

Minutes
Jefferson County Commission
Thursday, November 8, 2012

A meeting of the Jefferson County Commission was held on Thursday, November 8, 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, Dale Manuel, and Walt Pellish. Also present were Debbie Keyser, County Administrator, Jimmy Eddie, Bailiff, Cynthia Schott, Temporary Administrative Assistant. (An audio tape of the November 8, 2012 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 November 1, 2012 regular meeting as presented. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$8,860.32 being P. O. Nos. 50195, 49988, 49990, 50221, 50222, 50096, 50194, 50196, 50197, 50198, 50199. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
068554	428	ACS GOVERNMENT SYSTEMS	49985	\$ 422.88	\$ -	\$ 422.88
068555	425	ALLIANCE ELECTRIC LLC	50192	\$ 847.00	\$ -	\$ 847.00
068556	413	APPLE VALLEY OFF.PRODUCT	49966	\$ 139.47	\$ -	\$ 139.47
068557	424	B-K OFFICE SUPPLY INC	50188	\$ 1,151.32	\$ -	\$ 1,151.32
068557	425	B-K OFFICE SUPPLY INC	50184	\$ 1,140.10	\$ -	\$ 1,140.10
068558	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
068559	PAYROLL	BUREAU F/CHILD SPVRT ENF		\$ -	\$ 212.31	\$ 212.31
068560	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
068561	428	BARRACUDA NETWORKS, INC.	49906	\$ 848.00	\$ -	\$ 848.00
068562	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 23.08	\$ 23.08
068563	403	CASTO & HARRIS INC	49884	\$ 3,151.70	\$ -	\$ 3,151.70
068563	403	CASTO & HARRIS INC	50884	\$ 3,056.80	\$ -	\$ 3,056.80

068563	413	CASTO & HARRIS INC	49987	\$ 374.21	\$ -	\$ 374.21
068564	413	COMPLETE SYSTEM SUPPORT	49975	\$ 709.00	\$ -	\$ 709.00
068565	424	CHARLES TOWN UTILITY BRD		\$ -	\$ 120.24	\$ 120.24
068565	425	CHARLES TOWN UTILITY BRD		\$ -	\$ 785.22	\$ 785.22
068566	413	CHARLES TOWN COPYING SRV	49986	\$ 168.00	\$ -	\$ 168.00
068567	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
068568	439	DAWN E.CHILDS		\$ -	\$ 496.00	\$ 496.00
068569	425	DAYCON	50187	\$ 1,022.83	\$ -	\$ 1,022.83
068570	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
068571	717	DONALD B. RICE TIRE CO.	50186	\$ 818.24	\$ -	\$ 818.24
068572	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
068572	425	J.C.EHRLICH		\$ -	\$ 608.84	\$ 608.84
068573	401	RICOH USA, INC		\$ -	\$ 29.06	\$ 29.06
068573	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
068573	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068573	405	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
068573	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068573	425	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068573	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068573	440	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068573	700	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
068573	712	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
068574	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 1,685.00	\$ 1,685.00
068575	406	IAAO	49854	\$ 175.00	\$ -	\$ 175.00
068576	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,803.00	\$ 4,803.00
068576	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
068577	405	PAUL F.KRADEL, ED.D.	50048	\$ 4,550.00	\$ -	\$ 4,550.00
068578	403	MATTHEW BENDER & CO	49894	\$ 101.94	\$ -	\$ 101.94
068579	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
068580	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 774.00	\$ 774.00
068581	405	NATL DIST ATTORNEYS ASSO	50049	\$ 165.00	\$ -	\$ 165.00
068582	424	POTOMAC EDISON/OH		\$ -	\$ 1,692.76	\$ 1,692.76
068582	425	POTOMAC EDISON/OH		\$ -	\$ 11,359.25	\$ 11,359.25
068583	425	RCS SECURITY	50191	\$ 790.25	\$ -	\$ 790.25
068584	402	RECORD MANAGEMENT SOLUTN	49696	\$ 35.00	\$ -	\$ 35.00
068584	403	RECORD MANAGEMENT SOLUTN	49887	\$ 30.00	\$ -	\$ 30.00
068585	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,300.00	\$ 6,300.00
068586	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 75.94	\$ 75.94
068586	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 21.18	\$ 21.18
068586	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,095.88	\$ 10,095.88
068586	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 36,205.99	\$ 36,205.99

068587	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2,080.00	\$ 2,080.00
068587	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 580.00	\$ 580.00
068587	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1,987.50	\$ 1,987.50
068588	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 105.39	\$ 105.39
068588	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 40,754.15	\$ 40,754.15
068589	401	STAPLES CREDIT PLAN		\$ -	\$ 121.53	\$ 121.53
068589	433	STAPLES CREDIT PLAN		\$ -	\$ 132.94	\$ 132.94
068589	700	STAPLES CREDIT PLAN		\$ -	\$ 1,187.73	\$ 1,187.73
068589	712	STAPLES CREDIT PLAN		\$ -	\$ 924.62	\$ 924.62
068590	425	TRENARY SERVICE CO	50190	\$ 1,727.52	\$ -	\$ 1,727.52
068591	403	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 199.00	\$ 199.00
068592	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
068592	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
068593	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 459.62	\$ 459.62
068593	716	WM OF WEST VIRGINIA, INC		\$ -	\$ 95.66	\$ 95.66
068594	401	JOSEPH WINDLE AND POWER,		\$ -	\$ 3,534.83	\$ 3,534.83
068594	401	JOSEPH WINDLE AND POWER,		\$ -	\$ 17,000.00	\$ 17,000.00
068594	401	JOSEPH WINDLE AND POWER,		\$ -	\$ 20,000.00	\$ 20,000.00
068595	402	XEROX CORPORATION	49705	\$ 1,606.75	\$ -	\$ 1,606.75
TOTAL						\$ 189,421.95
TOTAL				\$ 23,031.01	\$ 166,390.94	\$ 189,421.95

Motion by Mr. Pellish to approve the accounts payable for November 8, 2012 in the amount of \$189,421.95. Motion seconded by Mr. Manuel and unanimously approved.

PUBLIC COMMENT:

- Barbara Miller, Director of Homeland Security and Emergency Management, introduced Jessica Owens the newly hired Public Information Officer.
- Ann Coulter, League of Women Voters Representative requested a copy of the IT Report.
- Kathy Knight thanked Frances Morgan on behalf of Jefferson County residents for her service on the County Commission.
- David Tabb thanked the Commission Staff for supplying him with requested paperwork. Mr. Tabb also expressed his thanks to Frances Morgan for her service to the community.

PRESENTATIONS:

1. Roger Goodwin, Chief County Engineer
 - a. Complete release of the Construction Bond security for the THZ Enterprises, LLC Maddex Farm Subdivision, Phase III (PC File # 05-05). Letter of Credit #1236-4401 with United Bank, Martinsburg, WV.

- b. Complete release of the Construction Bond security for the THZ Enterprises, LLC, Maddex Farm Subdivision, Phase IV (PC File #06-07). Letter of Credit #1200 with United Bank, Martinsburg, WV.

Mr. Goodwin requested a postponement on the above two actions and a deferment until the November 29, 2012 meeting.

2. Planning and Zoning Steering Committee:

- Commission President Noland welcomed and thanked the Comprehensive Plan Steering Committee (CPSC) Members. Each of the Commissioners shared their vision for this working body. Each of the CPSC Members introduced themselves sharing a little of their background.
- Jennifer Brockman, Director of Planning and Zoning shared that a kick-off meeting for the Steering Committee will be held November 27, 2012.
- Upon consensus of the Commission, the WV Division of Highways will be contacted regarding their interest in having a representative involved in some manner on the Comprehensive Plan Steering Committee.

3. Jennifer Brockman, Director of Planning and Zoning.

- a. Recommendation of the Planning Commission to the County Commission on the landowner initiated petition to amend the County Zoning Map for a 34.27 acre property owned by the Jefferson Asphalt Products, Inc. Designated as Tax District: Charles Town, Map: 13, Parcel: 7, located on the south side of Route 51 near the Tusawilla Hills entrance approximately 2 miles west of the Charles Town, for the purpose of setting a public hearing to be held by the County Commission on January 10th, 2013 at 7:00 pm.
- b. Recommendation of the Planning Commission to the County Commission on the landowner initiated petition to amend the County Zoning Map for a 8.07 acre property owned by John D. Lowe, III, designated as Tax District: Shepherdstown, Map 8, Parcel part of 5, located on the south side of Route 45 and east side of Route 45 and the east side of the Potomac Farms Road for the purpose of setting a public hearing to be held by the County Commission on January 10, 2013 at 7:30 pm.

No action was taken by the Commission regarding approving Public Hearing date. The Commission requested that Ms. Brockman consult with legal counsel regarding the legal requirements of setting days and times for multiple Public Hearings.

4. The Commission took a short break at 10:59am.
The Commission reconvened at 11:11am.

NEW BUSINESS

5. Approval of Grant Contract and Resolution for the Friends of Blackwater in the amount of \$2,000.
Motion by Mr. Pellish to approve the Grant Contract and Resolution for the Friends of Blackwater in the amount of \$2,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded by Manuel and unanimously approved.
6. Approval of Grant Contract and Resolution for the Blue Ridge Watershed Coalition in the amount of \$10,000.

Motion by Mr. Manuel to approve the Grant Contract and Resolution for the Blue Ridge Watershed Coalition in the amount of \$10,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded by Ms. Widmyer and unanimously approved.

