

Minutes

Jefferson County Commission

Thursday, June 4, 2015

A meeting of the Jefferson County Commission was held on Thursday, June 4, 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, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jim Eddy, Bailiff. (An audio tape of the Thursday, June 4, 2015 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Bell led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the May 21, 2015 Regular Meeting Minutes. Motion seconded and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Tabb to approve the Purchase Orders for June 4, 2015 in the amount of \$50,228.37 to include Purchase Order numbers 52344, 52342, 52343, and 52658. Motion seconded and unanimously approved.

APPROVAL OF PAYROLL

Motion by Mr. Manuel to approve the Regular Payroll for May 21, 2015 in the amount of \$232,972.69. Motion seconded and unanimously approved.

Motion by Mr. Bell to approve the Special Payroll for June 1, 2015 in the amount of \$2,198.47. Motion seconded and unanimously approved.

Motion by Ms. Tabb to approve the Special Payroll for June 2, 2015 in the amount of \$671.71. Motion seconded and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
074395	717	AUTOZONE		\$ -	\$ 775.96	\$ 775.96
074396	406	ANGELA L BANKS		\$ -	\$ 13.25	\$ 13.25
074397	425	B-K OFFICE SUPPLY INC		\$ -	\$ 1,048.50	\$ 1,048.50
074398	425	BOLAND SERVICES		\$ -	\$ 2,819.56	\$ 2,819.56
074399	413	THE CHAPMAN PRINTING CO		\$ -	\$ 42.67	\$ 42.67
074400	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
074401	402	CHARLES TOWN LOCK & KEY		\$ -	\$ 92.50	\$ 92.50
074402	425	DAYCON		\$ -	\$ 1,214.66	\$ 1,214.66
074403	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 6,027.75	\$ 6,027.75
074404	717	FISHER AUTO PARTS		\$ -	\$ 229.75	\$ 229.75
074405	717	FLEETPRIDE		\$ -	\$ 180.90	\$ 180.90
074406	404	J & S BUSINESS FORMS LLC		\$ -	\$ 2,841.24	\$ 2,841.24
074407	PAYROLL	GUARDIAN		\$ -	\$ 1,732.55	\$ 1,732.55
074407	PAYROLL	GUARDIAN		\$ -	\$ 1,956.72	\$ 1,956.72
074408	717	GUTTMAN OIL CO		\$ -	\$ 13,468.64	\$ 13,468.64
074409	ALLOC	JEFFERSON CO EMERGENCY		\$ -	\$ 25,000.00	\$ 25,000.00
074410	402	JEFFERSON PUBLISH CO INC		\$ -	\$ 105.90	\$ 105.90
074411	712	ROBERT E. JONES III		\$ -	\$ 1,000.00	\$ 1,000.00
074412	PAYROLL	HIGHMARK WV		\$ -	\$ 167,065.52	\$ 167,065.52
074413	406	VANDA NELSON		\$ -	\$ 13.25	\$ 13.25
074414	425	RCS SECURITY		\$ -	\$ 132.00	\$ 132.00
074415	GRANT	RCS SECURITY		\$ -	\$ 1,870.72	\$ 1,870.72
074416	GRANT	RCS SECURITY		\$ -	\$ 5,860.09	\$ 5,860.09
074417	717	RICE TIRES CO		\$ -	\$ 570.96	\$ 570.96
074418	428	STORAGE NETWORKS	52336	\$ 12,995.00	\$ -	\$ 12,995.00
074419	405	THOMSON REUTER - WEST	52685	\$ 591.00	\$ -	\$ 591.00
074420	717	WHOLESALE TIRES, INC.		\$ -	\$ 35.21	\$ 35.21
TOTAL						\$ 248,064.30
TOTAL				\$ 13,586.00	\$ 234,478.30	\$ 248,064.30

