

Minutes
Jefferson County Commission
Thursday, October 4, 2012

A meeting of the Jefferson County Commission was held on Thursday, October 4, 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, Lyn Widmyer, Frances Morgan and Walt Pellish. (Commissioner Manuel was absent with notice). Also present were Debbie Keyser, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the October 4, 2012 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Widmyer led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Widmyer to approve the Minutes of the September 27, 2012 regular meeting as amended. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$74,535.25 being P. O. Nos. 50152, 49893, 49803, 50149, 50151, 50154, 50155, 49959, 50040 and 50157. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve the accounts payable for October 4, 2012 in the amount of \$853,453.05. Motion seconded by Mr. Pellish and unanimously approved.

068318	425	ABH SERVICES, INC.	50153	\$ 90.00	\$ -	\$ 90.00
068318	425	ABH SERVICES, INC.		\$ -	\$ 14,175.00	\$ 14,175.00
068319	412	BARDANE PUBLIC HEALTH CT		\$ -	\$ 383.00	\$ 383.00
068320	ALLOC	BOLIVAR/HARPERS FERRY		\$ -	\$ 15,000.00	\$ 15,000.00
068321	425	BATTERY MART	50148	\$ 67.80	\$ -	\$ 67.80
068322	425	BONDED APPLICATORS OF MD	50143	\$ 1,163.00	\$ -	\$ 1,163.00
068323	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
068323	ALLOC	OLD CHARLES TOWN LIBRARY		\$ -	\$ 15,000.00	\$ 15,000.00
068324	ALLOC	CASA-EASTERN PANHANDLE		\$ -	\$ 3,000.00	\$ 3,000.00
068325	440	CHOICE STAFFING, INC.		\$ -	\$ 1,551.67	\$ 1,551.67
068326	ALLOC	COMMUNITY ALTERNATIVE		\$ -	\$ 3,000.00	\$ 3,000.00
068327	700	JAMES CUMMINGS		\$ -	\$ 100.68	\$ 100.68
068328	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,675.00	\$ 5,675.00
068329	ALLOC	EASTERN PANHANDLE TRANSI		\$ -	\$ 3,455.75	\$ 3,455.75
068330	716	JESSICA EBERSOLE		\$ -	\$ 262.20	\$ 262.20

068331	425	EXPRESSWAY OFFICE SOLUTN	50150	\$ 78.04	\$ -	\$ 78.04
068331	425	EXPRESSWAY OFFICE SOLUTN	50156	\$ 89.99	\$ -	\$ 89.99
068332	433	TODD FAGAN		\$ -	\$ 115.00	\$ 115.00
068333	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ (15.42)	\$ (15.42)
068333	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,686.35	\$ 1,686.35
068333	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,937.45	\$ 1,937.45
068334	428	GLOBAL DATA CONSULTANTS		\$ -	\$ 540.00	\$ 540.00
068335	712	JAMES P HAYDEN		\$ -	\$ 427.00	\$ 427.00
068336	ALLOC	HOSPICE OF THE PANHANDLE		\$ -	\$ 10,000.00	\$ 10,000.00
068337	401	RICOH USA, INC		\$ -	\$ 29.06	\$ 29.06
068337	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
068337	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068337	405	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
068337	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068337	425	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068337	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068337	440	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068337	700	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
068337	712	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068338	ALLOC	JEFFERSON CO BD OF HEALT		\$ -	\$ 2,500.00	\$ 2,500.00
068339	ALLOC	JEFF CO DEVELOPMENT AUTH		\$ -	\$ 30,687.25	\$ 30,687.25
068340	ALLOC	JEFFERSON CO EMERGENCY		\$ -	\$ 440,125.00	\$ 440,125.00
068341	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 167.34	\$ 167.34
068342	425	JEFFERSON COUNTY SOLID	53045	\$ 11.85	\$ -	\$ 11.85
068343	425	KONE INC.	50147	\$ 355.62	\$ -	\$ 355.62
068344	403	MATTHEW BENDER & CO	49891	\$ 188.73	\$ -	\$ 188.73
068345	PAYROLL	HIGHMARK WV		\$ -	\$ 171,495.75	\$ 171,495.75
068346	ALLOC	NAACP JEFFERSON CO		\$ -	\$ 2,500.00	\$ 2,500.00
068347	ALLOC	JEFF CO PARKS &		\$ -	\$ 55,510.15	\$ 55,510.15
068348	404	PIFER OFFICE SUPPLY, INC	52081	\$ 46.33	\$ -	\$ 46.33
068349	712	JEFFREY POLCZYNSKI		\$ -	\$ 15.87	\$ 15.87
068350	425	ROY'S GLASS SERVICE	50145	\$ 2,746.44	\$ -	\$ 2,746.44
068351	402	RECORD MANAGEMENT SOLUTN	49696	\$ 35.00	\$ -	\$ 35.00
068351	403	RECORD MANAGEMENT SOLUTN	49887	\$ 30.00	\$ -	\$ 30.00
068352	ALLOC	SHEPHERDSTOWN PUB LIBRAR		\$ -	\$ 15,000.00	\$ 15,000.00
068353	GRANT	SHERIFF OF JEFFERSON CO		\$ -	\$ 25,511.20	\$ 25,511.20
068354	ALLOC	SOUTH JEFFERSON PUBLIC		\$ -	\$ 15,000.00	\$ 15,000.00
068355	412	STAPLES CREDIT PLAN		\$ -	\$ 107.95	\$ 107.95
068355	439	STAPLES CREDIT PLAN		\$ -	\$ 29.99	\$ 29.99
068355	700	STAPLES CREDIT PLAN		\$ -	\$ 1,099.79	\$ 1,099.79
068355	712	STAPLES CREDIT PLAN		\$ -	\$ 840.52	\$ 840.52

068356	712	SEN COMMUNICATIONS	49786	\$ 41.40	\$ -	\$ 41.40
068356	712	SEN COMMUNICATIONS	49787	\$ 41.40	\$ -	\$ 41.40
068356	712	SEN COMMUNICATIONS	49788	\$ 41.40	\$ -	\$ 41.40
068357	PAYROLL	DONITA SCOTT		\$ -	\$ 108.96	\$ 108.96
068358	405	BRANDON C.H. SIMS		\$ -	\$ 349.65	\$ 349.65
068359	975	SUMMIT COMMUNITY BANK		\$ -	\$ 2,441.41	\$ 2,441.41
068360	712	TELTRONIC	49785	\$ 1,060.00	\$ -	\$ 1,060.00
068361	405	WEST PAYMENT CENTER	49635	\$ 765.00	\$ -	\$ 765.00
068362	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 882.08	\$ 882.08
068362	716	WM OF WEST VIRGINIA, INC		\$ -	\$ 77.07	\$ 77.07
068363	PAYROLL	WVCORP		\$ -	\$ 1,383.00	\$ 1,383.00
068364	717	WHOLESALE TIRES, INC.	50146	\$ 381.76	\$ -	\$ 381.76
068365	402	XEROX CORPORATION	49705	\$ 1,624.84	\$ -	\$ 1,624.84
068365	439	XEROX CORPORATION	49952	\$ 560.82	\$ -	\$ 560.82

PUBLIC COMMENT:

David Tabb commented regarding his opinion on the implementation of table games in Maryland and the effect on Jefferson County revenues.

PRESENTATIONS:

1. Angela Banks, Assessor, presented the following exonerations for approval:

NOTICE OF EXONERATION:

Angela Banks, County Assessor, requested exoneration for Winfred C. Wilcoxon in the amount of \$43.91.

Name	District	Type	Ticket No.	Amount
Winfred C. Wilcoxon	Shepherdstown	Real Estate	29497	\$43.91

NOTICE OF EXONERATION:

Angela Banks, County Assessor, requested exoneration for Winfred C. Wilcoxon in the amount of \$115.54.

Name	District	Type	Ticket No.	Amount
Winfred C. Wilcoxon	Shepherdstown	Real Estate	29499	\$115.54

NOTICE OF EXONERATION:

Angela Banks, County Assessor, requested exoneration for Winfred C. Wilcoxon in the amount of \$101.68.

Name	District	Type	Ticket No.	Amount
Winfred C. Wilcoxon	Shepherdstown	Real Estate	29498	\$101.68

Motion by Ms. Morgan to approve three (3) exonerations for Winfred C. Wilcoxon, being Ticket No. 29497 for \$43.91, Ticket No. 29499 for \$115.54 and Ticket No. 29498 for \$101.68 as presented by Angela Banks, Assessor. Motion seconded by Mr. Pellish and unanimously approved.

2. Peter Corum, Morgan’s Grove Market, appeal of the Planning and Zoning staff decisions with regard to Morgan’s Grove Market. (Request to amend ordinance to allow appeals).

Peter Corum and Fred Blackmer requested the Commission establish by ordinance a “board of subdivision and land development appeals”. Mr. Corum and Mr. Blackmer suggested amending Division 24.400 Appeals of the County Land Use Ordinance and replacing the section with language as set forth in WV Code §8A-5-10. Appeals Process. The Commission is not in favor of creating a new Board and recommended they meet with the Planning Commission.

Seth Rivard, Planner and Steve Barney, Director of Zoning, presented a time line and explained the process for approval of the site plan of Messrs. Corum and Blackmer.

3. Bill Polk, Director of Maintenance, requested approval of the 10th Cycle Courthouse Improvement Grant Application with the Courthouse Facilities Improvement Authority.

Motion by Ms. Morgan to approve the 10th Cycle Courthouse Improvement Grant Application with the Courthouse Facilities Improvement Authority as amended. Motion seconded by Ms. Widmyer and unanimously approved.

4. The Commission took a short break at 10:32 a.m. The Commission reconvened at 10:42 a.m.

5. Interviews and appointment to the Board of Health to fill one unexpired term ending June 30, 2017.

**Applicants to be interviewed are: Joseph Osterman
Robert Johnson
Robert Shefner**

Robert Shefner spoke about his qualifications to be appointed to the Board of Health and stated the reasons he applied to be appointed to the Board.

Robert Johnson presented his qualifications and noted his past membership on the Board of Health and his future goals for the Board.

Joseph Osterman was not present.

Motion by Ms. Morgan to appoint Robert Shefner to fill the unexpired term on the Board of Health ending June 30, 2017. Motion seconded by Ms. Widmyer and unanimously approved.

6. Lyn Fields, Deputy Probate Clerk, requested approval for closure of three (3) estates that did not meet the deadline for closure in the last quarter. She stated it is necessary to close these estates due to tax implications/distribution requirements.

Motion by Ms. Morgan to approve closure by the Deputy Probate Clerk of the Mildred **Olga Valentine Estate, Julia K. Wannan Estate** and the **Patricia A. Kidwiler Estate**. Motion seconded by Ms. Widmyer and unanimously approved.

NEW BUSINESS:

7. **Request for approval of Grant Contract and Resolution for Fisherman’s Hall building renovations in the amount of \$3,000.**

Motion by Ms. Widmyer to approve the Grant Contract and Resolution for Fisherman’s Hall building renovations in the amount of \$3,000. Motion seconded by Mr. Pellish and unanimously approved.

**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV**

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 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 \$3,000.

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

12LEDA0383

8. **Request for approval of Grant Contract and Resolution for CHEERS School Family, Inc. in the amount of \$2,000.**

Motion by Ms. Morgan to approve the Grant Contract and Resolution for CHEERS School Family, Inc. in the amount of \$2,000. Motion seconded by Mr. Pellish and unanimously approved.

**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV**

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 2012 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the CHEERS School Family, Inc. to purchase computers and related equipment to expand educated opportunities to four through twelve year old children with funds made available through the Governor’s Community Participation Grant program in the amount of \$2,000.

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

12LEDA0384

9. Request for approval of Grant Contract and Resolution for the Jefferson County Convention and Visitors Bureau for the Harpers Ferry Welcome Center in the amount of \$5,000.

Motion by Ms. Morgan to approve the Grant Contract and Resolution for the Jefferson County Convention and Visitors Bureau for the Harpers Ferry Welcome Center in the amount of \$5,000. Motion seconded by Mr. Pellish and unanimously approved.

**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV**

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 2012 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the Jefferson County Convention and Visitors Bureau in constructing and addition to the Harpers Ferry Welcome Center with funds made available through the Governor's Community Participation Grant program in the amount of \$5,000.

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

09LEDA0836N

10. Request for approval of Grant Contract and Resolution for the Alliance for Youth in the amount of \$50,000.

Motion by Ms. Widmyer to approve the Grant Contract and Resolution for the Alliance for Youth in the amount of \$50,000. Motion seconded by Ms. Morgan and unanimously approved.

**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV**

RESOLUTION

The County Commission of Jefferson County, met on October 4th, 2012 with a quorum present and passed the following resolution:

WHEREAS, The Jefferson County Commission has agreed to assist The Alliance for Youth to cover operating expenses for the West Virginia's Promise with funds made available through the Governor's Community Participation Grant program in the amount of \$50,000.

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

12CPGP0811N

COUNTY ADMINISTRATOR REPORTS:

- Human Resources meetings scheduled for October 16 and 17, 2012.
- Will attend four (4) meetings this month with Loudoun County, VA officials.
- Prepared instructions for the public with regard to public comments at Commission meetings.
- First Electeds' monthly meeting will be held this month.
- The AS400 upgrade is scheduled for October 13 and 14, 2012.
- Appraisal of the Briel/Liberty St. Building was completed on September 17, 2012 and the County should receive it by Monday, October 8, 2012.
- Mr. Manuel will be absent from next week's meeting. Only one agenda item for next week. Do they want to cancel next week's meeting?

By unanimous consent of the Commissioners there will be no meeting next Thursday, October 11, 2012.

By unanimous consent the Commission agreed that a letter would be sent to the WV DOT asking them to hold a public hearing on their preferred option for the widening of US Rt. 340 between Berryville, VA and Harpers Ferry, WV. Mr. Pellish requested sometime after the public hearing, the Commission invite representatives of the WV DOT to meet with the Commissioners and have a conversation about how the WV DOT conducts their business so that the situation of the WV DOT approving a document ten years ago and nobody being aware that it was approved will not happen in the future.

Motion by Ms. Morgan to authorize Madam President to affix her signature to the letter on behalf of the Commission. Motion seconded by Ms. Widmyer and unanimously approved.

COUNTY COMMISSIONER REPORTS:

Commissioner Widmyer:

- Met with Millville Quarry owners.
- Participated in the Commissioner "Meet and Greet" at Skipper's.

Commissioner Pellish:

- Participated in the Commissioner "Meet and Greet" at Skipper's.
- Represented the County Commission in a legal proceeding.

Commissioner Morgan:

- Attended a Meet the Commissioners event at Everett's Run Park.
- Participated in the Commissioner "Meet and Greet" at Skipper's.

Commissioner Noland:

- Participated in the Commissioner "Meet and Greet" at Skipper's.
- Represented the County Commission in a legal proceeding.
- Attended the WVACO legislative meeting.

11. David Camilletti, Esquire requested that the Commission hear the Petition of Martin and Brenda Lookingbill and set a Public Hearing for Closing Unused Road, Streets, Travel Ways.

Motion by Ms. Morgan to schedule a Public Hearing on Martin and Brenda Lookingbill's Petition for Closing Unused Road, Streets and Travel Ways. Motion seconded by Mr. Pellish and unanimously approved.

FINANCIAL DIRECTOR REPORTS:

- **Paul Shroyer, Director of Financial Management, requested approval of Budget Revision #8.**

Motion by Ms. Morgan to approve Budget Revision #8 as presented. Motion seconded by Mr. Pellish and unanimously approved.

- **Mr. Shroyer presented a budget analysis for the General County Fund ending August 31, 2012.**

Motion by Ms. Morgan to enter into an Executive Session with regard to pending litigation, pursuant to WV Code §6-9A-4. Motion seconded by Mr. Pellish and unanimously approved.

At the conclusion of the Executive Session, the regular meeting of the County Commission was adjourned until Thursday, October 18, 2012 at 9:30 a.m.

PATRICIA A. NOLAND, PRESIDENT

