

Minutes

Jefferson County Commission

Thursday, December 4, 2014

A meeting of the Jefferson County Commission was held on Thursday, December 4, 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, Jane Tabb, and Lyn Widmyer. Walt Pellish was present via telephone, and Patricia Noland joined the meeting for the afternoon session beginning at 1:30 p.m. Also present were Debbie Keyser, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddy, Bailiff. (An audio file of the Thursday, December 4, 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 from the November 20, 2014 Regular Meeting. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve the Purchase Orders for December 4, 2014 to include purchase order #52652 in the amount of \$11,404.00. Motion seconded and unanimously approved.

PAYROLL APPROVAL

Motion by Ms. Widmyer to approve the Payroll for November 20, 2014 in the amount of \$257,249.73. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073431	425	COMCAST		\$ -	\$ 184.90	\$ 184.90
073432	712	AT&T/GA		\$ -	\$ 53.28	\$ 53.28
073433	700	ROBERT AMICK		\$ -	\$ 12.70	\$ 12.70
073434	413	APPLE VALLEY OFF.PRODUCT	52470	\$ 102.40	\$ -	\$ 102.40
073435	440	REBECCA F. BURNS		\$ -	\$ 26.97	\$ 26.97
073436	425	B-K OFFICE SUPPLY INC		\$ -	\$ 460.80	\$ 460.80
073437	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
073438	412	APRIL BLAKER		\$ -	\$ 34.16	\$ 34.16
073439	PAYROLL	BUREAU F/CHILD SPVRT ENF		\$ -	\$ 212.31	\$ 212.31
073440	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
073441	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
073442	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
073443	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
073444	402	CAT TAIL RUN HAND BKBIND	51817	\$ 1,497.00	\$ -	\$ 1,497.00
073445	403	CASTO & HARRIS INC		\$ -	\$ 895.59	\$ 895.59
073446	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
073447	405	MARCIA LYNN CHANDLER		\$ -	\$ 40.00	\$ 40.00
073448	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
073449	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
073450	425	COVENANT BUILDING MAINT		\$ -	\$ 37.76	\$ 37.76
073451	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 59.70	\$ 59.70
073452	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
073453	433	D & S CONSTRUCTION		\$ -	\$ 568.12	\$ 568.12
073454	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,870.82	\$ 5,870.82
073455	413	ESS ELECTION SYSTEMS &		\$ -	\$ 6,419.40	\$ 6,419.40
073456	PAYROLL	GUARDIAN		\$ -	\$ 1,734.10	\$ 1,734.10
073456	PAYROLL	GUARDIAN		\$ -	\$ 1,923.05	\$ 1,923.05
073457	428	GLOBAL SCIENCE & TECH		\$ -	\$ 2,500.00	\$ 2,500.00
073458	402	SALLY GRAN		\$ -	\$ 15.00	\$ 15.00
073459	401	RICOH USA, INC		\$ -	\$ 221.46	\$ 221.46
073459	403	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
073459	404	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073459	405	RICOH USA, INC		\$ -	\$ 249.47	\$ 249.47
073459	406	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073459	425	RICOH USA, INC		\$ -	\$ 40.56	\$ 40.56
073459	433	RICOH USA, INC		\$ -	\$ 29.07	\$ 29.07
073459	440	RICOH USA, INC		\$ -	\$ 191.44	\$ 191.44

073459	700	RICOH USA, INC		\$ -	\$ 58.14	\$ 58.14
073459	712	RICOH USA, INC		\$ -	\$ 604.45	\$ 604.45
073460	PAYROLL	VOYA FINANCIAL		\$ -	\$ 3,040.00	\$ 3,040.00
073461	425	IPC TECHNOLOGIES INC.		\$ -	\$ 262.50	\$ 262.50
073462	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 3,162.20	\$ 3,162.20
073462	404	JEFFERSON PUBLISH CO INC		\$ -	\$ 4,156.38	\$ 4,156.38
073462	413	JEFFERSON PUBLISH CO INC		\$ -	\$ 1,091.68	\$ 1,091.68
073463	413	JEFFERSON COUNTY SCHOOLS		\$ -	\$ 1,200.00	\$ 1,200.00
073464	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,820.00	\$ 5,820.00
073465	PAYROLL	HIGHMARK WV		\$ -	\$ 167,458.61	\$ 167,458.61
073466	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
073467	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
073468	402	PIFER OFFICE SUPPLY, INC		\$ -	\$ 66.98	\$ 66.98
073468	404	PIFER OFFICE SUPPLY, INC		\$ -	\$ 210.01	\$ 210.01
073469	403	LAURA STORM		\$ -	\$ 206.08	\$ 206.08
073470	425	RCS SECURITY		\$ -	\$ 132.00	\$ 132.00
073471	402	RECORD MANAGEMENT SOLUTN	52467	\$ 35.00	\$ -	\$ 35.00
073471	403	RECORD MANAGEMENT SOLUTN	51476	\$ 30.00	\$ -	\$ 30.00
073472	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 7,457.00	\$ 7,457.00
073473	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 27.00	\$ 27.00
073473	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 732.00	\$ 732.00
073473	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 56.00	\$ 56.00
073473	428	SOFTWARE SYSTEMS, INC		\$ -	\$ 377.00	\$ 377.00
073474	408	STATE TAX DEPARTMENT		\$ -	\$ 14,261.45	\$ 14,261.45
073475	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,336.92	\$ 43,336.92
073475	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,135.22	\$ 10,135.22
073475	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 41,302.06	\$ 41,302.06
073476	401	STAPLES CREDIT PLAN		\$ -	\$ 295.68	\$ 295.68
073476	412	STAPLES CREDIT PLAN		\$ -	\$ 55.12	\$ 55.12
073477	425	SHERWIN-WILLIAMS		\$ -	\$ 57.29	\$ 57.29
073478	401	TISCHLERBISE, INC.		\$ -	\$ 3,271.00	\$ 3,271.00
073479	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
073480	405	THOMSON REUTER - WEST	52685	\$ 328.00	\$ -	\$ 328.00
073481	402	XEROX CORPORATION	52468	\$ 1,719.95	\$ -	\$ 1,719.95
073482	405	DEBRA A. YOUNG		\$ -	\$ 735.64	\$ 735.64
TOTAL						\$ 349,262.04
TOTAL				\$ 3,712.35	\$ 345,549.69	\$ 349,262.04

Motion by Ms. Tabb to approve the Accounts Payable for December 4, 2014 in the amount of \$349,262.04. Motion seconded and passes on a vote of 3-1 with Ms. Widmyer opposing.

PUBLIC COMMENT:

David Tabb, resident – provided the Commission with an update on his opinions regarding recent Commission activity.

Heidi Parker, resident – urged the Commission to consider the impact the proposed new Public Service District Sewer Project would have upon the current ratepayers. Ms. Parker also shared her concerns regarding a current Public Service District board member.

Charles Cheezum, resident – shared his opinion regarding a “troublesome” Public Service District board member.

Walt Pellish, Commission President – provided the audience with an update on his current health status and stated he will undergo a CAT scan in two weeks to determine the next course of his cancer treatment.

PRESENTATIONS

1. Joy Lewis, WV Governor’s Office – presented a Land and Water Conservation Fund Award to Jefferson County Parks and Recreation for the installation of ADA-Compliant playground equipment at the South Jefferson Park project in Summit Point.
2. Pete Dougherty, Sheriff – requested the approval to add Jeanna Holler to the list of approved part-time bailiffs.
 - **Motion by Mr. Manuel to approve the addition of Jeanna Holler to the list of approved part-time bailiffs and trip guards. Motion seconded and unanimously approved.**
3. Martin Burke, President of the Jefferson County Historic Landmarks Commission – requested a letter of support for the JCHLC for a change of the West Virginia Code definition of “certified historic structure.”
 - **Motion by Mr. Manuel to provide a letter of support to the Jefferson County Historic Landmarks Commission for change in WV Tax Code of “certified historic structure.” Motion seconded and unanimously approved.**
4. Barb Miller, Director of Homeland Security and Emergency Management – requested approval of a grant proposal for Panasonic Toughbook Laptop Computers for CAD.
 - **Motion by Ms. Widmyer to approve the grant proposal for \$9,200 as presented. Motion seconded and unanimously approved.**

5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
6. Ronda Eddy, Jefferson Day Report Center – announced the award of DHHR JRI Treatment Supervision Funding, introduced the Jefferson County Day Report Center Behavioral Health Partner (Youth Advocate Program – Adult Services Division) Client Overview, and described the Adult Drug Court plans.
7. Bill Polk, Director of Maintenance – provided the Commission with an update on the Courthouse Improvement grant and listed the priorities for repairs to the Courthouse.
 - o It was the consensus of the Commission to request Wells Fargo to donate the foreclosed property located at 756 Wiltshire Road in Kearneysville to Habitat for Humanity.

FINANCIAL DIRECTOR REPORTS

Revised FY14 Audit Engagement Letter

- **Motion by Mr. Manuel to accept the Revised FY14 Audit Engagement Letter as presented. Motion seconded and unanimously approved.**

FY14 State Budget Revision

- **Motion by Ms. Widmyer to approve State Budget Revision #7 as presented by the Finance Director. Motion seconded and unanimously approved.**

8. The Commission recessed for lunch at 11:35 pm.
The Commission reconvened at 1:30 pm.

NEW BUSINESS

9. Afternoon Session

10. Review proposed Water Advisory Committee Work Plan

- **Motion by Mr. Manuel to accept the proposed changes to the Water Advisory Committee Work Plan. Motion seconded and unanimously approved.**

11. Review and discuss new Jefferson County Projects recently endorsed by Region 9 with particular attention to Jefferson County PSD Sewer Collection and Transport System (\$7 million) and Burr Industrial park Shell Building (\$1 million) – Ms. Widmyer requested Mr. Reisenweber and the future Region 9 Commission liaison

provide the Commission with the Region 9 list of potential projects and priorities for Jefferson County to be discussed prior to approval or endorsement from Region 9.

12. Letter of Support for the PSD Sewer Project

- **Motion by Mr. Pellish to provide a letter of support for the PSD Sewer Project. Motion seconded and passes on a vote of 3-2 with Mr. Manuel and Mr. Widmyer opposing.**
- **Motion by Ms. Widmyer to include wording in the letter of support to reflect the objections of Commissioners Widmyer and Manuel. Motion seconded but fails on a vote of 2-3 with Mr. Pellish, Ms. Noland, and Ms. Tabb opposing.**

13. Review of proposed County FOIA Policy – it was the consensus of the Commission to postpone this item until the December 18, 2014 Regular Meeting.

- It was the consensus of the Commission to postpone discussion/action on this item until the December 18, 2014 Regular Meeting.

14. Comprehensive Plan Review

- It was the consensus of the Commission to reschedule the Land Use Map Work Shop for Thursday, December 11, 2014 at 7:00 p.m.

15. Set date and time for the first regular meeting of 2015.

- **Motion by Mr. Manuel to set Thursday, January 8, 2015 at 9:30 am as the first regularly scheduled Jefferson County Commission meeting of 2015. Motion seconded and unanimously approved.**

16. Approval of the 2015 Holiday Schedule

- **Motion by Mr. Manuel to approve the 2015 Holiday Schedule as presented. Motion seconded and unanimously approved.**

17. Approval of the Grant Contract for the 12th Cycle of the West Virginia Courthouse Facilities Improvement Authority.

- **Motion by Mr. Manuel to approve the grant contract and check off list for the WV Courthouse Facilities Improvement Authority and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion seconded and unanimously approved.**

18. Staff assistance may be needed to implement ambulance fee revenue sharing.

- It was the consensus of the Commission to allow Tim Stanton, Jefferson County Finance Director, to work with Commissioner Tabb to develop a plan to implement ambulance fee revenue sharing.

19. Legislative Updates

- **Motion by Mr. Manuel to hold a horse racing summit in Jefferson County to work toward a united front with all parties and neighboring counties to maintain purse funds and revenues from the racing industry. Motion seconded and unanimously approved.**

20. Roger Goodwin, Chief County Engineer

- a. Complete release of construction bond security for Kubic Enterprises, LLC – VMT Station Facility (File #S14-01) – Letter of Credit #329 with the Banks of Charles Town, Charles Town, WV.
 - **Motion by Ms. Widmyer to authorize a complete release of the remaining \$99,415.00 from the construction bond amount for Kubic Enterprises, LLC- VMT Station Facility (File #S14-01). Motion seconded and unanimously approved.**
- b. Partial release from the Escrow Account with the Bank of Charles Town in the amount of \$245,000.00 construction bond security for United Bank, Inc. – Summit View Estates Subdivision (File #03-21)
 - **Motion by Mr. Manuel to authorize the partial release from the Escrow Account with the Bank of Charles Town in the amount of \$245,000.00 construction bond security for United Bank, Inc. – Summit View Estates Subdivision (File #03-21). Motion seconded and unanimously approved.**
- c. Two Bond Releases for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2
 - **Motion by Ms. Noland to authorize the complete release of the remaining funds in the Cash in Escrow Agreement with the bank of Charles Town for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26). Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to authorize the partial release from Irrevocable Letter of Credit #68099142 with Bank of America in the amount of \$279,102.51 construction bond amount for DR Acquisitions, LLC – Sheridan Estates Subdivision, Phases 1 & 2 (Files #00-33 & #05-26). Motion seconded and unanimously approved.**

- d. Proposed Update to the Engineering Department’s Permit Fee Schedule and the Planning and Zoning Department’s Fee Schedule
 - o This item will be rescheduled for discussion/action during the January 29, 2015 Regular Meeting.
- e. Thorn Hill Subdivision – Request for time extension on Tolling of Bonding Agreement expiration.
 - **Motion by Mr. Pellish to extend the Tolling of Bonding Agreement with Thorn Hill Subdivision for three years with the good faith agreement that the developers of the subdivision will reconfigure the storm water system in accordance with the Jefferson County Stormwater Management Ordinance. Motion seconded. Motion withdrawn.**
 - **Motion by Ms. Tabb to delay discussion/action on this item until the December 18, 2014 Regular Meeting when legal counsel will be present. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

Ambulance Fee Update – Ms. Keyser stated a total of \$648,538 in ambulance fees have been collected to date, with \$375,00 distributed to JCESA, \$273,538 currently in the bank, \$127 in bounced checks, and an anticipated \$8,204 in refunds.

COUNTY COMMISSIONERS’ REPORTS

Patsy Noland

- Attended the Jefferson County Legislative Summit.
- Attended a BAD Buildings meeting.

Jane Tabb

- Attended a PSD meeting.
- Attended a special ESA meeting.
- Attended the Jefferson County Legislative Summit.

Dale Manuel

- Attended the League of Women Voters Legislative Forum Breakfast.
- Attended the Jefferson County Legislative Summit.
- Attended an Affordable Housing meeting.

Lyn Widmyer

- Attended the League of Women Voters Legislative Forum Breakfast.

- Attended the Jefferson County Legislative Summit.

21. The Commission recessed at 4:02 pm on a motion by Mr. Manuel. Motion was seconded and unanimously approved.

WALT PELLISH, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant