

Minutes

Jefferson County Commission

Thursday, April 17, 2014

A meeting of the Jefferson County Commission was held on Thursday, April 17, 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 17, 2014 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Widmyer led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the Minutes of March 27, 2014. Motion seconded and unanimously approved.

Motion by Mr. Manuel to approve the Regular Meeting Minutes of April 3, 2014 with noted corrections. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Tabb to approve Purchase Orders in the amount of \$129,169.70 to include Purchase Order Numbers 52376, 52378, 52320, 52498, and 51381. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
071987	425	ALLIANCE ELECTRIC LLC	52372	\$ 812.50	\$ -	\$ 812.50
071988	413	APPLE VALLEY OFF.PRODUCT	51630	\$ 84.70	\$ -	\$ 84.70

071989	405	ADC LEGAL SYSTEMS, INC.	52211	\$ 1,074.00	\$ -	\$ 1,074.00
071990	406	BERKELEY PRINTING/DESIGN	52306	\$ 3,827.10	\$ -	\$ 3,827.10
071991	413	CASTO & HARRIS INC	52319	\$ 13.86	\$ -	\$ 13.86
071992	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
071992	425	J.C.EHRLICH		\$ -	\$ 533.72	\$ 533.72
071993	401	FEDEX		\$ -	\$ 26.90	\$ 26.90
071993	405	FEDEX		\$ -	\$ 9.90	\$ 9.90
071994	717	GUTTMAN OIL CO		\$ -	\$ 16,796.46	\$ 16,796.46
071995	424	GRIFFITH ENERGY SERVICE		\$ -	\$ 2,111.86	\$ 2,111.86
071995	425	GRIFFITH ENERGY SERVICE		\$ -	\$ 3,302.80	\$ 3,302.80
071996	413	INTAB	52322	\$ 65.95	\$ -	\$ 65.95
071997	402	JEFFERSON PUBLISH CO INC	52318	\$ 183.18	\$ -	\$ 183.18
071997	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 90.04	\$ 90.04
071998	425	JEFFERSON UTILITIES INC		\$ -	\$ 559.76	\$ 559.76
071999	425	KONE INC.	52149	\$ 1,482.00	\$ -	\$ 1,482.00
072000	712	LANGUAGE LINE SERVICES		\$ -	\$ 366.30	\$ 366.30
072001	406	MONROE SYS FOR BUSINESS	52309	\$ 135.14	\$ -	\$ 135.14
072002	401	PHILIP A. REALE, PLLC		\$ -	\$ 7,800.00	\$ 7,800.00
072003	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 619.00	\$ 619.00
072003	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 122.00	\$ 122.00
072004	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 94.30	\$ 94.30
072004	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 22.06	\$ 22.06
072004	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 79.08	\$ 79.08
072005	403	WV ASSOC OF CIRCUIT CLER	51468	\$ 1,145.00	\$ -	\$ 1,145.00
072006	401	SHERIFF OF JEFFERSON CO		\$ -	\$ 25,000.00	\$ 25,000.00
072007	425	SUNFIRE ENERGY SOLUTIONS	52373	\$ 1,024.42	\$ -	\$ 1,024.42
072009	GRANT	UNITED BANKCARD CENTER	52016	\$ 102.47	\$ -	\$ 102.47
072009	GRANT	UNITED BANKCARD CENTER	52017	\$ 454.45	\$ -	\$ 454.45
072009	GRANT	UNITED BANKCARD CENTER	52018	\$ 1,686.15	\$ -	\$ 1,686.15
072009	711	UNITED BANKCARD CENTER	50003	\$ 955.99	\$ -	\$ 955.99
072009	402	UNITED BANKCARD CENTER		\$ -	\$ 34.95	\$ 34.95
072009	402	UNITED BANKCARD CENTER		\$ -	\$ 1,095.44	\$ 1,095.44
072009	402	UNITED BANKCARD CENTER		\$ -	\$ 59.98	\$ 59.98
072009	403	UNITED BANKCARD CENTER		\$ -	\$ 225.11	\$ 225.11
072009	405	UNITED BANKCARD CENTER		\$ -	\$ 14.17	\$ 14.17
072009	405	UNITED BANKCARD CENTER		\$ -	\$ 25.00	\$ 25.00
072009	412	UNITED BANKCARD CENTER		\$ -	\$ 39.59	\$ 39.59
072009	415	UNITED BANKCARD CENTER		\$ -	\$ 77.42	\$ 77.42
072009	424	UNITED BANKCARD CENTER		\$ -	\$ 110.08	\$ 110.08
072009	424	UNITED BANKCARD CENTER		\$ -	\$ 20,183.91	\$ 20,183.91

072009	425	UNITED BANKCARD CENTER		\$ -	\$ 133.90	\$ 133.90
072009	425	UNITED BANKCARD CENTER		\$ -	\$ 8.15	\$ 8.15
072009	425	UNITED BANKCARD CENTER		\$ -	\$ 316.56	\$ 316.56
072009	425	UNITED BANKCARD CENTER		\$ -	\$ 177.03	\$ 177.03
072009	425	UNITED BANKCARD CENTER		\$ -	\$ 15.77	\$ 15.77
072009	433	UNITED BANKCARD CENTER		\$ -	\$ 90.00	\$ 90.00
072009	433	UNITED BANKCARD CENTER		\$ -	\$ 179.00	\$ 179.00
072009	433	UNITED BANKCARD CENTER		\$ -	\$ 28.80	\$ 28.80
072009	433	UNITED BANKCARD CENTER		\$ -	\$ 265.00	\$ 265.00
072009	439	UNITED BANKCARD CENTER		\$ -	\$ 85.06	\$ 85.06
072009	440	UNITED BANKCARD CENTER		\$ -	\$ 178.20	\$ 178.20
072009	451	UNITED BANKCARD CENTER		\$ -	\$ 186.26	\$ 186.26
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 21.94	\$ 21.94
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 1,900.00	\$ 1,900.00
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 1,340.00	\$ 1,340.00
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 593.86	\$ 593.86
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 25.90	\$ 25.90
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 99.62	\$ 99.62
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 96.37	\$ 96.37
072009	700	UNITED BANKCARD CENTER		\$ -	\$ 744.79	\$ 744.79
072009	711	UNITED BANKCARD CENTER		\$ -	\$ 165.00	\$ 165.00
072009	711	UNITED BANKCARD CENTER		\$ -	\$ 523.83	\$ 523.83
072009	711	UNITED BANKCARD CENTER		\$ -	\$ 20.97	\$ 20.97
072009	711	UNITED BANKCARD CENTER		\$ -	\$ 154.87	\$ 154.87
072009	712	UNITED BANKCARD CENTER		\$ -	\$ 3,416.11	\$ 3,416.11
072009	712	UNITED BANKCARD CENTER		\$ -	\$ 243.49	\$ 243.49
072009	717	UNITED BANKCARD CENTER		\$ -	\$ 20.00	\$ 20.00
072009	717	UNITED BANKCARD CENTER		\$ -	\$ 30.00	\$ 30.00
072009	717	UNITED BANKCARD CENTER		\$ -	\$ 637.68	\$ 637.68
072009	717	UNITED BANKCARD CENTER		\$ -	\$ 75.00	\$ 75.00
072010	717	NAPA AUTO PARTS		\$ -	\$ 814.22	\$ 814.22
072011	PAYROLL	WV BUREAU OF EMPLOYMENT		\$ -	\$ 1,645.71	\$ 1,645.71
TOTAL						\$ 106,713.83
TOTAL				\$ 13,046.91	\$ 93,666.92	\$ 106,713.83

Motion by Ms. Noland to approve the Accounts Payable for April 17, 2014 in the amount of \$106,713.83. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Judy Matlick, WVU Extension Agent – introduced Mikey Withrow, the WVU Extension Service Program Assistant who will be helping with various 4-H camps and County Fair preparation until August.

Shay McNeil, Jefferson County 4-H Extension Agent – spoke about “Celebrate Extension Day” scheduled for Saturday, May 10 in honor of the 100th anniversary of the passage of the Smith-Lever Act that created Cooperative Extension. Ms. McNeil stated the celebration will be held at the Jefferson County Fairgrounds, and there will be an array of different activities for people of all ages.

David Tabb, resident – spoke regarding the proposed Ambulance Fee Ordinance.

PRESENTATIONS

1. Tom Trumble, Jefferson County Health Department – introduced Dr. David Didden, the County’s newly appointed Health Officer. Mr. Trumble also spoke briefly about the newest members of the Board of Elders and the potential renovations to the County Health Department facilities.
2. Mayor Jim Auxer and Andy Beall, Zoning Officer – requested the approval of the boundary established by the Corporation of Shepherdstown as the Growth Management Boundary (also known as the Urban Growth Boundary).
 - **Motion by Mr. Manuel to endorse the boundary established by the Corporation of Shepherdstown as the Growth Management Boundary with a Public Hearing on this matter to be held at a later date. Motion seconded and unanimously approved.**
3. Interviews and Appointments to the Jefferson County Development Authority Board for five (5) three-year terms ending April 5, 2017.
 - Mr. Pellish requested the tabling of Mr. Mark Dyck’s reappointment until the Prosecuting Attorney was able to get an opinion from the Attorney General regarding the code pertaining to the citizenship requirements for appointments to County Boards, Commissions, and Committees.
 - Mr. Manuel offered his nomination to Mr. Bill McLeod.
 - Ms. Tabb offered her nominations to Mr. Howard Mills, Mr. Conrad Hammann, and Ms. Annette Gavin.

- Mr. McLeod received two votes – one from Ms. Widmyer and one from Mr. Manuel.
 - Mr. Mills received five votes – one from each Commissioner.
 - Mr. Hammann received five votes – one from each Commissioner.
 - Ms. Gavin received five votes – one from each Commissioner.
 - **After receiving the majority vote, Mr. Mills, Mr. Hammann, and Ms. Gavin were each reappointed to the Jefferson County Development Authority for one three-year term ending April 5, 2017.**
 - It was the consensus of the Commission to direct staff to re-advertise the two remaining vacancies on the Jefferson County Development Authority Board for two weeks with appointments to be made during the Commission meeting scheduled for Thursday, May 15, 2014.
4. The Commission recessed for break at 10:30 am.
The Commission reconvened at 10:45 am.
 5. Tom Reilly, IT Consultant – provided the Commission with an update of the technological improvements that were recently approved, including the progress of the Windows XP update, the current status and timeline for the new County website, and the Virtualization project for the Downtown Campus.
 6. Lynn Fields, Deputy Probate Clerk
 - A. Requested a quarterly review to approve estates opened since last quarterly review and also close any estates that have met all statutory requirements.
 - **Motion by Ms. Widmyer to approve the estates opened since the last quarterly review and close any estates that have met all statutory requirements. Motion seconded and unanimously approved.**
 - B. Requested the Commission remove Michael Bir as the Executor of the Doreen Bir Estate and appoint Barbara J. Bir as Administrator, cta.
 - **Motion by Mr. Manuel to accept the resignation of Michael Bir as the Executor of the Doreen Bir Estate and appoint Barbara J. Bir as Administrator. Motion seconded and unanimously approved.**
 7. Bill Polk, Director of Maintenance

- A. Requested a discussion and decision on the cleaning services for the County buildings.
- **Motion by Mr. Manuel to bring back the proposal for two full time housekeeping employees under the Maintenance department with a cost comparison against the current contracted cleaning services and approve the hiring of two full time housekeeping employees if there proves to be a cost savings. Motion seconded and unanimously approved.**
- B. Requested the approval of the Jefferson County Health Department Renovation to ensure compliance with the requirements of HIPPA and ADA and create a more efficient use of space that will facilitate expanded preventive health care services to the community.
- **Motion by Ms. Widmyer to approve the renovation project for the office space of the Jefferson County Health Department, as presented. Motion seconded and unanimously approved.**
- C. Requested the approval of the landscape proposal for the Jefferson County Courthouse.
- **Motion by Mr. Manuel to approve the proposal for the landscaping of the courtyard of the Jefferson County Courthouse in the amount of \$61,700 from Capital Outlay as presented and to further approve the concrete color “wheat light” as recommended by the Historic Landmarks Commission. Motion seconded and passes on a vote of 4-1 with Ms. Tabb opposing.**
8. Discussion of the Ordinance to Dissolve and Reconstruct the Jefferson County Emergency Services Agency Board.
- It was the consensus of the Commission to add “State Fire Marshall” as another entity with whom to consult in letter (d) of Section 2 – Powers.
 - It was the consensus of the Commission to insert the following under letter (d) of Section 2 – Powers: *“The Agency shall have the ability to contract services and/or enter into mutual aid agreement with volunteer fire companies.”*
 - It was the consensus of the Commission to change “the Agency” to “the County Commission” in letter (f), Section 2 – Powers.
 - It was the consensus of the Commission to strike the following from letter (f), Section 2 – Powers: “However, the agency may not institute collection actions...” and edit the wording to state: *“All delinquent accounts shall be*

referred to the County Commission which retains the sole discretion and authority to institute collections actions in the Courts of this State.”

- It was the consensus of the Commission to list the President of the Fire and Rescue Association as a non-voting member under part 2 of Section 3 – Joint Emergency Services Board.
- It was the consensus of the Commission to strike the following from Section 3, Part 2, letter (i): “The initial term of the County Commissioner shall expire on June 30th, 2016.” The stricken sentence shall be replaced with the following: “*The County Commissioner shall be appointed each January during the annual organizational meeting of the Commission.*”
- It was the consensus of the Commission to correct the last sentence in Section 7, letter (m) to read: “*Uncollected revenue from service providers shall be deducted from current or future funds the Agency would otherwise provide to said service provider.*”
- **Motion by Ms. Widmyer to approve the Ordinance to Dissolve and Reconstruct the Jefferson County Emergency Services Agency Board as amended for the purposes of holding a Public Hearing.**

9. Jane Tabb, County Commissioner – requested a discussion to develop the Fire Department allocation distribution methodology for 2014-2015 only.

