

**Minutes**  
**Jefferson County Commission**  
**Thursday, August 16, 2012**

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A meeting of the Jefferson County Commission was held on Thursday, August 16, 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, Nichelle Hosby, Executive Assistant and Jimmy Eddie, Bailiff. (An audio tape of the August 16, 2012 meeting is available through the Jefferson County Commission Office.)

**PLEDGE OF ALLEGIANCE**

Commissioner Pellish led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Unanimous consent to holdover the Regular Minutes of the August 9, 2012 meeting until Thursday, August 23, 2012 meeting.

Motion by Ms. Morgan to approve the Bonding Policy Public Hearing Minutes of the August 9, 2012 as presented. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the Public Hearing Minutes concerning the potential purchase of the Briel Building of the July 19, 2012 as presented. Motion seconded by Mr. Pellish and unanimously approved.

**APPROVAL OF PURCHASE ORDERS**

Motion by Ms. Morgan to approve the Purchase Orders in the amount \$139,108.00, being purchase order number: 49969, 49906, 50062, 52033, 52038, 52039, 52040, 52032, 49806, 49805, 52042, 52043, 52044, 52045, 49636, 50031, 50797, 52073, 52074, 52075, 51129. 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 \$165,647.89 for August 16, 2012. Motion seconded by Mr. Pellish and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
067957	712	APCO INTERNATIONAL INC	50993	\$ 404.00	\$ -	\$ 404.00
067958	406	ASSESSOR OF JEFFERSON CO	49850	\$ 45.03	\$ -	\$ 45.03
067959	425	ALLIANCE ELECTRIC LLC	52071	\$ 90.00	\$ -	\$ 90.00
067960	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
067961	PAYROLL	BUREAU F/CHILD SPPRT ENF		\$ -	\$ 212.31	\$ 212.31
067962	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
067963	401	BRWC-BLUE RIDGE WATERSHE		\$ -	\$ 15,000.00	\$ 15,000.00

067964	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
067965	440	CHOICE STAFFING, INC.		\$ -	\$ 567.00	\$ 567.00
067966	425	DAYCON	52046	\$ 37.60	\$ -	\$ 37.60
067967	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
067968	402	SHAKIRA L. FIELDS		\$ -	\$ 89.00	\$ 89.00
067969	424	HASLER INC.	52041	\$ 79.98	\$ -	\$ 79.98
067970	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 1,135.00	\$ 1,135.00
067971	439	JEFFERSON COUNTY HISTORI	49954	\$ 200.00	\$ -	\$ 200.00
067972	425	JEFFERSON UTILITIES INC		\$ -	\$ 499.76	\$ 499.76
067973	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
067973	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,260.48	\$ 4,260.48
067974	712	LANGUAGE LINE SERVICES		\$ -	\$ 40.98	\$ 40.98
067975	412	JUDITH A MATLICK		\$ -	\$ 68.84	\$ 68.84
067976	424	VERIZON BUSINESS		\$ -	\$ 1,131.64	\$ 1,131.64
067977	440	MICHAEL MONAGHAN		\$ -	\$ 97.00	\$ 97.00
067978	412	SHAY MCNEIL		\$ -	\$ 84.36	\$ 84.36
067979	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
067980	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 774.00	\$ 774.00
067981	402	KAREN OLDEN		\$ -	\$ 89.00	\$ 89.00
067982	405	POSTMASTER CHARLES TOWN	50030	\$ 86.00	\$ -	\$ 86.00
067983	712	PROMOS 911,INC.	49810	\$ 1,439.60	\$ -	\$ 1,439.60
067984	425	POTOMAC EDISON/OH		\$ -	\$ 2,595.47	\$ 2,595.47
067985	425	REESE'S NURSERY&LANDSCAP	52064	\$ 225.00	\$ -	\$ 225.00
067986	401	SOFTWARE SYSTEMS, INC		\$ -	\$ 1,355.70	\$ 1,355.70
067986	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 576.00	\$ 576.00
067986	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 1,361.50	\$ 1,361.50
067986	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 753.00	\$ 753.00
067986	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 70.00	\$ 70.00
067986	700	SOFTWARE SYSTEMS, INC		\$ -	\$ 213.50	\$ 213.50
067987	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 85.26	\$ 85.26
067987	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 38.72	\$ 38.72
067987	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 23.78	\$ 23.78
067987	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 36,512.98	\$ 36,512.98
067987	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 138.86	\$ 138.86
067987	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,181.30	\$ 10,181.30
067988	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 146.52	\$ 146.52
067988	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,872.82	\$ 43,872.82
067988	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 118.84	\$ 118.84
067989	425	CAPITAL TRISTATE	49919	\$ 932.18	\$ -	\$ 932.18
067990	425	UNITED BANKCARD CENTER	51048	\$ 210.94	\$ -	\$ 210.94
067990	428	UNITED BANKCARD CENTER	49905	\$ 239.99	\$ -	\$ 239.99

067990	401	UNITED BANKCARD CENTER		\$ -	\$ 639.62	\$ 639.62
067990	401	UNITED BANKCARD CENTER		\$ -	\$ 784.00	\$ 784.00
067990	401	UNITED BANKCARD CENTER		\$ -	\$ 465.00	\$ 465.00
067990	402	UNITED BANKCARD CENTER		\$ -	\$ 117.06	\$ 117.06
067990	402	UNITED BANKCARD CENTER		\$ -	\$ 69.90	\$ 69.90
067990	402	UNITED BANKCARD CENTER		\$ -	\$ 119.54	\$ 119.54
067990	403	UNITED BANKCARD CENTER		\$ -	\$ 735.94	\$ 735.94
067990	405	UNITED BANKCARD CENTER		\$ -	\$ 589.97	\$ 589.97
067990	412	UNITED BANKCARD CENTER		\$ -	\$ 444.88	\$ 444.88
067990	415	UNITED BANKCARD CENTER		\$ -	\$ 77.07	\$ 77.07
067990	424	UNITED BANKCARD CENTER		\$ -	\$ 106.98	\$ 106.98
067990	424	UNITED BANKCARD CENTER		\$ -	\$ 25,255.42	\$ 25,255.42
067990	425	UNITED BANKCARD CENTER		\$ -	\$ 43.40	\$ 43.40
067990	425	UNITED BANKCARD CENTER		\$ -	\$ 90.68	\$ 90.68
067990	425	UNITED BANKCARD CENTER		\$ -	\$ 156.95	\$ 156.95
067990	425	UNITED BANKCARD CENTER		\$ -	\$ 13.41	\$ 13.41
067990	428	UNITED BANKCARD CENTER		\$ -	\$ 269.38	\$ 269.38
067990	433	UNITED BANKCARD CENTER		\$ -	\$ 690.07	\$ 690.07
067990	433	UNITED BANKCARD CENTER		\$ -	\$ 21.95	\$ 21.95
067990	700	UNITED BANKCARD CENTER		\$ -	\$ 101.00	\$ 101.00
067990	700	UNITED BANKCARD CENTER		\$ -	\$ 69.94	\$ 69.94
067990	700	UNITED BANKCARD CENTER		\$ -	\$ 91.84	\$ 91.84
067990	700	UNITED BANKCARD CENTER		\$ -	\$ 176.90	\$ 176.90
067990	700	UNITED BANKCARD CENTER		\$ -	\$ 624.32	\$ 624.32
067990	711	UNITED BANKCARD CENTER		\$ -	\$ 213.06	\$ 213.06
067990	711	UNITED BANKCARD CENTER		\$ -	\$ 561.92	\$ 561.92
067990	712	UNITED BANKCARD CENTER		\$ -	\$ 2,815.99	\$ 2,815.99
067990	712	UNITED BANKCARD CENTER		\$ -	\$ 253.39	\$ 253.39
067990	716	UNITED BANKCARD CENTER		\$ -	\$ 80.17	\$ 80.17
067990	717	UNITED BANKCARD CENTER		\$ -	\$ 106.95	\$ 106.95
067990	717	UNITED BANKCARD CENTER		\$ -	\$ 36.68	\$ 36.68
067990	717	UNITED BANKCARD CENTER		\$ -	\$ 770.10	\$ 770.10
067990	717	UNITED BANKCARD CENTER		\$ -	\$ 589.62	\$ 589.62
067991	717	WILLIAMS MOTOR PARTS, IN	49918	\$ 949.94	\$ -	\$ 949.94
067992	425	WINCHESTER SECURITY LLC	52063	\$ 547.00	\$ -	\$ 547.00
<b>TOTAL</b>						<b>\$ 165,647.89</b>
<b>TOTAL</b>				<b>\$ 5,487.26</b>	<b>\$ 160,160.63</b>	<b>\$ 165,647.89</b>

**PUBLIC COMMENT:**

Comments were made by the following individuals concerning their opposition to MinSec proposal for a “halfway house” on Kabletown Road: Jane Rissler, Robin Huyett Thomas, Linda Kirby, Brian Bellman, Marilyn Harwood, Ken Harwood, David Hammer, Virginia Lynch Graf, Todd & Susan Hough, James Tolbert, Roger Ethier, David Tabb and Janet Tilton.

**1. Unanimous consent to amend the agenda and move item number 7 – Approval to send letter concerning the MinSec Companies RFP to Federal Bureau of Prisons for a “halfway house” to the top of the agenda.**

Motion by Ms. Morgan to send a letter to oppose the MinSec request for a halfway house. Motion seconded by Mr. Manuel.

Amended motion by Mr. Manuel to send a copy of the opposition letter to Senator Manchin and the legislation. Amendment accepted by Ms. Morgan.

Amendment by Ms. Widmyer to notify the Federal Bureau of Prisons that the local elected officials should be notified when solicitation such as this is sent out for bids. Motion died due to lack of a second.

Motion by Ms. Morgan to have staff draft a letter to the Federal Bureau of Prisons stating there is unanimous consent from the Commission opposing the project, it was inappropriate protocol to not provide the prospective counties with an RFP/formal notice of their intent, that the project violates the zoning ordinance, the project faces citizen opposition and that the letter be copied to legislators, MinSec and the President of all County Commissions affected. Motion seconded by Mr. Manuel and unanimously approved.

**PRESENTATIONS:**

**2. There were no Exonerations to be presented.**

**3. Jeff Polczynski, Director of Emergency Communication,** gave an update on the Public Safety CAD RFP bid process, Indicating the RFP is ready for distribution.

Motion by Mr. Manuel to move approval to begin the bid process with regard to the CAD System. Motion seconded by Ms. Morgan and unanimously approved.

**4. Paul Shroyer, Director of Financial Management** gave a follow-up report on financial statistics that are included under County Government accounts and on the Budget Analysis by Governmental Fiscal Year End June 30, 2012.

**5. The Commissioners took a short break at 10:56 a.m.  
The Commissioners reconvened the meeting at 11:06 a.m.**

**UNFINISHED BUSINESS**

**6. Approval of State Budget Revision #3.**

Debbie Keyser, Interim County Administrator gave a brief overview of the budget revision request. Lieutenant Tom Hansen was present and gave comment.

Motion by Mr. Pellish to approve an increase of \$83,000 to the Sheriff’s wages and benefit line from the County Commission budget. Motion seconded by Mr. Manuel and unanimously approved.

**7. Stephanie Grove, Assistant Prosecuting Attorney** gave an update on Affordable Housing.

Motion by Mr. Manuel to authorize Ms. Grove to construct an ordinance for review on the Affordable Housing component.

Motion seconded by Ms. Morgan and unanimously approved.

This item is to be placed on the Thursday, September 6, 2012 agenda.

**NEW BUSINESS**

**1. Request for approval of Grant Contract, Resolution and Letter of Agreement for the Community Participation Grant in the amount of \$4,000 for the Jefferson County Parks and Recreation**

Motion by Mr. Manuel to approve the Grant Contract, Resolution and Letter of Agreement for the Community Participation Grant in the amount of \$4,000 for the Jefferson County Parks and Recreation. Motion seconded by Ms. Morgan and unanimously approved.

**RESOLUTION**

The County Commission of Jefferson County, met on August 16<sup>th</sup>, 2012 with a quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the Jefferson County Parks and Recreation to grade, level and gravel the entrance road a Leetown Park with funds made available through the Governor's Community Participation Grant program in the amount of \$4,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission hereby authorizes Patricia A. Noland, 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

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**2. Request for approval of Grant Contract, Resolution and Letter of Agreement for the Community Participation**

**Grant in the amount of \$15,000 for the Harpers Ferry Historic Town Foundation.**

Motion by Ms. Morgan to approve the Grant Contract, Resolution and Letter of Agreement for the Community Participation Grant in the amount of \$15,000. Motion seconded by Mr. Manuel and unanimously approved.

**RESOLUTION**

The County Commission of Jefferson County, met on August 16<sup>th</sup>, 2012 with a quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the Harpers Ferry Historic Town Foundation to conduct a feasibility study for community development, economic development, and tourism in Jefferson County with funds made available through the Governor’s Community Participation Grant program in the amount of \$15,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission hereby authorizes Patricia A. Noland, 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

09LEDA0837N

**3. Ratify approval of County application for grant funding under the West Virginia Assistance Grants Program (WVTAGP) and WV Broadband Mapping Program (WVBMP)**

Motion by Mr. Manuel to approve the County application for grant funding under the West Virginia Assistance Grants Program and WV Broadband Mapping Program. Motion seconded by Ms. Morgan and unanimously approved.

**COUNTY ADMINISTRATOR REPORTS**

**Debbie Keyser, Interim County Administrator:**

- Reminded the Commission to review the video that she sent them.
- Reported on the meeting with Jennifer Maghan concerning Bailiff’s handling security for the Anvil Play and that the

Sheriff is in favor of this.

- Reported that she had a meeting with Jefferson County Emergency Services regarding their Strategic Plan.
- Reported she is taking articles for the next newsletter.

## **COUNTY COMMISSIONER REPORTS**

### **Commissioner Widmyer:**

- Invited the Commission to the Ranson Football kickoff this weekend.
- Reported on the Parade for the Appalachian Trail in Harpers Ferry.
- Attended the Department of Highways US 340 Gateway meeting.
- Reminder of the Martin Delany Birthday celebration.

### **Commissioner Manuel:**

- Attended a Teen Court meeting.
- Attended the Department of Highways US 340 Gateway meeting.
- Reminder that the Jefferson County Fair begins on Sunday.

### **Commissioner Morgan**

- Attended the Farmland Protection Board meeting.
- Reminded the Commission of the African-American Heritage Festival.
- Reported on the American Conservation Film Festival.
- Attended the Department of Highways meeting on US 340.

### **Commissioner Pellish:**

- Attended a Jefferson County Development Authority Executive Committee meeting.
- Attended a Jefferson County Planning Commission meeting.
- Commented on the video sent by Ms. Keyser concerning safety in an office.
- Commented on the sheet for contribution disbursement.

### **Commissioner Noland:**

- Attended the CVB meeting.
- Attended the Special Session on County Administrator applications.

#### **4. Ms. Grove requested an Executive Session to discuss a Deputy Claim under West Virginia State Code 6-9A-4.**

**Motion by Mr. Manuel** to enter into Executive Session to discuss the Deputy's legal claim. Motion seconded by Ms. Widmyer and unanimously approved.

Motion by Mr. Manuel to exit Executive Session and to break for lunch. Motion seconded by Ms. Widmyer and unanimously approved.

**The Commission reconvened the meeting at 1:35 p.m.**

### **Work Session on Potential Amendments to the Zoning Ordinance Text regarding the Creation of New Commercial and Industrial Zoning Categories.**

Brief overview and presentation by Jennifer Brockman, Director of Planning and Zoning and Steve Barney, Zoning Administrator.

The Commission decided to continue the Work Session on Thursday, September 6, 2012 due to the 2:30 p.m. Special Session.

**Decision on potential purchase of the Briel Building.**

Paul Shroyer, Director of Financial Management gave a brief overview of a cost analysis concerning options in purchasing the Briel Building.

Ralph Lorenzetti was present and gave comments.

Stephanie Grove, Assistant Prosecuting Attorney gave comments.

Roger Ramey was present and gave comment.

Motion by Mr. Manuel to enter into Executive Session to discuss the potential purchase and offer of the Briel Building.

Motion seconded by Ms. Widmyer and unanimously approved.

Motion by Mr. Manuel to exit Executive Session and enter back into regular session. Motion seconded by Ms. Widmyer and unanimously approved.

Motion by Mr. Pellish to authorize Debbie Keyser and Stephanie Grove to begin negotiations for purchasing the Briel Building.

Motion seconded by Mr. Manuel and approved 4-1. Ms. Morgan voted no.

There being no further business, motion by Mr. Manuel to adjourn the meeting. Motion seconded by Mr. Pellish and unanimously approved. Upon rising, the meeting was adjourned until Thursday, August 23, 2012 at 9:30 a.m.

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PATRICIA A. NOLAND