DEPT	NAME				DEPT AMTS
402/CCLK	CO. CLERK				\$ 198.40
404/TAX	TAX OFFICE				\$ 2,841.24
405/PA	PROS ATTY				\$ 591.00
406/ASSR	ASSESSORS				\$ 26.50
413/ELE	ELECTION				\$ 42.67
425/OB	OTHER BUILDING				\$ 5,214.72
428/DATAP	DATA PROCESSING				\$ 12,995.00
712/911	911 COMMUNICATION				\$ 1,380.00
717/GARAGE	CENTRAL GARAGE				\$ 15,261.42
ALLOC	ALLOCATIONS				\$ 25,000.00
GRANTS	GRANTS				\$ 7,730.81
PAYROLL	PAYROLL				\$ 176,782.54
TOTALS					\$ 248,064.30

Motion by Mr. Manuel to approve the accounts payable for May 28, 2015 in the amount of \$248,064.30. Motion seconded and unanimously approved.

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
074425	412	COMCAST		\$ -	\$ 103.63	\$ 103.63
074425	425	COMCAST		\$ -	\$ 848.67	\$ 848.67
074425	425	COMCAST		\$ -	\$ 189.90	\$ 189.90
074426	712	AT&T/GA		\$ -	\$ 83.42	\$ 83.42
074427	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
074428	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
074429	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
074430	401	201 N. GEORGE ST LLC		\$ -	\$ 9,638.92	\$ 9,638.92
074431	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
074432	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
074433	403	CASTO & HARRIS INC		\$ -	\$ 767.18	\$ 767.18
074434	402	CSSI-COMPLETE SYSTEM SPR		\$ -	\$ 818.00	\$ 818.00
074435	425	OLD CHARLES TOWN LIBRARY		\$ -	\$ 1,500.00	\$ 1,500.00
074436	440	DAVID M. CARTER		\$ -	\$ 139.00	\$ 139.00
074437	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
074438	711	CERVIS TECHNOLOGIES, LLC	52345	\$ 1,500.00	\$ -	\$ 1,500.00
074439	425	DAYCON		\$ -	\$ 45.85	\$ 45.85
074440	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
074441	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,982.63	\$ 5,982.63
074442	GRANT	EVAK K9		\$ -	\$ 1,200.00	\$ 1,200.00

074443	PAYROLL	GUARDIAN		\$ -	\$ 1,718.95	\$ 1,718.95
074443	PAYROLL	GUARDIAN		\$ -	\$ 1,941.66	\$ 1,941.66
074444	440	ROGER GOODWIN		\$ -	\$ 104.00	\$ 104.00
074445	412	MICHAEL HARMAN		\$ -	\$ 713.54	\$ 713.54
074446	PAYROLL	VOYA FINANCIAL		\$ -	\$ 3,085.00	\$ 3,085.00
074447	406	THE JOURNAL		\$ -	\$ 1,228.50	\$ 1,228.50
074448	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,720.00	\$ 5,720.00
074449	711	BARBARA J. MILLER		\$ -	\$ 151.00	\$ 151.00
074450	711	BARBARA J. MILLER		\$ -	\$ 184.00	\$ 184.00
074451	PAYROLL	HIGHMARK WV		\$ -	\$ 165,493.14	\$ 165,493.14
074452	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
074453	404	TONI MILBOURNE		\$ -	\$ 800.00	\$ 800.00
074454	700	ROBIN MAHONY		\$ -	\$ 8.67	\$ 8.67
074455	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
074456	711	SANDEE L. NILES		\$ -	\$ 184.00	\$ 184.00
074457	402	POSTMASTER CHARLES TOWN		\$ -	\$ 98.00	\$ 98.00
074458	440	PITTSNOGLE, LLC	52585	\$ 9,974.00	\$ -	\$ 9,974.00
074459	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 7,181.00	\$ 7,181.00
074460	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 402.96	\$ 402.96
074460	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 94.24	\$ 94.24
074460	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 571.97	\$ 571.97
074461	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 25.40	\$ 25.40
074461	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 108.64	\$ 108.64
074461	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 71.42	\$ 71.42
074462	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,208.08	\$ 10,208.08
074462	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 43,648.88	\$ 43,648.88
074462	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 41,613.38	\$ 41,613.38
074463	412	STAPLES		\$ -	\$ 409.96	\$ 409.96
074464	712	TELTRONIC		\$ -	\$ 458.00	\$ 458.00
074465	425	TRENARY SERVICE CO		\$ -	\$ 375.00	\$ 375.00
074466	PAYROLL	UNICARE EAP		\$ -	\$ 322.20	\$ 322.20
074467	415	WV STATE AUDITOR**		\$ -	\$ 11,445.00	\$ 11,445.00
074468	412	WVU		\$ -	\$ 1,078.00	\$ 1,078.00
074469	412	WVU		\$ -	\$ 1,897.76	\$ 1,897.76
074470	700	WILLIAM WALTERS		\$ -	\$ 8.67	\$ 8.67
074471	402	XEROX CORPORATION	52468	\$ 1,405.72	\$ -	\$ 1,405.72
074471	439	XEROX CORPORATION	52329	\$ 505.07	\$ -	\$ 505.07
TOTAL						\$ 338,508.54
TOTAL				\$ 13,384.79	\$ 325,123.75	\$ 338,508.54

Motion by Ms. Noland to approve the accounts payable for June 4, 2015 in the amount of \$338,508.54. Motion seconded and unanimously approved.

APPROVAL OF MANUAL CHECKS

Motion by Ms. Noland to approve the Manual Checks for May 29, 2015 in the amount of \$51,462.86. Motion seconded and unanimously approved.

Motion by Mr. Bell to approve the Manual Checks for June 5, 2015 in the amount of \$471,341.65. Motion seconded and unanimously approved.

PUBLIC COMMENT:

Bob Aitcheson, resident – expressed frustration with the All Good Festival, claiming the applicants still have yet to provide traffic, public health, or safety plans which are all requirements of their zoning certificate.

Doug Rockwell, resident – yielded his time to Mr. Aitcheson.

Jacqueline Milliron, resident – spoke in support of Mr. Fred Blackmer’s request for the County Commission to facilitate a meeting between the Jefferson County Public Service District and other county utilities to discuss the possibility of consolidation or other methods to make water and sewer rates more affordable for all residents.

Peter Fricke, resident – spoke in favor of the Engineering Department’s proposed course of action regarding Property Safety Case 14-002 as the structure in question is a historical structure and should be restored and preserved rather than demolished.

PRESENTATIONS

1. Fred Blackmer – requested the County Commission consider leading a meeting regarding infrastructure partnerships between the County Commission, Shepherdstown Utilities, the Jefferson County Public Service District, and private business stakeholders.
 - **Motion by Ms. Tabb to invite all Jefferson County utility companies, including the Jefferson County Public Service District, to discuss cooperative efforts and consolidation to provide adequate and affordable water and sewer services for all County residents. Motion seconded and unanimously approved.**
2. Jennifer Myers, Director of Jefferson County Parks and Recreation – requested approval to allow the sale of alcohol at the Sam Michael’s Park wedding venue and the Mountain Heritage Arts and Crafts Festival.

- **Motion by Mr. Manuel to provide a letter of endorsement to the WVABCA for the allowance of alcohol during weddings and select special events at Sam Michael’s Park. Motion seconded and unanimously approved.**
 - **Motion by Ms. Tabb that Jefferson County Parks and Recreation require those entities or individuals using the parks for wedding and special events to obtain additional liability insurance that indemnifies the Jefferson County Commission and the Jefferson County Parks and Recreation Commission in the event of an accident. Motion seconded and unanimously approved.**
3. Interview and Appointment to the Jefferson County Development Authority Board of Directors.
 - Ms. Noland offered her nomination for Mr. Anthony Roberts.
 - Mr. Manuel offered his nomination for Ms. Sara Smith.
 - After receiving the majority vote, Mr. Anthony Roberts was appointed to the Jefferson County Development Authority Board of Directors for one unexpired term ending April 5, 2016.
 4. Martin Burke, Chair of the Jefferson County Historic Landmarks Commission – requested matching funds for the WV Historic Preservation Development Grant to replace the roof on Snow Hill/Poor Farm.
 - **Motion by Mr. Manuel to provide the matching funds for the WV Historic Preservation Development Grant in the amount of \$20,000 to replace the roof on Snow Hill/Poor Farm. Motion seconded but fails on a vote of 1-4 with Mr. Bell, Ms. Tabb, Ms. Noland and Mr. Pellish opposing.**
 - **Motion by Mr. Bell to postpone action on this item pending the State’s approval of the WV Historic Preservation Development Grant for the repair of the roof for Snow Hill/Poor Farm. Motion seconded and unanimously approved.**
 5. The Commission recessed for break at 10:55 am.
The Commission reconvened at 11:10 am.
 6. Barb Miller, Director of Jefferson County Homeland Security and Emergency Management – requested approval of a Memorandum of Understanding between the Jefferson County Commission and the City of Ranson for use of the Ranson Civic Center during emergencies or disasters.

- **Motion by Ms. Noland to approve the Memorandum of Understanding between the Jefferson County Commission and the City of Ranson as presented. Motion seconded and unanimously approved.**
7. Nathan Cochran, Assistant Prosecuting Attorney's Office – provided the Commission with a litigation update on the following cases: 13-C-432, 15-AA-4, and 15-0323.
- **Motion by Ms. Noland to enter into Executive Session to discuss pending litigation and a personnel matter. Motion seconded and unanimously approved.**
 - **Motion by Mr. Bell to come out of Executive Session. Motion seconded and unanimously approved.**
 - **Motion by Ms. Noland to reject the settlement for case 13-C-432. Motion seconded and unanimously approved.**
8. Review of letters from the Jefferson County Commission to the West Virginia Alcohol Beverage Commission regarding the All Good Music Festival and Campout. Ms. Brockman also provided the Commission with an update on the status of the zoning permit application for the All Good Music Festival and Campout.
- It was the consensus of the Commission to send another letter to the WVABCA with corrected date for the All Good Music Festival and Campout.
9. Discussion/Revision of the Jefferson County Ambulance Service Fee Ordinance to address the following: residents who live in county areas that do not receive Jefferson County ambulance services and the assessment of late fees for the Ambulance Service Fee.
- **Motion by Mr. Manuel to discontinue charging the Ambulance Service Fee to residents who do not receive ambulance service from Jefferson County. Motion seconded and unanimously approved.**
 - **Motion by Mr. Manuel to reduce the Ambulance Service Fee for residents receiving the Homestead Exemption by 50% of the current standard late fees. Motion seconded and unanimously approved.**
10. Course of action for those who are delinquent in paying their Ambulance Fee.
- It was the consensus of the Commission to delay action on this item until the next regularly scheduled meeting to allow counsel time to research the best course of action regarding residents who are delinquent in paying their ambulance fee.

11. Request of waiver of late fees for Kenneth Pickering, resident, who claims he did not receive initial Ambulance Fee bill.

- **Motion by Ms. Tabb to deny the waiver of late fees for the ambulance service fee for Kenneth Pickering. Motion seconded and unanimously approved.**

12. Review and Renewal of the Mutual Aid Agreement between the City of Martinsburg and Jefferson County.

- **Motion by Ms. Noland to approve and renew the Mutual Aid Agreement between the City of Martinsburg and Jefferson County. Motion seconded and unanimously approved.**

13. Discussion of recent purchase within the Prosecuting Attorney's Office.

- The Commission requested Mr. Lorenzetti inform his employees that IT purchases such as computers, printers, and keyboards should be referred to the IT Department for inventory tracking and potential cost savings

FINANCIAL DIRECTOR REPORTS

- **Motion by Mr. Manuel to approve State Budget Revision #12 as presented by Mr. Stanton. Motion seconded and unanimously approved.**
- **Motion by Mr. Bell to approve State Budget Revision #2 of Fund 2 as presented by Mr. Stanton. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to approve Internal Budget Revision #15 as presented. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to approve Internal Budget Revision #16 as presented. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to approve Internal Budget Revision #17 as presented. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to approve Internal Budget Revision #18 as presented. Motion seconded and unanimously approved.**
- **Motion by Ms. Tabb to approve the Management and Discussion Analysis for FY13 as presented. Motion seconded and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

Absence Time with Pay Policy – Ms. Grove stated she wished to postpone this item until the June 18, 2015 regularly scheduled meeting.

14. Roger Goodwin, Chief County Engineer and Jennie Brockman, Director of Planning and Zoning – presented the proposed update to the Engineering Department’s Permit Fee Schedule and the Planning and Zoning Department’s Fee Schedule.

- **Motion by Mr. Manuel to approve the 10% increase for building permit fees with an effective date of August 1, 2015. Motion seconded and passes on a vote of 3-2 with Mr. Pellish and Mr. Bell opposing.**
- **Motion by Mr. Manuel to approve the permit fee schedule for the Planning and Zoning Office as presented. Motion seconded.**
- **Motion by Ms. Noland to amend Mr. Manuel’s motion to support the 10% increase in the subdivision plan fee, remove the square footage fee, and charge a flat \$50 fee for site plans and concept plans. Motion withdrawn.**
- **Motion by Mr. Manuel to postpone decisions on the proposed land development fees schedule until the June 18, 2015 regularly scheduled meeting. Motion seconded and unanimously approved.**

15. Roger Goodwin, Chief County Engineer

a. Property Safety Enforcement Agency – Hearing on Case 14-002 (Joseph O. and Barbara A. Bitner) – Property located at 7211 Queen Street, Middleway, WV 25430 Middleway Tax District, Map 22B, Parcel 0026 Deed Book 512, Page 726. Ms. Tabb noted that all five County Commissioners were present. Roger Goodwin was present on behalf of the Property Safety Enforcement Agency. The property owner did not appear.

- **Motion by Ms. Noland to accept the evidence as provided by Mr. Goodwin and find the property located at 7211 Queen Street, Middleway, West Virginia in violation of the Property Safety Enforcement Ordinance and to issue the Order to the property owner and authorize the President of the Commission to sign the Order, as presented. Motion seconded and unanimously approved.**

b. Letter of Credits

- **Motion by Ms. Tabb to authorize Staff to call any Letters of Credit that are due that have not been renewed by the close of business on Monday, July 6, 2015. Motion seconded and unanimously approved.**

c. Partial Release of Construction Bond Security for SPARC, LLC. – Summit Point Tactical Training Center, Phase 4 (File #S13-03)

- **Motion by Ms. Noland to authorize a partial release of \$1,286,628.00 from the construction bond amount for SPARC, LLC – Summit Point Tactical Training Center, Phase 4 (File #S13-03). Motion seconded and unanimously approved.**

d. Hiring of Full Time Permit Clerk/Technician

- **Motion by Mr. Manuel to authorize Engineering Staff to advertise for a full time Permit Clerk/Technician. Motion seconded and unanimously approved.**

COUNTY COMMISSION REPORTS

Jane Tabb

- Attended her grandson's preschool graduation.
- Attended a PSD meeting.
- Met with ESA Personnel Committee.

Dale Manuel

- Attended an impact fee meeting for Parks and Recreation.
- Attended the Council on Aging Yardsale.
- Attended a PSD meeting.

Eric Bell

- Attended Juvenile Drug Court.
- Attended the Harpers Ferry Middle School Veteran's Memorial Dedication.
- Attended Memorial Day events in Washington, D.C.

Walt Pellish

- Will be attending his grandson's high school graduation on June 18th and will not be present at the regular meeting.

16. The Commission meeting adjourned at 2:50 pm on a motion by Mr. Bell. Motion was seconded and unanimously approved.

JANE M. TABB, PRESIDENT

Respectfully submitted
Jessica D. Carroll
Administrative Assistant