

Morgan County Commission
Board Of Equalization
Meeting Minutes
February 4, 2010

Members Present: Thomas Swaim, Brenda Hutchinson and Stacy Dugan

The meeting was opened by Debra Kesecker, County Clerk 2:30 p.m.

ADMINISTRATION ITEMS:

Meeting Minutes

On a Stacy Dugan/Thomas Swaim motion, the County Commission approved the minutes from the January 28, 2010 meeting and the minutes from the February 1, 2010 Board of Equalization meeting. This motion carried.

Special Meeting for Furniture, Fixtures & Equipment for new Courthouse

The County Commission will have a special meeting on Tuesday, February 9, 2010 at 9:00 a.m. to discuss the furniture, fixtures and equipment for the new courthouse.

Community Calendar

The County Commission reviewed the community calendar. The Commission will present the community calendar to the prosecuting attorney for legal review before placing it on the website.

Dog Warden Residence/Office Agreement

The County Commission reviewed the dog warden residence/office agreement. The Commission may update and revise the agreement.

The County Commission went into Board of Equalization at 3:30 p.m.

Doug Courtney- BOE

Mr. Courtney approached the Board of Equalization to discuss his property in Cacapon District. Mr. Courtney explained to the Board of Equalization and the Assessor's staff that the property is very low and always swampy. The Assessor's staff agreed review changing the class to residual. The Assessor's staff looked at the spec print book to check property lines and discussed the option of merging all of Mr. Courtney's properties. The Assessor's staff will investigate to see if the properties can be merged and will get back with Mr. Courtney.

The Board of Equalization reconvened into County Commission regular session at 4:10 p.m.

AGENDA ITEMS:

Goals for 2010

Commissioner Hutchinson presented a comprehensive three page list of County Commission 2010 Goals and Objectives to the Commission for review. The list included the following headings Capital Improvements, budget, Planning, Economic Development, Technology, Personnel, Boards, Animal Control and Community Service. The Commission reviewed the

list of goals and discussed a few additional goals. Commissioner Dugan stated that one of her goals for 2010 include continuing with open government and video taping the County Commission meetings with a web cam. Commissioner Dugan also stated that her future goals include getting the community calendar policy up and running on the website, an employee recognition program, reviewing and revising the ordinances and having at least 1 or 2 County Commission meetings a year at different locations in the County. Commissioner Swaim stated that his goals for 2010 include the finalization of the sale of the hospital and a budget review. Commissioner Hutchinson read aloud the list she presented of her goals for 2010 which included most of the goals on the other two Commissioners' lists so it was agreed to use Commissioner Hutchinson's list with a few additions. The Commission reviewed the list and will follow up with the list of goals.

Gary Nelson- Interview for Building Commission

Gary Nelson approached the Commission for an interview for the Building Commission board. Commissioner Hutchinson asked Mr. Nelson why he is interested in the Building Commission board. Mr. Nelson stated that he has construction experience and has worked with all kinds of buildings in the Federal government. Commissioner Hutchinson stated that the building commission board comes into play when the Commission needs to obtain a loan on any of its property. Commissioner Hutchinson explained that the property for the hospital is in the building commissions name and asked Mr. Nelson if he will have any problem with working with the County Commission to go through the closing process. Mr. Nelson stated no, he would not have a problem. Commissioner Dugan asked Mr. Nelson if he had any trouble attending meetings and explained that there can be emergency meetings with short notice. Mr. Nelson explained that he is retired and can attend meetings. Commissioner Hutchinson explained that the Commission still has one more interview and should have a decision in the next few weeks. The Commission thanked Mr. Nelson for his time.

Morgan County Flag contest descriptions & advertisement

Aaron Robertson, webmaster approached the County Commission regarding the Morgan County Flag Contest. Mr. Robertson presented a guideline and procedure list for the contest. The Commission reviewed the guideline and procedure list and decided to revise the guideline list. The Commission will pick three flags to be voted on. The Commission agreed to have the public vote on the three remaining flags, allowing votes to be taken on-line and/or in the County Commission office. The contest will be advertised in the local newspaper and on the County Commission website. The deadline for the contest is June 1, 2010 and the winning flag will be presented at the open house for the new courthouse. Mr. Robertson will follow up with the guidelines and advertisement for the flag contest.

Charlie Willard- Resolutions for: Juvenile Accountability block Grant, Juvenile Justice & Delinquency Prevention, and Enforce Underage Drinking

Susan Caperton, representing the Morgan County Partnership, approached the Commission and explained that the Morgan County Partnership is applying for the West Virginia Division of Criminal Justice Services Juvenile Accountability Block Grants. Ms. Caperton presented resolutions for the Commission to review and sign. The Commission reviewed the resolutions. On a Thomas Swaim/Stacy Dugan motion, the County Commission 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 Criminal Justice Services Enforcing the Underage Drinking Laws Grant Program, the administration of the West Virginia Department of Criminal Justice Services Juvenile Accountability Block Grant, and the West Virginia Department of Justice Juvenile Justice and Delinquency Prevention Title II Grant Program. This motion carried.

Bob Margraff- re-appointment of John Peterson to the Coolfont Community Enhancement District Board of Directors

Bob Margraff, representing the Coolfont Community Enhancement District Board of Directors approached the Commission. Mr. Margraff explained that when the enhancement district was created, board members were selected. Mr. Margraff explained that the board meets twice a year, usually in January and June. Mr. Margraff explained that he is the chairperson of the board and the minutes from the meetings are filed in the County Commission office. Commissioner Dugan asked Mr. Margraff if it would be a problem to advertise the meetings and minutes on the County Commission website. Mr. Margraff stated no and agreed to send copies of the minutes to the county webmaster to be placed on the website. Commissioner Hutchinson asked if the board would have an objection to having someone on the board from the Planning Commission or the County Commission or Public Service District board, explaining that it concerns her that there is not someone from a government entity on the board. Mr. Margraff explained that the community enhancement committee board has board members that have been involved with large construction projects who understand the legal aspects of the project and have expertise with making major financial decisions. Mr. Margraff explained that Ann Harkin, an attorney, is on the board and, Gat Caperton is also on the board. Commissioner Dugan stated that she would like to read the minutes and was not aware they were filed in the County Commission office. Commissioner Hutchinson agreed and stated that she would also like to read the minutes from the meetings before making a decision for the re-appointment. The Commission will make a decision regarding the re-appointment of John Peterson to the Coolfont Community Enhancement District Board of Directors at the next County Commission meeting scheduled for February 11, 2010.

Barbara Tutor- Interview for Building Commission

Barbara Tutor approached the Commission to interview for the building commission board. Commissioner Hutchinson asked Ms. Tutor why she is interested in the building commission board. Ms. Tutor explained that she would like to share her expertise by serving on a county board. Commissioner Hutchinson explained that recently the County Commission had a grant application in the building commission's name and had to have an emergency meeting to get signatures and asked if this would be a problem. Ms. Tutor stated no, it would not. Commissioner Hutchinson explained that the County Commission is going to be reviewing the loans that they currently have, checking for the best interest rate and asked Ms. Tutor if this would be a problem. Ms. Tutor stated no and that she agreed that to keep rates competitive and have the lowest interest rates, you need to do this type of review. Commissioner Hutchinson explained that the Commission still has one more interview to perform and will have a decision within the next two weeks. The Commission thanked Ms. Tutor for her time.

Emergency Absentee Voting Policy

Debra Kesecker, County Clerk approached the Commission and presented an emergency absentee voting policy. The Commission reviewed the policy. On a Thomas Swaim/Stacy Dugan motion, the County Commission accepts the Emergency Absentee Voting Policy. This motion carried.

Liberal Leave Policy

Commissioner Hutchinson explained that during inclement weather, she has made the decision to close or delay the courthouse offices, and it seems to be creating a problem for the court system. Commissioner Hutchinson explained that during the last snow storm, she

had called Circuit Clerk, Kim Jackson and informed her there was a one hour delay for the courthouse government offices. Judge Yoder originally indicated that the court system would be open and day and then called and closed the court offices for the day. The Circuit Clerks office then closed one hour early when all the other courthouse offices were open until 5:00 p.m. Commissioner Hutchinson explained that its gets confusing and hard to inform all the elective officials and have it advertised on the radio and television if the delay or closing keeps changing. Commissioner Hutchinson explained that she had received a letter from Circuit Court Judge Yoder, and she has prepared a liberal leave policy for the county. Commissioner Hutchinson explained that she had followed the procedure that has been followed for years, and she thought it was the correct procedure, and she did not want to cause future problems. Commissioner Hutchinson read aloud the West Virginia Code 2-2-2 and the second paragraph of the letter she received from Judge Yoder. Commissioner Hutchinson explained that the letter is confusing. Kim Michael, representing the Sheriff's Tax Office, approached the Commission and explained that she has contacted Berkeley County government offices and in Berkeley County, the judges make the decision for the courts, and the president of the County Commission makes the decision for the county government offices. Commissioner Hutchinson explained that the letter did not indicate that this was the approach that Judge Yoder wanted to take. Ms. Michael explained that the courthouse office employees are here to support Commissioner Hutchinson. She is the president and the courthouse office employees support her and her decision. Commissioner Hutchinson asked Prosecuting Attorney, Debra McLaughlin, what her recommendation was. Prosecuting Attorney Debra McLaughlin stated to do what has always been done. The Commission President decides any delays or closings for the county government offices, and the Circuit Clerk and Judge can decide delays and closings for the court system. Commissioner Hutchinson explained that if the prosecuting attorney does a letter stating this procedure to the Circuit Clerk, explaining it's her responsibility to find out what the court system will be doing and notify the radio, etc. Commissioner Hutchinson will be glad to go back to deciding any delays or closings for the county government offices. Prosecuting Attorney Debra McLaughlin agreed to submit a letter to the Circuit Clerk explaining the procedure for delays or closings.

Danny Clark- Interview for Public Service District Board

Danny Clark approached the Commission for an interview for the Public Service District Board. Commissioner Dugan asked Mr. Clark to explain why he would like to be on the board. Mr. Clark stated that the board needs new people and if a complaint comes in, it needs to be addressed immediately. Mr. Clark explained that the public service district needs to keep good public relations with the community so there won't be constant problems. Commissioner Swaim asked Mr. Clark if he thought it would be ok for him to be on the board when he is not in compliance with the sewer system. Mr. Clark stated that although he is not hooked up to the sewer system he does pay his sewer bill. Commissioner Swaim asked Mr. Clark if he was breaking the law by not being hooked up. Commissioner Swaim felt that he would send the message that it was not necessary to hook up to the sewer system. Andy Zurich, Chairman of the Warm Springs Public Service District board, approached the Commission and explained that when the sewer service is available, you must pay for the service but unless the health department deems that you have to hook up to the system for health reasons, you aren't breaking the law. Commissioner Dugan stated that since the health department has not deemed that Mr. Clark must be hooked up, he is not breaking the law. Mr. Clark stated that he does pay his sewer bill even though he is not hooked up to the system. Commissioner Dugan asked Mr. Clark if he had any problems attending board meetings. Mr. Clark stated no, he is retired and works at Hunter's Hardware two days a week. Mr. Clark explained that he is retired from the Department of Highways in Berkeley County and was used to handling between 50-75 customer service complaints a day. Commissioner Dugan asked Mr. Clark what would he do if she

approached him with a complaint. Mr. Clark answered he would suggest that she attend a board meeting to discuss the complaint. Commissioner Hutchinson asked Mr. Clark if he would have a problem attending a training class. Mr. Clark stated that he would not have a problem attending a training class. Commissioner Swaim stated that in the past, Mr. Clark had problems with the Warm Springs Public Service District and asked Mr. Clark if he has an ax to grind with the Public Service District. Mr. Clark stated that he had one in the past but he doesn't believe in holding a grudge so he let it go. Commissioner Dugan stated that she has asked for the minutes from the board meetings and still has not received them. Commissioner Dugan asked Mr. Clark if he would provide the meeting minutes to be placed on the Commission website. Mr. Clark stated yes, he thought that would be good. Commissioner Hutchinson asked Mr. Clark where he would advertise a public hearing in the newspaper, in the public notices or a paid ad. Mr. Clark stated that he would advertise a public hearing in the newspaper, on the website and on the radio station explaining that the more you advertise, the more the people will show up. The Commission thanked Mr. Clark for his time.

Court Order

Decision on Public Service District Board Applicant

Commissioner Dugan stated that she liked Danny Clark and liked his customer service experience. On a Stacy Dugan/Brenda Hutchinson motion, the County Commission appoints Danny Clark to the Warm Springs Public Service District Board to serve a six year term. This appointment is effective immediately and will expire February 1, 2016. Commissioner Swaim opposed and explained that he does not think the Commission should appoint someone to the board that is not in compliance. Commissioner Swaim explained that Isaac Bohrer was a volunteer on the board and did nothing wrong, and as long as you have volunteers that want re-appointed, why shouldn't we re-appoint them. Commissioner Swaim stated that when the board needed someone to fill Mr. Rokisky's seat, Mr. Bohrer stepped up. Commissioner Dugan stated that she did not think Mr. Bohrer did anything wrong. Commissioner Hutchinson stated that this is not about Mr. Bohrer. She is on the Senior Life Services board with him and he is a wonderful chairperson on that board. Commissioner Hutchinson explained that there are issues on this particular board, explaining that the Commission requested minutes a long time ago and have not received them, and resolutions are not being followed up on. Commissioner Hutchinson explained that a new person can bring new ideas to the board. This motion carried. Please see court order attached.

Adjournment

On a Stacy Dugan/Brenda Hutchinson motion, the County Commission adjourned the meeting at 7:20 p.m. This motion carried.