

# Minutes

## Jefferson County Commission

Thursday, February 6, 2014

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A meeting of the Jefferson County Commission was held on Thursday, February 6, 2014 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, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the Thursday, February 6, 2014 meeting is available through the Jefferson County Commission Office.)

### PLEDGE OF ALLEGIANCE

Commissioner Tabb led the Pledge of Allegiance.

### APPROVAL OF MINUTES

**Motion by Mr. Manuel to approve the Regular Meeting Minutes of January 30, 2014.  
Motion seconded and unanimously approved.**

### APPROVAL OF PURCHASE ORDERS

**Motion by Ms. Widmyer to approve Purchase Orders in the amount of \$22,071.30 to include P.O. Nos. 51427, 51460, 51684, 52232, 51822, 52271, 52272, 50246, 50247, 50248, 51377, 52270, 52273, and 51830. Motion seconded and unanimously approved.**

### APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
071568	425	B-K OFFICE SUPPLY INC	52203	\$ 991.40	\$ -	\$ 991.40
071569	424	BOLAND SERVICES		\$ -	\$ 1,614.33	\$ 1,614.33
071570	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
071571	425	DODSON'S SEPTIC	52202	\$ 260.00	\$ -	\$ 260.00
071572	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,916.51	\$ 5,916.51
071573	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,980.64	\$ 1,980.64

071573	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,740.54	\$ 1,740.54
071574	425	GRAINGER, INC	52206	\$ 314.60	\$ -	\$ 314.60
071575	440	HEWETT & ASSOCIATES	50245	\$ 328.56	\$ -	\$ 328.56
071576	402	JEFFERSON PUBLISH CO INC	51820	\$ 325.90	\$ -	\$ 325.90
071576	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 164.94	\$ 164.94
071577	425	KONE INC.	52149	\$ 1,482.00	\$ -	\$ 1,482.00
071578	401	DEBBIE KEYSER		\$ -	\$ 16.56	\$ 16.56
071579	PAYROLL	HIGHMARK WV		\$ -	\$ 187,206.15	\$ 187,206.15
071580	402	RECORD MANAGEMENT SOLUTN	51631	\$ 35.00	\$ -	\$ 35.00
071581	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 6,668.00	\$ 6,668.00
071582	405	BRANDON C.H. SIMS		\$ -	\$ 395.50	\$ 395.50
071583	425	THOMPSON GAS		\$ -	\$ 328.98	\$ 328.98
071584	424	TREARY SERVICE CO	52205	\$ 1,053.98	\$ -	\$ 1,053.98
071585	403	UNITED SYSTEMS & SOFTWAR		\$ -	\$ 212.00	\$ 212.00
071586	402	XEROX CORPORATION	51632	\$ 857.66	\$ -	\$ 857.66
071586	439	XEROX CORPORATION	50339	\$ 521.11	\$ -	\$ 521.11
<b>TOTAL</b>						<b>\$ 213,914.36</b>
<b>TOTAL</b>				<b>\$ 6,170.21</b>	<b>\$ 207,744.15</b>	<b>\$ 213,914.36</b>

**Motion by Ms. Noland to approve the Accounts Payable for February 6, 2014 in the amount of \$213,914.36. Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Peter Onoszko, resident – spoke regarding a possible administrative oversight, stating there have been no minutes presented to the public regarding the discussion/action that was taken on January 23, 2014 during the workshop on the Zoning Text Amendments.

**PRESENTATIONS**

1. John Reisenweber, Executive Director of the Jefferson County Development Authority – requested \$20,000 from the County Commission to implement a Natural Gas Demand Study.
  - **Motion by Mr. Manuel to delay action on this item until the following week to allow Mr. Reisenweber to present the Commission with more background information regarding his request. Motion seconded but fails on a vote of 2-3 with Ms. Noland, Mr. Pellish, and Ms. Tabb opposing.**
  - **Motion by Mr. Pellish to approve funding for the Natural Gas Demand Study for Jefferson County. Motion seconded and approved on a vote of 3-2 with Mr. Manuel and Ms. Widmyer opposing.**

2. Interviews and Appointments to the Jefferson County Water Advisory Committee – four 3-year terms ending January 31, 2017.
  - **Motion by Mr. Manuel to reappoint Mary Sell, Victoria Eckert, and Robert Denton to the Jefferson County Water Advisory Committee for one three-year term each, ending January 31, 2017. Motion seconded and unanimously approved.**
3. Samuel Byrer, Attorney for Millville Quarry, Inc. – requested the Commission reduce the fee for rezoning application from \$1,000 plus \$50 per acre (1,268 acres) to \$2,850.
  - Prior to the day of the Commission meeting, Mr. Byrer submitted a letter to the County Administrator notifying the Commission of his clients’ withdrawal of their request. As a result, there was no discussion or action taken on this item.
4. The Commission recessed for break at 10:45 am.  
The Commission reconvened at 10:55 am.
5. Jefferson County Emergency Services Agency, Pete Dougherty, Sheriff, Teresa Hendricks, Chief Tax Deputy, and Angie Banks, Assessor – discussed possible methods for the process of implementing and collecting the Ambulance Fee.
  - **Motion by Ms. Noland to approve cash and checks as the acceptable methods of payment of the ambulance fee. Motion seconded and unanimously approved.**
  - **Motion by Mr. Manuel to allocate the money necessary to hire County Commission employees to collect the ambulance fee. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to eliminate delinquent collection through a collection agency and if necessary after the first year, implement a lien on the property through Magistrate Court.**
6. Jennifer Brockman, Director of Planning and Zoning – follow up workshop for input on proposed Zoning Ordinance Text Amendment (ZTA 12-01) to establish additional commercial and industrial zoning district categories, and related changes to the ordinance; including changed to the following sections of Zoning and Land Development Ordinance: 4.4; 4.6; 4.10; 4.11; 5.1; 5.4; 5.6; 5.7; 5.8; 5.10; 6.3; 6.5; 8.1; 8.9; 8.12; 12.2; 12.3; Appendices A, B, and C; and the addition of new Sections 5.11, 5.12, 5.12, 5.14, 5.15, 5.16, and 5.17.

- It was the consensus of the Commission to postpone discussion/action on this item until Thursday, February 13 to allow for proper time and consideration of this matter.

## **UNFINISHED BUSINESS**

7. Commissioner Dale Manuel – requested the Commission approve the hiring of a lobbyist to defend against Governor Tomblin’s Senate Bill 385 which would cut 15% of the County’s Lottery and Table Games appropriations for the next two years. Commissioner Manuel also stated it was essential to involve the municipalities in this request, as the Bill would have direct consequences for many of the citizens of the County.
  - Commissioner Manuel stated he still needed to get estimates on the cost of hiring a lobbyist but was hopeful the County wouldn’t need to pursue the matter further after next week.
8. Legislative Updates
  - Mr. Pellish notified the public and the Commission he heard from Senator Manchin’s office and the Farm Bill has passed.
  - Senate Bill 373 – a public hearing was held regarding SB373, and the public called for the bill to be stronger and to include the recommendations of the Chemical Safety Board.
  - Senate Bill 385 – Mr. Manuel stated no one in attendance at the public hearing regarding SB385 spoke in favor of the Governor’s bill. Ms. Noland stated she wrote a letter to the Governor asking him to reconsider SB385 and read it for the public.
  - The Governor’s transportation proposal eliminates the \$500,000 he had previously committed for MARC, which will increase costs for commuters.
  - Delegate Skinner submitted a Consumer Service Bill regarding Internet service which would require providers to credit customers for lapses in service.
9. Sandy McDonald, Deputy County Administrator – requested approval of Resolution and Grant Application for the Sheriff’s Department Deputy Reserves for the Purchase of Equipment.
  - **Motion by Ms. Noland to approve the Resolution and Grant Application for the Sheriff’s Department Deputy Reserves for the**

**Purchase of Equipment. Motion seconded and unanimously approved.**

**FINANCIAL DIRECTOR REPORTS**

Mr. Stanton provided the Commission with copies of a General Fund report which showed year-to-date revenue and expenditures as of January 30, 2014. The report showed that 59.48% of the revenue had been collected and 59.02% of the budgeted expenditures had been expended. Year-to-date, the Commission has expended \$675,973 more than the revenue that has been received. Mr. Stanton also suggested the Commission discuss the remaining \$1 million in reductions needed for FY14 during the Budget Work Sessions to be held later this month.

**COUNTY ADMINISTRATOR REPORTS**

- Application for Boards, Commissions, Committees – Ms. Keyser stated Mr. Groh, Assistant Prosecuting Attorney, had suggested a new application form for people interested in applying for vacancies on the various boards, commissions, and committees, and she was currently drafting the form.
- FY15 Budget Work Sessions – Ms. Keyser notified the Commission of the dates for the upcoming FY15 Budget Work Sessions to be held Wednesday, February 19<sup>th</sup> and Friday, February 21<sup>st</sup>, with Monday, February 24<sup>th</sup> set as decision day.
- Comcast Number – Ms. Keyser stated she has contacted Comcast and asked them to kindly remove the Commission Office number from their bills, as residents have been calling regarding their cable service.
- Contract Policy – Ms. Keyser stated she was in the process of drafting a policy for all of the contracts within the County and would be submitting it to the Commission for their approval during the Budget Work Sessions later this month.
- Power Outage and IT Services – Ms. Keyser stated the County suffered a power outage early Wednesday morning due to the ice storm, and as a result, the County’s website and e-mail server were down for the majority of the day. Ms. Keyser stated she was looking into costs for a generator to prevent this issue in the future.

**COUNTY COMMISSIONERS’ REPORTS**

Jane Tabb

- Attended a Public Service District Meeting.
- Attended the Impact Fee meeting.
- Attended an ESA meeting.
- Attended the Board of Review and Equalization.

- Attended an Extension Service meeting.

Walt Pellish

- Attended the Impact Fee meeting and stated he was disappointed in the report by Tischler-Bise and believes the company needs to conduct more research regarding the happenings of the County with regards to the Impact Fee.

Patricia Noland

- Attended the Impact Fee meeting.
- Attended a Region 9 Air Quality meeting.
- Attended a Rotary meeting.
- Attended the Board of Review and Equalization.

Dale Manuel

- Attended the “Meet Your Commissioners” event at the Blue Ridge Mountain Fire Hall.
- Attended the Board of Review and Equalization.
- Attended a meeting between the Jefferson County Sheriff’s Office and the Berkeley/Jefferson Day Report Center.
- Viewed the public hearing on Senate Bill 373.

Lyn Widmyer

- Played “If You Love My West Virginia,” a song written by a native West Virginia woman and performed during the public hearing on Senate Bill 373.

10. The Commission meeting was adjourned at 12:38 pm on a motion by Ms. Noland. Motion was seconded and unanimously approved. The Commission reconvened at 1:30 pm for the Board of Review and Equalization at the Jefferson County Courthouse, 100 East Washington Street, Charles Town, WV.

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WALT PELLISH, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant

