

Minutes

Jefferson County Commission

Thursday, August 15, 2013

A meeting of the Jefferson County Commission was held on Thursday, August 15, 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 August 15, 2013 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

Ms. Widmyer requested a point of order on the agenda. Ms. Widmyer requested two agenda items, which address similar topics, and are separated on the agenda, to be combined. Agenda item #12, Discussion regarding contracting the position of the Chief Financial Officer for the Jefferson County Commission, follow-up discussion - Discussion/Action (Executive Session) (PN); and agenda item #16, Approval to move forward with hiring of Finance Director as advertised - Discussion/Action (LW). Ms. Noland stated she believed they required two separate actions and requested they remain separated. President Manuel ruled the two items could be heard consecutively but not combined.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the Minutes of the August 1, 2013 County Commission Meeting with noted corrections. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$33,653.46 to include P.O. Nos., 51851, 5185, 51445, 51699, 51700, 51790, 51848, 50025, 51787, 51845, 51847, 51852, 51853, 51854, 51855, 51859, 51860, 51861, 51642, 51644, 51645, 51647, 51648, 52110, 52111, 51846, and 51856.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070424	425	A. F. MCCORMICK	51774	\$ 325.00	\$ -	\$ 325.00
070425	425	ALLIANCE ELECTRIC LLC	51773	\$ 855.00	\$ -	\$ 855.00
070426	700	AUTOSERV	51501	\$ 100.00	\$ -	\$ 100.00
070427	712	B-K OFFICE SUPPLY INC	51701	\$ 40.00	\$ -	\$ 40.00

070428	425	CITY OF CHARLES TOWN	51785	\$ 380.00	\$ -	\$ 380.00
070429	424	CHARLES TOWN UTILITIES		\$ -	\$ 64.40	\$ 64.40
070429	425	CHARLES TOWN UTILITIES		\$ -	\$ 767.45	\$ 767.45
070430	405	MARCIA L. CHANDLER, RPR	51643	\$ 462.00	\$ -	\$ 462.00
070431	712	CPI COMPUTR PROJECT F/IL	51702	\$ 1,560.00	\$ -	\$ 1,560.00
070432	403	COAST TO COAST COMPUTER	51442	\$ 1,094.37	\$ -	\$ 1,094.37
070433	425	COVENANT BUILDING MAINT		\$ -	\$ 11,827.43	\$ 11,827.43
070434	425	DODSON'S SEPTIC	51779	\$ 520.00	\$ -	\$ 520.00
070435	717	DONALD B. RICE TIRE CO.	51781	\$ 1,135.59	\$ -	\$ 1,135.59
070436	424	84 LUMBER		\$ -	\$ 30.44	\$ 30.44
070436	425	84 LUMBER		\$ -	\$ 558.33	\$ 558.33
070437	405	FEDEX		\$ -	\$ 34.92	\$ 34.92
070438	717	FISHER AUTO PARTS		\$ -	\$ 1,309.07	\$ 1,309.07
070439	717	FLEETPRIDE	51777	\$ 126.44	\$ -	\$ 126.44
070439	717	FLEETPRIDE	51844	\$ 51.00	\$ -	\$ 51.00
070440	700	GALLS,AN ARAMARK CO	51505	\$ 812.00	\$ -	\$ 812.00
070440	700	GALLS,AN ARAMARK CO	51505	\$ 1,327.40	\$ -	\$ 1,327.40
070440	700	GALLS,AN ARAMARK CO	51505	\$ 2,225.15	\$ -	\$ 2,225.15
070440	701	GALLS,AN ARAMARK CO	51508	\$ 1,672.10	\$ -	\$ 1,672.10
070441	424	GRAINGER, INC	51780	\$ 247.10	\$ -	\$ 247.10
070442	716	THE JOURNAL	51503	\$ 568.85	\$ -	\$ 568.85
070443	425	JEFFERSON COUNTY SOLID	51761	\$ 82.16	\$ -	\$ 82.16
070444	712	JEFFERSON MEMORIAL HOSPT	51671	\$ 30.00	\$ -	\$ 30.00
070445	717	J & K PRECISION AUTO CAR	51786	\$ 54.95	\$ -	\$ 54.95
070446	700	GLENDON KINCAID		\$ -	\$ 7.30	\$ 7.30
070447	405	RALPH A LORENZETTI JR		\$ -	\$ 994.90	\$ 994.90
070448	717	MILLER'S CHRYSLER JEEP	51783	\$ 124.09	\$ -	\$ 124.09
070448	717	MILLER'S CHRYSLER JEEP	51850	\$ 16.51	\$ -	\$ 16.51
070449	412	SHAY MCNEIL		\$ -	\$ 693.32	\$ 693.32
070450	405	HARRY A. MILMAN, PH.D	51641	\$ 850.00	\$ -	\$ 850.00
070451	717	MARTINS MACHINE SHOP LL	51778	\$ 274.64	\$ -	\$ 274.64
070452	700	NO RULES LETTERING 2013	51502	\$ 800.00	\$ -	\$ 800.00
070453	402	KAREN OLDEN		\$ -	\$ 429.97	\$ 429.97
070454	403	PIFER OFFICE SUPPLY, INC	51440	\$ 7.25	\$ -	\$ 7.25
070455	424	POTOMAC EDISON/OH		\$ -	\$ 2,311.18	\$ 2,311.18
070455	425	POTOMAC EDISON/OH		\$ -	\$ 2,185.71	\$ 2,185.71
070455	425	POTOMAC EDISON/OH		\$ -	\$ 13,443.99	\$ 13,443.99
070456	716	PATTERSON VETERINRY SPPL	51500	\$ 255.80	\$ -	\$ 255.80
070457	700	WILLIAM POTTER		\$ -	\$ 13.65	\$ 13.65
070458	700	ROCIC	51504	\$ 300.00	\$ -	\$ 300.00

070459	425	RCS SECURITY	51772	\$ 256.79	\$ -	\$ 256.79
070460	GRANT	RCS SECURITY		\$ -	\$ 554.40	\$ 554.40
070461	402	RECORD MANAGEMENT SOLUTN	51631	\$ 35.00	\$ -	\$ 35.00
070462	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,668.00	\$ 6,668.00
070463	403	WV ASSOC OF CIRCUIT CLER	51444	\$ 175.00	\$ -	\$ 175.00
070464	425	SHERWIN-WILLIAMS		\$ -	\$ 85.81	\$ 85.81
070465	712	SEN COMMUNICATIONS	51708	\$ 125.00	\$ -	\$ 125.00
070465	712	SEN COMMUNICATIONS	51709	\$ 125.00	\$ -	\$ 125.00
070466	425	SHENANDOAH VALLEY WATER		\$ -	\$ 645.60	\$ 645.60
070467	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 15,157.56	\$ 15,157.56
070468	700	SIG SAUER INC.	51499	\$ 645.00	\$ -	\$ 645.00
070469	700	THOMASSEN FORD MERCURY	51498	\$ 127.60	\$ -	\$ 127.60
070470	425	CAPITAL TRISTATE		\$ -	\$ 5,740.42	\$ 5,740.42
070471	403	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 549.50	\$ 549.50
070472	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
070473	403	VITAL SIGNS	51435	\$ 519.84	\$ -	\$ 519.84
070474	716	VALLEY PET CEMETERY	50368	\$ 494.00	\$ -	\$ 494.00
070475	424	WINCHESTER EQUIPMENT CO	51776	\$ 717.34	\$ -	\$ 717.34
070476	700	WV SHERIFFS ASSOCIATION	51506	\$ 1,600.00	\$ -	\$ 1,600.00
070477	403	WALZ GROUP, LLC	51441	\$ 872.26	\$ -	\$ 872.26
070478	428	WVNET		\$ -	\$ 200.00	\$ 200.00
070479	402	XEROX CORPORATION	51632	\$ 1,357.06	\$ -	\$ 1,357.06
TOTAL						\$ 87,942.84
TOTAL				\$ 23,347.29	\$ 64,595.55	\$ 87,942.84

Motion by Ms. Widmyer to approve the accounts payable for August 8, 2013 in the amount of \$87,942.84. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070482	424	AT&T/IL		\$ -	\$ 0.21	\$ 0.21
070483	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 2,236.52	\$ 2,236.52
070484	700	KEVIN J. BOYCE		\$ -	\$ 109.63	\$ 109.63
070485	424	BOLAND SERVICES	51763	\$ 270.00	\$ -	\$ 270.00
070485	425	BOLAND SERVICES	51764	\$ 991.01	\$ -	\$ 991.01
070486	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
070487	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
070488	439	JENNIFER M. BROCKMAN		\$ -	\$ 104.10	\$ 104.10
070488	439	JENNIFER M. BROCKMAN		\$ -	\$ 16.00	\$ 16.00
070489	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54

070490	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 23.08	\$ 23.08
070491	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
070492	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
070493	402	CLERK OF CO. COMMISSION	43620	\$ 79.88	\$ -	\$ 79.88
070494	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
070495	425	DELL MARKETING LP	51769	\$ 1,121.40	\$ -	\$ 1,121.40
070496	428	DELL MARKETING LP		\$ -	\$ 5,373.76	\$ 5,373.76
070497	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
070498	700	PETER DOUGHERTY		\$ -	\$ 123.75	\$ 123.75
070499	413	ESS ELECTION SYSTEMS &	51789	\$ 10,401.68	\$ -	\$ 10,401.68
070500	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
070500	425	J.C.EHRLICH		\$ -	\$ 604.56	\$ 604.56
070501	712	KAREN ECHEMENT		\$ -	\$ 7.45	\$ 7.45
070502	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 21,602.80	\$ 21,602.80
070503	401	RICOH USA, INC		\$ -	\$ 29.06	\$ 29.06
070503	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
070503	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070503	405	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
070503	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070503	425	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070503	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070503	440	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070503	700	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
070503	712	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070504	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 3,010.00	\$ 3,010.00
070505	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 176.72	\$ 176.72
070506	700	JEFF CO DEPUTY SHERIFF'S		\$ -	\$ 363.00	\$ 363.00
070507	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 2,236.52	\$ 2,236.52
070508	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 78.96	\$ 78.96
070509	425	JEFFERSON COUNTY SOLID	51761	\$ 49.77	\$ -	\$ 49.77
070510	425	JEFFERSON UTILITIES INC		\$ -	\$ 569.52	\$ 569.52
070511	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,843.00	\$ 4,843.00
070511	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
070512	717	J & K PRECISION AUTO CAR	51858	\$ 18.95	\$ -	\$ 18.95
070513	712	LANGUAGE LINE SERVICES		\$ -	\$ 320.45	\$ 320.45
070514	402	MATTHEW BENDER & CO	51791	\$ 67.89	\$ -	\$ 67.89
070514	403	MATTHEW BENDER & CO	51446	\$ 59.49	\$ -	\$ 59.49
070515	PAYROLL	HIGHMARK WV		\$ -	\$ 184,121.28	\$ 184,121.28
070516	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
070517	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00

070518	424	NEOPOST USA INC.	51762	\$ 79.98	\$ -	\$ 79.98
070519	ALLOC	JEFF CO PARKS &		\$ -	\$ 23,483.49	\$ 23,483.49
070520	402	PIFER OFFICE SUPPLY, INC	51792	\$ 37.12	\$ -	\$ 37.12
070521	405	POSTMASTER CHARLES TOWN	51646	\$ 88.00	\$ -	\$ 88.00
070522	425	RCS SECURITY		\$ -	\$ 282.00	\$ 282.00
070523	403	RECORD MANAGEMENT SOLUTN	51438	\$ 60.00	\$ -	\$ 60.00
070524	403	SOFTWARE SYSTEMS, INC	51439	\$ 394.88	\$ -	\$ 394.88
070524	424	SOFTWARE SYSTEMS, INC	51439	\$ 450.00	\$ -	\$ 450.00
070524	401	SOFTWARE SYSTEMS, INC		\$ -	\$ 1,540.25	\$ 1,540.25
070524	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 27.00	\$ 27.00
070524	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 619.00	\$ 619.00
070524	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 805.00	\$ 805.00
070524	405	SOFTWARE SYSTEMS, INC		\$ -	\$ 457.50	\$ 457.50
070524	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 52.00	\$ 52.00
070524	428	SOFTWARE SYSTEMS, INC		\$ -	\$ 213.50	\$ 213.50
070525	405	SPECIALTY BUS SUPPLIES	51639	\$ 1,287.40	\$ -	\$ 1,287.40
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 39.04	\$ 39.04
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 166.94	\$ 166.94
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,252.82	\$ 43,252.82
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 25.98	\$ 25.98
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,115.60	\$ 10,115.60
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 111.10	\$ 111.10
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 40,781.34	\$ 40,781.34
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 129.54	\$ 129.54
070526	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 146.75	\$ 146.75
070527	401	STAPLES CREDIT PLAN		\$ -	\$ 288.83	\$ 288.83
070527	412	STAPLES CREDIT PLAN		\$ -	\$ 105.01	\$ 105.01
070527	424	STAPLES CREDIT PLAN		\$ -	\$ 145.47	\$ 145.47
070527	700	STAPLES CREDIT PLAN		\$ -	\$ 912.46	\$ 912.46
070527	712	STAPLES CREDIT PLAN		\$ -	\$ 189.33	\$ 189.33
070528	711	SOFTWARE COMPUTER GROUP	50010	\$ 150.00	\$ -	\$ 150.00
070529	717	THOMASSEN FORD MERCURY	51862	\$ 43.60	\$ -	\$ 43.60
070530	700	VINCENT TIONG		\$ -	\$ 11.65	\$ 11.65
070530	700	VINCENT TIONG		\$ -	\$ 25.15	\$ 25.15
070531	401	UNITED BANKCARD CENTER		\$ -	\$ 62.56	\$ 62.56
070531	401	UNITED BANKCARD CENTER		\$ -	\$ 672.47	\$ 672.47
070531	402	UNITED BANKCARD CENTER		\$ -	\$ 24.90	\$ 24.90
070531	402	UNITED BANKCARD CENTER		\$ -	\$ 5.00	\$ 5.00
070531	403	UNITED BANKCARD CENTER		\$ -	\$ 760.79	\$ 760.79
070531	412	UNITED BANKCARD CENTER		\$ -	\$ 451.37	\$ 451.37

070531	415	UNITED BANKCARD CENTER		\$ -	\$ 75.80	\$ 75.80
070531	424	UNITED BANKCARD CENTER		\$ -	\$ 34.03	\$ 34.03
070531	424	UNITED BANKCARD CENTER		\$ -	\$ 25,013.05	\$ 25,013.05
070531	424	UNITED BANKCARD CENTER		\$ -	\$ 103.60	\$ 103.60
070531	425	UNITED BANKCARD CENTER		\$ -	\$ 184.83	\$ 184.83
070531	425	UNITED BANKCARD CENTER		\$ -	\$ 90.30	\$ 90.30
070531	425	UNITED BANKCARD CENTER		\$ -	\$ 142.26	\$ 142.26
070531	425	UNITED BANKCARD CENTER		\$ -	\$ 35.66	\$ 35.66
070531	428	UNITED BANKCARD CENTER		\$ -	\$ 352.60	\$ 352.60
070531	433	UNITED BANKCARD CENTER		\$ -	\$ 104.48	\$ 104.48
070531	440	UNITED BANKCARD CENTER		\$ -	\$ 20.00	\$ 20.00
070531	GRANT	UNITED BANKCARD CENTER		\$ -	\$ 2,542.02	\$ 2,542.02
070531	700	UNITED BANKCARD CENTER		\$ -	\$ 511.60	\$ 511.60
070531	700	UNITED BANKCARD CENTER		\$ -	\$ 15.93	\$ 15.93
070531	700	UNITED BANKCARD CENTER		\$ -	\$ 96.92	\$ 96.92
070531	700	UNITED BANKCARD CENTER		\$ -	\$ 2,399.60	\$ 2,399.60
070531	700	UNITED BANKCARD CENTER		\$ -	\$ 55.10	\$ 55.10
070531	711	UNITED BANKCARD CENTER		\$ -	\$ 154.00	\$ 154.00
070531	711	UNITED BANKCARD CENTER		\$ -	\$ 25.00	\$ 25.00
070531	711	UNITED BANKCARD CENTER		\$ -	\$ 678.41	\$ 678.41
070531	711	UNITED BANKCARD CENTER		\$ -	\$ 25.00	\$ 25.00
070531	711	UNITED BANKCARD CENTER		\$ -	\$ 25.00	\$ 25.00
070531	712	UNITED BANKCARD CENTER		\$ -	\$ 9.99	\$ 9.99
070531	712	UNITED BANKCARD CENTER		\$ -	\$ 3,872.39	\$ 3,872.39
070531	712	UNITED BANKCARD CENTER		\$ -	\$ 40.65	\$ 40.65
070531	717	UNITED BANKCARD CENTER		\$ -	\$ 1,141.56	\$ 1,141.56
070531	717	UNITED BANKCARD CENTER		\$ -	\$ 242.83	\$ 242.83
070532	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 27,956.54	\$ 27,956.54
070533	424	VERIZON		\$ -	\$ 1,131.32	\$ 1,131.32
070534	405	WEST PAYMENT CENTER	51638	\$ 2,043.88	\$ -	\$ 2,043.88
070535	717	NAPA AUTO PARTS		\$ -	\$ 149.51	\$ 149.51
070536	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 671.47	\$ 671.47
070536	716	WM OF WEST VIRGINIA, INC		\$ -	\$ 95.75	\$ 95.75
TOTAL						\$ 440,453.78
TOTAL				\$ 17,694.93	\$ 422,758.85	\$ 440,453.78

Motion by Mr. Manuel to approve the accounts payable for August 15, 2013 in the amount of \$440,453.78. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Nancy Lutz, resident – spoke regarding her concerns with the operations of the Jefferson County Transfer Station.

David Tabb, resident – shared his thoughts on the activities of the Commission.

Mr. Charles Howard, Assistant Prosecuting Attorney – introduced the new Assistant Prosecuting Attorney in the misdemeanor division, Mr. Neil Zahradnik.

PRESENTATIONS:

1. Angie Banks, Assessor - Exonerations

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Michelle N. McDougall	Middleway	Personal Property	312369	\$119.16

- **Motion by Ms. Noland to approve the Exoneration for Michelle N. McDougall as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Gail M. Whittington	Ranson	Personal Property	314605	\$102.12

- **Motion by Ms. Tabb to approve the Exoneration for Gail M. Whittington as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
James G. Alderton	Middleway	Real Estate	20144	\$1,399.51

- **Motion by Mr. Manuel to approve the Exoneration for James G. Alderton as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Ronald G. & Laura W. Clark	Harpers Ferry	Real Estate	15249	\$655.95

- **Motion by Ms. Widmyer to approve the Exoneration for Ronald G. & Laura W. Clark as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Michael Bernhardt	Charles Town	Personal Property	300673	\$221.96

- **Motion by Ms. Tabb to approve the Exoneration for Michael Bernhart as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Roger L. Waybright	Charles Town	Personal Property	304860	\$151.87

- **Motion by Ms. Noland to approve the Exoneration for Roger L. Waybright as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Pamela Stirling	Harpers Ferry	Personal Property	308656	\$65.42

- **Motion by Ms. Tabb to approve the Exoneration for Pamela Stirling as presented by the Assessor. Motion seconded and unanimously approved.**

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES

WEST VIRGINIA CODE § 11-5-14

PTD 11/99

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON

I, Angela L. Banks, Assessor of **Jefferson County**, having been presented with a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, do hereby apportion the assessment of the taxes for Tax year 2013 owned on jointly owned motor vehicles involved in the divorce order and awarded exclusively to be titled, one or more in the name of the husband and one or more in the name of the wife as follows:

SECTION I:

Ticket Number 0000310478 District: Kabletown Ticket Total: \$266.36

NAME 1: Debbie F. Payne

<i>Make</i>	<i>Model</i>	<i>Year</i>	<i>Vehicle Identification</i>	<i>Assessed Value</i>	<i>Class</i>	<i>Rate</i>	<i>Taxes Due</i>
Chev	Tahoe	2002	1GNEK13Z72J292153	3800	3	.023364	\$88.79
Pont	Vibe	2008	5Y2SK67848Z408524	5200	3	.023364	\$121.49

SUBTOTAL 1 \$210.28

NAME 2: William Vance Payne

<i>Make</i>	<i>Model</i>	<i>Year</i>	<i>Vehicle Identification</i>	<i>Assessed Value</i>	<i>Class</i>	<i>Rate</i>	<i>Taxes Due</i>
Chev	C1500	1992	2GCEC19KSN1158174	1300	3	.023364	\$30.37
Kia	Sportage	2001	KNDJA723015065307	1100	3	.023364	\$25.71

SUBTOTAL \$56.08

SECTION II:

Filed with the County Commission this 15th day of August 2013.

- **Motion by Ms. Noland to order the apportionment of the assessment of taxes as determined and set forth by the County Assessor. Motion seconded and unanimously approved.**

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES

WEST VIRGINIA CODE § 11-5-14

PTD 11/99

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON

I, Angela L. Banks, Assessor of **Jefferson County**, having been presented with a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, do hereby apportion the assessment of the taxes for Tax year 2013 owned on jointly owned motor vehicles involved in the divorce order and awarded exclusively to be titled, one or more in the name of the husband and one or more in the name of the wife as follows:

SECTION I:

Ticket Number 313384 District: Ranson Ticket Total: \$178.70

NAME 1: Cindy (Bennett) Miller

<i>Make</i>	<i>Model</i>	<i>Year</i>	<i>Vehicle Identification</i>	<i>Assessed Value</i>	<i>Class</i>	<i>Rate</i>	<i>Taxes Due</i>
Pont	Firebird	2001	2G2FV22G012129314	3000	4	2.8364	\$85.09

SUBTOTAL 1 \$85.09

NAME 2: David Bennett

<i>Make</i>	<i>Model</i>	<i>Year</i>	<i>Vehicle Identification</i>	<i>Assessed Value</i>	<i>Class</i>	<i>Rate</i>	<i>Taxes Due</i>
Ford	Focus	2006	1FAFP37N86W169817	3200	4	2.8364	\$90.77

Trir	Carr (Util)	2008	4YMUL06148V158782	100	4	2.8364	\$2.84
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SUBTOTAL 2 \$93.61

SECTION II:

Filed with the County Commission this 15th day of August 2013.

- **Motion by Ms. Tabb to order the apportionment of the assessment of taxes as determined and set forth by the County Assessor. Motion seconded and unanimously approved.**
- 2. Steve Rawlings, West Virginia Risk Pool addressed the Commission regarding West Virginia Risk Pool customer satisfaction. Mr. Rawlings gave an overview of the purpose and operations of the WV Risk Pool. He then briefly gave an overview of the county’s participation and a comparison of claims for the past three (3) years including Workers Compensation.
- 3. Approval of Resolution and Contract - Grant Resolution and application for the Governor’s Community Participation Grant for the Saint Andrews Mountain Community Center in the amount of \$2,000.
 - **Motion by Ms. Noland to approve Community Participation Grant Program Resolution for the Saint Andrews Mountain Community Center in the amount of \$2,000 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**
- 4. Approval of Resolution and Contract – Grant Resolution and contract for the Governor’s Community Participation Grant for the African American Community Association – Fisherman’s Hall in the amount of \$2,000.
 - **Motion by Ms. Widmyer to approve the Community Participation Grant Program Resolution for the African American Community Association – Fisherman’s Hall in the amount of \$2,000 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**
- 5. John Reisenweber, on behalf of the board of the Jefferson County Development Authority introduced their new Program Manager, Amy Allen. Ms. Allen comes with a wealth of marketing experience.

John Reisenweber, on behalf of the board of the Jefferson County Development Authority presented an Amendment to the Covenants and Restrictions for the Bardane Industrial Park, to be adopted at the Bardane Industrial Park Owner’s Association on September 26, 2013. The amendment deletes paragraph 1 of the Covenants and Restriction in its entirety and replaces it with the following paragraph:

1. The Burr Industrial Park is a subdivision exclusively for industries, commercial establishments and office facilities which have characteristics that will not be offensive to other occupants in the Park or to land uses on neighboring properties. Land uses must comply with the Jefferson County Zoning Ordinance governing industrial and commercial land use.

Notwithstanding the foregoing, the following uses are not permitted in the Burr Industrial Park; (i) No gambling or casino type games of chance (video, or mechanical) that provide any type of payoff or remuneration; (ii) no Adult Uses. For purposes of this paragraph 1, "Adult Uses" shall mean any business, activity, entertainment or service that has an emphasis on, or is distinguished or characterized by an emphasis on sexual activities or sexual anatomical areas, such as, without limitation, an adult arcade, adult bookstore, adult cabaret, adult motion picture theatre, adult sauna, adult theater, and sexual paraphernalia stores.

Mr. Reisenweber requested the Commission approve the changes to the Burr/Bardane Covenants, as land owners in the Park and appoint a member of the Commission to attend the Owners meeting and cast the vote on behalf of the Commission.

- **Motion by Mr. Manuel to approve and endorse the Amendment to the Covenants and Restrictions for the Bardane Industrial Park and appoint Mr. Pellish as the Commission representative to cast the vote for them at the appropriate meeting. Motion seconded and unanimously approved.**
6. Jennifer Brockman, Director of Planning and Zoning. Ms. Brockman presented a request from the Jefferson County Planning Commission that the County Commission reconsider their motion of October 25, 2012 regarding the Proposed Zoning Ordinance Text Amendment related to new Commercial and Industrial Zoning Categories. Ms. Brockman stated she has consulted with legal counsel. As the Commission did not vote this issue down, but postponed the vote, the public hearing and public comment is still valid.
 - **Ms. Tabb commented she had not had the opportunity to study this subject thoroughly and still had some issues related to this topic. Mr. Pellish recommended this agenda item be deferred until the next Commission meeting. It was the consensus of the Commission to hold this topic over to the next meeting of the body.**
 7. Sheriff Dougherty presented the 2012-2013 Report on the Jefferson County Sheriff's Office. A brief synopsis of what the Sheriff's Department has done and the activities and the kinds of functionalities it has, including, but not limited to, the mailing of tax bills, collection of taxes, the service of process, Animal Control, mental health issues including detainment and transportation to mental health facilities, concealed weapons permits, family personal protective orders, and law enforcement. Sheriff Dougherty passed out a paper report to each of the Commissioners. Sheriff Dougherty also gave a brief presentation on the option of home confinement as to opposed to incarceration.
 8. Lynn Fields, Probate, Special Session to approve and close estates.
 - **Motion by Ms. Noland to enter into session as a Fiduciary Board. Motion seconded by Mr. Manuel and unanimously approved.**

SPECIAL SESSION

AUGUST 2013

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the County Commission of said County and State, begun and held at the Old Charles Town Library thereof, on Thursday, August 15th, 2013 beginning at 11:05 a.m.

PRESENT: Dale Manuel, President
Lyn Widmyer, Patsy Noland
Jane Tabb, and Walt Pellish, Commissioners

A list of Wills Probated, Executors qualified, Guardians, Administrators, & appointed since the last Regular Term of this Commission, to-wit: The SPECIAL SESSION AUGUST 2013 Term, thereof was this day presented to the Commission by the Clerk thereof, examined by it, and ordered filed:

Estate of Robert C. Keith, deceased, in Account with Honore A. Pons and Theresa Reuter, Co-Ancillary Executors

Estate of William H. Ketner, deceased, in Account with William H. Ketner, Jr., Executor

The following Waivers of Final Settlement were this day examined by the Commission and there being no exceptions thereto, and none appearing on the face thereof, same are ordered approved and recorded as follows:

Estate of Jean K. Franzen, deceased, Waiver of Final Settlement, J. Lisa Franzen, Executrix

Accountings and Waivers of Final Settlement submitted from the Fiduciary Commissioner: June K. Jovanelly

Estate of Leila H. White, deceased, First and Final Accounting, Elizabeth Ann W. Miller, Executrix

- Motion by Ms. Widmyer to accept and authorize the President's signature upon all such fiduciary accounts as presented by the probate office. Motion seconded and unanimously approved.
- Motion by Ms. Noland to come out of session as a Fiduciary Board. Motion seconded and unanimously approved.

- **Motion by Ms. Noland to enter into session as a Fiduciary Board. Motion seconded by Mr. Manuel and unanimously approved.**
- **Motion by Ms. Tabb to close the Estate of Leila H. White as presented by the County Clerk and authorize the President's signature upon all such fiduciary accounts as presented by the probate office. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to come out of session as a Fiduciary Board. Motion seconded and unanimously approved.**

Ms. Fields' requested the Commission set a date and time for a Special Session to discuss and act upon Probate matters. It was the unanimous consent of the Commission to meet on September 12, 2013 at 9 a.m.

9. The Commission recessed for break at 11:20.
The Commission reconvened from break at 11:35.
10. Roger Goodwin, Chief Engineer, requested a complete release of the Construction Bond security for Dan Ryan Builders, LLC – The Preserve at Barleywood Subdivision, Lots 1-55 & 3 Residue Lots (File #04-16) – Letter of Credit #3078760 with Bank of America, Rockville, Maryland.
 - **Motion by Ms. Tabb to authorize a complete release of the remaining \$251,697.00 from the construction bond amount for Dan Ryan Builders, LLC – The Preserve at Barleywood Subdivision, Lots 1-55 & 3 Residue Lots (File #04-16). Motion seconded and unanimously approved.**

Mr. Goodwin informed the Commission the new developer for the Sheridan Subdivision has purchased the notes/debit and is in the process of foreclosing on the project so they can take ownership. They believe they can get through the process and finish the work in phase I by October 31st.

Mr. Goodwin informed the Commission a Windmill Crossing lot owner is pressuring to get the sitework finished. The Engineering Department is working to get this project completed.

Property Safety issues – there are two property safety issues being worked on. One petition has been served and one property owner is avoiding being served. If they are unable to serve the property owner, they will serve them at their place of business.

11. Barbara Miller, Director of Homeland Security requested the County Commission approve the Memorandum of Agreement between Jefferson County and the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office. Ms. Miller stated the WV Division of Homeland Security and Emergency Management Director, Jimmy Gianato is asking all counties in the state to sign this Memorandum of Agreement (MOA). To operate within these guidelines, all parties who will access this system must go through an on-line training course and agree to the guidelines within the MOA.
 - **Motion by Mr. Pellish to approve the Memorandum of Agreement between Jefferson County and the FEMA Integrated Public Alert and Warning System (IPAWS) Program Management Office. Motion seconded and unanimously approved.**

Barbara Miller, Director of Homeland Security requested permission to contract with NIXLE for Nixle Engage Annual License. Ms. Miller stated they have been using the NIXLE free program for a year. This product is an upgrade that will allow them to target specific groups, such as the EOC Activation Group, Media Groups, Emergency Responders, etc. It also allows unlimited text, email and web notifications and 24 hour support. This expense was approved in the current budget.

- **Motion by Ms. Noland to approve the contract with NIXLE, as presented. Motion seconded and unanimously approved.**

13. Discussion regarding renewing of membership with the County Commissioners Association of West Virginia. Ms. Noland stated she was not sure what benefit membership in the County Commissioners Association of West Virginia affords them. Ms. Widmyer stated she would be open to having the Association come in and explain the benefits of belonging to the association. Ms. Noland stated the County is well represented by the West Virginia Association of Counties and they also represent the other five (5) elected officials. Mr. Manuel stated he believed there was more conflict with the group than help with legislative issues. Ms. Widmyer wanted to emphasize the County still has a voice and a lobby effort in Charleston through the West Virginia Association of Counties.

- **Motion by Ms. Noland to not renew our membership with the County Commissioners Association of West Virginia and if the check has gone out, to request a refund. Motion seconded and unanimously approved.**

14. Eastern Panhandle Regional Planning & Development Council – Region 9 – Annual Consolidated Project Listing update. The Consolidate Project List (CEDS) for the Eastern Panhandle is updated annually and is submitted to the State and to the Economic Development Administration. Should funding become available, the Comprehensive Economic Development Strategy Project List is consulted to identify which projects are eligible for the funding. Region 9 has requested the Commission submit any projects they would like to see added to the project list. All new projects submitted will be ranked according to the guidelines on the ranking form. Region 9 is also requesting a brief update on the following three projects – Jefferson County Judicial Center, Route 9 Bike Path Trail Signage and Drinking Water Tanks for the Mountain Communities. Ms. Widmyer stated the Route 9 Bike Path Trail Signage is complete. Ms. Widmyer recommended the following projects she would like to see added to the Region 9 Project List.

#1 – Do what we can to create the entry into Rt. 340 coming into Jefferson County. Ms. Noland stated she would approach the board of the CVB and see if they have any objections to being added to the Region 9 project list.

#2 – Need for for an in-house, continuing care addiction/psychiatric care facility in the Eastern Panhandle.

Ms. Noland will submit to Region 9 the request for an in-house, continuing care facility for addiction and psychiatric care in the Eastern Panhandle to be added to the Region 9 Project List.

15. Discussion regarding contracting the position of the Chief Financial Officer for the Jefferson County Commission, follow-up discussion. Due to the confidentiality of contract negotiations, Ms. Noland requested an Executive Session.

- **Motion by Ms. Noland to enter in Executive Session stating WV Code §6-9A-4(2)(A), Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation**

of a public officer or employee, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee requests an open meeting. Motion seconded and approved on a vote of 4-1 with Ms. Widmyer opposing. Ms. Widmyer stated she is bothered by the process and this is a policy decision.

- **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**

Ms. Noland stated she will acquire more information before the next meeting regarding entering into contract negotiations with a consultant to review the 2014 FY Budget and to submit recommendations. Ms. Noland stated she would like to hold this agenda item over until the next Commission meeting when more information is obtained.

16. Ms. Widmyer stated the Commission put on hold the hiring of a Financial Director due to the hiring freeze. Ms. Widmyer reminded the Commission that Ms. Keyser has advertised and received numerous resumes. Ms. Widmyer would like the Commission to direct the Administrator to move forward in the hiring of a Financial Director.

- **Motion by Ms. Widmyer to direct Ms. Keyser to move ahead in the review of applications in the search for a Financial Director. Motion seconded and unanimously approved.**

17. The Commission broke for lunch at 12:45 p.m.

The Commission reconvened from lunch at 1:49 p.m.

COUNTY ADMINISTRATOR REPORT

Ms. Keyser introduced Tom Riley, IT Consultant. Ms. Keyser stated an IT budget has been formulated for the year; Ms. Keyser passed the Data Processing budget out to the Commissioners showing the plan of action for the IT department. Due to the fact the County is under cash constraints, Ms. Keyser stated she felt permission from the Commission was needed to purchase two (2) servers; one (1) storage area network (SAN) and software for a total cost of \$46,500.

- **Motion by Ms. Noland to approve \$46, 500 from the Data Processing Budget for the items which include the directory for the storage area network, two servers, for the Sheriff and Communications and the Sheriff's service area network and software for a total of \$46, 500. Motion was seconded and unanimously approved.**

Meeting schedule for August – it was the decision of the Commission to meet on the fifth (5) Thursday of the month in which there are five (5) Thursday. Ms. Keyser inquired if the Commission still wishes to meet the fifth Thursday, August 29, 2013. It was the consensus of the Commission to meet on August 29, 2013.

18. Set date for briefing by Region 9 on the Broadband Study and provide opportunity for community comment. Ms. Widmyer stated broadband and internet reliability and speed is a growing issue. The Broadband Study identifies steps to improve access to high speed Broadband. Due to the level of concern among residents of Jefferson County, this should be an evening meeting. Ms. Widmyer stated the Broadband Study reflects that although a majority of residents and businesses

have internet access, less than a quarter of users have broadband speed which meets the minimum FCC definitions. Ms. Widmyer would like to have an evening meeting in September, invite local providers and give the community an opportunity to comment on their issues and concerns. Mr. Pellish stated he believed it was important to have presentations from Frontier and Comcast as they are the sole providers. Mr. Pellish recommended having this placed as an agenda item.

- **Motion by Ms. Widmyer to have an evening meeting in September, where the results of the broadband study are found and solutions of how to make it faster, invite local providers to attend and allow residents of the County to come and share their views and ideas with the Commission. Motion fails for lack of a second.**

Mr. Manuel recommended having a meeting in the afternoon, with this as the sole topic, allowing for public dialogue. Ms. Widmyer stated she believes this prevents residents who work from participating.

- **Motion by Ms. Widmyer to have an evening session, scheduled by staff, at 7p.m. to allow citizens and providers of broadband services to come and talk to us about how we can improve service. Motion seconded and fails on a vote of 3-2 with Mr. Pellish, Ms. Tabb and Ms. Noland opposing.**
- **Motion by Ms. Widmyer to have an exclusive afternoon session on the Broadband topic inviting providers to participate and allowing for community input. Motion seconded and unanimously approved.**

19. Jefferson County Parks and Recreation is requesting funds from the Land Acquisition Funds to provide an excavator and operator to perform explanatory trenching for Phase I. Mr. Paul Marshall, President of the Jefferson County Parks and Recreation stated a Project Manager has been hired to manage the construction of Hite Road Park, Mr. David Biddle. He is being paid from the Land Acquisition Fund. Bids have come in much higher than expected from prospective contractors for fear of running into significant amount of rock which will need to be excavated.

- **Motion by Mr. Manuel to authorize the expenditure of \$10,000 from the Land Acquisition Fund to do the trenching project, to hopefully get more realistic bids. Motion seconded and unanimously approved.**

20. The Commission recessed for break at 2:20
The Commission reconvened at 2:35

21. Mr. Doug Rockwell and Mr. Bob Aitcheson – spoke regarding the Jefferson County Emergency Services Agency (JCESA) proposed fee ordinance and their concern if the draft ordinance complies with state law. Mr. Rockwell cited state code to illustrate his views.

PUBLIC COMMENT (*concerning the Jefferson County Emergency Services Agency Proposed Fee Ordinance*)

Peter Onoszko, resident – spoke regarding his concern of the lack of effective communication regarding terminology between those in favor of the fee ordinance and those not in favor of the fee ordinance.

Robert Leeper, resident – spoke regarding his belief of confusion in the wording in the State Code. He believes State Code has not addressed what the County is trying to enact.

Mike Mood, resident – spoke in support of the need for the Proposed Fee Ordinance.

Mr. Pete Kelly, resident – spoke in support of the need for the Proposed Fee Ordinances.

22. Jefferson County Emergency Services Agency – Reading/Review/Edits of the Jefferson County Emergency Services Fee.

Doug Pittinger, Director of the Jefferson County Emergency Services read a brief statement thanking the Commissioners for being open to listening to the issues regarding the Proposed Fee Ordinance.

Mr. Manuel stated two amendments passed at the last reading:

- The first amendment was to strike language that dealt with an emergency services fee and replaces it with Ambulance Fee.
- The second amendment dealt with the agricultural community that provided an exemption.

Amendment motions followed:

- **Motion by Mr. Manuel to amend the ordinances to remove the cap of \$1,000 from Commercial. Motion fails for the lack of a second.**
- **Motion by Mr. Manuel to amend the ordinances to provide a discount of 50% when you reach the point that you qualify for the Homestead Exemption. Motion seconded and unanimously approved.**
- **Motion by Ms. Widmyer to amend the ordinance to decrease the residential rate from \$85 to \$65. Motion seconded.**
- **Motion by Ms. Tabb to postpone the current motion until all amendments are heard and voted upon. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to amend the ordinance to include a definition as defined by the Assessor as to what an “agricultural” building is. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to amend section eleven of the ordinance to delete all of section eleven and replace with “fees collected will be allocated to hire Firefighter/ Paramedics, Firefighter /EMT’s and assign them to volunteer fire departments ambulance service thereby maximizing limited resources. Motion seconded. Ms. Grove, Legal Counsel stated language can be crafted to state any “firefighting” would be separated out and could not be charged to the ambulance fee. Ms. Tabb withdraws her motion. Second is withdrawn.**
- **Motion by Ms. Tabb to amend section eleven of the ordinance to delete all of section eleven and replace with “fees collected will be allocated to hire Firefighter/Paramedics Firefighter/EMT’s and assign them based on response time thereby maximizing limited resources. Motion seconded and passes on a vote of 3-2 with Ms. Noland and Mr. Pellish opposing.**

Mr. Manuel stated the Commission is at the foot of the amendments and called on Ms. Widmyer to restate her motion that was postponed early.

- **Motion by Ms. Widmyer to amend the ordinance to decrease the residential rate from \$85 to \$65. Motion seconded and fails on a vote of 3-2 with Ms. Widmyer**

and Mr. Manuel voting in favor and Mr. Pellish, Ms. Tabb and Ms. Noland opposing.

Mr. Pellish recommended the vote not be forced today and answers to questions raised today are researched and answered before the Commission votes on the Proposed Ordinance Fee. Mr. Manuel requested of the Jefferson County Emergency Service Agency to “come back with a more up to date, realistic budget and propose with that what the fee will be with the fee based on the delivery of service”. Ms. Tabb directed the staff at the JCESA, that the Board of the JCESA, must approve the budget.

- The Commission meeting was adjourned at 4:35p.m. on a motion by Ms. Noland . Motion was seconded and unanimously approved.

DALE MANUEL, PRESIDENT

Respectfully submitted
Cynthia C. Schott
Administrative Assistant