

# Minutes

## Jefferson County Commission

Thursday, June 27, 2013

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A meeting of the Jefferson County Commission was held on Thursday, June 27, 2013 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 Dale Manuel, Patsy Noland, Walter Pellish, Jane Tabb and Lyn Widmyer. Also present were Debbie Keyser, County Administrator, Cynthia Schott, Executive Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the June 27, 2013 meeting is available through the Jefferson County Commission Office.)

### PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

### APPROVAL OF PURCHASE ORDERS

**Motion by Ms. Noland to approve Purchase Orders in the amount of \$90,337.26 to include P. O. Nos., 50366, 49830, 51708, 51709, 51711, 51628, 51720, 51581, 51376, 51578, 51591, 51637, 51493 and 51496. Motion seconded and unanimously approved.**

### APPROVAL OF ACCOUNTS PAYABLE

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070117	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 3,759.02	\$ 3,759.02
070118	425	COMCAST		\$ -	\$ 353.08	\$ 353.08
070119	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,924.98	\$ 1,924.98
070120	402	B-K OFFICE SUPPLY INC	51613	\$ 5,727.50	\$ -	\$ 5,727.50
070120	424	B-K OFFICE SUPPLY INC	51240	\$ 515.25	\$ -	\$ 515.25
070120	712	B-K OFFICE SUPPLY INC	51710	\$ 15.00	\$ -	\$ 15.00
070121	424	BOLAND SERVICES	51231	\$ 270.00	\$ -	\$ 270.00
070121	425	BOLAND SERVICES	51117	\$ 991.01	\$ -	\$ 991.01
070122	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
070123	PAYROLL	BUREAU F/CHILD SPPRT ENF		\$ -	\$ 212.31	\$ 212.31
070124	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
070125	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 23.08	\$ 23.08
070126	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 290.31	\$ 290.31
070127	406	CASTO & HARRIS INC	51402	\$ 47.75	\$ -	\$ 47.75
070128	PAYROLL	VA DEPT OF TAXATION		\$ -	\$ 473.48	\$ 473.48
070129	405	CIVIC RESEARCH INSTITUTE	50398	\$ 179.95	\$ -	\$ 179.95
070130	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69

070131	401	CHOICE STAFFING, INC.		\$ -	\$ 247.50	\$ 247.50
070132	PAYROLL	COLONIAL LIFE		\$ -	\$ 729.10	\$ 729.10
070133	405	KIMBERLEY CROCKETT		\$ -	\$ 138.00	\$ 138.00
070134	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
070135	717	DONALD B. RICE TIRE CO.	50202	\$ 857.22	\$ -	\$ 857.22
070136	433	D & S CONSTRUCTION	51374	\$ 405.00	\$ -	\$ 405.00
070137	440	DEL MARTIN INC.	50237	\$ 1,243.00	\$ -	\$ 1,243.00
070138	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
070138	425	J.C.EHRLICH		\$ -	\$ 606.38	\$ 606.38
070139	700	GALLS,AN ARAMARK CO	51490	\$ 104.60	\$ -	\$ 104.60
070140	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 16,202.40	\$ 16,202.40
070141	424	GRAINGER, INC	51587	\$ 183.60	\$ -	\$ 183.60
070142	433	GEOGRAPHIC INFO SERVICES	50863	\$ 7,593.42	\$ -	\$ 7,593.42
070143	440	INTERNAT'L CODE COUNCIL	50238	\$ 3,322.08	\$ -	\$ 3,322.08
070144	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 2,910.00	\$ 2,910.00
070145	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 196.36	\$ 196.36
070146	700	JEFFERSON CO HEALTH DEPT	51495	\$ 45.00	\$ -	\$ 45.00
070147	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 1,924.98	\$ 1,924.98
070148	402	JEFFERSON PUBLISH CO INC	51624	\$ 203.60	\$ -	\$ 203.60
070148	402	JEFFERSON PUBLISH CO INC	51626	\$ 58.34	\$ -	\$ 58.34
070148	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 138.46	\$ 138.46
070149	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,743.00	\$ 4,743.00
070149	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
070150	405	PAUL F.KRADEL, ED.D.	50399	\$ 1,925.00	\$ -	\$ 1,925.00
070151	PAYROLL	COMPROLLER OF MARYLAND		\$ -	\$ 782.56	\$ 782.56
070152	412	SHAY MCNEIL		\$ -	\$ 378.49	\$ 378.49
070153	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
070154	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 774.00	\$ 774.00
070155	712	NAEMD	51601	\$ 100.00	\$ -	\$ 100.00
070156	711	NAT'L EMERGENCY MGMT ASS	50007	\$ 200.00	\$ -	\$ 200.00
070157	ALLOC	JEFF CO PARKS &		\$ -	\$ 20,212.27	\$ 20,212.27
070158	440	PRINT-O-STAT	50235	\$ 1,956.00	\$ -	\$ 1,956.00
070159	712	FORENSIC PSYCHOLOGY CNTR	51713	\$ 800.00	\$ -	\$ 800.00
070160	700	MARK RENNER		\$ -	\$ 299.72	\$ 299.72
070161	404	SHERIFF OF JEFFERSON CO	52107	\$ 137.85	\$ -	\$ 137.85
070162	405	SPECIALTY BUS SUPPLIES	50400	\$ 1,340.01	\$ -	\$ 1,340.01
070163	700	SUPERIOR AUTO BODY	51491	\$ 933.46	\$ -	\$ 933.46
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 44,521.38	\$ 44,521.38
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2.84	\$ 2.84
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 23.78	\$ 23.78
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 0.66	\$ 0.66

070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 101.66	\$ 101.66
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,412.32	\$ 10,412.32
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.89	\$ 1.89
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,224.13	\$ 43,224.13
070164	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 118.12	\$ 118.12
070165	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 30,665.39	\$ 30,665.39
070165	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 103.40	\$ 103.40
070165	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.01	\$ 1.01
070166	700	WALTER F STEPHENS, JR IN	51494	\$ 79.95	\$ -	\$ 79.95
070167	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 10,792.47	\$ 10,792.47
070167	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 16,506.09	\$ 16,506.09
070168	712	SEN COMMUNICATIONS	51715	\$ 25.00	\$ -	\$ 25.00
070169	700	SIGMAN TACTICAL CONCEPTS	51492	\$ 450.00	\$ -	\$ 450.00
070170	700	VINCENT TIONG		\$ -	\$ 142.00	\$ 142.00
070171	712	TELTRONIC	51716	\$ 558.75	\$ -	\$ 558.75
070171	712	TELTRONIC	51718	\$ 458.00	\$ -	\$ 458.00
070172	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 24,062.23	\$ 24,062.23
070173	712	VITAL SIGNS	51712	\$ 39.50	\$ -	\$ 39.50
070174	405	WEST PAYMENT CENTER	49635	\$ 2,043.88	\$ -	\$ 2,043.88
070175	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 468.24	\$ 468.24
070175	716	WM OF WEST VIRGINIA, INC		\$ -	\$ 95.93	\$ 95.93
070176	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 3.23	\$ 3.23
070176	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 1.04	\$ 1.04
070176	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 24,853.17	\$ 24,853.17
070176	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 77,320.81	\$ 77,320.81
070177	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 166.50	\$ 166.50
070178	412	WPS,INC	50026	\$ 3,154.97	\$ -	\$ 3,154.97
<b>TOTAL</b>						<b>\$ 377,790.37</b>
<b>TOTAL</b>				<b>\$ 35,964.69</b>	<b>\$ 341,825.68</b>	<b>\$ 377,790.37</b>

**Motion by Ms. Tabb to approve the accounts payable for June 20, 2013 in the amount of \$377,790.37. Motion seconded and unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070180	428	ACS GOVERNMENT SYSTEMS	51625	\$ 953.66	\$ -	\$ 953.66
070181	712	AT&T/GA		\$ -	\$ 218.93	\$ 218.93
070182	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
070183	425	CITY OF CHARLES TOWN		\$ -	\$ 6,600.00	\$ 6,600.00
070184	428	CDW-GOVERNMENT INC		\$ -	\$ 713.59	\$ 713.59
070184	428	CDW-GOVERNMENT INC		\$ -	\$ 2,343.23	\$ 2,343.23
070185	401	CHOICE STAFFING, INC.		\$ -	\$ 44.00	\$ 44.00

070186	717	DEAN'S LAWNMOWER SHOP	51589	\$ 2.44	\$ -	\$ 2.44
070187	700	FEDEX		\$ -	\$ 213.34	\$ 213.34
070188	402	VIVIAN FIELDS		\$ -	\$ 14.49	\$ 14.49
070189	717	GUTTMAN OIL CO		\$ -	\$ 9,405.06	\$ 9,405.06
070190	406	THE JOURNAL	51401	\$ 684.17	\$ -	\$ 684.17
070191	712	DR ROBERT JONES		\$ -	\$ 1,000.00	\$ 1,000.00
070192	700	WILLIAM POTTER		\$ -	\$ 250.75	\$ 250.75
070193	GRANT	RCS SECURITY		\$ -	\$ 2,612.40	\$ 2,612.40
070194	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
070194	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
070194	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
070194	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
070194	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
070194	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
070194	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
070194	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
070194	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
070194	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
070195	401	STAPLES CREDIT PLAN		\$ -	\$ 285.38	\$ 285.38
070195	412	STAPLES CREDIT PLAN		\$ -	\$ 286.35	\$ 286.35
070195	433	STAPLES CREDIT PLAN		\$ -	\$ 14.39	\$ 14.39
070195	700	STAPLES CREDIT PLAN		\$ -	\$ 2,027.23	\$ 2,027.23
070195	711	STAPLES CREDIT PLAN		\$ -	\$ 527.41	\$ 527.41
070195	712	STAPLES CREDIT PLAN		\$ -	\$ 623.08	\$ 623.08
070195	716	STAPLES CREDIT PLAN		\$ -	\$ 899.33	\$ 899.33
070196	424	SOFTWARE SYSTEMS, INC.		\$ -	\$ 19,942.04	\$ 19,942.04
070197	424	US POSTAL SERVICE		\$ -	\$ 20,000.00	\$ 20,000.00
070198	401	VITAL SIGNS		\$ -	\$ 90.00	\$ 90.00
070199	401	WV ASSOCIATION/COUNTIES		\$ -	\$ 245.00	\$ 245.00
070199	401	WV ASSOCIATION/COUNTIES		\$ -	\$ 6,500.00	\$ 6,500.00
<b>TOTAL</b>						<b>\$ 79,094.18</b>
<b>TOTAL</b>				<b>\$ 1,640.27</b>	<b>\$ 77,453.91</b>	<b>\$ 79,094.18</b>

**Motion by Ms. Widmyer to approve the accounts payable for June 27, 2013 in the amount of \$79,094.18. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Patience Wait, resident – Thanked the Commission for sending out a notice about First Energy’s scheduled maintenance power outage. Ms. Wait suggested we work out a notification system with Frontier.

George Rutherford, President NAACP – Read a letter opposing the purchase of the Harrison Plant from the NAACP.

Doug Rockwell, resident – Spoke regarding the Jefferson County Emergency Service Agency Fee Ordinance proposal. Mr. Rockwell expressed concern regarding the procedure to follow.

Danny Lutz, - Echoed Mr. Rockwell’s comments regarding the Jefferson County Emergency Services Agency Fee Ordinance. Mr. Lutz opposes the acquisition of the Harrison Plant.

Ms. Miller, resident – Opposes the “Intra –Company sale” of the Harrison Plant by First Energy.

Ms. Newman, resident – Opposes the “Intra-Company sale” of the Harrison Plant by First Energy.

David Tabb, resident - Gave an update on how he believes the Commission is conducting business.

John Maxey, resident – In favor of the Resolution opposing the First Energy purchasing of the Harrison Plant.

Curt Compton, resident – Expressed strong opposition of the Jefferson County Emergency Services Agency Fee Ordinance.

**PRESENTATIONS:**

1. Charlene Gilliam, Manager, External Affairs, First Energy and Charles H. Friddle, III, Director of External Affairs read a statement regarding the proposed intra-company sale of the Harrison Plant and requested the Commission not adopt the resolution opposing the proposed Intra-Company sale of the Harrison Plant as this is a very complicated issue before the proper authority, the Public Service Commission.
2. First Energy Resolution for possible adoption.
  - **Motion by Ms. Widmyer to approve the Resolution of the Jefferson County Commission Opposing First Energy’s Proposed Intra-Company sale of the Harrison Power Plant. Motion seconded.**
  - **Subsidiary motion by Mr. Manuel to hold over until the next meeting of the County Commission to allow the Commission to amend the Resolution as the Commission deems necessary. Motion seconded and approved on a vote of 3-2 with Mr. Pellish and Ms. Noland opposing.**
3. Peter Fricke, Charles Town Race Track Chaplaincy. Mr. Fricke presented a power-point presentation regarding his request for support of a drug/substance abuse and anger management program for race track workers in the amount of \$5,500.
  - **Motion by Ms. Widmyer to approve the request from the Charles Town Race Track Chaplaincy in the amount of \$5,500. Motion fails for a lack of a second.**
4. Laura Storm, Circuit Clerk requested the approval to hire Nicole Nobrega to a full-time position as Deputy Clerk effective July 1, 2013. The hiring will be at a grade II D with a salary of \$28,617.27 with full benefits afforded to Jefferson County Commission employees. This position is an approved position and there is money within the budget.
  - **Motion by Mr. Manuel to hire the candidate starting at a level A, referring to the Compensation Committee recommendations if the salary is to be raised. Motion seconded.**
  - **Mr. Manuel withdrew his motion, 2<sup>nd</sup> is withdrawn,**
  - **Motion by Mr. Manuel to postpone action until the next meeting with a recommendation from the Compensation Committee. Motion seconded.**

- **Motion by Ms. Tabb to go into Executive Session to discuss personal issues. Motion seconded and approved on a vote of 4-1 with Ms. Widmyer opposing.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**
- **Point of order by Ms. Noland. Ms. Noland stated a motion by Mr. Manuel is on the floor. Mr. Manuel withdrew his motion to “postpone action until the next meeting with a recommendation from the Compensation Committee.” Second withdrawn.**

5. Jennifer Maghan, County Clerk requested the approval of Depository Funds for Jefferson Security Bank, Branch Bank and Trust and Untied Bank. Ms. Grove spoke on behalf of Ms. Maghan and explained United Bank choose to substitute securities instead of Bonds. This is permissible by code.

- **Motion by Ms. Noland to approve the United Bank submittal substituting securities. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to approve the Depository funds as presented. Motion seconded and unanimously approved.**

6. Interviews and Appointments to the Development Authority for four-three year terms ending April 5, 2016. The following candidates submitted letters of interest and resumes for consideration of appointment and were available for interviews: Lyle C. Tabb, David L. Marshall and Shelli Dronsfield. Mr. Wilkins was unavailable.

- **Motion by Mr. Pellish to approve appointing all four of the applicants, Mr. Lyle C. Tabb, David L. Marshall, Shelli Dronsfield and Mr. Harry T. Wilkins. Motion seconded and approved on the following vote:**

	Manuel	Noland	Pellish	Tabb	Widmyer
Lyle C. Tabb	Yes	Yes	Yes	Abstain	Yes
David L. Marshall	Yes	Yes	Yes	Yes	Yes
Shelli Dronsfield	Yes	Yes	Yes	Yes	Yes
Harry T. Wilkins	Yes	Yes	Yes	Yes	Yes

7. Interviews and Appointments to the Public Service District as a Customer Liaison (CL). The CL will be appointed by the Jefferson County Commission to enhance communication between the Board of the Jefferson Public Service District and its customers. A CL will be appointed to serve until the Jefferson County Commission appoints a customer of the District or a board member becomes a customer. Mr. Charles Cheezum has submitted a letter of interest and resume for consideration of appointment.

- **Motion by Ms. Tabb to approve Mr. Charles Cheezum’s appointment to the Jefferson County Public Service District as a Customer Liaison until the Jefferson County Commission appoints a customer of the District or a board member becomes a customer. Motion seconded and unanimously approved.**

8. Interviews and Appointments to the Zoning Board of Appeals for one-three year term ending January 1, 2016. Mr. Jeffrey C. Bannon has submitted a letter of interest and resume for consideration of appointment.

- **Motion by Ms. Noland to approve the appointment of Mr. Jeffrey C. Bannon on the Zoning Board of Appeals for a one-three year term ending January 1, 2016. Motion seconded and unanimously approved.**

9. Interviews and Appointments to the West Virginia Eastern Panhandle Transportation Authority for a one-four year term ending July 1, 2016. Mr. Manuel is seeking reappointment to the Eastern Panhandle Transportation Authority.

- **Motion by Ms. Tabb to appoint Mr. Manuel to one-four year term ending July 1, 2016. Motion seconded and unanimously approved.**

10. Mike Wiley, Beallair Homes, LLC requesting the County Commission's consideration of releasing Beallair Homes, LLC for the Agreement Regarding Bonding Obligations and Declaration of Covenants, Conditions and Restrictions Beallair Phase 2 Subdivision and also the First Amendment to Agreement Regarding Bonding Obligations and Declaration of Covenants, Conditions and Restrictions Beallair Phase 2 Subdivision subject to conditions noted. Beallair Homes, LLC respectfully requests the Jefferson County Commissioner's acceptance and approval of the attached request for subsequent notation of lien release within the Agreement and Amendment executed and/or recorded at the Clerk's Land Records.

- **Motion by Ms. Widmyer to approve:**

- 1. The Beallair Subdivision, Phase 2, 71 Lots Performance Bond Construction Bond Estimates form, both subject to Staff's approval of same and final execution by Developer and Surety thereafter; and**
- 2. The release of Beallair Homes, LLC from the Agreement Regarding Bonding Obligations and Declaration of Covenants, Conditions and Restrictions, Beallair Phase 2 Subdivision submitted by Beallair Homes, LLC, and request the lien release to be affixed to that same document recorded in the Land Records of the Clerk of the County Commission of Jefferson County, WV, in Deed Book 1096 at Page 547, upon provision of the executed aforementioned Performance Bond; and**
- 3. The release of Beallair Homes, LLC from the First Amendment to Agreement Regarding Bonding Obligations and Declaration of Covenants, Conditions and Restrictions Beallair Phase 2 Subdivision and request the lien release to be affixed to that same document recorded or to be recorded in the Land Records of the clerk of the County Commission of Jefferson County, WV, upon provision of the executed aforementioned Performance Bond.**

**Motion seconded and unanimously approved.**

11. Roger Goodwin, Chief Engineer – Requesting complete release of the Construction Bond security for Automated Merchandising Systems, Inc. – AMS Building Expansion (File #S12-05) – Cash-in-Escrow with United Bank, Charles Town, West Virginia.

- **Motion by Ms. Noland to authorize a complete release of the remaining \$51,013.00 from the construction bond for Automated Merchandising Systems, Inc. – AMS Building Expansion (File #S12-05). Motion seconded and unanimously approved.**

Roger Goodwin, Chief Engineer – Requesting complete release of Construction Bond security for John K. Taylor – Mountain Vista Farms Subdivision, Lots 1-7 & 8 Residue (File #08-06)-Letter of Credit A#1241 with United Bank of Martinsburg, West Virginia.

- **Motion by Ms. Tabb to authorize a complete release of the remaining \$38,161.00**

**construction bond amount for John K. Taylor-Mountain Vista Farms Subdivision, Lots 1-7 & Residue (File #08-06). Motion seconded and unanimously approved.**

Roger Goodwin, Chief Engineer – Requesting a partial release of the Construction Bond security for Waterfront Group WV, LLC/Mark Adkins – Rock Ferry Station Subdivision, Lots 1-7, 16 and 25-43 (file #04-20)-Cash-in-Escrow with United Bank, Shepherdstown, West Virginia.

- **Motion by Mr. Manuel to authorize a partial release of \$111,510.00 from the construction bond Waterfront Group WV, LLC/Mark Adkins – Rock Ferry Station Subdivision, Lots 1-7, 16 & 15-43 (File #04-20). Motion seconded and unanimously approved.**

Roger Goodwin, Chief Engineer – Requesting a partial release of the Construction Bond security for RAI Group 44, LLC-Burr Industrial Park, Lot 44, Buildings A & B (File #S06-06) – Letter of Credit #276 with the Bank of Charles Town, Charles Town, West Virginia.

- **Motion by Ms. Noland to authorize a partial release of the \$22,504.00 from the construction bond for RAI Group 44, LLC-Burr Industrial Park, Lot 44, Buildings A & B (File #S06-06). Motion seconded and unanimously approved.**

**12. The Commission took a break at 12:05  
The Commission reconvened at 12:15**

13. John Reisenweber, Director of the Jefferson County Development Authority and Board Members met with the County Commission to discuss the Economic Outlook of the County and update the Commissioners on the achievements of the Development Authority over the past year.

**14. The commission took a break at 1:55  
The Commission reconvened at 2:05**

15. Seth Rivard, Planning, on behalf of the Department of Engineering – Requesting to schedule a Public Hearing to be held by the County Commission regarding new Stormwater Management Ordinance and associated text amendments to the 2008 Subdivision and Land Development. Ms. Keyser presented the request as Mr. Rivard was called away.

- **Motion by Ms. Noland to schedule a Public Hearing on the new Stormwater Management Ordinance and associated text amendments to the 2008 Subdivision and Land Development Regulations, on September 19, 2013 during the afternoon session of the regularly scheduled County Commission meeting. Motion seconded and approved on a vote of 4-1 with Ms. Widmyer opposing. Ms. Widmyer would prefer to have the Public Hearing in the evening due to the Stormwater Management issue.**

16. Doug Pittinger, Director, Jefferson County Emergency Services Agency (JCESA) – Mr. Pittinger read a statement thanking the Commission for their help during the development of the JCESA Fee Ordinance. Mr. Pittinger also expressed the opinion of the JCESA, that even though Legal Council has issued a legal opinion regarding the change in the title to include Ambulance Fee, it does not change the intent of the ordinance.

It was the consensus of the Commissioners that all amendments to the document will be made at the July 11<sup>th</sup> Commission meeting. The amended document will be voted on at the third meeting, August 1, 2013. Ms. Grove stated she would like to add legislative history to the ordinance. Mr. Manuel requested the JCESA take all versions of the ordinance off the website and only have the most current version available for citizens to see what document revisions are being made.

## FINANCE DIRECTOR

Budget Revision #119 – Animal Control – No action.

Budget Revision # 121 – Other Buildings – Reduction of \$10,000 from Maintenance/Equipment and \$1,000 from Equipment Rent to be added to Electricity in the amount of \$3,000 and Materials & Supplies in the amount of \$8,000.

- **Motion to approve the budget revision as presented with the reduction of \$11,000 and the addition of \$11,000 to the accounts named on the sheet. Motion seconded and unanimously approved.**

Budget Revision #122 – Central Garage – Held over till next meeting, July 11, 2013.

Budget Revision #123 – Courthouse – No action.

Budget Revision #124 – Circuit Clerk – Did not receive documents from the Circuit Clerk to make adjustments. No action.

Budget Revision #125 – Ag Agent – Reduction of \$1,125 from Budget Line number 001-412-02-216-000-GG-00 to the following budget lines, \$850 to 001-412-01-105-000-GG-00, \$175 to 001-412-01-108-001-GG-000 and \$100 to 001-412-02-211-000-GG-000.

- **Motion by Ms. Noland to approve the adjustments as presented. Motion seconded and unanimously approved.**

Budget Revision #126 – Prosecuting Attorney – Reduction of \$133.77 from budget line number 405-2-218 to budget line number 405-02-230.

- **Motion by Ms. Noland to approve the adjustments as presented. Motion seconded and unanimously approved.**

Budget Revision #127 – County Commission – Reduction of \$117,966 from County Commission Professional Services to the following budget lines; \$68,000 to County Commission Court Costs, \$17,000 to County Commission Professional Services HRA, \$3,966 to County Commission Legal Publications and \$29,000 to County Commission Briel Building Rent.

- **Motion by Ms. Widmyer to approve the adjustments as presented. Motion seconded and unanimously approved.**

Ms. Noland requested an expenditure report for each department. Please include what each department was budgeted in 2012-2013 and what they spent, compared to what they were budgeted for the 2013-2014 year. Ms. Noland would like for these to be a side by side for comparison.

## NEW BUSINESS

17. Jefferson County Policies & Procedures – Ms. Keyser stated these were policies the Commission reviewed in the past and are coming before the Commission for adoption.

Employee Assistant Program –

- **Motion by Ms. Noland to adopt Jefferson County Policy number 212 – Employee Assistant Program. Motion seconded and unanimously approved.**

Media Inquiries – No action, any Commissioner wishing to make edits, please send them to the office.

18. Request for Proposal for Jefferson County Commission Website – Requesting permission to move forward and post the RFP for the Jefferson County Commission Website.

- **Motion by Mr. Manuel to post the Request for Proposal as presented in our packet. Motion seconded and unanimously approved.**

### **COUNTY ADMINISTRATOR REPORT**

Commissioner's Top Project Listing, Ms. Keyser stated she had incorporated the Commissioner's edits in the document. If there are any further changes, please let her know.

WV Corp Language – Deferred to a future meeting.

Ms. Keyser gave an IT Update. Ms. Keyser request developing an IT team. Employees in the County who are IT knowledgeable who could help with issues that might arise. Charlotte Hernandez, Laura Kuhn, Tori Meyers, Ryan Millbourne, Jeff Polczynski, Sandy McDonald and Todd Fagan. Ms. Keyser stated the County is years behind in IT. Ms. Keyser requested someone to assist with the IT issues. It was decided to defer this item until a later meeting.

Authorization for Ms. Brockman, Director of Planning and Zoning, to sign for Zoning Administrator until the position is filled. Ms. Keyser informed the Commission Legal Council; Stephen Groh has indicated there is no conflict.

- **Motion by Ms. Tabb to allow Ms. Brockman, Director of Planning and Zoning, to sign for the Zoning Administrator until position is filled. Motion seconded and unanimously approved.**

County Commission Association of West Virginia, WV State Auditor's Office Annual In-Service Training Seminar August 4-7, 2013. Ms. Keyser requested permission to attend the training.

- **Motion by Ms. Widmyer to authorize Ms. Keyser to attend the Annual In-Service Training Seminar August 4-7, 2013. Motion seconded and unanimously approved.**

Ms. Keyser stated the Governor's Blue Ribbon Commission on Highways has scheduled nine (9) meetings around the state. The meeting in Eastern Panhandle will be held at the Holiday Inn in Martinsburg on July 11, 2013 from 4pm to 7pm.

Ms. Keyser stated we will move forward with the July 25<sup>th</sup> Meet your Commissioner at Morgan's Grove if that is acceptable with the Commissioners calendars. The Commissioners agreed to July 25, 2013.

Ms. Keyser stated we have received only 3 resumes for the Financial Director position. We will expand our advertizing.

Preliminary guesstimate of financial estimate for the end of the year is a \$500,000 shortfall.

Ms. Keyser stated the Compensation Committee has had their first meeting; the next meeting is July 9, 2013. The committee reviewed the vision and objectives.

Ms. Keyser gave a brief review of the Ethics and Fraud training.

**Commission took a break at 3:35 pm**

**Commission reconvened at 3:44 pm**

### **COUNTY COMMISSIONERS REPORTS**

Dale Manuel:

- Attended the Mountain Heritage Craft Fair and dipped ice cream for the Kiwanis Club.
- Attended the Jefferson County Emergency Service Agency meeting.

- Attended the Council on Aging meeting.
- Attended the retirement reception for Larry Crawford.
- Attended the Parks & Recreation meeting.
- Attended the Ranson Festival and Car Show.

Patsy Noland

- Attended the Council on Aging meeting.
- Attended the Convention and Visitors Bureau meeting.
- Attended the Ranson Festival and Car Show.
- Attended a personnel Committee meeting for the Convention and Visitors Bureau.
- Attended a personnel Committee meeting for the Council on Aging.

Walt Pellish

- Attended a Special audit meeting for the Solid Waste Authority.
- Attended the Development Authority Executive Committee meeting.
- Attended the Planning Commission meeting/workshop on the Stormwater Management ordinance.

Jane Tabb

- Coordinated the Farm Day.

Lyn Widmyer

- Attended the Sign Dedication of the Route 9 Bike Path, Trailhead Signs and Markers.
- Attended the Region 7 Work Investment Board for Local Officials.
- Stopped and welcomed June Parker at the Ethics Training.
- Attended a luncheon at the Eastern Panhandle Free Clinic.

Laura Storm, Circuit Clerk – Returned before the Commission after consulting with her Legal Council. Ms. Storm requested not to go into Executive Session. Ms. Storm stated she would not submit a resume for review by this body. Ms. Storm stated she is requesting the ministerial approval of an employee in the Circuit Clerks office and is asking the Commission to approve or not approve that request.

- **Motion by Mr. Pellish to grant approval to hire for the position at a Grade II, Step A or B. Motion is seconded.**
- **Mr. Manuel amended the motion to hire Nicole Nobrega at a Grade II, Step B as a Deputy Clerk. Amended motion seconded and unanimously approved.**

Ms. Storm again asked if she has the approval for the hiring of Nicole Nobrega at a Grade II Step D at

\$28,617.27. Mr. Manuel stated the motion of hiring was at a Grade II, Step B. Ms. Storm clarified that her request was denied. Ms. Storm inquired as to the salary. Ms. Storm was told \$26,585.94.

Space Needs – Executive Session

- Motion by Mr. Pellish to enter into Executive Session to consider matters involving the purchase, sale or lease of real property, as permitted by §6-9A-4-9. Motion seconded and unanimously approved.
- Motion by Mr. Pellish to come out of Executive Session. Motion seconded and unanimously approved.

Motion by Mr. Pellish to adjourn at 4:18. Motion seconded and unanimously approved.

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DALE MANUEL, PRESIDENT

Respectively submitted  
Cynthia C. Schott  
Executive Administrative Assistant

