

## **Minutes**

### **Jefferson County Commission**

**Thursday, June 19, 2014**

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A meeting of the Jefferson County Commission was held on Thursday, June 19, 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, Jane Tabb, and Lyn Widmyer. President Pellish was absent with notice. Also present were Debbie Keyser, County Administrator, Jessica Carroll, Executive Administrative Assistant and Jimmy Eddy, Bailiff. (An audio file of the Thursday, June 19, 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 Ms. Noland to approve the minutes for the June 5, 2014 Regular Meeting.  
Motion seconded and unanimously approved.**

**Motion by Mr. Manuel to approve the minutes for the June 11, 2014 Public Hearing.  
Motion seconded and unanimously approved.**

#### **APPROVAL OF PURCHASE ORDERS**

**Motion by Ms. Noland to approve Purchase Orders in the amount of \$175,361.10 to include Purchase Order Numbers 51950, 52434, 51471, 51474, 52223, 52776, 52580, 52252, 52544, 52545, 52575, 52619, 50017, 52618, 52620, 52622, 52623, 52328, 52679, 51977, 51978, 51979, 51980, 51981, 51982, 51984, and 52408. Motion seconded and unanimously approved.**

**APPROVAL OF ACCOUNTS PAYABLE**

**Motion by Mr. Manuel to approve the May 2014 Check Register in the amount of \$141,717.81. Motion seconded and unanimously approved.**

**Motion by Ms. Noland to approve the Pay Period Ending May 31, 2014 in the amount of \$235,209.98. Motion seconded and unanimously approved.**

**Motion by Ms. Noland to approve the Vouchers Payable for June 13, 2014 in the amount of \$136,958.72. Motion seconded and unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
072364	428	ACCURATE SYSTEMS INC		\$ -	\$ 6,000.00	\$ 6,000.00
072365	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,556.64	\$ 1,556.64
072366	425	B-K OFFICE SUPPLY INC	52390	\$ 466.00	\$ -	\$ 466.00
072367	406	MONICA BENNETT		\$ -	\$ 108.00	\$ 108.00
072368	425	COVENANT BUILDING MAINT		\$ -	\$ 11,827.43	\$ 11,827.43
072369	425	DODSON'S SEPTIC	52612	\$ 265.00	\$ -	\$ 265.00
072370	425	DAYCON	52608	\$ 1,267.18	\$ -	\$ 1,267.18
072370	425	DAYCON	52609	\$ 688.20	\$ -	\$ 688.20
072371	405	EASTERN PANHANDLE BAR	52678	\$ 25.00	\$ -	\$ 25.00
072372	717	FISHER AUTO PARTS		\$ -	\$ 206.98	\$ 206.98
072373	402	SALLY GRAN		\$ -	\$ 15.00	\$ 15.00
072374	717	GUTTMAN OIL CO		\$ -	\$ 18,987.90	\$ 18,987.90
072375	424	GRIFFITH ENERGY SERVICE		\$ -	\$ 643.88	\$ 643.88
072376	405	CHARLES B HOWARD		\$ -	\$ 755.81	\$ 755.81
072377	406	PAULA J. HARDY		\$ -	\$ 108.00	\$ 108.00
072378	425	JEFF CO PUBLIC SER DEPT		\$ -	\$ 378.36	\$ 378.36
072379	ALLOC	JEFFERSON COUNTY HISTORI		\$ -	\$ 1,556.64	\$ 1,556.64
072380	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 126.48	\$ 126.48
072381	425	JEFFERSON UTILITIES INC		\$ -	\$ 559.76	\$ 559.76
072382	406	LAKEVIEW RESORT & SPA	51406	\$ 738.00	\$ -	\$ 738.00
072383	405	RALPH A LORENZETTI JR		\$ -	\$ 19.99	\$ 19.99
072384	404	TONI MILBOURNE	52406	\$ 750.00	\$ -	\$ 750.00
072385	ALLOC	JEFF CO PARKS &		\$ -	\$ 16,344.70	\$ 16,344.70
072386	402	PIFER OFFICE SUPPLY, INC	52458	\$ 242.75	\$ -	\$ 242.75
072386	402	PIFER OFFICE SUPPLY, INC	52459	\$ 195.25	\$ -	\$ 195.25
072386	402	PIFER OFFICE SUPPLY, INC	52460	\$ 208.42	\$ -	\$ 208.42
072386	402	PIFER OFFICE SUPPLY, INC	52461	\$ 243.65	\$ -	\$ 243.65
072386	403	PIFER OFFICE SUPPLY, INC	51472	\$ 9.30	\$ -	\$ 9.30
072387	403	POSTMASTER CHARLES TOWN	51473	\$ 92.00	\$ -	\$ 92.00

072388	439	POSTMASTER CHARLES TOWN	52330	\$ 92.00	\$ -	\$ 92.00
072389	424	POTOMAC EDISON/OH		\$ -	\$ 1,686.96	\$ 1,686.96
072389	425	POTOMAC EDISON/OH		\$ -	\$ 1,905.29	\$ 1,905.29
072389	425	POTOMAC EDISON/OH		\$ -	\$ 13,130.28	\$ 13,130.28
072390	700	WILLIAM POTTER		\$ -	\$ 13.14	\$ 13.14
072391	425	RCS SECURITY	52617	\$ 93.60	\$ -	\$ 93.60
072392	404	SHERIFF OF JEFFERSON CO	52407	\$ 17.65	\$ -	\$ 17.65
072393	401	SOFTWARE SYSTEMS, INC		\$ -	\$ 828.00	\$ 828.00
072393	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 84.50	\$ 84.50
072393	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 1,610.00	\$ 1,610.00
072393	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 104.00	\$ 104.00
072394	405	SPECIALTY BUS SUPPLIES	51639	\$ 1,152.20	\$ -	\$ 1,152.20
072395	711	SOFTWARE COMPUTER GROUP	50010	\$ 150.00	\$ -	\$ 150.00
072396	712	SEN COMMUNICATIONS	52552	\$ 275.00	\$ -	\$ 275.00
072396	712	SEN COMMUNICATIONS	52554	\$ 14.96	\$ -	\$ 14.96
072397	425	SHENANDOAH VALLEY WATER		\$ -	\$ 550.60	\$ 550.60
072398	425	CAPITAL TRISTATE		\$ -	\$ 84.20	\$ 84.20
072399	403	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 212.00	\$ 212.00
072401	402	UNITED BANKCARD CENTER		\$ -	\$ 34.95	\$ 34.95
072401	402	UNITED BANKCARD CENTER		\$ -	\$ 800.00	\$ 800.00
072401	402	UNITED BANKCARD CENTER		\$ -	\$ 585.00	\$ 585.00
072401	403	UNITED BANKCARD CENTER		\$ -	\$ 1,778.88	\$ 1,778.88
072401	405	UNITED BANKCARD CENTER		\$ -	\$ 38.56	\$ 38.56
072401	405	UNITED BANKCARD CENTER		\$ -	\$ 490.00	\$ 490.00
072401	405	UNITED BANKCARD CENTER		\$ -	\$ 94.04	\$ 94.04
072401	406	UNITED BANKCARD CENTER		\$ -	\$ 28.23	\$ 28.23
072401	413	UNITED BANKCARD CENTER		\$ -	\$ 373.89	\$ 373.89
072401	413	UNITED BANKCARD CENTER		\$ -	\$ 4.97	\$ 4.97
072401	413	UNITED BANKCARD CENTER		\$ -	\$ 723.21	\$ 723.21
072401	413	UNITED BANKCARD CENTER		\$ -	\$ 234.23	\$ 234.23
072401	415	UNITED BANKCARD CENTER		\$ -	\$ 79.53	\$ 79.53
072401	424	UNITED BANKCARD CENTER		\$ -	\$ 4.45	\$ 4.45
072401	424	UNITED BANKCARD CENTER		\$ -	\$ 14,673.19	\$ 14,673.19
072401	424	UNITED BANKCARD CENTER		\$ -	\$ 110.19	\$ 110.19
072401	425	UNITED BANKCARD CENTER		\$ -	\$ 25.81	\$ 25.81
072401	425	UNITED BANKCARD CENTER		\$ -	\$ 136.00	\$ 136.00
072401	425	UNITED BANKCARD CENTER		\$ -	\$ 31.63	\$ 31.63
072401	428	UNITED BANKCARD CENTER		\$ -	\$ 8,634.76	\$ 8,634.76
072401	428	UNITED BANKCARD CENTER		\$ -	\$ 3,295.91	\$ 3,295.91
072401	428	UNITED BANKCARD CENTER		\$ -	\$ 265.41	\$ 265.41

072401	433	UNITED BANKCARD CENTER		\$ -	\$ 67.84	\$ 67.84
072401	433	UNITED BANKCARD CENTER		\$ -	\$ 282.84	\$ 282.84
072401	439	UNITED BANKCARD CENTER		\$ -	\$ 69.15	\$ 69.15
072401	439	UNITED BANKCARD CENTER		\$ -	\$ 15.00	\$ 15.00
072401	451	UNITED BANKCARD CENTER		\$ -	\$ 108.84	\$ 108.84
072401	700	UNITED BANKCARD CENTER		\$ -	\$ 86.38	\$ 86.38
072401	700	UNITED BANKCARD CENTER		\$ -	\$ 16.83	\$ 16.83
072401	700	UNITED BANKCARD CENTER		\$ -	\$ 419.98	\$ 419.98
072401	700	UNITED BANKCARD CENTER		\$ -	\$ 770.56	\$ 770.56
072401	711	UNITED BANKCARD CENTER		\$ -	\$ 21.17	\$ 21.17
072401	711	UNITED BANKCARD CENTER		\$ -	\$ 230.69	\$ 230.69
072401	711	UNITED BANKCARD CENTER		\$ -	\$ 496.76	\$ 496.76
072401	711	UNITED BANKCARD CENTER		\$ -	\$ 888.37	\$ 888.37
072401	712	UNITED BANKCARD CENTER		\$ -	\$ 193.22	\$ 193.22
072401	712	UNITED BANKCARD CENTER		\$ -	\$ 697.25	\$ 697.25
072401	712	UNITED BANKCARD CENTER		\$ -	\$ 3,510.38	\$ 3,510.38
072401	712	UNITED BANKCARD CENTER		\$ -	\$ 63.92	\$ 63.92
072401	717	UNITED BANKCARD CENTER		\$ -	\$ 125.00	\$ 125.00
072401	717	UNITED BANKCARD CENTER		\$ -	\$ 54.29	\$ 54.29
072401	717	UNITED BANKCARD CENTER		\$ -	\$ 11.28	\$ 11.28
072402	425	VALLEY HARDWARE COMPANY		\$ -	\$ 6.65	\$ 6.65
072403	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 19,457.98	\$ 19,457.98
072404	717	NAPA AUTO PARTS		\$ -	\$ 477.10	\$ 477.10
072405	425	WM OF WEST VIRGINIA, INC		\$ -	\$ 672.01	\$ 672.01
072406	405	WEST VIRGINIA STATE BAR	52681	\$ 80.00	\$ -	\$ 80.00
<b>TOTAL</b>						<b>\$ 147,657.03</b>
<b>TOTAL</b>				<b>\$ 7,066.16</b>	<b>\$ 140,590.87</b>	<b>\$ 147,657.03</b>

**Motion by Mr. Manuel to approve the Accounts Payable for June 12, 2014 in the amount of \$147,657.03. Motion seconded and passes on a vote 3-1 with Ms. Widmyer opposing.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
072409	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 4,224.32	\$ 4,224.32
072410	424	AT&T/IL		\$ -	\$ 0.33	\$ 0.33
072411	700	AUTOZONE		\$ -	\$ 89.75	\$ 89.75
072411	717	AUTOZONE		\$ -	\$ 487.77	\$ 487.77
072412	413	APPLE VALLEY OFF.PRODUCT	51630	\$ 102.40	\$ -	\$ 102.40
072413	405	MYOSHIA BRIGHT		\$ -	\$ 138.00	\$ 138.00
072414	424	BOLAND SERVICES	51763	\$ 270.00	\$ -	\$ 270.00

072414	425	BOLAND SERVICES	52367	\$ 1,325.00	\$ -	\$ 1,325.00
072415	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
072416	PAYROLL	BUREAU FOR CHILD SUPPORT		\$ -	\$ 28.85	\$ 28.85
072417	PAYROLL	BUREAU F/CHILD SPVRT ENF		\$ -	\$ 212.31	\$ 212.31
072418	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
072419	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 119.54	\$ 119.54
072420	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 530.77	\$ 530.77
072421	PAYROLL	VA DEPT OF TAXATION		\$ -	\$ 198.82	\$ 198.82
072422	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
072423	PAYROLL	COLONIAL LIFE		\$ -	\$ 516.18	\$ 516.18
072424	439	DELL MARKETING LP	52327	\$ 830.71	\$ -	\$ 830.71
072425	425	DEHAVEN BERKELEY SPRINGS		\$ -	\$ 40.85	\$ 40.85
072426	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
072427	433	ESRI	51384	\$ 2,500.00	\$ -	\$ 2,500.00
072428	424	J.C.EHRLICH		\$ -	\$ 34.00	\$ 34.00
072428	425	J.C.EHRLICH		\$ -	\$ 535.67	\$ 535.67
072429	401	FEDEX		\$ -	\$ 63.45	\$ 63.45
072429	700	FEDEX		\$ -	\$ 35.64	\$ 35.64
072430	415	GENERAL COUNTY FUND-J FE		\$ -	\$ 11,056.85	\$ 11,056.85
072431	425	GRAINGER, INC	52621	\$ 44.76	\$ -	\$ 44.76
072432	405	STEPHEN V GROH		\$ -	\$ 246.41	\$ 246.41
072432	405	STEPHEN V GROH		\$ -	\$ 138.00	\$ 138.00
072433	405	STEPHANIE GROVE		\$ -	\$ 138.00	\$ 138.00
072434	405	CHARLES B HOWARD		\$ -	\$ 138.00	\$ 138.00
072435	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 2,790.00	\$ 2,790.00
072436	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 5,308.00	\$ 5,308.00
072437	405	PATSY KIDWELL		\$ -	\$ 138.00	\$ 138.00
072438	405	RALPH A LORENZETTI JR		\$ -	\$ 138.00	\$ 138.00
072439	412	JUDITH A MATLICK		\$ -	\$ 326.55	\$ 326.55
072440	PAYROLL	COMPTROLLER OF MARYLAND		\$ -	\$ 557.74	\$ 557.74
072441	405	GAIL MCMILLION		\$ -	\$ 138.00	\$ 138.00
072442	424	MICROMAIN CORPORATION	52384	\$ 530.00	\$ -	\$ 530.00
072443	405	JENNIFER E. MAY-SANNER		\$ -	\$ 138.00	\$ 138.00
072444	405	JONELLE MAY		\$ -	\$ 138.00	\$ 138.00
072445	PAYROLL	HIGHMARK WV		\$ -	\$ 324.69	\$ 324.69
072446	412	SHAY MCNEIL		\$ -	\$ 84.46	\$ 84.46
072447	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
072448	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 749.00	\$ 749.00
072449	405	JEFFREY N. POULIN		\$ -	\$ 96.32	\$ 96.32
072450	405	LECTOR DENISE RIDEOUTT		\$ -	\$ 138.00	\$ 138.00

072451	425	RCS SECURITY		\$ -	\$ 618.00	\$ 618.00
072452	405	HASSAN RASHEED		\$ -	\$ 214.48	\$ 214.48
072452	405	HASSAN RASHEED		\$ -	\$ 138.00	\$ 138.00
072453	401	RICOH USA, INC./GA		\$ -	\$ 252.73	\$ 252.73
072453	403	RICOH USA, INC./GA		\$ -	\$ 287.58	\$ 287.58
072453	404	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
072453	405	RICOH USA, INC./GA		\$ -	\$ 423.90	\$ 423.90
072453	406	RICOH USA, INC./GA		\$ -	\$ 123.90	\$ 123.90
072453	425	RICOH USA, INC./GA		\$ -	\$ 48.10	\$ 48.10
072453	433	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
072453	440	RICOH USA, INC./GA		\$ -	\$ 197.41	\$ 197.41
072453	700	RICOH USA, INC./GA		\$ -	\$ 295.90	\$ 295.90
072453	712	RICOH USA, INC./GA		\$ -	\$ 267.08	\$ 267.08
072454	405	SPECIALTY BUS SUPPLIES	51639	\$ 536.05	\$ -	\$ 536.05
072455	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.02	\$ 1.02
072455	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,498.02	\$ 10,498.02
072455	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 44,888.08	\$ 44,888.08
072455	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 4.34	\$ 4.34
072455	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 44,015.68	\$ 44,015.68
072455	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 2.87	\$ 2.87
072456	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.55	\$ 1.55
072456	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 31,436.44	\$ 31,436.44
072457	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 11,106.52	\$ 11,106.52
072457	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 16,986.42	\$ 16,986.42
072458	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 18,035.50	\$ 18,035.50
072459	700	TPS TOWN POLICE SUPPLY	51983	\$ 129.00	\$ -	\$ 129.00
072460	405	TERESA TRITELLI		\$ -	\$ 138.00	\$ 138.00
072461	405	THOMSON REUTER - WEST	52216	\$ 2,151.45	\$ -	\$ 2,151.45
072462	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 5.13	\$ 5.13
072462	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 25,484.69	\$ 25,484.69
072462	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 82,116.87	\$ 82,116.87
072462	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 1.59	\$ 1.59
072463	415	WV STATE AUDITOR**		\$ -	\$ 11,325.00	\$ 11,325.00
072464	716	WV BOARD VETERINARY MED	51951	\$ 250.00	\$ -	\$ 250.00
072465	440	WV CODE OFFICIALS ASSOC	52577	\$ 150.00	\$ -	\$ 150.00
072466	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 166.50	\$ 166.50
072467	405	NEIL ZAHRADNIK		\$ -	\$ 138.00	\$ 138.00
<b>TOTAL</b>						
<b>TOTAL</b>						

**Motion by Ms. Noland to approve the Accounts Payable for June 19, 2014 in the amount of \$339,242.16 . Motion seconded and unanimously approved.**

**PUBLIC COMMENT:**

Martin Burke, resident – spoke about his concerns regarding the noise from Summit Point Raceway and stated the Summit Point Raceway property should not be given an exemption from the public comment during the building permit process.

Jennifer Syron, resident and Homeowner’s Association President of Chapel View Estates – expressed her concerns regarding bond work in Chapel View that has never been completed by the developer.

David Tabb, resident – updated the Commission on his views concerning various county topics.

Jennifer Brockman, Director of Planning and Zoning – notified the Commission on the Public Hearing for the Comprehensive Plan.

Bill Polk, Director of Maintenance – updated the Commission on the Courthouse courtyard renovations.

Laura Storm, Circuit Clerk – updated the Commission regarding the progress of the new e-filing system.

**PRESENTATIONS**

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

NAME	DISTRICT	TYPE	TICKET #	AMOUNT
John Michael - President of Mechlenburg Rec. Assoc.	Shepherdstown	Real Estate	28227	\$88.78
NAME	DISTRICT	TYPE	TICKET #	AMOUNT
John Michael - President of Mechlenburg Rec. Assoc.	Shepherdstown	Real Estate	28186	\$89.36

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

2. Dr. David Didden and Thomas Trumble, Jefferson County Health Department – introduced Christina Jackson, the new Health Administrator for the Jefferson County Health Department.
3. Jennifer Maghan, County Clerk – requested the approval of the Depository Bonds for the 2014-2015 Fiscal Year.

- **Motion by Mr. Manuel to approve the depository bonds with the Bank of Charles Town in the amount of \$14 million dollars. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to approve the depository bonds with BB&T in the amount of \$800,000. Motion seconded and unanimously approved.**
  - **Motion by Ms. Noland to approve the depository bonds with Jefferson Security Bank in the amount of \$1,190,565.00. Motion seconded and unanimously approved.**
  - **Motion by Mr. Manuel to approve the depository bonds with United Bank in the amount of \$2.5 million dollars. Motion seconded and unanimously approved.**
4. Mayor Jim Auxer and Lori Roberston, Shepherdstown Council – requested a continuation of the discussion of the Shepherdstown Bike Path.
- Mayor Auxer stated the Corporation of Shepherdstown would claim responsibility for the maintenance of the bike path if the Commission would be responsible for any possible cost overruns that may occur during the construction of the bike path.
    - **Motion by Ms. Widmyer to earmark \$36,000 from the Capital Outlay fund in the event of cost overruns during the construction of the Shepherdstown bike path. Motion seconded but fails on a vote of 2-2 with Ms. Noland and Ms. Tabb opposing.**
5. Presentation of the Resolution of Appreciation to the Arts and Humanities Alliance/Jefferson Arts Council for the success of Artomatic@Jefferson.
- **Motion by Ms. Widmyer to approve the presentation of the Resolution of Appreciation for the Jefferson Arts Council. Motion seconded and unanimously approved.**
6. The Commission recessed for break at 11:00 am.  
The Commission reconvened at 11:10 am.
7. Interview and Appointment to the Jefferson County Board of Zoning Appeals
- **Motion by Mr. Manuel to nominate Mr. Ted Schiltz for the vacancy on the Board of Zoning Appeals and close the nominations as Mr. Schiltz was the sole applicant. Motion seconded and unanimously approved.**



- **Motion by Mr. Manuel to appoint Ted Schiltz to the Jefferson County Board of Zoning Appeals for one unexpired term ending January 1, 2015. Motion seconded and unanimously approved.**
8. Tom Reilly, IT Consultant – provided the Commission with an update on the status of IT improvements occurring on both campuses. Mr. Reilly stated the XP update was almost complete, and it was a possibility the project would be under the projected budget. Mr. Reilly also stated he was awaiting feedback from legal and administration regarding the contract for the new county website. Finally, Mr. Reilly stated the Virtualization Project was currently underway and would hopefully be operational within the next few weeks.
  9. Roger Goodwin, Chief County Engineer
    - A. Requested the complete release of construction bond security for Summit Point Automotive Research Center, LLC – Jefferson Circuit Expansion (File #S13-02) Letter of Credit #323 with the Bank of Charles Town, Charles Town, WV.
      - **Motion by Ms. Widmyer to authorize the complete release of \$390,644.00 from the construction bond amount for Summit Point Automotive Research Center, LLC – Jefferson Circuit Expansion. Motion seconded and unanimously approved.**
    - B. Requested the complete release of construction bond security for Hospice of the Panhandle, Inc. (File #S10-05) – Letter of Credit #10010976610 with Susquehanna Bank, Martinsburg, WV.
      - **Motion by Noland to authorize a complete release of the remaining \$456,199.00 from the construction bond for Hospice of the Panhandle, Inc. Motion seconded and unanimously approved.**
    - C. Requested the partial release of the construction bond security for Leetown Baptist Church – Leetown Baptist Church Addition (File #S09-04) – Cash in Escrow with the Bank of Charles Town, Charles Town, WV.
      - **Motion by Mr. Manuel to authorize the partial release of \$36,624.00 from the construction bond amount for Leetown Baptist Church – Leetown Baptist Church Addition. Motion seconded and unanimously approved.**
    - D. Requested the complete release of construction bond security for New Vision Properties II, Inc. – Windmill Crossing Subdivision (File #03-01) – Letter of Credit #02-04-2 with United Bank, Shepherdstown, WV.
      - **Motion by Mr. Manuel to authorize a complete release of the remaining \$369,470.00 from the construction bond amount for New Vision**

**Properties II, Inc. – Windmill Crossing Subdivision. Motion seconded and unanimously approved.**

- E. Requested the partial release of the construction bond security for Dan Ryan Builders, Inc. – Quail Ridge Subdivision, Section II, Phase III, Lots 129-159 (File #05-55) which is secured by Letter of Credit #3085605 with Bank of America, McLean, VA. The owner/developer has entered into a Tolling of Bonding Agreement with the County and would like to reduce the Letter of Credit down to \$10,000.00 as security for the Site Stability Bond.
- **Motion by Ms. Tabb to authorize a partial release of \$1,336,705.32 from Letter of Credit #3085605 with Bank of America which leaves a balance of \$10,000.00 which secures the Site Stability Bond for Dan Ryan Builders, Inc. – Quail Ridge Subdivision, Section II, Phase III, Lots 129-159. Motion seconded and unanimously approved.**
10. Elizabeth McDonald, President of the Jefferson County Farmland Protection Board – requested the approval of the Farmland Protection Board’s request to reclassify the Board’s Administrator position from a 70 hour schedule to an 80 hour schedule to properly reflect the Farmland Protection Board workload.
- **Motion by Ms. Tabb to reclassify the Jefferson County Farmland Protection Board Administrator Position from 70 bi-weekly hours at Grade IV, Step D to 80 bi-weekly hours at Grade IV, Step D. Motion seconded and unanimously approved.**
11. Steve Groh, Assistant Prosecuting Attorney – provided the Commission with an update on pending litigation. The County Commission agreed to the attached settlement.
12. Commissioner Dale Manuel – requested the Commission begin preparation to institute an impact fee for the proposed Public Service District Sewer project, as these funds are critical to the Public Service District’s continuation of said project.
- **Motion by Mr. Manuel to request counsel to research the request to see whether or not an impact fee for the proposed Public Service District sewer project is a legitimate way to reduce the financial burden on the ratepayers and work in cooperative conjunction with the Public Service District staff. Motion seconded and unanimously approved.**
13. Approval of the Revised Boards and Commissions Policy
- **Motion by Ms. Widmyer to move the Revised Boards and Commissions Policy before the body for discussion. Motion seconded.**

- **Motion by Ms. Noland to amend the “Advertising Process” section of the Revised Boards and Commissions Policy and strike “...prior to the County Commission meeting” and replace with “...prior to the appointment.” Motion seconded but fails on a vote of 2-2 with Ms. Widmyer and Mr. Manuel opposing.**
- **Motion by Ms. Widmyer to approve the Revised Boards and Commissions Policy as presented. Motion seconded and unanimously approved.**

14. Approval of the Contracts for the Fire Companies for FY15

- It was the consensus of the Commission to request Ms. Keyser to provide further clarification regarding the amount of monies the fire companies would be receiving and when.
- **Motion by Ms. Tabb to approve the contracts as presented and direct staff to make payments indicated in the contracts. Motion seconded and unanimously approved.**

15. Decision on the Ordinance to dissolve and reconstruct the Jefferson County Emergency Services Agency Board

- It was the consensus of the Commission to delay discussion/action on this item until the next regularly scheduled County Commission meeting in order to dedicate the appropriate amount of time to the subject. The Commission also requested staff and legal counsel correct any remaining typos, insertions, and/or deletions and create a clean, working draft to be used during the next meeting.

16. Decision on the Proposed Amended Ordinance for Jefferson County, West Virginia to raise the Emergency 911 Land Line Fee from \$2.90 to \$5.00

- **Motion by Ms. Tabb to set the landline fee at \$4.00. Motion seconded. Motion withdrawn.**
- **Motion by Mr. Manuel to hold decision on this item until the afternoon session once the Financial Director is able to provide further information regarding Ms. Tabb’s motion to set the landline fee at \$4.00. Motion seconded and unanimously approved.**
- **Motion by Ms. Noland to approve the Proposed Amended Ordinance for Jefferson County, West Virginia to raise the Emergency 911 Land Line Fee from \$2.90 to \$5.00 as presented for the operations of the E911 Center. Motion seconded and unanimously approved.**

17. Discussion of the request for the petition from the Monongalia County Commission for pending electric increase

- It was the consensus of the Commission to request staff to schedule a presentation from Charlene Gillam, the Eastern Panhandle representative for FirstEnergy, to learn more about the rate increases and impending changes occurring at Potomac Edison.

18. RFP for IT Services

- It was the consensus of the Commission to request Mr. Gary Wines, IT Director from Berkeley County, to review the RFP to provide his expertise to ensure the RFP provides for the needs of the County.
- It was the consensus of the Commission to delay action on this item until the July 17, 2014 County Commission meeting when all Commissioners would be present.

19. Potential funding of a part-time position within the Communications Department

- **Motion by Ms. Tabb to allow the E911 Director to pursue part-time administrative assistance up to \$22,000 as long as there are adequate funds in the E911 budget. Motion seconded and unanimously approved.**
- **Motion by Mr. Manuel to delay decision on this item until the afternoon session once the Financial Director has provided his recommendation. Motion seconded. Motion withdrawn.**

20. The Commission recessed for lunch at 12:35 pm.  
The Commission reconvened at 1:40 pm.

**FINANCIAL DIRECTOR REPORTS**

- Approval of WV Corp Insurance Renewal Changes – Mr. Stanton outlined the staff recommendations for the WV Corp Insurance Policy for FY15.
- **Motion by Ms. Widmyer to approve the staff recommendations for WV Corp Insurance Policy for FY15 in regards to the liability insurance limit increase from \$1 million dollars to \$2 million dollars and to renew the policy for FY15. Motion seconded and unanimously approved.**

- Internal Budget Revision #19 – requested the approval of Internal Budget Revision #19 to fund the impact fee study.
  - **Motion by Mr. Manuel to approve Internal Budget Revision #19 in the amount of \$17,041.00 for the Commission Office to fund the TischlerBise invoice for the impact fee study for FY14. Motion seconded and unanimously approved.**

## **COUNTY ADMINISTRATOR REPORTS**

- Code of Ethics Letter – Ms. Grove stated the Commission would have to file a formal removal petition in order to remove a current member from any board, commission, or committee, and she does not believe the refusal to sign the code of ethics would warrant the filing of a removal petition.
  - It was the consensus of the Commission to add the following language to the Code of Ethics notification letter to current members of County Appointed Boards, Commissions, and Committees: “Failure to sign the Code of Ethics document may affect your future reappointment.”
  - It was the consensus of the Commission to request legal to change “personal interest” to “pecuniary interest” and to bring the corrected document back before the body at the next regularly scheduled County Commission meeting.
- Review of the approved Jefferson County Emergency Service Fee Ordinance – Ms. Keyser stated she had two items for which she needed clarification. First, she asked if hotels and motels should receive a flat \$85.00 fee as a whole commercial unit or if each individual room should be treated as a separate unit. It was the consensus of the Commission to consider hotels and motels as one commercial unit to be charged a single \$85.00 fee. Second, Ms. Keyser asked if the document should explicitly state churches and non-profits would be exempt from the commercial fee. Ms. Grove stated the document’s definition of “commercial structure” is one that is “operated for profit,” thus providing churches and non-profits an exemption from the fee.
- Review of the approved Sexual Harassment Policy and Issue Resolution Policy – Ms. Keyser provided the Commission with copies of the approved Sexual Harassment and Issue Resolution Policies and stated these policies would be discussed during next week’s mandatory Sexual Harassment and Diversity Training. Ms. Keyser also stated she was currently working on an EEOC/Diversity Policy for the county.

- Impact Fee “Workshop” for July 17<sup>th</sup> – Ms. Keyser stated Roger Goodwin will be holding a work shop during the July 17, 2014 Commission meeting to discuss the current impact fee study. Ms. Keyser clarified TischlerBise would not be present at this work shop. It was the consensus of the Commission to invite the stakeholders and school board members and ensure they have access to the documents to be discussed.
- RIF’d Employees – Ms. Keyser stated Sally Gran would manually add the last day of employment (June 30) for the two RIF’d employees to their June 27<sup>th</sup> paychecks as to not affect their ability to receive unemployment.

21. Presentation of Resolutions in Recognition of Service to the Envision Jefferson 2035 Steering Committee

- **Motion by Mr. Manuel to approve the Resolutions in Recognition of Service to the Envision Jefferson 2035 Steering Committee members. Motion seconded and unanimously approved.**

22. Jennifer Brockman, Director of Planning and Zoning

- A. Provided the Commission with an overview and summary of the Draft Envision Jefferson 2035 Comprehensive Plan transmitted by the Envision Jefferson 2035 Steering Committee.
- B. Requested the Commission set a Public Hearing on the Proposed Zoning Map Amendment for the two parcels owned by Hoy Shingleton, Trustee for Pearl Perkings, 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.
  - **Motion by Mr. Manuel to request staff to set an agreeable date and time for a Public Hearing on the Proposed Zoning Map Amendment for the two parcels owned by Hoy Shingleton, Trustee for Pearl Perkings, 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. Motion seconded and unanimously approved.**
- C. Requested the Commission schedule a Public Hearing regarding the proposed Policy on Vested Property Rights.

- **Motion by Mr. Manuel to request staff to set an agreeable date and time to schedule a Public Hearing regarding the proposed Policy on Vested Property Rights, including the following language:**
  1. **The validity of any subdivision plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2015 until July 1, 2017. And other plan or permit associated with the subdivision or land development plan or plat shall also be extended for the same time period.**
  2. **The requirements for the vesting of property rights contained in an ordinance enacted pursuant to 8A-4-2 that require the performance of any action within a certain time period of any subdivision or land development plan or plat that was valid and outstanding as of January 1, 2010 and had received preliminary approval by the Planning Commission prior to March 1, 2010 shall be extended from July 1, 2015 to July 1, 2017. This provision would apply to all special and conditional use permits or any other agreement or zoning action.**
  3. **Any plan or plat affected by this extension shall conform to the Stormwater Requirements of the most current regulations in effect at the time when the plan or plat is submitted for approval.**

**Motion seconded and unanimously approved.**

D. Requested the approval of Job Offer for Vacant Planning Clerk Position.

- **Motion by Ms. Tabb to approve the recommendation of the Director of Planning and Zoning to hire the preferred applicant to fill the vacant Planning Clerk position at a Grade III, Step D for the Departments of Planning and Zoning in accordance with the Department of Planning's budgeted position. A one step increase may occur at the end of the six month probation, provided the review is satisfactory. Motion seconded and unanimously approved.**

## **COUNTY COMMISSIONERS' REPORTS**

Jane Tabb

- Wished everyone a Happy West Virginia Day.
- Reminded everyone about Farm Day on Saturday.

Patsy Noland

- Notified the Commission Shepherdstown and Harpers Ferry were nominated as two of the Top 3 Best Towns in West Virginia and urged everyone to visit wvliving.com to vote.
- Stated the CVB Visitor's Center would be open to celebrate West Virginia Day.
- Stated the John Brown Tour has had 300 participants.

Dale Manuel

- Attended a Planning Commission meeting.
- Visited the Day Report Center.
- Met with his Comprehensive Plan appointees.
- Attended a Jefferson Center meeting.
- Attended a Council on Aging Center meeting.
- Attended a Parks and Recreation Commission meeting.

Lyn Widmyer

- Attended the Workforce Investment Board meeting.
- Attended a HEMPMO meeting.
- Attended a Historic Landmarks Commission meeting.

23. The Commission meeting was adjourned at 4:17 pm on a motion by Ms. Tabb.  
Motion was seconded and unanimously approved.

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WALT PELLISH, PRESIDENT

Respectfully submitted  
Jessica D. Carroll  
Administrative Assistant