

Minutes

Jefferson County Commission

Thursday, September 19, 2013

A meeting of the Jefferson County Commission was held on Thursday, September 19, 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, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the September 19, 2013 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Motion by Ms. Noland to approve the Regular Minutes of August 29, 2013 as presented. Motion seconded and unanimously approved.

Motion by Ms. Widmyer to approve the Regular Minutes of September 5, 2013 as presented. Motion seconded and unanimously approved.

Motion by Mr. Manuel to approve the Minutes of the September 11, 2013 Special Session as presented. Motion seconded and unanimously approved.

Motion by Ms. Tabb to approve the Minutes of the September 12, 2013 Special Session subject to approval of legal counsel. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$173,842.08 to include P. O. Nos. 50367, 50372, 51513, 51883, 51884, 51885, 51886, 51876, 51880, 51900, 51902, 49834, 51797, 52143, 50024, 51875, 51879, 51881, 51882, 51896, 51898, 51652, 51653, 51514, 51515, 51516, 51517, 51518, 51519, 51520, 51521, 51522, 51676 and 53114. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070663	451	AMERICAN PLANNING ASSOC	50344	\$ 95.00	\$ -	\$ 95.00
070664	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
070665	PAYROLL	BUREAU FOR CHILD SUPPORT		\$ -	\$ 28.85	\$ 28.85

070666	MISC	BERKELEY CO COUNCIL		\$ -	\$ 5,625.00	\$ 5,625.00
070667	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
070668	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
070669	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
070670	424	CHARLES TOWN UTILITIES		\$ -	\$ 53.24	\$ 53.24
070670	425	CHARLES TOWN UTILITIES		\$ -	\$ 798.75	\$ 798.75
070671	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
070672	425	COVENANT BUILDING MAINT		\$ -	\$ 11,827.43	\$ 11,827.43
070673	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
070674	425	84 LUMBER		\$ -	\$ 278.10	\$ 278.10
070675	717	FISHER AUTO PARTS		\$ -	\$ 1,752.63	\$ 1,752.63
070676	425	GRAINGER, INC	51877	\$ 38.07	\$ -	\$ 38.07
070677	401	RICOH USA, INC		\$ -	\$ 323.94	\$ 323.94
070677	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
070677	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070677	405	RICOH USA, INC		\$ -	\$ 174.67	\$ 174.67
070677	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
070677	425	RICOH USA, INC		\$ -	\$ 36.12	\$ 36.12
070677	433	RICOH USA, INC		\$ -	\$ 68.34	\$ 68.34
070677	440	RICOH USA, INC		\$ -	\$ 105.43	\$ 105.43
070677	700	RICOH USA, INC		\$ -	\$ 87.21	\$ 87.21
070677	712	RICOH USA, INC		\$ -	\$ 252.70	\$ 252.70
070678	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 3,435.00	\$ 3,435.00
070679	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 174.10	\$ 174.10
070680	402	JEFFERSON PUBLISH CO INC	51796	\$ 249.52	\$ -	\$ 249.52
070680	451	JEFFERSON PUBLISH CO INC	50343	\$ 162.20	\$ -	\$ 162.20
070680	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 43.58	\$ 43.58
070681	406	THE JOURNAL	51410	\$ 162.09	\$ -	\$ 162.09
070682	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,793.00	\$ 4,793.00
070682	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
070683	717	J & K PRECISION AUTO CAR	51878	\$ 54.95	\$ -	\$ 54.95
070684	712	LANGUAGE LINE SERVICES		\$ -	\$ 414.05	\$ 414.05
070685	406	MONROE SYS FOR BUSINESS	51415	\$ 121.90	\$ -	\$ 121.90
070686	712	PRIORITY DISPATCH	51670	\$ 1,180.00	\$ -	\$ 1,180.00
070687	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
070688	405	HARRY A. MILMAN, PH.D	51650	\$ 2,163.35	\$ -	\$ 2,163.35
070689	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
070690	712	NAEMD/IAED	51672	\$ 50.00	\$ -	\$ 50.00
070691	424	POTOMAC EDISON/OH		\$ -	\$ 2,340.44	\$ 2,340.44
070691	425	POTOMAC EDISON/OH		\$ -	\$ 13,321.59	\$ 13,321.59
070691	425	POTOMAC EDISON/OH		\$ -	\$ 2,601.66	\$ 2,601.66
070692	403	RECORD MANAGEMENT SOLUTN	51438	\$ 30.00	\$ -	\$ 30.00
070693	403	SOFTWARE SYSTEMS, INC	51439	\$ 342.50	\$ -	\$ 342.50
070693	424	SOFTWARE SYSTEMS, INC	51439	\$ 450.00	\$ -	\$ 450.00
070693	401	SOFTWARE SYSTEMS, INC		\$ -	\$ 517.00	\$ 517.00
070693	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 210.00	\$ 210.00
070693	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 619.00	\$ 619.00
070693	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 805.00	\$ 805.00
070693	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 52.00	\$ 52.00
070693	700	SOFTWARE SYSTEMS, INC		\$ -	\$ 30.50	\$ 30.50
070694	404	SPECIALTY BUS SUPPLIES	52112	\$ 597.00	\$ -	\$ 597.00

070694	404	SPECIALTY BUS SUPPLIES	52113	\$ 234.19	\$ -	\$ 234.19
070695	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 111.10	\$ 111.10
070695	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 25.98	\$ 25.98
070695	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,910.30	\$ 43,910.30
070695	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,269.44	\$ 10,269.44
070695	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 129.54	\$ 129.54
070695	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 42,423.00	\$ 42,423.00
070696	711	SOFTWARE COMPUTER GROUP	50010	\$ 150.00	\$ -	\$ 150.00
070697	425	SHENANDOAH VALLEY WATER		\$ -	\$ 642.65	\$ 642.65
070698	425	CAPITAL TRISTATE		\$ -	\$ 84.20	\$ 84.20
070699	PAYROLL	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 212.00	\$ 212.00
070700	401	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
070701	424	VERIZON BUSINESS/TX		\$ -	\$ 1,135.23	\$ 1,135.23
070702	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 671.47	\$ 671.47
070702	716	WM OF WEST VIRGINIA, INC		\$ -	\$ 95.75	\$ 95.75
TOTAL						\$ 159,282.46
TOTAL				\$ 6,080.77	\$ 153,201.69	\$ 159,282.46

Motion by Ms. Tabb to approve the accounts payable for September 12, 2013 in the amount of \$159,282.46. Motion seconded and unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
070704	406	ASSESSOR OF JEFFERSON CO	51416	\$ 28.00	\$ -	\$ 28.00
070705	424	AT&T/IL		\$ -	\$ 0.14	\$ 0.14
070706	700	AUTOZONE		\$ -	\$ 99.94	\$ 99.94
070706	717	AUTOZONE		\$ -	\$ 643.13	\$ 643.13
070707	413	APPLE VALLEY OFF.PRODUCT	51630	\$ 64.50	\$ -	\$ 64.50
070708	424	BOLAND SERVICES	51763	\$ 270.00	\$ -	\$ 270.00
070708	425	BOLAND SERVICES	51764	\$ 991.01	\$ -	\$ 991.01
070709	425	CITY OF CHARLES TOWN	51897	\$ 20.00	\$ -	\$ 20.00
070709	425	CITY OF CHARLES TOWN	51903	\$ 40.00	\$ -	\$ 40.00
070710	425	CT CARPET ONE FLOOR&HOME	51901	\$ 82.54	\$ -	\$ 82.54
070711	401	CHOICE STAFFING, INC.		\$ -	\$ 231.00	\$ 231.00
070712	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
070712	425	J.C.EHRLICH		\$ -	\$ 604.56	\$ 604.56
070713	433	TODD FAGAN		\$ -	\$ 9.00	\$ 9.00
070714	717	GUTTMAN OIL CO		\$ -	\$ 19,304.76	\$ 19,304.76
070715	440	HEWETT & ASSOCIATES	50239	\$ 85.00	\$ -	\$ 85.00
070716	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 50.14	\$ 50.14
070717	401	THE JOURNAL		\$ -	\$ 68.06	\$ 68.06
070718	425	JEFFERSON RENTAL	51899	\$ 60.48	\$ -	\$ 60.48
070719	425	JEFFERSON UTILITIES INC		\$ -	\$ 559.76	\$ 559.76
070720	401	DEBBIE KEYSER		\$ -	\$ 671.56	\$ 671.56

070721	700	GLENDON KINCAID		\$ -	\$ 112.00	\$ 112.00
070722	405	MATTHEW BENDER & CO	51654	\$ 74.08	\$ -	\$ 74.08
070723	412	JUDITH A MATLICK		\$ -	\$ 323.20	\$ 323.20
070724	405	JENNIFER E. MAY-SANNER		\$ -	\$ 16.95	\$ 16.95
070725	440	MICHAEL MONAGHAN		\$ -	\$ 363.00	\$ 363.00
070726	412	SHAY MCNEIL		\$ -	\$ 343.53	\$ 343.53
070727	402	PIFER OFFICE SUPPLY, INC	51798	\$ 10.98	\$ -	\$ 10.98
070728	700	TERRY PALMER		\$ -	\$ 112.00	\$ 112.00
070729	GRANT	RCS SECURITY		\$ -	\$ 1,199.94	\$ 1,199.94
070730	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
070730	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
070730	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
070730	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
070730	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
070730	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
070730	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
070730	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
070730	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
070730	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
070731	405	SPECIALTY BUS SUPPLIES	51639	\$ 1,641.17	\$ -	\$ 1,641.17
070732	401	JOHN STEVENS		\$ -	\$ 229.26	\$ 229.26
070733	412	STAPLES CREDIT PLAN		\$ -	\$ 92.29	\$ 92.29
070733	700	STAPLES CREDIT PLAN		\$ -	\$ 858.16	\$ 858.16
070733	716	STAPLES CREDIT PLAN		\$ -	\$ 98.27	\$ 98.27
070734	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 15,461.63	\$ 15,461.63
070736	401	UNITED BANKCARD CENTER		\$ -	\$ 175.73	\$ 175.73
070736	402	UNITED BANKCARD CENTER		\$ -	\$ 139.73	\$ 139.73
070736	402	UNITED BANKCARD CENTER		\$ -	\$ 35.99	\$ 35.99
070736	402	UNITED BANKCARD CENTER		\$ -	\$ 154.00	\$ 154.00
070736	403	UNITED BANKCARD CENTER		\$ -	\$ 44.00	\$ 44.00
070736	403	UNITED BANKCARD CENTER		\$ -	\$ 192.78	\$ 192.78
070736	403	UNITED BANKCARD CENTER		\$ -	\$ 357.00	\$ 357.00
070736	406	UNITED BANKCARD CENTER		\$ -	\$ 216.00	\$ 216.00
070736	406	UNITED BANKCARD CENTER		\$ -	\$ 178.83	\$ 178.83
070736	412	UNITED BANKCARD CENTER		\$ -	\$ 451.37	\$ 451.37
070736	415	UNITED BANKCARD CENTER		\$ -	\$ 75.80	\$ 75.80
070736	424	UNITED BANKCARD CENTER		\$ -	\$ 180.28	\$ 180.28
070736	424	UNITED BANKCARD CENTER		\$ -	\$ 26,498.80	\$ 26,498.80
070736	425	UNITED BANKCARD CENTER		\$ -	\$ 220.01	\$ 220.01
070736	425	UNITED BANKCARD CENTER		\$ -	\$ 70.53	\$ 70.53
070736	425	UNITED BANKCARD CENTER		\$ -	\$ 194.76	\$ 194.76

070736	425	UNITED BANKCARD CENTER		\$ -	\$ 16.33	\$ 16.33
070736	428	UNITED BANKCARD CENTER		\$ -	\$ 848.00	\$ 848.00
070736	428	UNITED BANKCARD CENTER		\$ -	\$ 6,947.71	\$ 6,947.71
070736	433	UNITED BANKCARD CENTER		\$ -	\$ 1,000.00	\$ 1,000.00
070736	433	UNITED BANKCARD CENTER		\$ -	\$ 14.48	\$ 14.48
070736	433	UNITED BANKCARD CENTER		\$ -	\$ 76.32	\$ 76.32
070736	439	UNITED BANKCARD CENTER		\$ -	\$ 18.40	\$ 18.40
070736	439	UNITED BANKCARD CENTER		\$ -	\$ 82.20	\$ 82.20
070736	440	UNITED BANKCARD CENTER		\$ -	\$ 54.95	\$ 54.95
070736	440	UNITED BANKCARD CENTER		\$ -	\$ 782.14	\$ 782.14
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 694.87	\$ 694.87
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 669.89	\$ 669.89
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 139.98	\$ 139.98
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 303.78	\$ 303.78
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 139.17	\$ 139.17
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 2,264.99	\$ 2,264.99
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 34.68	\$ 34.68
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 390.00	\$ 390.00
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 595.00	\$ 595.00
070736	700	UNITED BANKCARD CENTER		\$ -	\$ 836.75	\$ 836.75
070736	711	UNITED BANKCARD CENTER		\$ -	\$ 218.63	\$ 218.63
070736	711	UNITED BANKCARD CENTER		\$ -	\$ 75.00	\$ 75.00
070736	712	UNITED BANKCARD CENTER		\$ -	\$ 3,655.40	\$ 3,655.40
070736	712	UNITED BANKCARD CENTER		\$ -	\$ 459.28	\$ 459.28
070736	716	UNITED BANKCARD CENTER		\$ -	\$ 191.40	\$ 191.40
070736	716	UNITED BANKCARD CENTER		\$ -	\$ 923.02	\$ 923.02
070737	405	WEST PAYMENT CENTER	51638	\$ 2,043.88	\$ -	\$ 2,043.88
070738	717	NAPA AUTO PARTS		\$ -	\$ 25.69	\$ 25.69
070739	PAYROLL	WVCORP		\$ -	\$ 28,522.25	\$ 28,522.25
TOTAL						\$ 128,281.75
TOTAL				\$ 5,411.64	\$ 122,870.11	\$ 128,281.75

Motion by Mr. Manuel to approve the accounts payable for September 19, 2013 in the amount of \$128,281.75. Motion seconded and unanimously approved.

PUBLIC COMMENT:

David Tabb, resident - expressed his views on the Commission's job performance.

Joe Thompson, resident - spoke regarding the noise ordinance and the issues the residents of Shannondale deal with. Mr. Thompson expressed his belief the pay rate advertised for a part-time IT person is under market rate.

Bob Aitcheson, resident - addressed the JCESA proposed Ambulance Fee. It was the consensus of the Commission to allow Mr. Aitcheson to use Mr. Rockwell's three (3) minutes as he was unable to attend the meeting.

Debbie Royalty, resident – spoke regarding the hiring of a Financial Consultant and her concern over this action.

PRESENTATIONS:

1. Angie Banks, County Assessor – requesting permission to hire a full-time Step A Senior Appraiser, John Swain. This position is a replacement position for Matt Barney with a starting salary of \$35,000 to begin on September 23, 2013.

- **Motion by Ms. Widmyer to approve the hire of full-time Senior Appraiser, John Swain to fill a vacancy with a starting salary of \$35,000 to begin on September 23, 2013. Motion seconded and unanimously approved.**

2. Angie Banks, County Assessor – Exonerations

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Peggy Crumb	Middleway	Personal Property	311560	\$21.04

- Motion by Ms. Tabb to approve the exoneration for Peggy Crumb as presented by our Assessor. Motion seconded and unanimously approved.

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Kenneth & Evelyn M. Witt	Charles Town City	Personal Property	306694	\$24.98

- Motion by Ms. Noland to approve the exoneration for Kenneth and Evelyn M. Witt as presented by our Assessor. Motion seconded and unanimously approved.

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Thomas Longmore	Charles Town	Personal Property	302912	\$238.31

- Motion by Ms. Tabb to approve the exoneration for Thomas Longmore as presented by our Assessor. Motion seconded and unanimously approved.

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
J. Russell Fritts, Inc.	Charles Town City	Real Estate	8288	\$455.41

- Motion by Ms. Tabb to approve the exoneration for J. Russell Fritts, Inc. as presented by our Assessor. Motion seconded and unanimously approved.

3. Jennifer Maghan, County Clerk requesting approval of employment of Jackie Shadle at a starting salary of \$29,500, 2 E-F.

- **Motion by Ms. Widmyer to approve the hire of Ms. Shadle at a 2 E-F, \$29,500. Motion seconded.**
- **Ms. Widmyer amended her motion to approve Ms. Shadle hiring at 2D with an increase to 2E**

after a probationary period. Amended motion seconded and unanimously approved.

Jennifer Maghan, County Clerk requesting approval of posting an advertisement for a new hire at a rate of 2D.

- **Motion by Ms. Widmyer to approve the posting of a staff person at a rate of 2D with an increase to a 2F after a probationary period. Motion seconded and fails on a vote of 3-2 with Ms. Tabb, Ms. Noland and Mr. Pellish opposing.**
- **Motion by Mr. Manuel to approve the posting of a staff person at a rate of C-F with the County Clerk coming before the County Commission after a candidate is chosen. Motion seconded and fails on a vote of 3-2 with Ms. Tabb, Ms. Noland and Mr. Pellish opposing.**
- **Motion by Mr. Pellish to approve the posting of a staff person at a rate of A-F. Motion seconded and unanimously approved.**

Jennifer Maghan, County Clerk requesting approval of the County Financial Statement for FY 2013 to be published as required by State Statute.

- **Motion by Mr. Manuel to approve the financial statement for publication as presented by the County Clerk. Motion seconded and unanimously approved.**

Jennifer Maghan, County Clerk provided an update to the Commission on the grant funding for the electronic poll books. The state informed the Clerk's office an incorrect grant amount was quoted requiring an additional \$23,000 from the County. Ms. Maghan stated the extra \$23,000 is not available in the County Clerk's budget. As this was not an item on the agenda it was the consensus of the Commission to place this on the October 3, 2013 agenda for review.

4. Sheriff Pete Dougherty reported on the purchase of six (6) new vehicles at a cost of \$156,310. Sheriff Dougherty stated the vehicles were included in the budget for FY 2014. Sheriff Dougherty stated in the past, funds for vehicle purchasing have been in the Sheriff's budget. This year the funds were put in the Capital Outlay budget. Sheriff Dougherty is requesting the funds for the new six (6) vehicles be paid from the Capital Outlay budget. Sheriff Dougherty requested this budgeted item be placed in the Sheriff's budget in the future. Ms. Noland inquired if all the Sheriff's vehicles are registered in the County's name. Sheriff Dougherty affirmed they were.
 - **Motion by Mr. Manuel to expend \$156,310 for the purchase of the six (6) new Sheriff's vehicles. Motion seconded and unanimously approved.**
5. Jeffery A. Polczynski, ENP – Director of Communication, Chris Cross, Deputy Director of Communications and Tom Reilly, Consultant – presented a power point presentation on their final selection of the Integrated Public Safety Information Systems (CAD) vendor. Speaking in support of the CAD System were Sheriff Pete Dougherty; Shepherdstown Police Chief, David Ransom; Charles Town Police Chief, Chris Kutcher; Citizens Fire Chief, Ron Fletcher; Director of Jefferson County Emergency Services Agency, Doug Pittinger and Ranson Finance Director Chris Bontoft.
 - **Motion by Mr. Manuel to adopt the following in its entirety:**
 - **To accept the recommendation of the CAD Committee to select Spillman Technologies, Inc. as the vendor to implement the Integrated Public Safety Information Systems for the Emergency Communications Center and Sheriff's Office and;**
 - **To direct the Director of Communications to continue collaboration with the municipalities to create a multi-jurisdictional, multi-discipline public safety information system and;**
 - **To allocate the \$800,000 budgeted for this project from Capital Improvements to a**

spendable account based upon recommendation of the County Administrator and;

- To direct the Director of Communications to work within the budget of the monies allocated in Capital Projects for implementation of the CAD, RMS and mobile data system and;
- To direct the Director of Communications and IT consultant to collaborate with counsel and the vendor to create a contract based upon the details of negotiations to date and;
- At a near-future date to present contract for signature to the President of the Commission.

- **Motion seconded and unanimously approved.**

6. The Commission recessed for break at 11:38 p.m.

The Commission reconvened from break at 11:52 p.m.

7. Brenda Engle, Board of Directors of the Jefferson County Emergency Services Agency (JCESA), Doug Pittinger, Director of JCESA, Ed Hannon, Deputy Director of JCESA – continuation of Jefferson County Emergency Services Agency Ambulance Fee.

- a) Ronald Fletcher, President Jefferson County Fire and Rescue Association spoke regarding the \$40 fee voted upon by the County Commission as insufficient.
- b) Brenda Engle, President of the Jefferson County Emergency Services Agency, read a letter on behalf of the Board of the JCESA stating they are not in support of the \$40 fee.
- c) Doug Pittinger, Director JCESA spoke against the \$40 fee and the hope of being able to work together to make the Ambulance Fee a reality.
- d) Ed Boober, Member of the Board of JCESA spoke of his disappointment in the inability to come to a decision on the Ambulance Fee.

- **Motion by Mr. Manuel to move the Proposed Jefferson County Emergency Services Ambulance Fee Ordinance back before the body for deliberation. Motion seconded and unanimously approved.**

SECTION ONE (1) – LEGISLATIVE AUTHORITY - NO AMENDMENTS

SECTION TWO (2) – PURPOSE

- No objection to clarify the role of the “firefighter” and eliminating “reduce property loss.”

SECTION THREE (3) - DEFINITIONS

- **Motion by Mr. Manuel to strike “tenant house and quarters furnished to farm employees without rent as part of the terms of their employment,” under Agricultural Building and place the “and” in front of swinery. Motion seconded and unanimously approved.**

SECTION FOUR (4) - RATES

- **Motion by Ms. Widmyer to amend the residential fee to \$60.00. Motion seconded and fails on a vote of 3-2 with Mr. Pellish, Ms. Noland and Ms. Tabb opposing.**
- **Motion by Ms. Noland to amend the residential fee to \$45.00. Motion seconded. Motion and second withdrawn.**
- **Motion by Mr. Pellish to amend the commercial fee and hold it at \$80 per business, per year. Motion seconded and passes on a vote of 3-2 with Mr. Manuel and Ms. Widmyer opposing.**

- **Motion by Ms. Noland to table any more work on the Ordinance until we can see numbers that are realistic. Motion seconded**
- **Ms. Noland withdrew her motion, Mr. Pellish withdrew his second.**

SECTION FIVE (5) – RATE INCREASES – NO AMENDMENTS

SECTION SIX (6) – EFFECTIVE DATE

- **Motion by Ms. Noland to amend the effective date of the Ordinance to July 1, 2014, striking June 30, 2013 and change the services rendered to reflect the new date. Motion seconded and unanimously.**

SECTION SEVEN (7) – MANAGEMENT OF PROCEEDS

- **Motion by Ms. Widmyer to strike the language “and the cost of buildings.” Motion seconded and unanimously approved.**

SECTION EIGHT (8) – BUDGET DEVELOPMENT

- **Motion by Ms. Noland to add “In addition, the JCESA shall prepare an annual detailed expenditure report along with the beginning and ending balance of any and all funds received including all funding received from all sources.” Motion seconded.**
 - **Ms. Noland agreed to withdraw her motion with the understanding this would become a policy for all contingency agencies with the understanding funding will be withdrawn without this report.**
- **Ms. Noland withdrew her motion, Mr. Pellish withdrew his second.**

SECTION NINE (9) – DATA USED FOR ASSESSMENT OF FEES

- Counsel recommended the language that refers to the Assessor providing square footage be removed as the commercial fee is not based on square footage. With no objection from the Commission, such language will be removed.

SECTION TEN (10) – COLLECTION OF DELINQUENT ACCOUNTS – NO AMENDMENTS

SECTION ELEVEN (11) – FUNDS AND POSITIONS – NO AMENDMENTS

SECTION TWELVE (12) – AMENDMENTS AND SEVERABILITY – NO AMENDMENTS

SECTION THIRTEEN (13) – NEW SECTION

- **Motion by Ms. Noland to add the following new section – “The administrative cost for collection and oversight of the Emergency Services Ambulance Fee shall be the responsibility of the Jefferson County commission. It shall be the responsibility of the Jefferson County Commission to hire additional county employees, who shall work under the authority of the Jefferson County Finance Director and to provide the space, technology and equipment needed for the billing and collection of said fee.” Motion seconded and passes on a vote of 3-2 with Mr. Manuel and Ms.**

Widmyer opposing.

- Counsel stated in section four (4), the following needs to be removed from the ordinance, “The Fee assessed and levied under the provisions of the ordinance shall be a debt due the Jefferson County Emergency Services Agency and shall be a personal obligation of the owner of the unit. With no objection from the Commission, language will be removed.
- **Final vote on the adoption of the Ambulance Fee Ordinance as amended passes on a vote of 3-2 with Mr. Manuel and Ms. Widmyer opposing.**

8. The Commission broke for recess at 2:55 p.m.
The Commission reconvened at 3:05 p.m.

Public Meeting on Broadband in Jefferson County

Ms. Widmyer introduced Penny Porter, area Representative for Senator Rockefeller and Elise Guice, Customer Representative & Compliance Specialist, Eastern Panhandle Consumer Protection Office of the State Attorney General.

Public Comment:

Joe Thompson, resident
Tish Appagini, resident
Patience Wait, resident with home based business
Nan Brisco, resident with home based business
George Rutherford, resident and President of NAACP
Meredith Wait, resident and business owner in Shepherdstown
Christina Hess, resident with home based business
Eleanor Finn, resident
Scott Tsukuda, resident and local business owner
Lillian Potter-Saum, resident and local non-profit director
John Maxey, resident with home based business
John Reisenweber, Director of Development Authority
Patty Corley, resident

All public comments expressed concern with lack of internet speed, reliability of service, impact on home business and local businesses.

John Reisenweber, Director, Jefferson County Development Authority- requested to go on record stating the Development Authority has not made any statements on the record about Broadband reliability as stated by John Maxi.

Mr. Paul Espinosa, General Manager for the Eastern Panhandle, presented a power point presentation highlighting the operations of Frontier and the challenges of providing broadband in a rural community.

Presentations Continued:

9. Roger Goodwin, Chief Engineer – requesting a completion of the Construction Bond security for 340 Defense Mark O’Dell and Yvonne G. Deveau (File #S10-04) – Cash in Escrow with the Bank of Charles Town, Charles Town, WV.

- **Motion by Ms. Noland to authorize a complete release of the remaining \$80,958 from the construction bond amount for 340 Defense – Mark O’Dell and Yvonne G. Deveau (File #S10-04). Motion seconded and unanimously approved.**
10. Heather Morgan McIntyre, Jefferson County Chamber of Commerce – requesting a letter of support from the County Commission allowing wine tasting to occur before 1pm at the 38th Annual Mountain Heritage Arts and Crafts Festival to be held at Sam Michaels Park on September 29, 2013.
- **Motion by Ms. Widmyer to approve a letter of support for the Jefferson County Chamber of Commerce to allow wine tasting prior to 1:00 p.m. at the annual Mountain Heritage Arts and Crafts Festival to be held at Sam Michaels Park, September 27-29, 2013 and direct the County Administrator to write such letter and the President of the Commission to affix his signature on behalf of the Commission. Motion seconded and unanimously approved.**
11. Don Orser, resident requested consideration of 2013 Board of Assessment Appeals Hearing Examiner. Ms. Grove, Assistant Prosecuting Attorney stated State Code asserts both the Assessor and the Citizen have to agree on having an Appeals Hearing Examiner. Ms. Banks, County Assessor prefers having the appeal come before the County Commission.

NEW BUSINESS

12. County Noise Ordinance – Sheriff Dougherty addressed the Commission and stated after discussions with legal counsel, he believes a noise ordinance is unenforceable. Sheriff Dougherty would like to work with legal counsel to draw up an ordinance along the lines of disturbing the peace.
- **Motion by Mr. Manuel to have the Sheriff and Legal Counsel work together to come up with an enforceable noise ordinance. Motion seconded and unanimously approved.**
13. John Reisenweber, Director Jefferson County Development Authority – requested the Commission enter into Executive Session to discuss a business prospect.
- **Motion by Mr. Pellish to enter into Executive Session citing State Code §6-9A-4(9), To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which is made public, might adversely affect the financial or other interest of the state or any political subdivision: *Provided*, That information relied on during the course of deliberations on matter involving commercial competition are exempt from disclosure under the open meetings requirements of this article only until the commercial competition has been finalized and completed: *Provided, however*, That information not subject to release pursuant to the West Virginia freedom act does not become subject to disclosure as a result of executive session; Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to allow John Reisenweber to proceed with the pilot project as described and discussed in Executive Session. Motion seconded and unanimously approved.**

14. Follow up discussion regarding contracting with Leslie Smith for the position of the Financial Consultant for Jefferson County.
 - **Motion by Ms. Noland to approve the contract as presented to us today, it has been through legal review, with regard to the contracting of Leslie Smith for the position of Financial Consultant for the Jefferson County Commission. Motion seconded.**
 - **Due to concerns over some aspects of the contract, Mr. Manuel recommended the Commission reconvene the following week to meet with counsel and review contract. It was the consensus of the Commission to meet on Wednesday, September 25, 2013 at 9:30 a.m.**
 - **Ms. Noland withdrew her motion and Ms. Tabb withdrew her second.**
15. General County Budget Revision #2 and Resolution – State Budget Revision #2 General County Fund to provide the Berkeley/Jefferson Day Report Center the cash match of \$106,290 for the 2014 fiscal year approved at a regular meeting on March 7, 2013.
 - **Motion by Ms. Noland to approve State Budget Revision #2 General County Fund and Resolution and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**
16. Approval of Resolution and Contract – Victim of Crime Act (VOCA) Victim Assistant Grant Program in the amount of \$59,381 with \$14,845 match.
 - **Motion by Ms. Noland to approve the Victim of Crime Act (VOCA) Victim Assistant Grant Program in the amount of \$59,381 with \$14,845 match and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**
17. Approval of Resolution and Contract – Community Participant Grant Program for the Friends of Blackwater J.R. Clifford Project in the amount of \$1,000.
 - **Motion by Mr. Manuel to approve the Community Participant Grant Program for the Friends of Blackwater J.R. Clifford Project in the amount of \$1,000 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**
18. Approval of Resolution and Contract – Community Participation Grant Program, for the Good Shepherd Caregivers in the amount of \$10,000.
 - **Motion by Mr. Pellish to approve the Community Participation Grant Program Resolution for Good Shepherd Caregivers in the amount of \$10,000 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**
19. Finance Director Position
 - **Motion by Ms. Noland to enter in Executive Session regarding contract negotiations for Financial Director citing State Code §6-9 A-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 unanimously approved.

- **Motion by Ms. Noland to come out of Executive Session. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to authorize the County Administrator to proceed with negotiations for hiring a Financial Director for the County. Motion seconded and unanimously approved.**
- The Commission meeting was adjourned at 6:20 p.m. on a motion by Ms. Noland. Motion was seconded and unanimously approved.

DALE MANUEL, PRESIDENT

Respectively submitted
Cynthia C. Schott
Executive Administrative Assistant

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