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

Motion by Ms. Widmyer to approve the Grant Contract and Resolution for the Jefferson County Convention and Visitors Bureau for Harpers Ferry Welcome Center in the amount of \$5,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded by Mr. Manuel and unanimously approved.

8. Approval of Grant Contract and Resolution for the Good Shepherd Interfaith Volunteer Caregivers in the amount of \$2,000.

Motion by Mr. Pellish to approve the Grant Contract and Resolution for the Good Shepherd Interfaith Volunteer Caregivers in the amount of \$2,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded by Ms. Widmyer and unanimously approved.

9. Approval of Grant Contract and Resolution for the Historic Locke House in the amount of \$2,000.

Motion by Mr. Manuel to approve the Grant Contract and Resolution for the Historic Locke House in the amount of \$2,000 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion seconded by Mr. Pellish and unanimously approved.

COUNTY ADMINISTRATOR REPORTS:

- Jennifer Maghan, County Clerk of Jefferson County, swore Ms. Debbie Keyser in as the County Administrator.

COUNTY CLERK ELECTION UPDATE:

Jennifer Maghan, County Clerk, gave a brief update on the 2012 election. The voting process ran smoothly with her office setting up outside the courthouse on Election Day to help voters find their precincts. Ms. Maghan delivered emergency ballots to two (2) hospitals. Jefferson County had a 61% voting turnout, slightly down from 2008 at 64%. Poll workers have been paid at a cost of \$44,000. The Canvas will be held on Tuesday (and possibly Wednesday), November 13, 2012 at the Jefferson County Courthouse at 9 am.

COUNTY ADMINISTRATOR REPORTS (continued):

- Ms. Keyser shared that the week of November 13th is when the Courthouse Facilitation Team will be in town visiting with Mr. Polk and the Commissioners to make recommendations.
- Approve the Security Key License Agreement between Jefferson County and Washington County Emergency Responders and to authorize the President of the Commission to affix their signature, subject to review by legal Counsel.
 - **Motion by Mr. Pellish to approve the Security Key License Agreement between Jefferson County and Washington County Emergency Responders and to authorize the**

**President of the Commission to affix their signature subject to review by Legal Counsel.
Motion seconded by Ms. Widmyer and unanimously approved.**

- Presentation – Space Needs/Property – Briel/Campbell/ 201 N. George Street.
Commissioners felt it was necessary to go into an Executive Session to discuss details of the Briel Building Proposal.

Motion by Mr. Pellish to enter into an executive session to consider matters involving or affecting the purchase, sale or lease of property, in regard to 201 N. George Street Charles Town, WV. WV Code §6-9A-4(9). Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to conclude the executive session and reconvene the regular meeting of the County Commission. Motion seconded by Mr. Pellish and unanimously approved.

10. The Commission broke for lunch at 12:35 pm.
The Commission reconvened at 1:43 pm.

11. Public Hearing – Petition for closing unused road, street and travel ways – Jefferson County Tax Map, District 2, Map # 10A. Beginning at Washington Street and extending in a southerly direction to a point 255.83 feet from Washington Street Martin and Brenda Lookingbill.

Presentation was by made by Mr. David Camilletti, Esq., representing Martin Wayne Lookingbill and Brenda Diane Lookingbill. Mr. Lookingbill also spoke on his behalf. Commission President Noland asked for public input from the floor, none was forthcoming. Ms. Noland reported that the presentation of petition would be put on the November 29, 2012 agenda at which time the Commissioners would vote. Until that time, the record is held open for input from the public.

COUNTY ADMINISTRATOR REPORTS (continued)

Presentation – Space Needs/Property – Briel/Campbell/ 201 N. George Street.

- **Motion by Mr. Pellish to authorize the County Administrator to move forward with the negotiations to purchase 201 N. George Street (known as the Briel Building), in the amount stated in Executive Session. Motion seconded by Mr. Manuel and unanimously approved.**

COUNTY COMMISSIONER REPORTS:

Commissioner Manuel:

- November 3 – Attended the Chestnut Hill United Methodist Church Pancake Supper.
- November 7 – Attended the Affordable Housing Meeting

Commissioner Noland:

- Attended the Region 9 Meeting and presented the Neil Carpenter Awards.
- Took part of National Association of Counties in the Northeast Conference call.
- Attended the Election Night results at the Jefferson County Courthouse.

Commissioner Pellish:

- Visited with one of the existing businesses in the Industrial Park with John Reisenweber, of the Development Authority.
- Attended the Election Night results at the Jefferson County Courthouse.

Commissioner Widmyer:

- Attended the Election Night results at the Jefferson County Courthouse.

There being no further business, the meeting was adjourned at 2:07pm on a motion by Mr. Manuel and seconded by Mr. Pellish. Motion unanimously approved.

PATRICIA A. NOLAND,
PRESIDENT