

Minutes
Jefferson County Commission
Thursday, August 9, 2012

A meeting of the Jefferson County Commission was held on Thursday, August 9, 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 August 9, 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 Mr. Manuel to approve the Minutes of the August 2, 2012 regular meeting as presented. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$10,051.56 being P. O. Nos.49918, 50993, 52030, 52063, 52064, 49954, 49919, and 52071. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve the accounts payable in the amount of \$317,570.02 for August 9, 2012. Motion seconded by Mr. Pellish and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
067905	700	AUTOZONE		\$ -	\$ 493.37	\$ 493.37
067905	717	AUTOZONE		\$ -	\$ 306.02	\$ 306.02
067906	425	ABH SERVICES, INC.	52049	\$ 166.00	\$ -	\$ 166.00
067906	425	ABH SERVICES, INC.	52072	\$ 90.00	\$ -	\$ 90.00
067907	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 2,394.43	\$ 2,394.43
067908	413	APPLE VALLEY OFF.PRODUCT	49966	\$ 71.18	\$ -	\$ 71.18
067909	425	BATTERY MART	52058	\$ 161.70	\$ -	\$ 161.70
067910	433	B-K OFFICE SUPPLY INC	50855	\$ 65.31	\$ -	\$ 65.31
067911	424	BOLAND SERVICES	52829	\$ 270.00	\$ -	\$ 270.00
067911	425	BOLAND SERVICES	49945	\$ 1,581.00	\$ -	\$ 1,581.00
067911	425	BOLAND SERVICES	51117	\$ 991.01	\$ -	\$ 991.01
067912	413	CASTO & HARRIS INC	49967	\$ 193.15	\$ -	\$ 193.15
067913	424	CHARLES TOWN UTILITY BRD		\$ -	\$ 83.94	\$ 83.94

067913	425	CHARLES TOWN UTILITY BRD		\$ -	\$ 776.54	\$ 776.54
067914	440	CHOICE STAFFING, INC.		\$ -	\$ 592.31	\$ 592.31
067915	425	DAYCON	52052	\$ 861.91	\$ -	\$ 861.91
067916	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,633.04	\$ 5,633.04
067917	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
067917	425	J.C.EHRLICH		\$ -	\$ 489.48	\$ 489.48
067918	425	FIDELITY ENGINEERING	52053	\$ 704.00	\$ -	\$ 704.00
067919	717	FLEETPRIDE	52070	\$ 29.30	\$ -	\$ 29.30
067920	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,677.30	\$ 1,677.30
067920	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,924.56	\$ 1,924.56
067921	401	INSIGHT A/V SERVICES		\$ -	\$ 225.00	\$ 225.00
067922	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 153.80	\$ 153.80
067923	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 2,394.43	\$ 2,394.43
067924	717	JIM'S AUTO REPAIR	52065	\$ 40.00	\$ -	\$ 40.00
067925	712	THE JOURNAL	49783	\$ 158.60	\$ -	\$ 158.60
067926	425	JEFFERSON COUNTY SOLID	53045	\$ 5.00	\$ -	\$ 5.00
067927	717	JERRY'S FORD/LINCOLN/MER	52056	\$ 134.18	\$ -	\$ 134.18
067928	401	LEXISNEXIS/MATTHEW BENDE		\$ -	\$ 100.08	\$ 100.08
067929	401	MATTHEW BENDER & CO		\$ -	\$ 109.94	\$ 109.94
067930	424	MICROMAIN CORPORATION	52059	\$ 595.00	\$ -	\$ 595.00
067931	PAYROLL	VICTORIA MYERS		\$ -	\$ 80.99	\$ 80.99
067932	439	MANPOWER	49953	\$ 491.86	\$ -	\$ 491.86
067933	PAYROLL	HIGHMARK WV		\$ -	\$ 168,971.58	\$ 168,971.58
067934	ALLOC	JEFF CO PARKS &		\$ -	\$ 16,000.00	\$ 16,000.00
067934	ALLOC	JEFF CO PARKS &		\$ -	\$ 25,141.57	\$ 25,141.57
067935	402	PIFER OFFICE SUPPLY, INC	49965	\$ 3.18	\$ -	\$ 3.18
067936	ALLOC	EASTERN PANHANDLE REGION		\$ -	\$ 10,816.25	\$ 10,816.25
067937	424	RODGERS CLOCK SERVICE	52029	\$ 1,085.00	\$ -	\$ 1,085.00
067938	402	RECORD MANAGEMENT SOLUTN	49696	\$ 35.00	\$ -	\$ 35.00
067938	403	RECORD MANAGEMENT SOLUTN	49887	\$ 60.00	\$ -	\$ 60.00
067939	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,438.00	\$ 6,438.00
067940	700	STAPLES CREDIT PLAN		\$ -	\$ 1,544.74	\$ 1,544.74
067940	711	STAPLES CREDIT PLAN		\$ -	\$ 210.77	\$ 210.77
067940	712	STAPLES CREDIT PLAN		\$ -	\$ 968.08	\$ 968.08
067941	711	SOFTWARE COMPUTER GROUP	53192	\$ 150.00	\$ -	\$ 150.00
067942	712	SEN COMMUNICATIONS	49779	\$ 267.47	\$ -	\$ 267.47
067943	425	SHENANDOAH VALLEY WATER		\$ -	\$ 1,233.97	\$ 1,233.97
067944	PAYROLL	FRANCIS M. SCHIAVONE		\$ -	\$ 280.75	\$ 280.75
067945	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 6,509.29	\$ 6,509.29
067946	425	THOS. SOMERVILLE CO	52061	\$ 161.49	\$ -	\$ 161.49

067947	424	TRENARY SERVICE CO	52057	\$ 297.00	\$ -	\$ 297.00
067948	403	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 199.00	\$ 199.00
067949	424	US POSTAL SERVICE		\$ -	\$ 20,000.00	\$ 20,000.00
067950	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
067951	425	VALLEY HARDWARE COMPANY	52066	\$ 8.83	\$ -	\$ 8.83
067952	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 29,930.44	\$ 29,930.44
067953	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 882.08	\$ 882.08
067953	716	WM OF WEST VIRGINIA, INC		\$ -	\$ 95.66	\$ 95.66
067954	402	XEROX CORPORATION	49705	\$ 1,383.26	\$ -	\$ 1,383.26
067954	439	XEROX CORPORATION	49952	\$ 495.98	\$ -	\$ 495.98
TOTAL						\$ 317,570.02
TOTAL				\$ 10,556.41	\$ 307,013.61	\$ 317,570.02

Nichelle Hosby, Executive Secretary to the Commission, introduced Eric and Kenneth, two new interns from Job Corps. They will be assisting Debbie Keyser and Sandy McDonald in the County Commission Office for several weeks.

PUBLIC COMMENT:

Gerald Bayer is producing “The Anvil,” a play about the trial, conviction and hanging of John Brown. Mr. Bayer requested approval to use the Courthouse from September 18 – September 23, 2012, and authorize costs for Jefferson County security for the Courthouse during those dates. This matter is scheduled to be heard later in the agenda.

PRESENTATIONS:

- Angela Banks, Assessor presented the following exonerations for approval:**

NOTICE OF EXONERATION:

Angie Banks, County Assessor, requested exoneration for Ellen Walters in the amount of \$67.01. Motion by Ms. Widmyer to approve the exoneration of \$67.01 for Ticket No. 304732. Motion seconded by Ms. Morgan and unanimously approved.

Name	District	Type	Ticket No.	Amount
Ellen Walters	Charles Town	Personal Property	304732	\$67.01

NOTICE OF EXONERATION:

Angie Banks, County Assessor, requested exoneration for Darrell and Ruth Carr in the amount of \$46.22. Motion by Mr. Manuel to approve the exoneration of \$67.01 for Darrell and Ruth Carr, Ticket No. 301014. Motion seconded by Mr. Pellish and unanimously approved.

Name	District	Type	Ticket No.	Amount
Darrell & Ruth Carr	Charles Town	Personal Property	301014	\$46.22

NOTICE OF EXONERATION:

Angie Banks, County Assessor, requested exoneration for Thomas M. Flanagan in the amount of \$224.16. Motion by Ms. Morgan to approve the exoneration of \$224.16 for Thomas M. Flanagan, Ticket No. 301750. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket No.	Amount
Thomas M Flanagan	Charles Town	Personal Property	301750	\$224.16

2. **Paul Shroyer, Director of Financial Management**, brought the following items on for consideration:

- **Budget Revision #3 for law enforcement step increase in salary schedule. Mr. Shroyer and Lt. Tom Hansen** stated that law enforcement was one step behind the rest of the county with regard to salary increases. BR #3 would require additional funding from the County Commission in the amount of \$83,683.53 to come from the carryover fund balance and appropriated to Law Enforcement Wages and Benefits.

The Commission directed Debbie Keyser to review the matter and provide her recommendation at next week’s meeting.

Motion by Mr. Manuel to move this item to next week’s agenda and to consider Ms. Keyser’s recommendation at that time. Motion seconded by Mr. Pellish and unanimously approved.

- **Budget Revision #5 – increasing Engineering Department budget by \$25,000 to pay for part-time employees. The funds would be deducted from the County Commission Capital Outlay Fund.**

Motion by Mr. Manuel to approve the \$25,000 increase for Engineering Department part-time employees and deduct that amount from the County Commission Outlay Fund. Motion seconded by Ms. Morgan and unanimously approved.

- **Return of \$6,196.57 in unclaimed property from the State of West Virginia.**

The County Commission received a check from the State of West Virginia in the amount of \$6,196.57 for unclaimed property appropriated to Jefferson County. No action necessary by the Commission.

- **Mr. Shroyer prepared a year end budget analysis for FY2011 – FY2013 and explained the analysis for the Commissioners.**

There were several concerns by the Commissioners:

1. The approximate \$417,000 shortfall between Emergency Communications 911 costs and E911 income.
2. Jail costs.
3. General government being 54% of County costs. The Commission directed Mr. Shroyer to prepare a detailed account of what is contained in the 54%. Mr. Shroyer will submit his report at next week’s meeting.

The Commission directed Ms. Keyser to have the Budget Analysis posted on the web.

3. Request for approval of The Anvil play security costs for the period September 18, 2012 through September 23, 2012. Security costs are expected to be approximately \$1,050.00.

Motion by Ms. Morgan to approve security costs of \$1,050.00 for The Anvil play for the period September 18, 2012 through September 23, 2012. Motion seconded by Ms. Widmyer and unanimously approved.

4. Decision on hiring County Commission Civil Counsel.

The Commissioners agreed they do not have sufficient information to make a decision at this time. They directed this item be held over for two weeks and placed on the August 23, 2012 agenda.

5. Filling of Civil Counsel position.

By general consensus the Commission directed this related item be held over and placed on the August 23, 2012 agenda.

**The Commission took a 10 minute break at 10:25 a.m.
The Commission reconvened the meeting at 10:35 a.m.**

6. Bill Polk, Maintenance Director, and Jacob Callas, discussed:

- **Landscaping at the Courthouse** – Mr. Polk advised the landscaping for the Courthouse is estimated to cost \$100,000 to \$110,000. Different types of materials for the sidewalk and porch, including bluestone, are being considered; taking into account appearance, cost, durability and safety.
- **Column repair on Courthouse** – Mr. Polk advised the Commission of two options: 1) remove the lead paint and repaint the columns at a cost of approximately \$97,000 or paint the columns as they are for a cost of \$14,000 including the brick wall under the porch.

Ms. Noland suggested that the Courthouse Committee discuss these issues and make recommendations to the Jefferson County Commission.

Ms. Morgan suggested contacting the Historic Landmarks Commission and asking them to discuss and make recommendations to the Courthouse Committee and the Jefferson County Commission.

- **Proposed New Telephone System** - Bill Polk and Tom Riley from Accurate Systems requested Accurate Systems be the consultant, for a \$15,000 fee, to assist with an RFP and implementation of an estimated \$150,000 new telephone system.

Motion by Mr. Manuel to award a \$15,000 consultant fee to Accurate Systems to assist in developing an RFP for a new telephone system. Motion seconded by Ms. Morgan and carried 4 to 1, with Ms. Widmyer voting against.

7. Todd Fagan, Director of GIS/Addressing explained his request for assistance for grant funding under the West Virginia Assistance Grants Program (WVTAGP) and WV Broadband Mapping Program (WVBMP). Mr. Fagan reported that he wrote two applications for grants for \$30,000 each.

Motion by Mr. Manuel to approve a match of \$15,000 each for the two projects, each requiring a \$7,500 match and \$8,875 in kind match. Motion seconded by Ms. Widmyer and unanimously approved. The motion will be placed on the agenda for next week to be ratified.

8. Approval of FY2013 Budget Allocations.

By general consensus the Commissioners agreed to have this item placed on next week's agenda for consideration at that time.

9. Approval of a \$10,000 fund request from South Jefferson Public Library.

Original motion by Ms. Morgan to approve the \$10,000 fund request by South Jefferson Public Library. Motion seconded by Ms. Widmyer.

Mr. Manuel amended the motion to include \$10,000 each be funded to the three rural fire companies not funded by municipalities (Middleway, Bakerton and Blue Ridge Mountain Fire Company) similar to South Jefferson Public Library which is not funded by any municipality. Ms. Noland seconded the amendment for purposes of discussion. The amendment failed 4 to 1, with Mr. Pellish, Ms. Widmyer, Ms. Morgan and Ms. Noland voting against.

Ms. Noland requested that St. Andrews Community Library on the Blue Ridge Mountain be considered for an allocation of \$10,000. St. Andrews was allocated \$2,500 last year. After discussion, Ms. Noland withdrew her request.

Motion by Mr. Manuel to fund St. Andrews Community Library for \$10,000 making the allocation equal to the amount approved for South Jefferson Public Library. Ms. Noland seconded the motion. Ms. Widmyer suggested making the allocation contingent upon receiving a letter from St. Andrews stating they will accept the funds and for what purpose the funds will be used. The motion failed 3 to 2 with Mr. Pellish, Ms. Morgan and Ms. Noland voting against.

A vote was taken on the original motion to approve the \$10,000 funding request by South Jefferson Public Library and the motion was unanimously approved.

10. Approval of Agreement/Contract with Keller Williams concerning the Briel Building.

No action was taken.

11. Rescind vote of appointment to the Board of Health due to an error in magisterial districts.

Motion by Ms. Morgan to rescind the appointment of Anna Mary Walsh as there is already the maximum number of members from Shepherdstown on the Board. The current makeup of the Board does not allow appointment of another Shepherdstown resident due to regulations of geographic districts. Motion seconded by Mr. Pellish and unanimously approved. By unanimous consent the Commission agreed to send Ms. Walsh a thank you note.

12. Allocate the funds in the Special Cement Mill account to Jefferson County Parks and Recreation for capital projects thus clearing the account since its purpose has been accomplished.

The Commission agreed to discuss this matter after the lunch break when legal counsel, Stephanie Grove, can be present.

13. Additional \$28,000 for the fire companies – each fire company would receive \$65,000 instead of \$61,000.

Motion by Mr. Manuel to allocate an additional \$4,000 to each of the seven fire companies to restore funds to the level prior to budget cuts. Ms. Noland seconded the motion for discussion purposes only. The vote failed 4 to 1 with Mr. Pellish, Ms. Widmyer, Ms. Noland and Ms. Morgan voting against.

COUNTY ADMINISTRATOR REPORTS

Interim County Administrator, Debbie Keyser:

- Attended the County Commissioners Association of West Virginia (CCAWV) meeting this week.

COUNTY COMMISSIONER REPORTS

Commissioner Widmyer:

- Mentioned that NACO now has discount prescription cards.
- Directed that the meeting with the WVDOH on Wednesday, August 15, 2012 at 2:00 p.m. be put on the County

Commission website.

- Requested an update on the status of digitizing the Commission's records.
- Met with Roger Goodwin regarding impact fee issues.

Commissioner Manuel:

- Met with Homeland Security and Emergency Management.
- Conference call with the JC Parks and Recreation Commission regarding the Hite Road Park access road.
- Made calls to the Governor and the WVDOH in an attempt to make the access road happen.

Commissioner Pellish:

- Nothing significant to report this week.

Commissioner Morgan:

- Attended a Jefferson County Board of Health meeting.
- Attended a Partisan meeting in Moorefield, WV.
- Attended a Horseman's Benevolent Protective Association (HBPA) event at the Charles Town Race Track.
- Attended a Berkeley/Jefferson Day Center meeting.

Commissioner Noland:

- Nothing to report.

The Commission recessed for lunch at 12:33 p.m. A public hearing was held at 1:30 p.m. on bonding/tolling. The Commission resumed its regular meeting after the public hearing.

14. Allocate the funds in the Special Cement Mill account to Jefferson County Parks and Recreation for capital projects thus clearing the account since its purpose has been completed.

Legal counsel, Stephanie Grove, was present and confirmed per State Code that legally the funds could be moved since the purpose of the special account had been accomplished. Ms. Widmyer requested Ms. Grove to put her legal opinion in writing showing the purpose had been met.

Original motion by Mr. Manuel to reappropriation the funds from the Special Cement Mill account into an account for Jefferson County Parks and Recreation for capital projects. Ms. Noland seconded the motion for discussion purposes.

Ms. Morgan stated she would like to see something done by Parks and Recreation for veterans at Hite Road.

Mr. Pellish believes Shepherdstown Library should be allocated funds.

Mr. Manuel amended his original motion by adding "the Commission approve the reappropriation of funds from the Special Cement Mill account to reimburse the Historic Landmarks Commission for funds previously expended for deed transfers and other costs. The remaining funds should be to the Parks and Recreation Commission for a pavilion or something similar to honor and serve veterans. Motion seconded by Ms. Widmyer.

Mr. Pellish amended the motion to state that 50% of the Cement Mill Property money be allocated to the Shepherdstown Library, 40% be allocated to Parks and Recreation for the veterans' memorial and the remaining 10% to Historic Landmarks for fees previously paid. Ms. Noland seconded the amendment for discussion purposes. Amendment failed 3 to 2 with Ms. Widmyer, Ms. Morgan and Mr. Manuel voting against.

A vote was taken on Mr. Manuel's amended motion. Motion carried 3 to 2, with Ms. Morgan and Mr. Pellish voting against.

There being no further business, the meeting was adjourned until Thursday, August 16, 2012 at 9:30 a.m.

PATRICIA A. NOLAND