

Minutes

Jefferson County Commission

Thursday, January 15, 2015

A meeting of the Jefferson County Commission was held on Thursday, January 15, 2015 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 Eric Bell, Dale Manuel, Patsy Noland, Walt Pellish, and Jane Tabb. Also present were Debbie Keyser, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddy, Bailiff. (An audio file of the Thursday, January 15, 2015 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 the Purchase Orders for January 15, 2015 to include purchase order numbers 52334, 52335, and 52653 in the amount of \$32,827.13. Motion unanimously approved.

PAYROLL APPROVAL

Motion by Ms. Noland to approve the Payroll for December 31, 2014 in the amount of \$242,551.02. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073658	424	AT&T/IL		\$ -	\$ 0.29	\$ 0.29
073659	712	AT&T/GA		\$ -	\$ 44.69	\$ 44.69
073660	425	BLUE RIDGE GARAGE DOORS		\$ -	\$ 187.50	\$ 187.50
073661	425	B-K OFFICE SUPPLY INC		\$ -	\$ 36.30	\$ 36.30

073662	424	BOLAND SERVICES	52629	\$ 270.00	\$ -	\$ 270.00
073662	425	BOLAND SERVICES	52367	\$ 1,325.00	\$ -	\$ 1,325.00
073662	425	BOLAND SERVICES		\$ -	\$ 6,300.00	\$ 6,300.00
073663	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
073664	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
073665	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
073666	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
073667	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
073668	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
073669	424	CHARLES TOWN UTILITIES		\$ -	\$ 50.89	\$ 50.89
073669	425	CHARLES TOWN UTILITIES		\$ -	\$ 830.69	\$ 830.69
073670	405	MARCIA LYNN CHANDLER		\$ -	\$ 496.65	\$ 496.65
073671	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
073672	425	COVENANT BUILDING MAINT		\$ -	\$ 6,478.58	\$ 6,478.58
073673	425	DAYCON		\$ -	\$ 3,095.84	\$ 3,095.84
073674	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
073675	424	J.C.EHRLICH		\$ -	\$ 30.00	\$ 30.00
073675	425	J.C.EHRLICH		\$ -	\$ 606.42	\$ 606.42
073676	425	FIRE SAFETY EQUIP		\$ -	\$ 1,894.50	\$ 1,894.50
073677	717	FISHER AUTO PARTS		\$ -	\$ 335.41	\$ 335.41
073678	717	GUTTMAN OIL CO		\$ -	\$ 8,160.90	\$ 8,160.90
073679	PAYROLL	VOYA FINANCIAL		\$ -	\$ 2,590.00	\$ 2,590.00
073680	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 191.34	\$ 191.34
073681	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 128.50	\$ 128.50
073681	402	JEFFERSON PUBLISH CO INC		\$ -	\$ 218.36	\$ 218.36
073682	405	THE JOURNAL		\$ -	\$ 528.60	\$ 528.60
073683	425	JEFFERSON UTILITIES INC		\$ -	\$ 559.76	\$ 559.76
073684	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,870.00	\$ 5,870.00
073685	424	KONE INC.		\$ -	\$ 370.50	\$ 370.50
073685	425	KONE INC.		\$ -	\$ 1,111.50	\$ 1,111.50
073686	405	MATTHEW BENDER & CO		\$ -	\$ 274.31	\$ 274.31
073687	404	MONROE SYS FOR BUSINESS		\$ -	\$ 355.40	\$ 355.40
073687	406	MONROE SYS FOR BUSINESS		\$ -	\$ 296.20	\$ 296.20
073688	712	MORGAN AWARDS LLC		\$ -	\$ 19.50	\$ 19.50
073689	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
073690	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
073691	402	PIFER OFFICE SUPPLY, INC		\$ -	\$ 59.40	\$ 59.40
073692	403	POSTMASTER CHARLES TOWN		\$ -	\$ 92.00	\$ 92.00
073693	424	POTOMAC EDISON/OH		\$ -	\$ 1,564.56	\$ 1,564.56
073693	425	POTOMAC EDISON/OH		\$ -	\$ 16,330.93	\$ 16,330.93

073693	425	POTOMAC EDISON/OH		\$ -	\$ 3,429.37	\$ 3,429.37
073694	717	PARSONS OPEQUON MOTORS		\$ -	\$ 544.97	\$ 544.97
073695	424	ROACH OIL COMPANY		\$ -	\$ 1,709.57	\$ 1,709.57
073695	425	ROACH OIL COMPANY		\$ -	\$ 1,108.02	\$ 1,108.02
073696	405	TRACY P. RICE, RPR		\$ -	\$ 218.25	\$ 218.25
073697	403	RECORD MANAGEMENT SOLUTN	51476	\$ 60.00	\$ -	\$ 60.00
073698	405	SPECIALTY BUS SUPPLIES	52683	\$ 1,574.14	\$ -	\$ 1,574.14
073699	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,914.08	\$ 43,914.08
073699	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,270.18	\$ 10,270.18
073699	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 42,065.55	\$ 42,065.55
073700	425	SHERWIN-WILLIAMS		\$ -	\$ 53.70	\$ 53.70
073701	425	SPECTRUM FIRE PROTECTION		\$ -	\$ 200.00	\$ 200.00
073702	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 12,367.65	\$ 12,367.65
073702	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 7,520.52	\$ 7,520.52
073703	425	CAPITAL TRISTATE		\$ -	\$ 101.04	\$ 101.04
073704	717	TRI STATE TIRES		\$ -	\$ 30.00	\$ 30.00
073705	424	US POSTAL SERVICE		\$ -	\$ 20,000.00	\$ 20,000.00
073707	401	UNITED BANKCARD CENTER		\$ -	\$ 349.52	\$ 349.52
073707	401	UNITED BANKCARD CENTER		\$ -	\$ 90.12	\$ 90.12
073707	402	UNITED BANKCARD CENTER		\$ -	\$ 34.95	\$ 34.95
073707	403	UNITED BANKCARD CENTER		\$ -	\$ 54.77	\$ 54.77
073707	403	UNITED BANKCARD CENTER		\$ -	\$ 197.76	\$ 197.76
073707	403	UNITED BANKCARD CENTER		\$ -	\$ 257.63	\$ 257.63
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 9.99	\$ 9.99
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 152.57	\$ 152.57
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 27.99	\$ 27.99
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 1,700.84	\$ 1,700.84
073707	405	UNITED BANKCARD CENTER		\$ -	\$ 139.00	\$ 139.00
073707	415	UNITED BANKCARD CENTER		\$ -	\$ 83.82	\$ 83.82
073707	424	UNITED BANKCARD CENTER		\$ -	\$ 108.42	\$ 108.42
073707	424	UNITED BANKCARD CENTER		\$ -	\$ 174.20	\$ 174.20
073707	424	UNITED BANKCARD CENTER		\$ -	\$ 11,436.52	\$ 11,436.52
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 56.92	\$ 56.92
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 10.75	\$ 10.75
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 13.58	\$ 13.58
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 224.56	\$ 224.56
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 20.47	\$ 20.47
073707	425	UNITED BANKCARD CENTER		\$ -	\$ 349.51	\$ 349.51
073707	428	UNITED BANKCARD CENTER		\$ -	\$ 3,700.00	\$ 3,700.00
073707	428	UNITED BANKCARD CENTER		\$ -	\$ 109.54	\$ 109.54

073707	428	UNITED BANKCARD CENTER		\$ -	\$ 955.42	\$ 955.42
073707	433	UNITED BANKCARD CENTER		\$ -	\$ 54.77	\$ 54.77
073707	439	UNITED BANKCARD CENTER		\$ -	\$ 54.77	\$ 54.77
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 93.20	\$ 93.20
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 34.27	\$ 34.27
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 10.00	\$ 10.00
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 59.02	\$ 59.02
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 53.50	\$ 53.50
073707	440	UNITED BANKCARD CENTER		\$ -	\$ 38.14	\$ 38.14
073707	GRANT	UNITED BANKCARD CENTER		\$ -	\$ 628.37	\$ 628.37
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 899.00	\$ 899.00
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 1,220.28	\$ 1,220.28
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 119.00	\$ 119.00
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 455.00	\$ 455.00
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 46.88	\$ 46.88
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 21.18	\$ 21.18
073707	700	UNITED BANKCARD CENTER		\$ -	\$ 440.26	\$ 440.26
073707	711	UNITED BANKCARD CENTER		\$ -	\$ 83.00	\$ 83.00
073707	711	UNITED BANKCARD CENTER		\$ -	\$ 1,148.23	\$ 1,148.23
073707	711	UNITED BANKCARD CENTER		\$ -	\$ 186.70	\$ 186.70
073707	712	UNITED BANKCARD CENTER		\$ -	\$ 137.00	\$ 137.00
073707	712	UNITED BANKCARD CENTER		\$ -	\$ 39.99	\$ 39.99
073707	712	UNITED BANKCARD CENTER		\$ -	\$ 6,731.38	\$ 6,731.38
073707	716	UNITED BANKCARD CENTER		\$ -	\$ 158.99	\$ 158.99
073707	717	UNITED BANKCARD CENTER		\$ -	\$ 28.36	\$ 28.36
073707	717	UNITED BANKCARD CENTER		\$ -	\$ 675.00	\$ 675.00
073707	900	UNITED BANKCARD CENTER		\$ -	\$ 123.55	\$ 123.55
073708	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 655.77	\$ 655.77
073709	712	WV ENHANCED 911 COUNCIL		\$ -	\$ 50.00	\$ 50.00
073710	401	WV BUREAU OF EMPLOYMENT		\$ -	\$ 2,295.44	\$ 2,295.44
073711	439	XEROX CORPORATION	52329	\$ 569.86	\$ -	\$ 569.86
TOTAL						\$ 246,076.85
TOTAL				\$ 3,799.00	\$ 242,277.85	\$ 246,076.85

Motion by Ms. Noland to approve the Accounts Payable for January 15, 2015 in the amount of \$246,076.85. Motion seconded and unanimously approved.

PUBLIC COMMENT:

David Tabb, resident – expressed his concerns over the Commission’s use of Robert’s Rules of Order for small boards and questioned their procedure for appointing a president and vice president during the January 8, 2015 Regular Meeting.

PRESENTATIONS

1. Lynn Fields, Deputy Probate Clerk – requested the approval or closure of Estates for the quarter.
 - **Motion by Ms. Noland to convene as a Fiduciary Review Board to discuss probate matters. Motion unanimously approved.**
 - **Motion by Ms. Noland to approve the newly opened estates and the closure of estates as presented by Ms. Fields. Motion unanimously approved.**
 - **Motion by Ms. Noland to close the session as a Fiduciary Review Board. Motion unanimously approved.**
2. Daniel Lutz, Citizen – requested a discussion with the Commission regarding the substandard Internet service and telecommunication services provided to Jefferson County subscribers.
 - **Motion by Mr. Manuel to request the Jefferson County Prosecuting Attorney look into joining the class action lawsuit against Frontier Communications and research options to ensure better service from all internet service providers in the County. Motion unanimously approved.**
3. Interviews and appointment to the Jefferson County Parks and Recreation Commission for one unexpired term ending June 30, 2015.
 - Mr. Manuel offered his nomination for Mr. Jim Lee, and Mr. Lee received four votes (Commissioners Manuel, Tabb, Noland, and Pellish).
 - Mr. Bell offered his nomination to Mr. their nomination for Mr. William Manning, and [Mr. Manning](#) received one vote (Commissioner Bell).

After receiving the majority vote, Mr. Jim Lee was appointed to the Jefferson County Parks and Recreation Commission for one unexpired term ending June 30, 2015.
4. Tom Reilly, IT Consultant – provided the Commission with an IT update.

5. The Commission recessed for break at 10:45 am.
The Commission reconvened at 11:00 am.
6. Public Hearing and approval of the Resolution for Jefferson County's participation in the Eastern Panhandle HOME Consortium of West Virginia.

- **Motion by Mr. Manuel to open the Public Hearing regarding Jefferson County's participation in the Eastern Panhandle HOME Consortium of West Virginia. Motion unanimously approved.**

The following people made public comment:

Nancy Strine, Community Development Administrator for the City of Martinsburg - Ms. Strine provided the Commission and the audience with an explanation of the services provided by the Eastern Panhandle HOME Consortium of West Virginia and a description of the use of funds provided to the Consortium.

Marie Galazzi, resident and council member for the HOME Consortium Council – Ms. Galazzi also spoke about the benefits of the Council and the Partnership for Affordable Housing in Jefferson County.

- **Motion by Mr. Manuel to close the public hearing. Motion unanimously approved.**
- **Motion by Ms. Noland to approve the Resolution for Jefferson County's participation in the Eastern Panhandle HOME Consortium of West Virginia. Motion unanimously approved.**

7. Todd Fagan, Director of GIS/Addressing – requested a reclassification of a position within his office.

- **Motion by Mr. Manuel to approve the new position description of GIS Analyst as presented and reclassify Jessica Gormont from GIS Technician, Grade III-Step H, to GIS Analyst, Grade IV – Step C at her current salary. Motion unanimously approved.**

8. Peter Chakmakian, Attorney for Arcadia Communities, Inc. – requested a time extension on the Tolling of Bond agreement for Harvest Hills Subdivision (JCPC File No. 01-42) – this item was postponed until a future meeting to allow time for representatives from Arcadia Communities, Inc. to gather information as requested by the Commission.

9. Roger Goodwin, Chief County Engineer and Jennie Brockman, Director of Planning and Zoning – provided the Commission with [a](#) Permit Fee Schedule presentation.

- **Motion by Mr. Manuel to approve the permit fee schedules for the offices of Planning and Zoning and Engineering as presented. Motion withdrawn.**
- **Motion by Mr. Manuel to postpone action on this item and readdress the topic during the February 5, 2015 regular meeting. Motion unanimously approved.**

10. The Commission recessed for lunch at 12:27 pm.

The Commission reconvened at 1:30 pm.

11. Discussion of appointment of Interim County Administrator

- **Motion by Ms. Tabb to go into Executive Session citing §6-9A-4 to discuss matters of personnel. Motion fails on a vote of 2-3 with Mr. Bell, Mr. Manuel, and Mr. Pellish opposing.**
- **Motion by Ms. Noland to appoint Ms. Leslie Smith as Interim County Administrator. Motion fails on a vote of 2-3 with Mr. Bell, Mr. Manuel, and Mr. Pellish opposing.**
- **Motion by Mr. Pellish to appoint Mr. Tim Stanton as Interim County Administrator. Motion withdrawn.**
- **Motion by Mr. Manuel to appoint Ms. Sandy McDonald as Interim County Administrator. Motion withdrawn.**
- **Motion by Ms. Noland to enter into Executive Session citing §6-9A-4 to discuss matters of personnel. Motion passes on a vote of 4-1 with Mr. Manuel opposing.**
 - It was the consensus of the Commission to come out of Executive Session and continue the discussion during the afternoon session.
- **Motion by Mr. Bell to enter into Executive Session citing §6-9A-4 to discuss matters of personnel. Motion unanimously approved.**
- **Motion by Ms. Tabb to come out of Executive Session. Motion unanimously approved.**
- **Motion by Mr. Bell to appoint Ms. Stephanie Grove as Interim County Administrator at the current County Administrator salary. Motion unanimously approved.**

12. Tethering of Dogs – Ms. Tabb requested legal counsel research this topic further to see if it is discussed within the state code and whether the Commission has any authority on this matter.
13. Review Resolution of Support provided to the County Commission by Randy Funkhouser of the HBPA during the January 8, 2015 Horse Racing Summit – it was the consensus of the Commission to send a letter of thanks to those who participated in the Horse Racing Summit. The Commission also agreed to postpone any premature action on the Resolution until a bill came through the legislature.
14. Comprehensive Plan Review Update – no updates were necessary and no action was taken.
15. Legislative Updates – Ms. Noland and Mr. Manuel provided the audience and the Commission with a legislative update, stating it would be a very ambitious session with 224 Senate Bills and 56 House Bills on topics such as judicial reform, FOIA costs, library funding, workforce development, and legislation to allow emergency medical technicians to administer potentially life-saving medication in the event of a drug overdose.

COUNTY ADMINISTRATOR REPORTS

County Administrator Updates – Ms. Keyser provided the Commission with an update on tasks which were to be transferred to County staff members in the wake of her resignation. She stated Sally Gran from the Finance Department would take over the Wellness meetings, Sandy McDonald, Deputy County Administrator and Russ Burgess, IT staff member, would complete the work on the County’s new website, Tim Stanton, Finance Director and Bill Polk, Director of Maintenance would head the Space Needs Committee, and the Interim County Administrator or Tim Stanton would take care of Elected Officials meetings as needed.

FINANCIAL DIRECTOR REPORTS

- Set dates and times for FY16 Budget Review – it was the consensus of the Commission to meet during the following dates and times for departmental budget presentations:
 - Wednesday, February 11, 2015 from 9:30 a.m. – 4:00 p.m.
 - Thursday, February 12, 2015 from 9:30 a.m. – 12:00 p.m.
 - Friday, February 13, 2015 from 1:30 p.m. – 4:00 p.m. (tentative)
 - Tuesday, February 17 from 9:30 a.m. – 12:00 p.m. or as needed.
- Potential Hiring Freeze – Commissioner Pellish stated he would draft a proposal for a County-wide hiring freeze for FY16 to discuss at the January 29, 2015 regular meeting.

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16. Recognition Awards – recognition awards were given to County employees who played key roles in the implementation of -projects such as Computer Aided Dispatch (CAD) at the Emergency Communications Center and collection of the Ambulance Fee at the County Commission office.
 17. Service Awards – service awards were given to employees for their years of service with the County.
 18. The Commission recessed at 3:15 p.m. on a motion by Ms. Noland. Motion was seconded and unanimously approved.

JANE TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant