

Minutes
Jefferson County Commission
Thursday, September 20, 2012

A meeting of the Jefferson County Commission was held on Thursday, September 20, 2012 in the County Commission meeting room in 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, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the September 20, meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Mr. Manuel to approve the Minutes of the September 13, 2012 regular meeting as amended. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Morgan to approve the Minutes of the September 13, 2012 joint Jefferson County Commission/Planning Commission work session as amended. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$153,913.26 being P. O. Nos. 50858, 49640, 51160, 51161, 51162, 50109, 49890, 49971, 50063, 50107, 48184, 50104, 50108, 50137, 50138, 49958, 50038, 49642, 49643, 49644, 49645, 49647, 49648, 49649, 49650, 49681, 49652, 49653, 49654, 52080, 49639 and 50028. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve the accounts payable for September 20, 2012 in the amount of \$86,853.94. Motion seconded by Mr. Manuel and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
068198	428	ACS GOVERNMENT SYSTEMS		\$ -	\$ 13,029.36	\$ 13,029.36
068199	425	COMCAST		\$ -	\$ 346.96	\$ 346.96
068200	700	MATTHEW ARMEL		\$ -	\$ 253.00	\$ 253.00
068201	425	BIEDLERS ELEC MOTOR REP	50110	\$ 5.92	\$ -	\$ 5.92
068202	425	B-K OFFICE SUPPLY INC	50097	\$ 529.90	\$ -	\$ 529.90
068202	425	B-K OFFICE SUPPLY INC	50102	\$ 353.45	\$ -	\$ 353.45
068203	GRANT	BLUE RIDGE MOUNTAIN LIBR		\$ -	\$ 2,976.70	\$ 2,976.70
068204	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
068205	405	MARCIA L. CHANDLER, RPR	50035	\$ 446.60	\$ -	\$ 446.60

068206	717	CARS/COMPLETE AUTO REPAI	50099	\$ 441.96	\$ -	\$ 441.96
068207	424	D & S CONSTRUCTION	50857	\$ 8,750.00	\$ -	\$ 8,750.00
068208	425	84 LUMBER	50098	\$ 112.64	\$ -	\$ 112.64
068209	717	FISHER AUTO PARTS	50103	\$ 498.73	\$ -	\$ 498.73
068210	717	FLEETPRIDE	50140	\$ 38.16	\$ -	\$ 38.16
068210	717	FLEETPRIDE	50141	\$ 25.44	\$ -	\$ 25.44
068211	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 24,827.20	\$ 24,827.20
068212	425	GRAINGER, INC	50139	\$ 29.93	\$ -	\$ 29.93
068213	717	GUTTMAN OIL CO		\$ -	\$ 19,658.41	\$ 19,658.41
068214	412	HEALTH & NUTRITION LETTE	53149	\$ 46.00	\$ -	\$ 46.00
068215	716	HILLSIDE VETERINARY HOSP	51166	\$ 29.85	\$ -	\$ 29.85
068216	716	JEFFERSON PUBLISH CO INC	49641	\$ 97.50	\$ -	\$ 97.50
068217	425	JEFFERSON COUNTY SOLID	53045	\$ 56.40	\$ -	\$ 56.40
068218	425	JOHN DEERE FINANCIAL	52067	\$ 32.49	\$ -	\$ 32.49
068219	424	LONG FENCE	49777	\$ 1,477.00	\$ -	\$ 1,477.00
068220	712	PRIORITY DISPATCH	50992	\$ 198.00	\$ -	\$ 198.00
068220	712	PRIORITY DISPATCH	50995	\$ 99.00	\$ -	\$ 99.00
068221	425	HOME DEPOT CREDIT SERVIC		\$ -	\$ 56.74	\$ 56.74
068222	412	SHAY MCNEIL		\$ -	\$ 43.29	\$ 43.29
068223	402	PIFER OFFICE SUPPLY, INC	49977	\$ 7.25	\$ -	\$ 7.25
068223	402	PIFER OFFICE SUPPLY, INC	49979	\$ 3.56	\$ -	\$ 3.56
068223	404	PIFER OFFICE SUPPLY, INC	52077	\$ 134.92	\$ -	\$ 134.92
068223	406	PIFER OFFICE SUPPLY, INC	49852	\$ 125.98	\$ -	\$ 125.98
068224	425	PRECISION POWER LLC	50101	\$ 2,935.80	\$ -	\$ 2,935.80
068225	700	ROMULO QUEZADA		\$ -	\$ 161.00	\$ 161.00
068226	425	RCS SECURITY		\$ -	\$ 486.00	\$ 486.00
068227	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
068227	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
068227	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
068227	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
068227	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
068227	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
068227	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
068227	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
068227	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
068227	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
068228	405	SPECIALTY BUS SUPPLIES	50036	\$ 1,133.08	\$ -	\$ 1,133.08
068228	716	SPECIALTY BUS SUPPLIES	51164	\$ 60.00	\$ -	\$ 60.00
068229	425	SHERWIN-WILLIAMS	49718	\$ 382.55	\$ -	\$ 382.55
068230	712	SKILL PATH SEMINARS	49805	\$ 135.90	\$ -	\$ 135.90

068231	700	STACEY SMALLWOOD		\$ -	\$ 161.00	\$ 161.00
068232	425	CAPITAL TRISTATE	52069	\$ 2,257.72	\$ -	\$ 2,257.72
068233	700	VINCENT TIONG		\$ -	\$ 67.71	\$ 67.71
068234	700	TELTRONIC	49646	\$ 95.36	\$ -	\$ 95.36
068235	425	VALLEY HARDWARE COMPANY	50094	\$ 26.92	\$ -	\$ 26.92
068236	717	WILLIAMS MOTOR PARTS, IN	50095	\$ 577.40	\$ -	\$ 577.40
068237	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 670.85	\$ 670.85
068238	412	WPS,INC	50029	\$ 72.40	\$ -	\$ 72.40
068239	413	REVA MICKEY		\$ -	\$ 150.00	\$ 150.00
068240	413	GARY DUNGAN		\$ -	\$ 150.00	\$ 150.00
TOTAL						\$ 86,853.94
TOTAL				\$ 21,217.81	\$ 65,636.13	\$ 86,853.94

PUBLIC COMMENT

Mark Dyck expressed concerns about the proposed award of the Jefferson County stormwater management ordinance development to an out-of-state firm.

Peter Corum stated his concerns about the length of time the Planning Commission, County Commission and the Board of Zoning Appeals was taking to complete the zoning and subdivision ordinance changes.

David Tabb commented on several items including the possible purchase of the Briel/Liberty Building. He advised the Commission that he was resubmitting his agenda request regarding his issue with Emergency Management and Homeland Security.

Jennifer Brockman, Director of Planning and Zoning, reminded residents about the US Rt. 340 public workshop on Thursday, September 27, 2012 from 7:00 p.m. to 9:00 p.m. at the County Commission meeting room. She stated this workshop is to provide the public with more information before the public hearing.

PRESENTATIONS:

- Lynn Fields** requested approval to set a hearing date for Monday, October 1, 2012 on the Amended Petition in the Printz Estate and for closing four estates that did not meet the deadline for the preceding quarter. (Ms. Widmyer recused herself from voting on this matter as she has previous personal knowledge of the Estate.)

By general consensus the Commission approved scheduling a date for a hearing 1) to close four estates from the last quarter, and 2) to hear arguments on the Amended Petition in the Printz Estate.

- Angela Banks, Assessor, presented the following split ticket item and exonerations for approval:**

NOTICE OF APPORTIONMENT OF JOINTLY OWNER MOTOR VEHICLES

Upon presentation by Angela Banks, Assessor, motion by Ms. Morgan and seconded by Ms. Widmyer 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 \$152.52 for the following:

NAME	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Jennifer Lynn Valaike (Holland)	Wife	\$4,200	\$97.06
Timothy John Valaike	Husband	\$2,400	\$55.46
TOTAL TAXES DUE:			\$ 152.52

NOTICE OF EXONERATION:

Angela Banks, County Assessor, requested exoneration for **Casey D. Woods** in the amount of \$267.31. Motion by Ms. Morgan to approve the exoneration of \$267.31 for Ticket No. 300369. Motion seconded by Mr. Pellish and unanimously approved.

