ 35.65
067788	425	POTOMAC EDISON		\$ -	\$ 2,294.32	\$ 2,294.32
067789	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,438.00	\$ 6,438.00
067790	401	RICOH USA, INC./GA		\$ -	\$ 158.45	\$ 158.45
067790	403	RICOH USA, INC./GA		\$ -	\$ 316.84	\$ 316.84
067790	404	RICOH USA, INC./GA		\$ -	\$ 158.42	\$ 158.42
067790	405	RICOH USA, INC./GA		\$ -	\$ 316.84	\$ 316.84
067790	406	RICOH USA, INC./GA		\$ -	\$ 158.42	\$ 158.42
067790	425	RICOH USA, INC./GA		\$ -	\$ 158.42	\$ 158.42
067790	433	RICOH USA, INC./GA		\$ -	\$ 158.42	\$ 158.42
067790	440	RICOH USA, INC./GA		\$ -	\$ 158.42	\$ 158.42
067790	700	RICOH USA, INC./GA		\$ -	\$ 475.26	\$ 475.26
067790	712	RICOH USA, INC./GA		\$ -	\$ 158.42	\$ 158.42
067791	405	STAPLES CREDIT PLAN	49631	\$ 143.93	\$ -	\$ 143.93
067792	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 36,053.83	\$ 36,053.83
067792	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 85.26	\$ 85.26
067792	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,053.50	\$ 10,053.50
067792	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 23.78	\$ 23.78
067793	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 118.84	\$ 118.84
067793	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 41,669.78	\$ 41,669.78
067794	711	SOFTWARE COMPUTER GROUP	53192	\$ 150.00	\$ -	\$ 150.00
067795	401	FRANCIS M. SCHIAVONE		\$ -	\$ 17,185.00	\$ 17,185.00
067796	425	SOUTHERN REFRIGERATION	49761	\$ 102.16	\$ -	\$ 102.16
067797	717	THOMASSEN FORD MERCURY	49923	\$ 102.92	\$ -	\$ 102.92
067798	424	CAPITAL TRISTATE	49721	\$ 1,443.39	\$ -	\$ 1,443.39

067798	425	CAPITAL TRISTATE	49721	\$ 1,635.82	\$ -	\$ 1,635.82
067798	425	CAPITAL TRISTATE	49744	\$ 1,403.72	\$ -	\$ 1,403.72
067799	424	UNITED BANKCARD CENTER	51049	\$ 103.42	\$ -	\$ 103.42
067799	401	UNITED BANKCARD CENTER		\$ -	\$ 524.20	\$ 524.20
067799	401	UNITED BANKCARD CENTER		\$ -	\$ 561.00	\$ 561.00
067799	402	UNITED BANKCARD CENTER		\$ -	\$ 81.49	\$ 81.49
067799	402	UNITED BANKCARD CENTER		\$ -	\$ 359.84	\$ 359.84
067799	402	UNITED BANKCARD CENTER		\$ -	\$ 851.40	\$ 851.40
067799	403	UNITED BANKCARD CENTER		\$ -	\$ 227.23	\$ 227.23
067799	412	UNITED BANKCARD CENTER		\$ -	\$ 439.54	\$ 439.54
067799	415	UNITED BANKCARD CENTER		\$ -	\$ 76.15	\$ 76.15
067799	424	UNITED BANKCARD CENTER		\$ -	\$ 207.60	\$ 207.60
067799	424	UNITED BANKCARD CENTER		\$ -	\$ 5.27	\$ 5.27
067799	424	UNITED BANKCARD CENTER		\$ -	\$ 98.09	\$ 98.09
067799	424	UNITED BANKCARD CENTER		\$ -	\$ 23,102.45	\$ 23,102.45
067799	425	UNITED BANKCARD CENTER		\$ -	\$ 193.09	\$ 193.09
067799	425	UNITED BANKCARD CENTER		\$ -	\$ 19.03	\$ 19.03
067799	425	UNITED BANKCARD CENTER		\$ -	\$ 372.78	\$ 372.78
067799	425	UNITED BANKCARD CENTER		\$ -	\$ 86.40	\$ 86.40
067799	428	UNITED BANKCARD CENTER		\$ -	\$ 345.32	\$ 345.32
067799	440	UNITED BANKCARD CENTER		\$ -	\$ 595.00	\$ 595.00
067799	440	UNITED BANKCARD CENTER		\$ -	\$ 325.27	\$ 325.27
067799	440	UNITED BANKCARD CENTER		\$ -	\$ 178.20	\$ 178.20
067799	700	UNITED BANKCARD CENTER		\$ -	\$ 278.40	\$ 278.40
067799	711	UNITED BANKCARD CENTER		\$ -	\$ 250.00	\$ 250.00
067799	711	UNITED BANKCARD CENTER		\$ -	\$ 462.36	\$ 462.36
067799	711	UNITED BANKCARD CENTER		\$ -	\$ 70.64	\$ 70.64
067799	712	UNITED BANKCARD CENTER		\$ -	\$ 83.40	\$ 83.40
067799	712	UNITED BANKCARD CENTER		\$ -	\$ 3,480.77	\$ 3,480.77
067799	712	UNITED BANKCARD CENTER		\$ -	\$ 121.30	\$ 121.30
067799	717	UNITED BANKCARD CENTER		\$ -	\$ 220.00	\$ 220.00
067799	717	UNITED BANKCARD CENTER		\$ -	\$ 901.75	\$ 901.75
067800	425	VALLEY HARDWARE COMPANY	49778	\$ 32.03	\$ -	\$ 32.03
067801	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 24,729.71	\$ 24,729.71
067802	406	ASSOC OF WV ASSESSORS	49846	\$ 75.00	\$ -	\$ 75.00
067803	415	WV STATE AUDITOR**		\$ -	\$ 10,145.00	\$ 10,145.00
067804	405	WV STATE BAR	49630	\$ 2,250.00	\$ -	\$ 2,250.00
067805	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 133.20	\$ 133.20
067806	PAYROLL	WV BUREAU OF EMPLOYMENT		\$ -	\$ 15,880.69	\$ 15,880.69
067807	424	WINCHESTER AUTO GLASS	49770	\$ 267.93	\$ -	\$ 267.93

067808	439	XEROX CORPORATION	49948	\$ 400.01	\$ -	\$ 400.01
067808	439	XEROX CORPORATION	52941	\$ 332.19	\$ -	\$ 332.19
<b>TOTAL</b>						<b>\$ 341,459.85</b>
<b>TOTAL</b>				<b>\$ 25,300.94</b>	<b>\$ 316,158.91</b>	<b>\$ 341,459.85</b>

**PUBLIC COMMENT:**

**Kathy Knight** commented on Agenda Item No. 14, the request by Gene Capriotti to rezone his property on the Rt. 340 corridor to Residential/Light Industrial/Commercial.

**Robin Huyst Thomas** commented on the Dominion Power upgrade. She would like a public hearing on the work to be done as she feels there are many factors that need to be considered.

**Jane Tarner, Vice President of the Animal Welfare Society**, informed the Commission that this year is their 60<sup>th</sup> anniversary of serving the community. They are attempting to upgrade and make renovations on the building and are trying to raise money through grants and other methods. They anticipate the total cost for the renovations will be approximately \$250,000. She stated they would welcome help from anywhere.

**Meredith Waite, Shepherdstown 250 Chairperson**, informed the Commission this year as part of their celebration they are sponsoring an “Antietam Remembrance Walk” on September 16, 2012 at 5:30 p.m. Ms. Waite requested that the Commission fund \$3,500 to help with costs.

**David Tabb** reiterated his comments from last week’s meeting regarding the recent storm, the damage and the emergency assistance. He would still like the Commission to prepare a list of what the County is responsible for doing in an emergency and what the citizens are expected to do.

**PRESENTATIONS:**

- 1. Jim Cummins of the Jefferson County Public Service District provided** an update on the wastewater treatment plant, the need for upgrading of pipes and the day-to day operations of the facility. He reported that the JCPSD is working on a long-range plan to address these and future issues.
- 2. Angela Banks, Assessor presented the following for approval:**

**NOTICE OF APPORTIONMENT OF JOINTLY OWNER MOTOR VEHICLES**

Upon presentation by Angela Banks, Assessor, motion by Ms. Morgan, seconded by Mr. Manuel, 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 \$94.74 for the following:

NAME	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Gilbert P. Smallwood, Jr.	Husband	\$ 800.00	\$ 18.49
Juanita Smallwood	Wife	\$ 2,100.00	\$ 48.53
Juanita Smallwood	Wife	\$ 1,200.00	\$ 27.72
<b>TOTAL TAXES DUE:</b>			<b>\$ 94.74</b>

**NOTICE OF EXONERATION:**

Angie Banks, County Assessor, requested exoneration for Walter and Christine Perun in the amount of \$10.40. Motion by Ms. Widmyer to approve the exoneration of \$10.40 for Ticket No. 13614. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket No.	Amount
Walter & Christine Perun	Harpers Ferry	Real Estate	13614	\$10.40

**NOTICE OF EXONERATION:**

Angie Banks, County Assessor, requested exoneration for Douglas & Monica Borella in the amount of \$83.19. Motion by Ms. Morgan to approve the exoneration of \$83.19 for Douglas & Monica Borella for Ticket No. 314715. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket No.	Amount
Douglas & Monica Borella	Shepherdstown	Personal Property	314715	\$83.19

3. **Keryn Newman, representing citizen Sharon Wilson**, who was not able to appear at this meeting, voiced Ms. Wilson’s concerns regarding the Dominion Power upgrade as follows:

- Access roads coming off of county roads.
- Blocking access to development with heavy equipment.
- Notification to the public when there sre going to be road closures.
- Correction of damage done to farmlands and roads by Dominion.
- The use of helicopters.

Ms. Newman also expressed her concerns regarding the possibility of towers falling on houses and the lack of information provided to Stop PATH. She stated that the citizens should be better informed.

Each of the Commissioners received a letter from Robert Orndorff, Managing Director of Dominion Power, containing a schedule of work to be done. Mr. Pellish suggested that the Commission send a letter back to Mr. Orndorff and attach a copy of the list of issues and concerns of Ms. Wilson and Ms. Newman and make a formal request that Dominion Power respond with answers and explanations. The Commission approved Mr. Pellish’s suggestion by general consensus.

4. **The Commissioners took a short break at 10:37 a.m.**  
**The Commissioners reconvened the meeting at 10:43 a.m.**

5. **Roger Goodwin, Chief Engineer requested that the Commission approve a complete release of the construction bond security for Cambridge, LLC – Cambridge Manufactured Home Development, Section 4, Phase 3, Lots D124 (File #07-25) - Letter of Credit #S140282 with the Columbia Bank, Columbia, Maryland.**

Motion by Mr. Manuel to approve the complete release of the construction bond security for Cambridge, LLC – Cambridge Manufactured Home Development, Section 4, Phase 3, Lots D124 (File #07-25) - Letter of Credit #S140282 with the Columbia Bank, Columbia, Maryland. Motion seconded by Mr. Pellish and unanimously approved.

**Request by Mr. Goodwin** that the Commission accept the Region 9 Planning & Development Council to perform the scope of work (as outlined in the Chesapeake Bay Regulatory & Accountability Grant Funds application) to write a stormwater management ordinance to meet the pollution reduction requirements of the Chesapeake Bay Initiative. Mr. Goodwin stated that, after the last discussion, he has advertised for proposals to perform the scope of work as outlined in the Chesapeake Bay Regulatory & Accountability Grant Fund application, to write a stormwater management ordinance to meet the pollution reduction requirements of the Chesapeake Bay Initiative.

It was suggested by the Commission that Region 9 choose the company to perform the scope of work and handle the administrative work as well. The Commission directed Mr. Goodwin to contact Region 9 and determine if they would be willing to do this and come back to the Commission with an answer.

6. **Ronald Fletcher, President of the Jefferson County Fire and Rescue Association explained** that the Association was against obtaining yearly audits of their monies unless it was funded by the Jefferson County Commission. He stated that the audits were very costly and other financial forms were filed each year that would serve the same purpose. Members of other fire companies echoed Mr. Fletcher's comments.
7. **Stephanie Grove, Assistant Prosecuting Attorney,** informed the Commission of the statutory requirements for membership on the Board of the Eastern Regional Airport Authority.

**Ms. Grove, speaking for Steve Groh, Assistant Prosecuting Attorney handling the Jefferson County Planning Commission v. Faraway Farms, LLC litigation, Civil Action No. 3:09-CV-45 in Federal Court** provided an update stating that a Summary Judgment was filed and signed by the judge before a hearing was held. Mr. Groh is working on having the Summary Judgment dismissed.

8. **Paul Shroyer, Director of Financial Management:**

- **With regard to Budget Revisions Nos. 1044 through 1047** motion by Ms. Widmyer to ratify previously approved budget revisions Nos. 1044 through 1047. Motion seconded by Mr. Manuel and unanimously approved.
- **With regard to two Journal Voucher adjustments** motion by Ms. Widmyer to ratify two previously approved Journal Voucher adjustments. Motion seconded by Mr. Manuel and unanimously approved.
- **With regard to the drafts of the Standard Operating Procedures and Payment of Vouchers policies** the Commission directed Mr. Shroyer to combine the two making one policy and have staff place his request for approval on next week's agenda.
- **With regard to Budget Revision No. 1 (Issue #1)** motion by Mr. Manuel to ratify the previously approved Budget Revision No. 1 (Issue #1). Motion seconded by Ms. Morgan and unanimously approved.
- **Brief discussion regarding the Capital Outlay Fund.**

**NEW BUSINESS**

9. **Request for approval of Grant Contract, Resolution and Letter of Agreement for the African American Community Association Grant in the amount of \$8,000 for Fisherman's Hall.**

Motion by Mr. Manuel to approve the Grant Contract, Resolution and Letter of Agreement for the African American Community Association Grant in the amount of \$8,000 for Fisherman's Hall. Motion seconded by Mr. Pellish and unanimously approved.

***RESOLUTION***

The County Commission of Jefferson County, met on July 19<sup>th</sup>, 2012 with a

quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the African American Community Association to continue restoration of the historic Fisherman's Hall with funds made available through the Governor's Community Participation Grant program in the amount of \$8,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed:

COUNTY CLERK

**11LEDA0132**

**10. Request for approval of Grant Contract, Resolution and Letter of Agreement for the African American Community Association Grant in the amount of \$16,400 for Fisherman's Hall.**

Motion by Ms. Moran to approve the Grant Contract, Resolution and Letter of Agreement for the African American Community Association Grant in the amount of \$16,400 for Fisherman's Hall. Motion seconded by Mr. Manuel and unanimously approved.

***RESOLUTION***

The County Commission of Jefferson County, met on June 19<sup>th</sup>, 2012 with a quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the African American Community Association to continue restoration of the historic Fisherman's Hall with funds made available through the Governor's Community Participation Grant program in the amount of \$16,400.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's

Community Participation Grant Program.

Signed:

COUNTY CLERK

11LEDA0499

- 11. Request to reallocate the money (\$102,953.68) in the Cement Mill purchase account to either a) the Shepherdstown Regional Library capital campaign fund, b) the Animal Welfare Society for needed renovations, or c) a portion to each.**

Motion by Mr. Manuel to authorize the \$102,953.68 to be divided equally between the Shepherdstown Regional Library Capital Campaign Fund, the Jefferson County Animal Welfare Society and the Jefferson County Parks and Recreation Commission. Motion seconded by Mr. Pellish but vote failed 3 to 2, with Ms. Widmyer and Ms. Morgan voting against. (Vote had to be unanimous because it is a special account).

**The Commission took a break at 12:52 p.m.  
The Commission reconvened the meeting at 1:00 p.m.**

**(Commissioner Morgan left the meeting at this time).**

- 14. Decision on Zoning Map Amendment (Rezoning) for property designated as Tax District: Harpers Ferry, Map 9-2, Parcel: 58. Seth Rivard, Planner, Planning and Zoning Department was in attendance to answer questions or provide information. (This item taken out of order due to the schedule of one of the parties involved). This item was presented several weeks ago and is now ready for a decision.**

**Annette Van Hilst** briefly summarized the reason for the rezoning request.

Motion by Mr. Pellish to approve the rezoning request believed to be in conformance with the comprehensive plan and, as noted, was unanimously passed by the Planning Commission. Motion seconded by Mr. Manuel.

Ms. Widmyer made an amended motion stating she would approve the motion if several conditions were added to the original motion. "Approval of the rezoning of the Capriotti parcel would be subject to the following conditions:

- 1) At time of subdivision applicant will submit a traffic study prepared by a professional traffic engineer using the WV DOT Traffic Engineering Directive 1062 and the developer will provide all needed traffic improvements that are not planned by DOT.
- 2) At time of subdivision applicant will demonstrate layout, massing, landscaping and signage, will support and enhance the heritage and cultural tourism market and be compatible with the Harpers Ferry National Historical Park.
- 3) The easement used as access to residential properties will remain and a minimum landscape buffer of 100' will be provided to create a suitable transition from non-residential uses that are being proposed."

There was no second to Ms. Widmyer's amendment and the amended motion died.

A vote was taken on the original motion and the motion passed 3 to 1 with Ms. Widmyer voting against.

- 12.,13. Mr. Manuel moved to postpone any discussion or action on Items 12 and 13 until such time as a full body can be present. Ms. Noland seconded the motion and it was unanimously approved.**

Ms. Widmyer asked if Item #13 could be divided into two items: 1) hiring of County Commission Council and

2) the Executive Session regarding the hiring of counsel.

The Commissioners unanimously agreed that it could be divided into two items and the items would be placed on next week's agenda.

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

A report was submitted by the Jefferson County Historic Landmarks Commission.

## **COUNTY ADMINISTRATOR REPORTS**

### **Debbie Keyser, Interim County Administrator:**

- Prepared an Events Schedule and requested that the Commission review the proposed Schedule and give her their comments.
- Reported that some members of the Executive Monkey Mafia Wellness Team would be participating in the 5K and obstacle Mud Run this weekend.

## **COUNTY COMMISSIONER REPORTS**

### **Commissioner Widmyer:**

- Ms. Widmyer stated that the Commission has received approximately thirty-five (35) applications for the Administrator position and inquired as to when the Commissioners might review them. Ms. Noland answered that the Commissioners should view the applications at the Hunter House within the next two weeks.
- Attended a Water Advisory Commission meeting.

### **Commissioner Manuel:**

- Met with Convention Visitors Bureau representatives.
- Attended a Jefferson County Emergency Services Agency meeting.
- Attended the Governor's debriefing regarding the storm event.
- Attended a 911 Emergency Services meeting.
- Attended a Parks and Recreation Commission meeting.

### **Commissioner Pellish:**

- Attended a Jefferson County Development Authority meeting.
- Mr. Pellish stated that he was very bothered by negative comments regarding emergency personnel.
- Mr. Pellish reminded Ms. Keyser about a "Get to Know Your Commissioners" Day. Ms. Keyser responded that she has been working on this project, but thought it would be better to schedule it in the Fall, possibly September, when the children are back to school and summer vacations are over. The Commissioners agreed.

### **Commissioner Noland:**

- Attended a 4-day annual NACO meeting and will submit a written report to the Commission.
- Attended the CVB monthly meeting.
- Attended a Jefferson County Council on Aging meeting.

There being no further business, motion by Mr. Pellish to adjourn the meeting. Motion seconded by Ms. Widmyer and unanimously approved. Upon rising at 2:00 p.m. the meeting was adjourned until Thursday, July 26, 2012 at 9:30 a.m.

