

# Minutes

## Jefferson County Commission

Thursday, April 10, 2014

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A meeting of the Jefferson County Commission was held on Thursday, April 10, 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 Eddy, Bailiff. (An audio file of the Thursday, April 10, 2014 meeting is available through the Jefferson County Commission Office.)

### PLEDGE OF ALLEGIANCE

Commissioner Manuel led the Pledge of Allegiance.

### APPROVAL OF PURCHASE ORDERS

**Motion by Mr. Manuel to approve Purchase Orders in the amount of \$9586.95 to include Purchase Order Numbers 52306, 52307, 51468, 52222, 52372, 52373, and 52211. Motion seconded and unanimously approved.**

### APPROVAL OF ACCOUNTS PAYABLE

| CHCKNO | DEPT    | VENDOR                   | PONUM | POAMT     | NOAMT       | CHECK AMOUNT |
|--------|---------|--------------------------|-------|-----------|-------------|--------------|
| 071943 | 428     | ACCURATE SYSTEMS INC     |       | \$ -      | \$ 6,000.00 | \$ 6,000.00  |
| 071944 | 717     | AUTOZONE                 |       | \$ -      | \$ 1,259.15 | \$ 1,259.15  |
| 071945 | 425     | BONDED APPLICATORS OF MD | 52368 | \$ 560.00 | \$ -        | \$ 560.00    |
| 071946 | PAYROLL | BUREAU F/CHILD SUPPORT   |       | \$ -      | \$ 49.85    | \$ 49.85     |
| 071947 | PAYROLL | BUREAU FOR CHILD SUPPORT |       | \$ -      | \$ 28.85    | \$ 28.85     |
| 071948 | PAYROLL | BUREAU F/CHILD SPVRT ENF |       | \$ -      | \$ 212.31   | \$ 212.31    |
| 071949 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -      | \$ 461.54   | \$ 461.54    |
| 071950 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -      | \$ 119.54   | \$ 119.54    |
| 071951 | PAYROLL | BUREAU OF CHILD SUPPORT  |       | \$ -      | \$ 530.77   | \$ 530.77    |
| 071952 | 402     | CSSI-COMPLETE SYSTEM SPR | 52315 | \$ 212.00 | \$ -        | \$ 212.00    |
| 071953 | 424     | CHARLES TOWN UTILITIES   |       | \$ -      | \$ 214.97   | \$ 214.97    |

|        |         |                          |       |           |              |              |
|--------|---------|--------------------------|-------|-----------|--------------|--------------|
| 071953 | 425     | CHARLES TOWN UTILITIES   |       | \$ -      | \$ 870.00    | \$ 870.00    |
| 071954 | 405     | MARCIA LYNN CHANDLER     | 52210 | \$ 904.00 | \$ -         | \$ 904.00    |
| 071955 | 440     | DAVID M. CARTER          |       | \$ -      | \$ 26.80     | \$ 26.80     |
| 071956 | PAYROLL | CHILD SUPPORT ENFORCE AG |       | \$ -      | \$ 27.69     | \$ 27.69     |
| 071957 | PAYROLL | DIVERSIFIED COLLECTION   |       | \$ -      | \$ 154.83    | \$ 154.83    |
| 071958 | 425     | 84 LUMBER                |       | \$ -      | \$ 1,497.62  | \$ 1,497.62  |
| 071959 | 412     | MICHAEL HARMAN           |       | \$ -      | \$ 491.68    | \$ 491.68    |
| 071960 | 401     | RICOH USA, INC           |       | \$ -      | \$ 29.06     | \$ 29.06     |
| 071960 | 403     | RICOH USA, INC           |       | \$ -      | \$ 58.14     | \$ 58.14     |
| 071960 | 404     | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 071960 | 405     | RICOH USA, INC           |       | \$ -      | \$ 87.21     | \$ 87.21     |
| 071960 | 406     | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 071960 | 425     | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 071960 | 433     | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 071960 | 440     | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 071960 | 700     | RICOH USA, INC           |       | \$ -      | \$ 58.14     | \$ 58.14     |
| 071960 | 712     | RICOH USA, INC           |       | \$ -      | \$ 29.07     | \$ 29.07     |
| 071961 | PAYROLL | ING NATIONAL TRUST       |       | \$ -      | \$ 2,850.00  | \$ 2,850.00  |
| 071962 | 425     | JEFF CO PUBLIC SER DEPT  |       | \$ -      | \$ 197.49    | \$ 197.49    |
| 071963 | 402     | JEFFERSON PUBLISH CO INC | 52317 | \$ 33.00  | \$ -         | \$ 33.00     |
| 071963 | 401     | JEFFERSON PUBLISH CO INC |       | \$ -      | \$ 53.70     | \$ 53.70     |
| 071964 | PAYROLL | JEFFERSON SECURITY BANK  |       | \$ -      | \$ 40.00     | \$ 40.00     |
| 071964 | PAYROLL | JEFFERSON SECURITY BANK  |       | \$ -      | \$ 5,328.00  | \$ 5,328.00  |
| 071965 | 406     | MONROE SYS FOR BUSINESS  | 52308 | \$ 220.40 | \$ -         | \$ 220.40    |
| 071966 | PAYROLL | HELEN M. MORRIS, TRUSTEE |       | \$ -      | \$ 150.00    | \$ 150.00    |
| 071967 | PAYROLL | NATIONWIDE RETIREMENT    |       | \$ -      | \$ 749.00    | \$ 749.00    |
| 071968 | 406     | PIFER OFFICE SUPPLY, INC | 52299 | \$ 4.75   | \$ -         | \$ 4.75      |
| 071968 | 406     | PIFER OFFICE SUPPLY, INC | 52303 | \$ 638.46 | \$ -         | \$ 638.46    |
| 071968 | 406     | PIFER OFFICE SUPPLY, INC | 52304 | \$ 134.95 | \$ -         | \$ 134.95    |
| 071969 | 424     | POTOMAC EDISON/OH        |       | \$ -      | \$ 2,021.26  | \$ 2,021.26  |
| 071969 | 425     | POTOMAC EDISON/OH        |       | \$ -      | \$ 4,196.71  | \$ 4,196.71  |
| 071969 | 425     | POTOMAC EDISON/OH        |       | \$ -      | \$ 19,006.54 | \$ 19,006.54 |
| 071970 | 425     | RCS SECURITY             | 52371 | \$ 203.85 | \$ -         | \$ 203.85    |
| 071971 | 402     | RECORD MANAGEMENT SOLUTN | 51631 | \$ 35.00  | \$ -         | \$ 35.00     |
| 071971 | 403     | RECORD MANAGEMENT SOLUTN | 51438 | \$ 30.00  | \$ -         | \$ 30.00     |
| 071972 | PAYROLL | RETIREE HLTH BENEFIT TRS |       | \$ -      | \$ 7,280.00  | \$ 7,280.00  |
| 071973 | 404     | SHERIFF OF JEFFERSON CO  | 52401 | \$ 77.36  | \$ -         | \$ 77.36     |
| 071974 | 401     | SOFTWARE SYSTEMS, INC    |       | \$ -      | \$ 292.00    | \$ 292.00    |
| 071974 | 402     | SOFTWARE SYSTEMS, INC    |       | \$ -      | \$ 27.00     | \$ 27.00     |
| 071974 | 404     | SOFTWARE SYSTEMS, INC    |       | \$ -      | \$ 805.00    | \$ 805.00    |

|              |         |                           |       |                    |                      |                      |
|--------------|---------|---------------------------|-------|--------------------|----------------------|----------------------|
| 071974       | 406     | SOFTWARE SYSTEMS, INC     |       | \$ -               | \$ 52.00             | \$ 52.00             |
| 071974       | 700     | SOFTWARE SYSTEMS, INC     |       | \$ -               | \$ 274.50            | \$ 274.50            |
| 071975       | 405     | SPECIALTY BUS SUPPLIES    | 51639 | \$ 1,186.44        | \$ -                 | \$ 1,186.44          |
| 071976       | PAYROLL | SHERIFF OF JEFFERSON CO   |       | \$ -               | \$ 25.98             | \$ 25.98             |
| 071976       | PAYROLL | SHERIFF OF JEFFERSON CO   |       | \$ -               | \$ 43,203.36         | \$ 43,203.36         |
| 071976       | PAYROLL | SHERIFF OF JEFFERSON CO   |       | \$ -               | \$ 10,103.96         | \$ 10,103.96         |
| 071976       | PAYROLL | SHERIFF OF JEFFERSON CO   |       | \$ -               | \$ 111.10            | \$ 111.10            |
| 071976       | PAYROLL | SHERIFF OF JEFFERSON CO   |       | \$ -               | \$ 40,977.00         | \$ 40,977.00         |
| 071976       | PAYROLL | SHERIFF OF JEFFERSON CO   |       | \$ -               | \$ 128.97            | \$ 128.97            |
| 071977       | 711     | SOFTWARE COMPUTER GROUP   | 50010 | \$ 150.00          | \$ -                 | \$ 150.00            |
| 071978       | 425     | SPECTRUM FIRE PROTECTION  | 52370 | \$ 200.00          | \$ -                 | \$ 200.00            |
| 071979       | 425     | SHENANDOAH VALLEY WATER   |       | \$ -               | \$ 561.25            | \$ 561.25            |
| 071980       | PAYROLL | SHERIFF OF JEFFERSON CO   |       | \$ -               | \$ 23,005.36         | \$ 23,005.36         |
| 071981       | 425     | CAPITAL TRISTATE          |       | \$ -               | \$ 425.57            | \$ 425.57            |
| 071982       | 425     | TRENARY SERVICE CO        | 52364 | \$ 4,860.00        | \$ -                 | \$ 4,860.00          |
| 071983       | 403     | UNITED SYSTEMS & SOFTWARE |       | \$ -               | \$ 385.07            | \$ 385.07            |
| 071984       | 425     | WM OF SHENANDOAH VALLEY   |       | \$ -               | \$ 672.01            | \$ 672.01            |
|              |         |                           |       |                    |                      |                      |
| <b>TOTAL</b> |         |                           |       |                    |                      | <b>\$ 184,725.61</b> |
| <b>TOTAL</b> |         |                           |       | <b>\$ 9,450.21</b> | <b>\$ 175,275.40</b> | <b>\$ 184,725.61</b> |

**Motion by Ms. Tabb to approve the Accounts Payable for April 10, 2014 in the amount of \$184,725.61. Motion seconded and passes on a vote of 4-1 with Ms. Widmyer opposing.**

**PUBLIC COMMENT:**

No one addressed the Commission for the Public Comment portion of the meeting.

**PRESENTATIONS**

1. Ralph Lorenzetti, Prosecuting Attorney, and Steve Groh, Assistant Prosecuting Attorney
  - A. Provided the Commission with a discussion regarding the Day Report Center Grant Issue and the composition of the Community Criminal Justice Corrections Board.
    - o It was recommended by the Prosecuting Attorneys and the Finance Director to establish the Jefferson Day Report Center as a stand-alone entity and create an Agency Fund under the County Commission for the Jefferson Day Report Center's book keeping needs.

- **Motion by Mr. Manuel to authorize the President of the Commission to affix his signature to the grant application documents to move forward with the application. Motion seconded and unanimously approved.**

B. Updated the Commission on a pending litigation situation.

- **Motion by Mr. Manuel to enter into Executive Session, citing §6-9A-4, to discuss pending litigation. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion seconded and unanimously approved.**

### **UNFINISHED BUSINESS**

2. Commissioner Jane Tabb – requested a continuation of the discussion of the Ambulance Fee in reference to apartment buildings.
  - It was the consensus of the Commission to table any decisions about this matter until a later date after more research has been conducted.
3. The Commission recessed for break at 10:30  
The Commission reconvened at 10:45
4. Jennifer Brockman, Director of Planning and Zoning – requested a continuance of a follow-up workshop 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 changes to the following sections of the 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, 5.13, 5.14, 5.15, 5.16, and 5.17.

### APPENDIX C – PERMITTED USES TABLE

- **Motion by Ms. Widmyer to eliminate the Major Industrial (MI) category, as it's duplicative of the Industrial Commercial (IC) category. Motion seconded but fails on a vote of 1-4 with Mr. Manuel, Ms. Noland, Mr. Pellish, and Ms. Tabb opposing.**

### **Changes to the Permitted Uses Table for the Major Industrial Category**

It was the consensus of the Commission to change the Commercial Uses listed in the Permitted Uses Table for the Major Industrial Zone as follows:

1. Adult Uses – Not Permitted (NP)

2. Appliance Sales – Permitted Conditionally (PC)
3. Automobile Repair, Sales, Service – Permitted (P)
4. Automobile Parts, Supplies, Tire Stores – Permitted (P)
5. Automobile, Light Truck and Light Trailer Rentals, Indoor – Permitted (P)
6. Automobile, Light Truck and Light Trailer Rentals, Outdoor – Permitted (P)
7. Bail Bond Services – Permitted Conditionally (PC)
8. Business Equipment Sales, Services – Permitted (P)
9. Building Maintenance Services – Permitted Conditionally (PC)
10. Building Materials and Supplies – Permitted (P)
11. Car Wash – Permitted Conditionally (PC)
12. Commercial Blood Plasma Center – Not Permitted (NP)
13. Custom Manufacturing – Permitted
14. Dry Cleaning and Laundry Services – Permitted (P)
15. Equipment Rental, Sales, or Service – Permitted (P)
16. Exterminating Services – Permitted (P)
17. Food Preparation – Permitted Conditionally (PC)
18. Gas Station, Limited – Permitted Conditionally (PC)
19. Gas Station – Permitted Conditionally (PC)
20. Gas Station, Large – Permitted Conditionally (PC)
21. Horse Racing Facility – Not Permitted (NP)
22. Mobile Home, Boat, Trailer Sales – Permitted Conditionally (PC)
23. Movie Theater – Not Permitted (NP)
24. Parking, Commercial Offsite Accessory – Permitted (P)
25. Non-Profit Commercial Uses – Not Permitted (NP)
26. Non-Profit Community Centers – Not Permitted (NP)
27. Pawn Shop Services – Not Permitted (NP)
28. Retail Sales Limited – Not Permitted (NP)
29. Retail Sales and Services, General – Not Permitted (NP)
30. Retail Store, Large – Not Permitted (NP)
31. Storage, Commercial – Permitted Conditionally (PC)

#### APPENDIX B – Non-Residential Site Development Standards Table

- **Motion by Ms. Widmyer to amend the Buffer Section in Appendix B to include the following: Residential = Narrow, Commercial = Medium, and Industrial = Wide. Motion seconded and unanimously approved.**

### **COUNTY COMMISSIONERS' REPORTS**

Jane Tabb

- Attended a Public Service District meeting.
- Attended Farmland Protection Board property monitoring.

Walt Pellish

- Attended a Development Authority meeting.

Dale Manuel

➤ Attended a Planning Commission meeting.

5. The Commission meeting was adjourned at 12:20 pm. on a motion by Ms. Noland. Motion was seconded and unanimously approved.

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WALT PELLISH, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant