

Morgan County Commission
Meeting Minutes
October 22, 2009

Members Present: Thomas Swaim, Brenda Hutchinson and Stacy Dugan

The meeting was opened by Cathy Payne, Deputy County Clerk at 9:32 a.m.

ADMINISTRATION ITEMS:

Approval of Minutes

On a Thomas Swaim/Brenda Hutchinson motion, the County Commission approved the minutes from the October 15, 2009 County Commission meeting. This motion carried.

Sheriff's Tax Office Computer System

The Commission discussed and agreed to take bids for the new computer system for the Sheriff's Tax Office. The Commission will place an advertisement in the local newspaper regarding the bidding process.

Legislature Summit Meeting

The Commission discussed the list of issues they will submit at the Legislature Summit Meeting being held at the Woods Resort in Hedgessville, WV on Tuesday, November 3, 2009 at 10:00 a.m.

Wage & Review Board

The Commission has been discussing terminating the wage and review board. The Commission submitted a letter to the prosecuting attorney for advice. The Commission received a response from the prosecuting attorney explaining that the County Commission will need to appeal the original ordinance that created the board before terminating the board. The County Commission agreed to start the necessary proceedings.

AGENDA ITEMS:

Chelsea Hessler- contribution for Miss Morgan County scholarship program

Pamela Hessler approached the Commission and explained that her daughter, Chelsea was unable to attend the meeting due to a sports event for school. Ms. Hessler explained that Chelsea has been involved in 4-H for 11 years, and this year she has designed her own 4-H project. Ms. Hessler explained that the project is titled the Miss Morgan County Scholarship Program, and it's to help girls in grades K-12 develop poise, public speaking, self-esteem, and other life skills. Ms. Hessler further explained that the proceeds after prizes and other expenses will be donated to the Morgan County Senior Life Services "Are You Okay" program. Ms. Hessler informed the Commission that the Miss Morgan County Scholarship Program is scheduled for November 14, 2009 in the Connie Perry Auditorium at Berkeley Springs High School. Ms. Hessler explained that with the help of Delegate Daryl Cowles, Chelsea has arranged to have Miss West Virginia, Talia Markham, come to entertain and judge at the program. Ms. Hessler explained that the appearance cost is \$100.00 plus lodging, and the Country Inn has donated the lodging.

Ms. Hessler requested that the Commission make a donation of \$100.00 to pay the appearance fee for Ms. West Virginia to attend. The Commission discussed the pageant and the request and on a Thomas Swaim/Brenda Hutchinson motion, the Commission approves the request and will grant the \$100.00 contribution which will come out of the general funds account. Commissioner Dugan opposed and explained that the Commission denied the funds request from the Berkeley Springs Wrestling Team; and therefore, she can not approve this request. Commissioner Hutchinson explained that the Wrestling Team requested \$500.00 not \$100.00, and the Commission will consider their funding request in December. The motion for the \$100.00 donation to the pageant carried.

Carol York- Records Management grant applications

Ms. York approached the Commission and presented a resolution for a grant application. Ms. York explained she is working on a grant proposal due November 1, 2009, and the grants will address the shelving needs for the courthouse offices. Ms. York also explained that the grants may cover two computers for inhouse public access and one laser jet printer for the Sheriff's Tax Office. On a Thomas Swaim/Stacy Dugan motion, the County Commission authorizes its president, Brenda J. Hutchinson, as the official representative for the Commission in the administration of the West Virginia County Records Management and Preservation Grants Program. This motion carried.

Bill Clark- Appointment of Morgan County Litter Control Officer

Carol York, approached the Commission and explained that she has been working with Bill Clark to obtain a litter control officer. Ms. York explained that she has a meeting scheduled for next Thursday, October 29, 2009 for the litter control task force for Morgan County. Ms. York presented a court order approving Bill Pechumer as a litter control officer. On a Thomas Swaim/Stacy Dugan motion, the County Commission appoints Bill Pechumer as the Morgan County Litter Control Officer to serve a one year term. This appointment is effective immediately and will expire on October 31, 2010. This motion carried.

Bill Clark- Transferring Business Park Lots to EDA

Mr. Clark approached the Commission and explained that the Rt. 522 Industrial Park is in the County Commission's name, but the Economic Development Authority (EDA) is about to enter into a contract for the sale of Lot 11 and part of Lot 10 to Blue River LLC.. Mr. Clark requests that the County Commission approve and sign the deed conveying the property to EDA at the closing of the property that is expected sometime in November. On a Thomas Swaim/Stacy Dugan motion, the County Commission authorizes its president, Brenda J. Hutchinson, to execute the deed for the transfer of the property to the Economic Development Fund for the purpose of this sale. This motion carried.

Decision on Land Use Report/Task Force Selection

The Commission discussed the option of writing a zoning study. Commissioner Hutchinson stated that she would like to move forward with the zoning study and create a citizen advisory committee consisting of five citizens to aid the Planning Commission in

writing the study. Commissioner Swaim explained that he read the West Virginia Code 8A, Chapter 4 concerning a zoning study, and he does not understand the need for an advisory committee for a zoning study, and he is opposed to the concept of zoning but if a committee is formed, he would prefer the committee consist of six individuals to keep all fairness. Commissioner Hutchinson explained that she thinks there is a need for the advisory committee to educate citizens about zoning; and hopefully, come up with a plan that is best for the people of Morgan County. Commissioner Swaim stated that neighboring counties have tried zoning, and it's been voted down. Commissioner Dugan stated that some people tell her they are for zoning and some people tell her they are against zoning so the fair thing to do is let the voters decide. The Commission decided to take a vote on a six person citizen advisory committee to help with the zoning study with each Commissioner appointing two citizens of their choice. On a Stacy Dugan/Brenda Hutchinson motion, the Commission agreed to create a citizen advisory committee to do a zoning study. Commissioner Swaim opposed and explained that he is opposed to the concept of zoning because of the 14th amendment to the US Constitution. This motion carried. The Commissioners will present their list of citizen advisory committee members at the November 5, 2009 County Commission meeting at 10:15 a.m.

Debra Kesecker- grant for Precinct 21- Handicapped accessible

Payroll

Precinct 21

Debra Kesecker, County Clerk, approached the Commission and discussed the need to have a roof over Precinct 21 to keep the citizens out of rain and bad weather on election days. Ms. Kesecker explained that she has spoken to representatives in Charleston, WV and there is the possibility that grant money is available to be used for the construction of a roof. Ms. Kesecker explained that Precinct 21 is located at the ballfield complex on Rt. 522. Ms. Kesecker presented a brochure given to her by Bruce Beadenkopf, director of the Parks and Recreation Board. The brochure included information about retractable awnings. The Commission reviewed the brochure and discussed the awning. Mr. Beadenkopf approached the Commission and explained that the awning could be used on election days and also during sports events at the complex. Commissioner Swaim explained that he would rather see a permanent roof constructed instead of the awning and is afraid the awning could buckle on a rainy or windy day. The Commission discussed the options and agreed that a permanent roof instead of a retractable awning would be the best choice. The Commission will follow up with the possibility of a permanent roof.

Payroll

Debra Kesecker, County Clerk approached the Commission and explained that there are usually 26 pay periods in a year but this year there will be 27 pay periods which may create bookkeeping problems. Ms. Kesecker requested that the Commission consider the option of distributing payroll checks on the first and fifteenth day of each month starting the new fiscal year on July 1, 2010. Ms. Kesecker explained that this should prevent problems in the future. The Commission approved the new payroll period to begin on July 1, 2010.

Dave Michael- Progress Update on tower at 911 Center

Mr. Michael approached the Commission to give an update on a tower at the 911 Emergency Center. Mr. Michael explained that the 911 center may be eligible for a grant from the wireless tower access assistance fund. Mr. Michael explained that Verizon will be the carrier and Verizon is applying for the grant. Mr. Michael informed the Commission that if the grant money comes through and the tower is constructed, the county could possibly obtain the tower from Verizon and there is the possibility of charging rental fees from other carriers using the tower. On a Thomas Swaim/Stacy Dugan motion, the County Commission gives Mr. Michael, 911 Director, permission to move forward with trying to receive a grant for the construction of the tower and to try to buy the tower from Verizon for \$1.00. This motion carried.

The Commission adjourned for lunch at 12:45 p.m.

The Commission reconvened after lunch at 2:05 p.m.

Special Meeting- Executive Session

On a Stacy Dugan/Thomas Swaim motion, the County Commission went into executive session at 2:15 p.m. to discuss a personnel matter. This motion carried.

On a Stacy Dugan/Thomas Swaim motion, the County Commission agreed to come out of Executive Session at 2:45 p.m.

On a Stacy Dugan/Thomas Swaim motion, the County Commission agreed to adjourn the meeting at 2:45 p.m.