

Minutes

Jefferson County Commission

Thursday, July 31, 2014

A meeting of the Jefferson County Commission was held on Thursday, July 31, 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, Walt 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, July 31, 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 Mr. Manuel to approve the minutes for the July 17, 2014 Regular Meeting with noted with correction. Motion seconded and unanimously approved.

Motion by Ms. Widmyer to approve the minutes for the July 24, 2014 Impact Fee Work with noted correction. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$9,752.63 to include Purchase Order Numbers 51954, 51955, 51956, 51985, 51386, 52688, 51987, 51988, and 51989. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
072660	412	COMCAST		\$ -	\$ 104.90	\$ 104.90

072660	425	COMCAST		\$ -	\$ 455.25	\$ 455.25
072661	717	AUTOZONE		\$ -	\$ 420.56	\$ 420.56
072662	406	BERKELEY PRINTING/DESIGN	52432	\$ 230.00	\$ -	\$ 230.00
072663	425	B-K OFFICE SUPPLY INC	52639	\$ 500.00	\$ -	\$ 500.00
072664	402	CSSI-COMPLETE SYSTEM SPR	52474	\$ 212.00	\$ -	\$ 212.00
072665	424	CENTRAL ELEVATOR	52632	\$ 160.00	\$ -	\$ 160.00
072665	425	CENTRAL ELEVATOR	52632	\$ 480.00	\$ -	\$ 480.00
072666	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 34.90	\$ 34.90
072667	413	ESS ELECTION SYSTEMS &	52471	\$ 10,401.68	\$ -	\$ 10,401.68
072668	425	FIDELITY ENGINEERING	52635	\$ 385.00	\$ -	\$ 385.00
072668	425	FIDELITY ENGINEERING	52640	\$ 534.79	\$ -	\$ 534.79
072669	717	GUY'S BUICK-GMC TRUCK IN	52634	\$ 256.25	\$ -	\$ 256.25
072670	440	JEFFERSON PUBLISH CO INC	52583	\$ 236.40	\$ -	\$ 236.40
072670	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 59.02	\$ 59.02
072671	712	JEFFERSON MEMORIAL CENTE	52237	\$ 60.00	\$ -	\$ 60.00
072672	424	JEFFERSON RENTAL	52641	\$ 340.72	\$ -	\$ 340.72
072673	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
072674	717	JERRY'S FORD/LINCOLN/MER	52636	\$ 366.24	\$ -	\$ 366.24
072675	405	RALPH A LORENZETTI JR		\$ -	\$ 81.73	\$ 81.73
072676	405	LYNDSEY W. MATSCHAT		\$ -	\$ 75.04	\$ 75.04
072677	402	MATTHEW BENDER & CO	52472	\$ 268.59	\$ -	\$ 268.59
072677	403	MATTHEW BENDER & CO	51477	\$ 902.59	\$ -	\$ 902.59
072677	405	MATTHEW BENDER & CO	52687	\$ 2,537.00	\$ -	\$ 2,537.00
072678	405	PANHANDLE PSYCHOLOGICAL	52682	\$ 525.00	\$ -	\$ 525.00
072679	424	RCS SECURITY	52637	\$ 4,269.40	\$ -	\$ 4,269.40
072679	424	RCS SECURITY	52637	\$ 562.50	\$ -	\$ 562.50
072679	425	RCS SECURITY		\$ -	\$ 444.00	\$ 444.00
072680	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
072680	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
072680	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
072680	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
072680	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
072680	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
072680	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
072680	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
072680	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
072680	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
072681	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 3,917.49	\$ 3,917.49
072682	424	TRENARY SERVICE CO	52643	\$ 7,755.50	\$ -	\$ 7,755.50
072683	425	VALLEY HARDWARE COMPANY		\$ -	\$ 71.01	\$ 71.01

072684	428	VISION INTERNET PROVIDER		\$ -	\$ 4,290.00	\$ 4,290.00
072685	405	THOMSON REUTER - WEST		\$ -	\$ 2,151.45	\$ 2,151.45
072686	401	WV STATE AUDITOR**		\$ -	\$ 17,300.00	\$ 17,300.00
072687	700	WILLIAM WALTERS		\$ -	\$ 138.31	\$ 138.31
TOTAL						\$ 63,745.23
TOTAL				\$ 30,983.66	\$ 32,761.57	\$ 63,745.23

Motion by Ms. Tabb to approve the Accounts Payable for July 24, 2014 in the amount of \$63,745.23. Motion seconded and passes on a vote of 4-1 with Ms. Widmyer opposing.

PUBLIC COMMENT:

Walt Pellish, Commission President – stated he had completed his radiation treatments and would undergo a PET scan on August 18th to monitor his progress.

Jacqueline Milliron, resident – presented the Commission with a water and sewer rate profile for Charles Town and Ranson, hoping the document would demonstrate the need for one county-wide utility board, and urged the Commission for their support.

PRESENTATIONS

1. Angie Banks, Assessor – requested the approval of the following Exonerations:

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Charles J. and Pamela Davis	Charles Town Corp.	Personal Property	305375	\$334.42

- **Motion by Ms. Tabb to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Micha and Golda Kiger	Shepherdstown	Personal Property	315495	\$376.19

- **Motion by Ms. Noland to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Charles D. Betoney	Charles Town	Personal Property	300674	\$192.80

- **Motion by Ms. Widmyer to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Patsy L. Dopson	Charles Town	Personal Property	301509	\$7.06

- **Motion by Mr. Manuel to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Anna M. Harder	Charles Town	Personal Property	302059	\$75.24

- **Motion by Ms. Widmyer to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Dennis A. Libby	Shepherdstown	Personal Property	315610	\$87.00

- **Motion by Ms. Noland to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Pasquilino Ammirato	Shepherdstown	Personal Property	314427	\$33.00

- **Motion by Ms. Noland to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Juliette Suau	Shepherdstown	Personal Property	316377	\$112.86

- **Motion by Ms. Tabb to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Maria Helena Austin	Kabletown	Personal Property	309032	\$14.12

- **Motion by Ms. Noland to approve the exoneration as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Alisa J. Cardos	CTC	Personal Property	305706	\$94.74
Robert C. Jackson				\$300.98

- **Motion by Ms. Tabb to approve the split ticket as presented by the Assessor. Motion seconded and unanimously approved.**

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
Chastidy Bender	Middleway	Personal Property	311043	\$23.52
Mark Bender				\$122.26

- **Motion by Ms. Noland to approve the split ticket as presented by the Assessor. Motion seconded and unanimously approved.**

2. Laura Storm, Circuit Clerk – requested the approval to hire Jamie S. Wolfe as a full-time Deputy Clerk at a Grade II, Step C with a salary of \$28, 267.27, effective August 11, 2014.

- **Motion by Ms. Widmyer to approve the hire of Jamie S. Wolfe as full-time Deputy Clerk within the Circuit Clerk’s Office at a Grade II, Step C with a salary of \$28, 267.27, effective August 11, 2014. Motion seconded and unanimously approved.**

3. Interview and Appointment to the Jefferson County Property Safety Enforcement Agency Board for one two-year term ending February 8, 2016.

- **Motion by Ms. Tabb to appoint Richard Myers as a citizen representative on the Jefferson County Property Safety Enforcement Agency Board for one two-year term ending February 8, 2016. Motion seconded and unanimously approved.**

4. Interview and Appointment to the Jefferson County Building Commission for one five-year term ending July 27, 2019.
 - **Motion by Mr. Manuel to reappoint Larry Togans to the Jefferson County Building Commission for one five-year term ending July 27, 2019. Motion seconded and unanimously approved.**
5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
6. Jill Strain, Resident of Jefferson County – requested an exoneration due to an error she made on her personal property tax bill.
 - **Motion by Ms. Noland to approve an exoneration for ticket number 304423 as calculated by the Assessor. Motion seconded and unanimously approved.**
7. Susanne Lawton, General Manager for the Jefferson County Public Service District - provided the Commission with a discussion of the possible funding options for the PSD’s water and sewer projects and the outcome of the meeting between the JCPSD and the Cities of Charles Town and Ranson.
8. Roger Goodwin, Chief County Engineer – requested the partial release of construction bond security for Asbury United Methodist Church – Asbury United Methodist Church Addition (File #S11-05) – Performance Bond with United States Surety Company, Timonium, MD.
 - **Motion by Ms. Widmyer to authorize the partial release of \$770,736.00 from the construction bond amount for Asbury United Methodist Church – Asbury United Methodist Church Addition (File #S11-05.) Motion seconded and unanimously approved.**
9. Ordinance to dissolve and reconstruct the Jefferson County Emergency Services Agency Board.
 - It was the consensus of the Commission to strike the following from page 1: *“Whereas, at this time, citizens are circulating a petition to authorize imposition of a Fire Fee...”*
 - **Motion by Ms. Tabb to amend Section 3, # 2, Subsection B to state: “One representative of the emergency medical services community in Jefferson County selected from three nominations by the Fire and Rescue Association.” Motion seconded and passes on a vote of 4-1 with Ms. Widmyer opposing.**

- It was the consensus of the Commission to add the following to Section 3 for clarity: *“Employees of the Agency are not eligible to serve as members of the Board.”*
- It was the consensus of the Commission to add the following to Section 3, letter I: *“...with the exception of the County Commission member.”*
- **Motion by Ms. Tabb to approve the Ordinance to Dissolve and Reconstitute the Jefferson County Emergency Services Agency with the changes agreed upon during the July 31, 2014 Regular Meeting. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to amend Ms. Tabb’s motion to state the Ordinance is effective immediately. Motion seconded and unanimously approved.**
 - It was the consensus of the Commission to add to the Ordinance a sentence stating, “Until the Commission has acted to appoint new members, current members are asked to remain serving.”

10. Annual performance review of the County Administrator.

- It was the consensus of the Commission to reschedule this item for the regularly scheduled meeting on August 7, 2014.

11. Approval of Contract Lease – Department of Health and Human Resources.

- **Motion by Mr. Manuel to approve the contract lease with the Department of Health and Human Resources pending legal review. Motion seconded and unanimously approved.**

12. Approval of the Jefferson County Employee Events Schedule for FY15.

- It was the consensus of the Commission to approve the Jefferson County Employee Events Schedule for FY15.

13. Approval of Resolution and Contract – Victims of Crime Act (VOCA) Grant.

- **Motion by Ms. Noland to approve the Resolution and contract – Victims of Crime Act (VOCA) Grant in the amount of \$58,881.00 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**

14. The Commission recessed for lunch at 12:30 pm.

The Commission reconvened at 1:30 pm.

COUNTY ADMINISTRATOR REPORTS

- County Policies and Procedures – Ms. Keyser stated she was currently updating the County Policies and Procedures and would be uploading them onto the County website so they would be easily accessible to both employees the public in one central location.
- IT RFP – Ms. Keyser stated she sent out the RFPs for IT on Monday and has already received multiple responses. She stated they would be unsealed on Tuesday, September 2nd.
- Computer Aided Dispatch – Ms. Keyser notified the Commission that CAD would “go live” on Monday, September 8th.
- Auditor – Ms. Keyser stated the auditor was still working in the basement of the Hunter House and would continue to work through the month of August.
- County Website – Ms. Keyser stated the contract with Vision Internet for the new County website had been signed, and she was awaiting further contact from Vision before moving forward.
- “Meet Your Commissioners” – Ms. Keyser stated they needed to scheduled a date for another “Meet Your Commissioners” event. It was the consensus of the Commission to schedule the next “Meet Your Commissioners” event on the evening of Thursday, October 2, 2014 at John’s Diner in the Kabletown District.

COUNTY COMMISSIONERS’ REPORTS

Jane Tabb

- Participated in the 4th of July parade in Shepherdstown.
- Attended a PSD meeting.
- Attended a JCESA special meeting.
- Attended a Comprehensive Plan briefing with her appointees.
- Attended the Farm Day dinner.
- Attended a business roundtable with WV Attorney General Patrick Morrisey.

Patsy Noland

- Attended a meeting with her 4-H Club to discuss fair exhibits.
- Attended a JCESA special meeting.

Walt Pellish

- Attended a Solid Waste Authority meeting.
- Attended a business roundtable with WV Attorney General Patrick Morrisey.

Dale Manuel

- Attended a Day Report Center meeting.
- Attended the public hearing on the Envision Jefferson 2035 Comprehensive Plan.

Lyn Widmyer

- Attended a business roundtable with WV Attorney General Patrick Morrisey.
- Attended the public hearing on the Envision Jefferson 2035 Comprehensive Plan.
- Met with Sheriff Pete Dougherty to discuss the short term needs for beds and shelter space for a mental health facility.

15. Public Hearing on the recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for two parcels owned by Hoy Shingleton, Trustee for Pearl Perkins, Beneficiary; and Eric and Stacy Lindberg; designated as Tax District: Middleway (07), Map 1, Parcels: 1.2 (16.62 acres, with 12.67 acres in Jefferson County) and 1.1 (7 acres), located on the north side of Route 115 (Old Route 9/Charles Town Road), along the Berkeley/Jefferson County line.

President Pellish opened the Public Hearing at 1:32 pm. Annette van Hilst spoke on behalf of the Perkins family and provided the Commission with the history behind the property and the reasoning behind the rezoning request, including the request's compatibility with the Comprehensive Plan. President Pellish then opened the floor for public comment; however, no one came forward to provide public comment on this matter.

There being no further comment, Commissioner Pellish closed the public hearing at 1:37 pm and stated the record would remain open for two weeks to allow time for written comment.

16. The Commission recessed at 1:45 pm.
The Commission reconvened at 7:00 pm.

17. Public Hearing on SB 595 Vested Development Time Extension Proposal

President Pellish opened the Public Hearing at 7:02 pm. Jennie Brockman, Director of Planning and Zoning, provided the Commission and the audience with some background information on SB595, explaining that in 2012, the Commission approved a policy related to Vested Property Rights in Jefferson County, which extended relevant time frames relating to plans and plats vested under the provision of SB 595 in 2010 to July 1, 2015. The new proposed extension would grant an additional two years, expiring July 1, 2017.

President Pellish opened the floor for Public Comment. Public Comments were made by the following:

Barbara Humes, resident and member of the Envision Jefferson 2035 Steering Committee – stated she was not in favor of the time extension, as there is a reason why time limits are set. Ms. Humes also stated the Commission should hold the developers to a higher standard to ensure their work is completed in a timely manner under the current, established time frame.

David Hartley, Eastern Panhandle Homebuilders Association – spoke in favor of the time extension, stating it would be too difficult for builders to have to start from scratch again. Mr. Hartley also stated it would most likely be difficult for developers to secure financing for a second time, and current projects could be jeopardized should the Commission not grant the extension.

There being no further public comment, Commissioner Pellish closed the Public Hearing at 7:12 pm and stated the record would remain open for two weeks to allow time for written comments.

18. The Commission meeting was adjourned at 7:15 pm.

WALT PELLISH, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant