

**Morgan County Commission  
Meeting Minutes  
December 17, 2009**

Members Present: Thomas Swaim, Brenda Hutchinson and Stacy Dugan

The meeting was opened by Debra Kesecker, County Clerk 9:30 a.m.

ADMINISTRATION ITEMS:

Approval of Minutes

On a Stacy Dugan/Thomas Swaim motion, the County Commission approved the minutes from the December 10, 2009 County Commission meeting. This motion carried.

On a Stacy Dugan/Thomas Swaim motion, the County Commission approved the minutes from the December 15, 2009 Special Budget County Commission meeting with Commissioner Swaim's revisions. This motion carried.

Verizon Resolution

On December 3, 2009, Justin Bass and Jonathan Slifer attended a County Commission meeting and approached the Commission to discuss the proposed sale of Verizon's landlines to Frontier Communications. Mr. Slifer explained that Verizon is proposing to sell off its telephone lines in West Virginia to Frontier Communications. Mr. Slifer and Mr. Bass requested that the Commission send a resolution for their approval or disapproval of the sale to the Public Service District by January 12, 2010. The Commission decided not to send a resolution regarding the sale of the landlines at this time.

Meetings

The County Commission set the first and second meetings in January 2010. The first County Commission meeting is January 4, 2010 at 9:30 a.m. the second meeting is set for January 7, 2010 beginning at 3:30 p.m.

AGENDA ITEMS:

Decision on Economic Development Authority Board Member

The County Commission had recently interviewed four individuals for the EDA board. Commissioner Swaim explained that the Commission has interviewed four good people for the EDA board. Commissioner Swaim stated that his choice is Jerry Berman. Commissioner Dugan stated that she and Commissioner Swaim don't always agree but they do this time and her choice is also Jerry Berman. Commissioner Hutchinson stated that the Commission had interviewed four good people, but she thinks that Jerry Berman has already put a lot of energy in EDA, and she thinks he will continue to do so. Commissioner Hutchinson stated that her choice is also Jerry Berman. After the decision was made, it was discovered that there was not an opening on the EDA board, the

Commission will correct the discrepancy at the next County Commission meeting on December 31, 2009.

Review of the Canine Restraint and Outdoor Enclosure Ordinance & set a date for the public hearing

The Commission discussed and reviewed a draft copy of the canine restraint and outdoor enclosure ordinance. On a Thomas Swaim/Stacy Dugan motion, the County Commission approved the ordinance and set a public hearing for January 7, 2010 at 6:30 p.m. This motion carried.

Mayor Alton Wolfe & Paw Paw Town Council

Discuss Police Coverage

The Mayor of Paw Paw, Alton Wolfe, approached the County Commission to discuss police coverage in Paw Paw, WV. Mr. Wolfe explained that the citizens of Paw Paw are coming to him with complaints of no police coverage in Paw Paw. Sheriff Deputy Tony Link approached the Commission and explained that the sheriff's department has been making an effort to get police deputies in Paw Paw, but the department is short staffed. Mr. Wolfe requested to have police coverage at least once a week to patrol the schools. Commissioner Hutchinson stated that she would like a commitment made to have police coverage in Paw Paw at least once a week. Mr. Link stated that he is working on a schedule and reassured Mr. Wolfe that there will be a police officer on patrol in Paw Paw at least three days a week. The Commission was satisfied with this commitment by the Sheriff's Dept.

Hotel/Motel Tax

The Mayor of Paw Paw, Alton Wolfe, approached the Commission and explained that a visitors welcome center has opened in Paw Paw, WV. Mr. Wolfe explained that the welcome center will have one full-time employee, and a temporary budget has been created. Mr. Wolfe verbally requested funds in the amount of \$20,900.00 from the Commission to go towards the welcome center. Jeanne Mozier, representing Travel Berkeley Springs, approached the Commission and Mr. Wolfe to explain that Travel Berkeley Springs will help Paw Paw promote business through Travel Berkeley Springs. Ms. Mozier requested that a representative from Paw Paw serve on the Travel Berkeley Springs Board and explained how Travel Berkeley Springs promotes business for Paw Paw and Berkeley Springs and requested that the two towns work together. Mr. Wolfe agreed to have a representative from Paw Paw contact Ms. Mozier regarding a membership on the Travel Berkeley Springs board. Mr. Wolfe was given a request for funds form which he agreed to fill out and return to the Commission office. The Commission will review and consider the funds request at the budget meeting in 2010.

Aaron Robertson- Courthouse Expenditure Drawdown

Buildings Assistant, Aaron Robertson, presented an expenditure drawdown to the Commission for approval. On a Thomas Swaim/Stacy Dugan motion, the Commission authorized its president, Brenda J. Hutchinson, to sign the adopted resolution and authorize the directed payment to Milestone Construction Services, Inc in the amount of \$1,059,456.18 for the construction of the courthouse. This motion carried.

Jack Soronen/ Alma Gorse- Zoning Ordinance- Discussion/Decision regarding consultant

Morgan County Planning Commission President, Jack Soronen approached the Commission and explained that the Planning Commission will need money to work on the zoning ordinance. Mr. Soronen explained the money is needed for high tech mapping, a consultant and legal review. Mr. Soronen presented a packet of information to the Commission for review. Mr. Soronen explained that the packet includes a proposal from Arro Engineering & Environmental Consultants. Mr. Soronen explained that Arro Engineering is familiar with Morgan County and has worked with the Morgan County Planning Commission for many years. Commissioner Hutchinson explained that she has not had a chance to read the information and would like to review it before she makes a decision. Commissioner Swaim explained that since he has been a Commissioner, he has been opposed to zoning, and he has been receiving phone calls from citizens who are also opposed to it. He believes that he is obligated to vote against zoning for those citizens. Commissioner Hutchinson stated that citizens that she has spoken to are in favor of zoning and she believes she was elected with the citizens knowing that she was pro-zoning. Commissioner Dugan stated that people have the right to vote for it or against it. Commissioner Hutchinson stated that she would like everyone to suspend their judgment until the study is complete and a final draft of the ordinance is complete. The Commission will decide on the zoning consultant at the December 31, 2009 County Commission meeting.

Public Hearing- Commercial & Industrial Improvement Location Permit

Commissioner Hutchinson opened the public hearing at 6:10 p.m. to hear public comments. County Planner, Alma Gorse explained that the ordinance has had legal review and is written in accordance with the WV Code. Barbara Tutor, county resident, approached the Commission with questions pertaining to the Appeals Section 6.1. Upon finding that there are substantive changes that need to be made to the draft ordinance, the Commission decided to return the document to the Planning Commission for further revisions. On a Stacy Dugan/Thomas Swaim motion, the County Commission will send the Commercial & Industrial Improvement Location Permit draft ordinance back to the Planning Commission for review and revisions. This motion carried.

Jim Michael- Eastern Panhandle Conservation District Chesapeake Bay Program

Mr. Michael approached the Commission and presented information regarding the Eastern Panhandle Conservation District Chesapeake Bay Program. Mr. Michael explained that the state of West Virginia plans to develop a nutrient trading/offset program initially focused on the Potomac River drainage and the state's obligation for reducing nutrients into the Chesapeake Bay. Mr. Michael presented a chart to the Commission showing the pollution reductions into the Chesapeake Bay. The Commission thanked Mr. Michael for his time and work with the Chesapeake Bay program.

Adjournment

On a Stacy Dugan/Brenda Hutchinson motion, the County Commission adjourned the meeting at 7:15 p.m. This motion carried

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