Name	District	Type	Ticket No.	Amount
Casey D. Woods	Bolivar	Personal Property	300369	\$267.31

NOTICE OF EXONERATION:

Angela Banks, County Assessor, requested exoneration for **Robert Rutkowski** in the amount of \$389.68. Motion by Mr. Manuel to approve the exoneration of \$389.68 for Robert Rutkowski, Ticket No. 13903. Motion seconded by Mr. Pellish and unanimously approved.

Name	District	Type	Ticket No.	Amount
Robert Rutkowski	Harpers Ferry	Real estate	13903	\$389.68

- 3. **Roger Goodwin, Chief County Engineer**, issue related to the Chesapeake Bay Initiative and Jefferson County’s participation, under the WV Department of Environmental Protection’s Watershed Implementation Plan (WIP), to reduce storm water runoff pollution to the Chesapeake Bay.

Mr. Goodwin informed the Commission that the Engineering Department advertised via RFPs for consultants to perform the scope of work outlined in the Chesapeake Bay Regulatory and Accountability Grant (CBRAG) application. Region 9 Planning and Development Council previously submitted a proposal. KCI Technologies, Inc., William H. Gordon Associates, Inc. and Potesta & Associates, Inc. submitted Qualification Statements in response to the advertised RFP. Mr. Goodwin, Joe Kent, Land Development Inspector, and a representative from the WVDEP reviewed the Qualification Statements. The consensus was to accept Region 9’s Planning and Development Council’s June 7, 2012 proposal to complete the Storm Water Management Ordinance.

Motion by Ms. Widmyer to approve Region 9’s Proposal and authorize President Noland to execute their Agreement for Administrative Services to assist in performing the scope of work as outlined in the Chesapeake Bay Regulatory and Accountability Grant (CBRAG) application. Motion seconded by Ms. Morgan and unanimously approved.

COUNTY ADMINISTRATOR’S REPORT

County Administrator Debbie Keyser:

- **For Mr. Shroyer who was unavailable, requested approval for State Budget Revision #1 (need to update beginning fund balance never updated for FYE 06/30/2013).**

Motion by Mr. Manuel to approve State Budget Revision #1. Motion seconded by Mr. Pellish and unanimously approved.

- **Requested approval for State Budget Revision #2 (\$19,800 to be allocated to pay for an eCivis Contract to assess a grant informational data base for one year).**

Motion by Ms. Widmyer to approve State Budget Revision #2. Motion seconded by Ms. Morgan and unanimously approved.

- **Requested approval for State Budget Revision #7 (to move depreciation expense funds of \$1.3M to the General County Fund).**

Motion by Mr. Manuel to hold this item until next week's meeting providing Mr. Shroyer is available. Motion seconded by Ms. Morgan and unanimously approved.

- **Requested a decision regarding the account in which the \$13,661.00 grant funds received in connection with the WV Eastern Panhandle Transportation Authority should be placed.**

Motion by Ms. Morgan to place the \$13,661.00 in Planning and Zoning into a special fund marked for transportation and the study of the southern section of US Rt. 340. Motion seconded by Mr. Manuel and carried 3 – 2.

- **Request to approve the amended Agenda Policy which requires any Agenda Request to be reviewed by the Commission and approved or denied.**

By general consensus the Commission will hold this item and revisit the Agenda Policy.

- Reported that the appraisal on the Briel/Liberty Building was completed on Monday, September 17, 2012 and the Commission should receive the results by the end of next week.
- Attended a pre-bid CAD meeting at the Emergency Communications 911 Center.
- Attended an Emergency 911 Committee meeting.
- Attended a JCESA meeting to assist with human resource issues.
- The discussion on Retiree Health Care and possible executive session will be carried over until next week.

The Commission took a 10-minute break at 10:45 a.m.

The Commission reconvened the meeting at 10:55 a.m.

4. **Eleanor Finn** read a summary of the Jefferson County League of Women Voters' observations of the County Commission.

COUNTY COMMISSIONER REPORTS

Commissioner Widmyer:

- Attended the Antietam Remembrance Walk.
- Attended a Water Advisory Committee meeting.

- Handed out brochures for Community Ministries.
- Attended a Jefferson County Parks and Recreation meeting.
- Attended a Jefferson County Development Authority Meeting.
- Attended the joint meeting of the County Commission and the Planning Commission regarding a work plan for FY2014.
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Commissioner Manuel:

- Attended a joint meeting of the County Commission and the Planning Commission regarding a work plan for FY2014.
- Attended a Public Meeting regarding a possible traffic light at the intersection of Bakerton Road and US Rt. 340.
- Attended the APUS Ribbon Cutting for their new financial building.
- Attended a Jefferson County Development Authority meeting.
- Attended a JCESA meeting.
- Attended a HEPMPO meeting regarding a traffic light at the intersection of Bakerton Rd. and US Rt. 340.
- Attended a Jefferson County Parks and Recreation meeting.

Commissioner Pellish:

- Attended the Harpers Ferry Celebration.
- Attended the Jefferson County Development Authority meeting.
- Attended a joint meeting of the County Commission and the Planning Commission regarding a work plan for FY2014.

Commissioner Morgan:

- Attended a joint meeting of the County Commission and the Planning Commission regarding a work plan for FY2014.
- Visited Fisherman's Hall and viewed the renovations.
- Attended the Jefferson County Development Authority meeting
- Attended a Water Advisory Committee meeting.
- Attended a HEPMPO meeting regarding a traffic light at the intersection of Bakerton Rd. and US Rt. 340.

- Attended a Farmland Protection Board meeting.
- Attended a Craftworks meeting.
- Attended a Historic Landmarks Commission meeting at Boteler's Ford.

Commissioner Noland:

- Attended the WVACo legislative session in Charles Town, WV.
- Attended a Jefferson County Council on Aging meeting.
- Attended a joint meeting of the County Commission and the Planning Commission regarding a work plan for FY2014.
- Attended a HEPMPO meeting regarding a traffic light at the intersection of Bakerton Rd. and US Rt. 340.

5. Stephanie Grove, Assistant Prosecuting Attorney spoke about drafting an Impact Fee Affordable Housing Ordinance.

Motion by Mr. Manuel to start the process so that it can be moved upon expeditiously and set up a public hearing on the proposed Impact Fee for Affordable Housing. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Morgan to direct staff to be prepared to implement the Ordinance within thirty (30) days. Motion seconded by Mr. Manuel and unanimously approved.

6. Jennifer Brockman, Director of Planning and Zoning:

- **Discussion of Placement of Signage of Certain County-Owned Properties** – Ms. Brockman recommends placing signage on certain county-owned properties that are being trespassed upon and that have become a problem enforcement issue.

By unanimous consent, the Commission instructed Ms. Brockman to prepare a suitable sign for the properties and submit to Debbie Keyser for approval. The Commission authorizes Ms. Keyser to handle this matter.

Work Shop for Selecting Members for Steering Committee for the FY2014 Comprehensive Plan process.

By general consensus the Commission authorized Ms. Brockman to write an advertisement announcing the formation of the Steering Committee and the criteria for membership.

This matter will be placed on the October 18, 2012 Agenda.

7. Barbara Miller, Director of Emergency Management and Homeland Security:

- **Ms. Miller requested the Commission to authorize the President to sign seventeen (17) Memoranda of Understanding regarding emergency cooperation from various entities.**

Motion by Ms. Morgan to approve and authorize the President of the Commission to sign seventeen (17) Memoranda of Understanding for cooperation between Emergency Management and various entities. Motion seconded by Mr. Manuel and unanimously approved.

- **Ms. Miller distributed brochures received from Raymond Palmer, FEMA, regarding various types of assistance post-June 29th storm.**

- **Ms. Miller announced there will be a Family Disaster Preparedness Night on September 26, 2012.**
 - **Ms. Miller presented a report on the Regional Full Scale Disaster Exercise held on September 8, 2012 throughout WV Homeland Security Region 3 (Mineral, Hampshire, Morgan, Grant Hardy, Berkeley and Jefferson Counties.)**
- 8. Approval of FY2013 County Commission Community Grants.**

Motion by Ms. Morgan to increase the total allocations to \$132,700 and approve the choices as listed. Motion seconded by Mr. Pellish and unanimously approved.

NOTE: Ms. Keyser was informed that the Printz family would not be available on October 1, 2012 and will be taken off the Agenda for that date and rescheduled later.

There being no further business, motion by Mr. Manuel to adjourn the meeting. Motion seconded by Ms. Morgan and unanimously approved. Upon rising at 12:45 p.m. the meeting was adjourned until Thursday next, September 27, 2012 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT

