

# Morgan County Commission Meeting Minutes January 7, 2010

Members Present: Thomas Swaim, Brenda Hutchinson and Stacy Dugan

The meeting was opened by Kim Nickles, Deputy County Clerk 3:32 p.m.

## ADMINISTRATION ITEMS:

On a Thomas Swaim/Stacy Dugan motion, the County Commission approved the minutes from the December 28, 2009 and the January 4, 2010 County Commission meeting. This motion carried.

### Carol York- Resolutions for Grants

Grant Writer, Carol York, approached the Commission and explained that she had two resolutions for grants with application deadlines of 1/15/2010. Ms. York explained that the first resolution is for the Division of Highways Transportation Enhancement Program (TEP). On a Thomas Swaim/Stacy Dugan motion, the County Commission hereby authorizes Brenda J. Hutchinson, President of the Morgan County Commission, to act on its behalf as the official representative for the Commission in the administration of the West Virginia DOT Transportation Enhancement Program. This motion carried.

Ms. York explained that the second resolution was for the West Virginia Department of Transportation Division of Highways Safe Routes to School Program. On a Thomas Swaim/Stacy Dugan motion, the County Commission hereby authorizes Brenda J. Hutchinson, President of the Morgan County Commission, to act on its behalf as the official representative for the Commission in the administration of the West Virginia Department of Transportation Safe Routes to School program. This motion carried.

### Aaron Robertson- Courthouse Construction Change Order #9

Buildings Assistant Aaron Robertson approached the Commission with a Courthouse Construction Change Order. Mr. Robertson explained that this was change order #9 for the amount of \$5,029.00. On a Stacy Dugan/Thomas Swaim motion, the County Commission authorizes its president, Brenda J. Hutchinson, to sign change order #9 for the amount of \$5,029.00. This motion carried.

### West Virginia Association of Counties Meeting

Commissioners Hutchinson and Dugan plan to attend the West Virginia Association of Counties meeting held in Charleston, WV on February 14-16, 2010.

### County Commission Policy #8- Inclement Weather

On a Stacy Dugan/Thomas Swaim motion, the County Commission accepts County Commission inclement Weather policy # 8. Please see attached. This motion carried.

#### Morgan County Emergency 911 Employee

On a Stacy Dugan/Thomas Swaim motion, the County Commission approves the hiring of Carrie Ann Hovermale as a full time 911 dispatcher. Her employment will begin on February 1, 2010. This motion carried.

#### Commissioner Swaim- Discussion on Temporary Trailers

Commissioner Swaim presented a trailer liquidation proposal to the Commission for their review. The proposal stated the information that the county organizations need to provide to the County Commission in order for their organization to be considered to receive a donated trailer. The County Commission reviewed the liquidation proposal. Commissioner Dugan stated that she is against donating the trailers to organizations and she thinks they should be sold on GovDeals.com. because it would be difficult to pick which organization to donate them to. Commissioner Swaim stated that the school board has helped the county with providing office space for the prosecuting attorney and the circuit court trials and he believes the school board should be considered to receive a donated trailer. Commissioner Dugan agreed to donate to the school board since they have helped the county with providing office space. Commissioner Hutchinson stated that it would be very hard to decide which organization to donate to since many organizations have shown an interest. Commissioner Hutchinson stated that she agrees with donating to the school board. Commissioner Hutchinson stated that she does not think the trailers would be appropriate at the soccer field or skate park, explaining that the trailers are flimsy and it concerns her that the trailers would be sitting empty all winter long. Commissioner Hutchinson stated that the pipes could freeze, and explained that last week, the pipes in the meeting trailer were frozen even though the meeting trailer is used on a regular basis. Commissioner Hutchinson stated that the trailers could also be vandalized. Commissioner Hutchinson stated that she would rather sell the trailers and possibly earmark the proceeds from selling the trailers to have buildings built at the soccer field and skate park. Laura Smith, representing the school board, approached the Commission and presented a letter of request from the school board. Commissioner Swaim made a motion that the County Commission make the trailer liquidation proposal and notify people to see if they respond and provide the information needed to receive a trailer. The motion died for lack of a second. On a Stacy Dugan/Brenda Hutchinson motion, the County Commission will advertise the trailers on GovDeals.com to be sold with the exception of the donation to the Morgan County School Board. Commissioner Swaim strongly opposed. This motion carried. Commissioner Hutchinson stated that if selling the trailers on GovDeals.com does not work, then the Commission can try another route. Parks and Recreation Director, Bruce Beadenkopf, approached the Commission and asked if they would reconsider it if he brought in a petition. Commissioner Dugan stated no. Commissioner Hutchinson stated that a motion had been made and it was time to move on to the next item on the agenda.

#### Paul Espinosa & John Golden- Frontier & Verizon

John Golden, representing Verizon was unable to make the meeting due to bad weather conditions.

Paul Espinosa, representing Frontier approached the Commission and explained that he is here to answer questions regarding the sell of the land lines of Verizon to Frontier. Mr. Espinosa explained that Frontier's acquisition of Verizon properties in West Virginia will expand broadband, protect jobs and improve service quality. Mr. Espinosa presented a packet of information to the Commission. Mr. Espinosa explained the services provided by Frontier and explained that Frontier will honor any contract or offerings that Verizon customers currently have. The Commission thanked Mr. Espinosa for his time and information.

### Executive Session- Interviews for County Administrator position

On a Stacy Dugan/Thomas Swaim motion, the County Commission went into Executive Session at 5:15 p.m. to interview individuals for the County Administrator position. This motion carried.

On a Stacy Dugan/Thomas Swaim motion, the County Commission came out of executive session and reconvened into regular session at 6:30 p.m. No decision was made. This motion carried.

### Public Hearing- Animal Tethering Ordinance

Commissioner Hutchinson opened the public hearing at 6:35 p.m. and explained that the County Commission will listen to the citizens' comments regarding the Morgan County Canine Restraint and Outdoor Enclosure Ordinance.

Jean Aarons stated that she has great concerns about the ordinance being enforced and asked who to contact on the weekends about animal control. Commissioner Hutchinson stated that there is a part time animal control officer on duty on the weekends.

Elizabeth Lehmann stated that she has called the sheriff's dept. office on the weekends and gets no answer. Ms. Lehman also asked what was adequate shelter? Ms. Lehmann was given a copy of the ordinance.

Gary Brock thanked the County Commission and presented them with a letter from the Humane Society of the United States.

George Farnham explained that he is the president of the Morgan County Humane Society, and he thanked the County Commission for working hard on the proposal and moving forward with the ordinance.

Chris Lina stated that she agrees with George Farnham, and she has dealt with complaints for 20 years.

Dawn White stated that over the weekend, she called animal control and spoke to someone wonderful. Ms. White also stated that she had received a call from another county asking for information.

Gary Brock stated that he has spoken to the County Commission from Wood County and they are also seeking information.

Ann Darling stated that she supports the ordinance.

Barbara Andretis praised the County Commission and thanked Commissioner Swaim for sharing his heart when considering this ordinance and thanked Commissioners Hutchinson and Dugan for all their hard work and corporation with the citizens.

Marilyn McDonald stated that she was at the meeting to show her support.

Eric Pritchard stated that he had a question about Section 2 in the ordinance, and it appears to him to that the ordinance pertains to cities with zoning.

Jerry Ortel stated that he is concerned about the enforcement of the ordinance, and when you have a problem, animal control officers do not show up. Commissioner Hutchinson stated that she has spoken to the sheriff's dept.; and once there is an ordinance in place, they will be better able to respond to the calls. Mr. Ortel stated that the ordinance does not specify the amount of space needed for small dogs. Commissioner Hutchinson stated that the ordinance is not perfect, no ordinance is perfect, but it will give Animal Control guidelines to use.

Lucille Sasser stated that it is unfortunate to only have 30 minutes for this meeting, and she has written a list of items that she would like addressed. Ms. Sasser explained that she will send the County Commission the list for their review.

Theresa Rutter, representing Justice for Dogs located in Frederick, Md, stated that they have a similar ordinance in place, and the ordinance is working. Ms. Rutter also requested that the Commission consider penalties including allowing the animal control officer to impound any dog (s) on site. Ms. Rudder praised the Commission for doing a wonderful job.

JW Stevens stated that he did not have a big problem with the ordinance but was concerned with the square footage of the kennels. Mr. Stevens stated that he has hunting dogs that get a lot of exercise while hunting, and he doesn't think the kennel needs to be 100 square feet.

The Commission thanked everyone for attending the public hearing and for their time. The Commission will review the written comments and place the ordinance on the agenda for January 21, 2010.

On a Stacy Dugan/Brenda Hutchinson motion, the County Commission adjourned the meeting at 7:05 p.m. This motion carried.

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