- **Motion by Ms. Tabb for the equal distribution of fire service contracts to be managed through the County Commission for FY14-15 only based on current JCESA guidelines. Motion seconded and passes on a vote of 3-2 with Ms. Widmyer and Mr. Manuel opposing.**

10. Ratification of the approval of the WV Community Corrections Grant Program Application.

- **Motion by Mr. Manuel to ratify the approval of the WV Community Corrections Grant Program Application and authorize the President of the County Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**

11. The Commission recessed for lunch at 12:30 pm.
The Commission reconvened at 1:30 pm.

12. Jennie Brockman, Director of Planning and Zoning, and Seth Rivard, County Planner – held a public hearing on the proposed text amendment to Section 4.11 A of the Zoning and Land Development Ordinance regarding landscaping between similar non-residential uses.

- Mr. Pellish opened the Public Hearing at 1:33 pm.
- No one gave public comment during the public hearing.
- Mr. Pellish stated the record would remain open for two weeks to allow for written comment.
 - **Motion by Mr. Manuel to close the Public Hearing. Motion seconded and unanimously approved.**

13. Debbie Keyser, County Administrator, Tim Stanton, Finance Director, and Sally Gran, County Clerk Payroll Clerk – provided the Commission with a Health Care presentation to determine the benefits for 2014-2015 Benefits Open Enrollment.

- **Motion by Ms. Noland to adopt the Proposed Health Care Plan with \$2,000/\$4,000 deductibles as reviewed and discussed during budget deliberations for the 2014/2015 Fiscal Year. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to adopt the health care premium rates to reflect Employee, Employee + One, and Employee + Family actual costs. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to adopt HRA Plan B, as discussed during budget deliberations, which provides for Jefferson County Commission to reimburse employees for the difference between their current deductibles of \$750/\$1500 and the new \$2000/\$4000 deductibles. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to disallow employees from using their HRA Accounts toward their premiums, effective June 30, 2014, in order to be in compliance with the Affordable Care Act. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- Contract Policy – Ms. Keyser submitted a Contract Policy to the Commissioners for their review and stated it would be on the agenda for approval during the next scheduled Commission meeting.
- Crosswalk – Ms. Keyser stated she was working with Mr. Polk and Commissioner Manuel to look into the creation of a crosswalk between the judicial buildings at the request of the elected officials.

- Broker of Record – Ms. Keyser stated she received seven responses to the RFP for a new Broker of Record and she'd be back before the Commission with a recommendation by early May.
- Administrative Assistant/Fee Collector Position – Ms. Keyser stated the Commission office has received approximately 25 resumes for the administrative assistant/fee collector position to date, and she'd be scheduling interviews in the coming week.
- Commission Office Staff Timeline – Ms. Keyser gave the Commission a timeline of current and upcoming projects the Commission office staff has been working to complete, including a County benefits presentation and the hiring and training of the administrative assistant/fee collector.

FINANCE DIRECTOR REPORTS

- **Motion by Ms. Widmyer to approve Internal Budget Revision #11 from the Engineering Department. Motion seconded and unanimously approved.**
 - Mr. Stanton provided the Commission with an overview of the “user friendly” budget documents he prepared for the tax payers now that the budget for FY15 has been finalized and requested approval to post the documents on the County website.
- **Motion by Ms. Tabb to approve the posting of the user friendly budget documents to the County website pending some small changes. Motion seconded and unanimously approved.**

COUNTY COMMISSIONERS' REPORTS

Jane Tabb

- Attended a Farmland Protection Board meeting.
- Attended a JCESA meeting.
- Attended a PSD meeting.
- Attended the Lay of the Levy.
- Attended the Hospice Grand Opening.

Walt Pellish

- Attended the League of Women Voters Candidate Forum.
- Attended the Lay of the Levy.
- Attended the Hospice Grand Opening.

Patricia Noland

- Attended the Lay of the Levy.

- Attended the Hospice Grand Opening.

Dale Manuel

- Attended a Jefferson Center meeting.
- Attended a Council on Aging meeting.
- Attended a 9-1-1 Advisory Board meeting.
- Attended a Parks and Recreation meeting.
- Attended the Lay of the Levy.
- Attended the Hospice Grand Opening.

Lyn Widmyer

- Attended a HEMPMO meeting.
- Attended the Lay of the Levy.
- Attended the Hospice Grand Opening.

14. The Commission meeting was adjourned at 3:04 pm on a motion by Mr. Manuel.
Motion seconded and unanimously approved.

WALT PELLISH, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant