

Minutes

Jefferson County Commission

Thursday, January 29, 2015

A meeting of the Jefferson County Commission was held on Thursday, January 29, 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, Walter Pellish, and Jane Tabb. Also present were Stephanie Grove, Interim County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, January 29, 2015 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Pellish led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Tabb to approve the January 6, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Mr. Manuel to approve the January 8, 2015 Regular Meeting Minutes as presented. Motion unanimously approved.

Motion by Ms. Noland to approve the January 9, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Ms. Noland to approve the January 13, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Mr. Manuel to approve the January 14, 2015 Comprehensive Plan Work Session Minutes as presented. Motion unanimously approved.

Motion by Mr. Bell to approve the January 15, 2015 Regular Meeting Minutes as presented. Motion unanimously approved.

Motion by Mr. Manuel to approve the January 22, 2015 Special Session Minutes as presented. Motion unanimously approved.

APPROVAL OF PAYROLL

Motion by Ms. Tabb to approve the Payroll for January 15, 2015, in the amount of \$238,261.15. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073713	412	COMCAST		\$ -	\$ 103.63	\$ 103.63
073713	425	COMCAST		\$ -	\$ 615.24	\$ 615.24
073714	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 22,000.95	\$ 22,000.95
073715	712	LANGUAGE LINE SERVICES		\$ -	\$ 201.02	\$ 201.02
073716	433	LYLE SIGNS, INC.		\$ -	\$ 437.89	\$ 437.89
073717	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
073717	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
073717	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
073717	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
073717	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
073717	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
073717	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
073717	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
073717	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
073717	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
073718	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 383.04	\$ 383.04
073718	424	SOFTWARE SYSTEMS, INC		\$ -	\$ 491.96	\$ 491.96
073719	425	SHENANDOAH VALLEY WATER		\$ -	\$ 537.80	\$ 537.80
TOTAL						\$ 26,989.44

Motion by Ms. Noland to approve the accounts payable for January 22, 2015, in the amount of \$26,989.44. Motion unanimously approved.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
073722	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,352.80	\$ 4,352.80
073723	712	APCO INTERNATIONAL INC		\$ -	\$ 856.00	\$ 856.00
073724	425	COMCAST		\$ -	\$ 189.90	\$ 189.90
073725	712	AT&T/GA		\$ -	\$ 62.25	\$ 62.25
073726	717	AUTOZONE		\$ -	\$ 577.65	\$ 577.65
073727	425	B-K OFFICE SUPPLY INC		\$ -	\$ 1,048.50	\$ 1,048.50
073728	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
073729	PAYROLL	BUREAU F/CHILD SPVRT ENF		\$ -	\$ 212.31	\$ 212.31
073730	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
073731	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
073732	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
073733	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
073734	405	MARCIA LYNN CHANDLER		\$ -	\$ 496.65	\$ 496.65
073735	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
073736	403	COAST TO COAST COMPUTER		\$ -	\$ 545.98	\$ 545.98
073737	PAYROLL	COLONIAL LIFE		\$ -	\$ 516.18	\$ 516.18
073738	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 106.50	\$ 106.50
073739	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
073740	405	FEDEX		\$ -	\$ 52.25	\$ 52.25
073741	700	JEANNA HOLLER		\$ -	\$ 5.29	\$ 5.29
073742	PAYROLL	VOYA FINANCIAL		\$ -	\$ 2,590.00	\$ 2,590.00
073743	404	JEFFERSON PUBLISH CO INC		\$ -	\$ 1,134.86	\$ 1,134.86
073743	405	JEFFERSON PUBLISH CO INC		\$ -	\$ 378.00	\$ 378.00
073744	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
073745	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,720.00	\$ 5,720.00
073746	403	MATTHEW BENDER & CO		\$ -	\$ 135.43	\$ 135.43
073747	412	JUDITH A MATLICK		\$ -	\$ 128.80	\$ 128.80
073748	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
073749	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
073750	405	PAMELA PATTERSON		\$ -	\$ 145.50	\$ 145.50
073751	405	TRACY P. RICE, RPR		\$ -	\$ 218.25	\$ 218.25
073752	425	RCS SECURITY		\$ -	\$ 456.00	\$ 456.00
073753	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 27.00	\$ 27.00
073753	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 732.00	\$ 732.00
073753	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 56.00	\$ 56.00
073753	428	SOFTWARE SYSTEMS, INC		\$ -	\$ 377.00	\$ 377.00
073754	704	ST/WV REGIONAL JAIL &		\$ -	\$ 104,151.75	\$ 104,151.75
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,073.82	\$ 10,073.82
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,074.32	\$ 43,074.32

073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2.08	\$ 2.08
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 8.88	\$ 8.88
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 40,502.21	\$ 40,502.21
073755	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 6.35	\$ 6.35
073756	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 31,067.66	\$ 31,067.66
073756	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 3.33	\$ 3.33
073757	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 15,436.81	\$ 15,436.81
073757	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 10,497.03	\$ 10,497.03
073758	425	THOMPSON GAS		\$ -	\$ 381.32	\$ 381.32
073759	428	VISION TECHNOLOGY SOLTNS		\$ -	\$ 4,290.00	\$ 4,290.00
073760	405	THOMSON REUTER - WEST	52685	\$ 2,996.49	\$ -	\$ 2,996.49
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 3.25	\$ 3.25
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 10.12	\$ 10.12
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 77,790.63	\$ 77,790.63
073761	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 25,004.22	\$ 25,004.22
073762	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 166.50	\$ 166.50
073763	700	BILL WALTERS		\$ -	\$ 12.45	\$ 12.45
TOTAL						\$ 390,223.54
TOTAL				\$ 2,996.49	\$ 387,227.05	\$ 390,223.54

Motion by Mr. Manuel to approve the Accounts Payable for January 29, 2015 in the amount of \$390,223.54. Motion unanimously approved.

PUBLIC COMMENT: No one provided public comment during this meeting.

PRESENTATIONS

1. Pete Dougherty, Sheriff – requested the approval to apply for a \$40,500 reimbursable grant from the WV Homeland Security Grant Program for the purchase of 18 Motorola APX1000 UHF Portable Radios, chargers, and batteries to be used by the Deputy Sheriff Reserves.
 - **Motion by Mr. Manuel to approve the Sheriff’s request to apply for a reimbursable grant to fund radios for the Jefferson County Deputy Sheriff Reserves. Motion unanimously approved.**

2. Lynn Fields, Deputy Probate Clerk – Petition of Michelle Lee McLaughlin to resign as Administratrix of the Estate of Peter James McLaughlin.

- **Motion by Ms. Noland to approve the Petition of Michelle Lee McLaughlin to resign as Administratrix of the Estate of Pete James McLaughlin and to appoint Connor McLaughlin as Administrator of the Estate as presented by Ms. Fields. Motion unanimously approved.**
3. Elizabeth McDonald, President, Jefferson County Farmland Protection Board – requested the approval to amend the bylaws of the Farmland Protection Board to allow members to serve as officers for more than one year, if they are willing, in order to maintain consistent management of Board business.
 - **Motion by Ms. Noland to approve the amendment to the Jefferson County Farmland Protection Board Bylaws as presented by Ms. McDonald. Motion unanimously approved.**
 4. Jennie Brockman, Director of Planning and Zoning – provided a recommendation from the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 0.98 acre property owned by David N. Slusher, designated as Tax District: Kabletown (06), Map:11, Parcel: 3.2, located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road intersection, for the purpose of setting a public hearing to be held by the County Commission.
 - **Motion by Mr. Manuel to schedule a Public Hearing on the Proposed Zoning Map Amendment for a 0.98 acre property owned by David N. Slusher, designated as Tax District: Kabletown (06), Map: 11, Parcel: 3.2, located on the southwest corner of the Route 340/Straithmore Farm Lane/Wheatland Road intersection, on Thursday, February 19, 2015 during the regularly scheduled County Commission meeting. Motion unanimously approved.**
 5. The Commission recessed for break at 10:45 a.m.
The Commission reconvened at 11:00 a.m.
 6. Interviews and Appointments to the Water Advisory Committee for three three-year terms ending January 31, 2018.
 - Mr. Manuel offered his nomination for Mr. Willis Nowell.
 - Ms. Tabb offered her nomination of Mr. Roger Ethier and Mr. Al Hooper.
 - **Motion by Mr. Manuel to reappoint Mr. Willis Nowell and Mr. Roger Ethier and appoint Mr. Albert Hooper to the Jefferson County Water Advisory Committee each for a three-year term ending January 31, 2018. Motion unanimously approved.**
 7. Interviews and Appointments to the Eastern Panhandle Transit Authority for three three-year terms ending January 31, 2018.

- **Motion by Mr. Manuel to reappoint Mr. Eugene Pearson to the Eastern Panhandle Transit Authority for one three-year term ending January 31, 2018 and to send him a letter of appreciation for his service. Motion unanimously approved.**

7. Interviews and Appointments to the Jefferson County Board of Zoning Appeals for two three-year terms ending January 1, 2018.

- Ms. Noland offered her nomination for Ms. Christy Huddle and Mr. Ted Schiltz.

- **Motion by Ms. Noland to reappoint Ted Schiltz and Christy Huddle to the Jefferson County Board of Zoning Appeals each for a three-year term ending January 1, 2018. Motion unanimously approved.**

9. Internet Service Lawsuit – Steve Groh, assistant prosecuting attorney, stated the Commission could not take part in the class action lawsuit against Frontier as the class has yet to be certified; however, Commission is a public body and is not similarly situated to a private citizen.

10. Commission “To-Do” List – the Commission compiled a list of items to keep on their “to do” list after Budget and Board of Review and Equalization, including the Mass Gathering Ordinance, Impact Fees, space needs, and a potential hiring freeze.

11. Review of Jefferson County Emergency Services Agency Bylaws – Ms. Grove recommended the Commission rescind the changes made to the JCESA Bylaws during the regular County Commission meeting on November 20, 2014 as the Board is governed by the entirety of the Open Governmental Proceedings Act and the changes previously made by the Commission only refer to certain portions of the Act.

- **Motion by Ms. Noland to accept the changes made to the JCESA Bylaws as presented by Ms. Grove. Motion unanimously approved.**

12. Request approval of option of online payment for Ambulance Fee

- **Motion by Mr. Manuel to accept the option of online payment of ambulance fees and to charge a transaction/convenience fee to cover the costs of administration. Motion unanimously approved.**

13. Legislative Updates – Ms. Noland and Mr. Manuel provided the Commission and the audience with an update on various House and Senate bills which may be of interest to the County.

COUNTY ADMINISTRATOR REPORTS

- Dog Nuisance Issue – Ms. Grove stated she had received a petition from a citizen regarding a dog nuisance issue in his neighborhood. Ms. Grove stated West Virginia does not have a petition policy but she has spoke with the Sheriff about the issue and will send a letter in response to the petition notifying the sender of their options. Additionally, Ms. Grove stated she would be willing to draft a dog nuisance ordinance if directed by the Commission.
- County Administrator Applicant Interviews – Ms. Grove reminded the Commission interviews were scheduled on Wednesday, February 4th and Friday, February 6th for the County Administrator position.
- Budget Session on Friday, February 13th – Ms. Grove asked the Commission if they'd still like to schedule departmental budget presentations on the afternoon of Friday, February 13th. It was the consensus of the Commission to hold the date if needed and cancel if necessary.
- Hiring Procedure for Elected Officials – Ms. Grove stated she'd be sending an e-mail to all of the Elected Officials to remind them of the Commission's authority in relation to the approval of employment for new employees.

FINANCE DIRECTOR REPORTS

- Approval of Budget Revisions
 - **Motion by Ms. Noland to approve Internal Budget Revision #6 as presented by Mr. Stanton. Motion unanimously approved.**
 - **Motion by Mr. Manuel to approve State Budget Revision #9 as presented by Mr. Stanton. Motion unanimously approved.**

14. The Commission recessed for lunch at 12:15 pm.
The Commission reconvened at 1:30 pm.

15. Board of Review and Equalization

SPECIAL SESSION:

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the County Commission of said County and State continued and held at the Jefferson County Courthouse located at 100 E. Washington Street, Charles Town, WV 25414 on January 29, 2015 at 1:30 pm (An audio file of the January 29, 2015 meeting is available through the Jefferson County Commission Office.)

PRESENT: Jane Tabb, President
Patsy Noland, Vice President
Eric Bell, Commissioner
Dale Manuel, Commissioner
Walt Pellish, Commissioner
Angie Banks, Assessor
June Bowers, Senior Appraiser
Steve Groh, Assistant Prosecuting Attorney
Jessica Carroll, Administrative Assistant

RE: **2015 Board of Review and Equalization**

President Tabb called the session to order at 1:32 pm and asked Ms. Banks if there were any hearings scheduled for the opening date. Ms. Banks stated there were no hearings scheduled for Thursday, January 29, 2015. Ms. Banks also stated 5,000 letters of increase in assessment had been mailed to the citizens of Jefferson County centered mostly in the Charles Town District.

There being no further business, motion by Mr. Manuel to recess until 1:30 pm on Tuesday, February 3, 2015.

16. The Commission meeting was adjourned at 12:15 pm on a motion by Ms. Noland. Motion was unanimously approved.

JANE M. TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant