

Morgan County Commission
Meeting Minutes
April 1, 2010

Members Present: Thomas Swaim, Brenda Hutchinson and Stacy Dugan

The meeting was opened by Debra Kesecker, County Clerk 3:32 p.m.

ADMINISTRATION ITEMS:

On a Stacy Dugan/Thomas Swaim motion, the County Commission approved the meeting minutes from the March 25, 2010 County Commission meeting. This motion carried.

Tower Agreement for the War Memorial Hospital 911 Cell Tower grant

Commission President Brenda J. Hutchinson signed the grant agreement for the tower grant for the 911 cell tower at War Memorial Hospital. The grant agreement is in the amount of \$380,000.00.

Jody McClintock- Moving and Cleaning Companies for the new Courthouse

Jody McClintock, County Administrator, approached the Commission and presented price quotes from moving companies for the move into the new courthouse. The Commission reviewed the quotes and will follow up at the next County Commission meeting on April 8, 2010.

Jody McClintock, County Administrator, presented price quotes received for cleaning of the new courthouse. The Commission will review the quotes and have a further discussion at the next County Commission meeting on April 8, 2010.

County Commission offices in the new Courthouse

Jody McClintock, County Administrator, approached the Commission and presented 3 office layout options for the County Commission office employees in the new courthouse. The Commission reviewed the options. Commissioner Swaim stated that he thinks the County Planner, Alma Gorse, should have an assistant; and Ginger Johnson was hired as her assistant but those duties were taken away from her by his fellow Commissioners when Ms. Johnson became Commission Secretary. Commissioner Swaim stated that he thinks someone should be cross trained in the planning department and stated that it concerns him that no one else in the Commission office is being cross trained with planning. Commissioner Swaim asked what would happen if the county planner got sick or had an emergency and she could not work. Commissioner Hutchinson stated that could happen to any of the individuals in the office and stated that all Commission employees needed to have a passing knowledge of each job in the Commission office. On a Stacy Dugan/Brenda Hutchinson motion, the County Commission agreed with the third option with the exception of moving the Commission Secretary to the front reception area. Commissioner Swaim vehemently opposed. This motion carried.

Volunteer of the Year Award

The Commission agreed to select Isaac Bohrer as the County Commission's Volunteer of the Year.

AGENDA ITEMS:

Susan Caperton- Morgan County Partnership Prescription Drug Abuse Resolution and Grant Application

Susan Caperton, representing the Morgan County Partnership, approached the Commission and presented a resolution for the Commission to review and sign. Ms. Caperton explained that the Morgan County Partnership is applying for a grant in the amount of \$5000.00 to go towards the Morgan County Partnership engaging community members to form a Prescription Drug Abuse Taskforce in Morgan County. On a Stacy Dugan/Thomas Swaim motion, the County Commission authorizes Brenda J. Hutchinson, President of the County Commission, to act on its behalf as the official representative for the Commission in the administration of the WV Partnership to Promote Community Well-Being Grant entitled Prescription Drug Abuse Prevention Social Marketing Campaign. This motion carried.

Aaron Robertson- Courthouse Construction Change Orders

Aaron Robertson, Buildings Assistant, approached the Commission with courthouse change order #12. Mr. Robertson explained that the change order includes additional cost for revisions to casework in Room 147, additional cost for revisions to holding cells, additional costs to install additional blocking at Plaza curtain wall and additional cost to install drop plates at aluminum doors. Mr. Robertson stated that the total cost of the change order is \$23,769.15. On a Stacy Dugan/Thomas Swaim motion, the County Commission authorizes its president, Brenda J. Hutchinson, to sign the courthouse change order #12 in the amount of \$23,769.15. This motion carried.

Aaron Robertson, Buildings Assistant, approached the Commission with courthouse change order #15. Mr. Robertson explained that the change order includes additional cost to add a heat pump in the penthouse and additional costs based on the revised backup on PCO #53 in the amount of \$1,154.00. Mr. Robertson stated that the total cost of the change order is \$24,686.00. On a Stacy Dugan/Thomas Swaim motion, the County Commission authorizes its president, Brenda J. Hutchinson, to sign the courthouse change order #15 in the amount of \$24,686.00. This motion carried.

Kate Lehman- Stream Partners Grant on County Property

Kate Lehman, representing the Warm Springs Watershed Association, approached the Commission and presented a handout. Ms. Lehman explained that the Warm Springs Watershed Association plans to submit a Stream Partners grant proposal to the West Virginia Department of Environmental Protection. Ms. Lehman explained that if the grant is received, the Watershed Association would like to seek permission to do a riparian buffer planting on County-owned land. Ms. Lehman explained that the Watershed Association will plant trees and shrubs along the banks of the Warm Springs Run, which will help reduce the risk of flooding. Ms. Lehman also stated that this will

help to filter out residue from Rt. 522. Ms. Lehman stated that she had a second request. Ms. Lehman explained that the Warm Springs Watershed Association is also applying for a 319 grant from the WV DEP to reduce non-point source pollution in the run. Ms. Lehman explained that through a two year program the watershed association will slow and filter runoff into the run as well as to stabilize the banks by preventing erosion. Ms. Lehman stated that they will also engage in a pilot project to eliminate Japanese knotweed, an invasive plant that chokes streams. The Commission reviewed and discussed the handout and stated that they do not have a problem with the projects. The Commission thanked Ms. Lehman for her hard work.

Emily Vollmer- Commlink for Contract signing

Emily Vollmer, representing Commlink, approached the Commission and presented the original agreement to purchase contract to be signed for the phone service for the new courthouse. The Commission signed the contract.

Kim Nickles- Estate of Brownie Powers

Lisa Unger approached the Commission regarding her father's estate. Ms. Unger presented a petition to have her sister Lara Haynes removed from the estate. Ms. Unger explained that Lara Haynes refuses to sign the final document to close the estate, and the family cannot settle the estate until the document is signed. Lara Haynes approached the Commission and stated that she has not been asked to sign the final document. Ms. Haynes explained that she has called her sister, but she will not return her calls. Ms. Haynes stated that her father had purchased a mule all terrain vehicle, and it was not listed on the estate appraisal. Ms. Haynes stated that her sister, Lisa Unger, purchased the mule after her father had passed without her knowledge of it. Lisa Unger stated that the mule was going to be sent back because of non payment so she purchased it. Commissioner Hutchinson requested that the parties sign all the documents needed to move forward with the closing of the estate. Ms. Unger stated that she will consult with the attorney to see if the estate can be divided into four checks, one check for each sibling. Lara Haynes agreed to sign the final documents. The parties went to the County Clerk's office to sign the final document to settle the estate of Brownie Powers.

Donation of a Painting of the Old Courthouse

Commissioner Hutchinson explained to the Commission that her brother, Kenneth Eugene Peters, is an artist, and she has spoken to him regarding a painting of the old courthouse. Commissioner Hutchinson explained that her brother will complete a painting of the old courthouse to be displayed in the new courthouse. The painting will be approximately 36x30. Commissioner Hutchinson stated that he has agreed to do the painting at a reduced price. Commissioner Hutchinson stated that she will purchase the painting, and there will be no cost to the county. Commissioner Hutchinson stated that she will donate the painting to be hung in the new courthouse. Commissioner Hutchinson requested permission from the other Commissioners to move forward with the painting. Commissioners Swaim and Dugan stated that they approve of the donation of the painting to the new courthouse.

Alma Gorse- Commercial Improvement Location Permit Ordinance Changes & Schedule Public Hearing

Alma Gorse, County Planner, approached the Commission regarding the Commercial Improvement Location Permit Ordinance. Ms. Gorse presented the changes and explained that the changes resulted from legal review of the ordinance. Ms. Gorse requested a public hearing to inform the public of the changes to the ordinance. The Commission agreed and set a public hearing at the County Commission meeting for May 13, 2010, at 4:30 p.m.

Request Funds for legal review of zoning ordinance

Alma Gorse, County Planner, approached the Commission and requested that the law office of Richard Gay review the zoning ordinance. Ms. Gorse explained that Mr. Gay is the legal counsel for the Planning Commission. Ms. Gorse stated that the legal review of the zoning ordinance may cost up to \$10,000.00. Commissioner Swaim stated that he is opposed to spending \$10,000.00 for a review of the zoning ordinance. Commissioner Swaim stated that he thinks the zoning ordinance is a waste of time and money. Commissioner Hutchinson stated that she thinks the zoning ordinance is a good thing and she would prefer to be proactive rather than reactive. On a Stacy Dugan/Brenda Hutchinson motion, the County Commission will move forward with the zoning study and legal review with a cost up to \$10,000.00. Commissioner Swaim opposed. This motion carried.

Wage & Benefits Review Board

Kim Michael, Sheriff Tax Deputy Clerk, approached the Commission and stated that the employees took a vote and unanimously selected Laura Breeden to be the employee representative for the Wage and Benefits Review Board. Ms. Michael stated that the wage and benefits review board by WV Code is made up of all the elected officials and two employee representatives. Ms. Michael stated that the employee representatives are Laura Breeden and Deputy Tony Link. Commissioner Hutchinson stated that she had sent a memorandum to each elected official regarding the re-establishment of the wage and benefits review board. Commissioner Hutchinson stated that the memorandum listed goals and ideas regarding the re-establishment of the wage and benefits review board. The Commission discussed the goals with the elected officials. The goals included a 2010 meeting schedule, plans to develop job descriptions for employees and placing the descriptions on the county website, possible elimination of current pay scale with future emphasis on merit increases, review of the current handbook and a plan to develop it into a functioning document for the purposes of reviews and clarification on policies and an implementation of an annual/bi-annual salary review of other comparable county governments. Commissioner Dugan stated that she is in favor of re-establishing the wage and benefits review board and some of the principles such as developing job descriptions and policies have been used in the private sector since the 1970's, certain portions of the private sector can be incorporated in county government to help run more efficiently and save tax payers money. Commissioner Hutchinson stated that she would like to give it a 6 month trial period. Commissioner Hutchinson stated that she will not be the Commissioner on the board, Commissioner Dugan will be on the board. Commissioner Swaim asked when it was decided that Commissioner Dugan will be on the board. Commissioner Hutchinson stated that Commissioner Dugan was on the board before, and

she just assumed she would be back on it. Commissioner Hutchinson asked Commissioner Swaim if he wanted to be on the board. Commissioner Swaim did not want to be on the board. Commissioner Swaim stated that back when the board was dissolved, he had voted to keep it, and he still supports the wage and benefits review board. Commissioner Hutchinson stated that she is in favor of giving it a six month trial period and stated that she would like to see some accomplishments and a meeting schedule within the first six months. Commissioner Swaim stated that he does not understand why there has to be a six month trial period and why the board cannot just be reinstated. Commissioner Hutchinson stated that she wants to make sure that there is going to be continued participation before she permanently reinstates the board. On a Stacy Dugan/Brenda Hutchinson motion, the County Commission will re-instate the wage and review benefits board for 6 months at which time, the County Commission will re-evaluate the board and how it's functioning. This motion carried.

Tim Stapleton- Changing Contracts for Home Confinement program

Tim Stapleton, Sheriff Deputy, approached the Commission and presented a contract for the home confinement program. Deputy Stapleton stated that the county is currently paying \$3.90/day per individual for the electronic monitoring for the home confinement program. Deputy Stapleton explained to the Commission that he has a new contract from a company called Elmo-Tech. Deputy Stapleton stated that the home electronic monitoring equipment costs \$2.35/day per individual with Elmo-Tech. The Commission reviewed the contract; and on a Thomas Swaim/Stacy Dugan motion, the County Commission authorizes its president, Brenda J. Hutchinson, to sign the monitoring equipment lease agreement with Elmo- Tech. This motion carried.

Animal Control Issues involving volunteers

Jody McClintock, County Administrator, approached the Commission and explained that she had a meeting with Holly Jack, Animal Control Officer, and Corey Barch, Asst. Animal Control Officer, regarding the use of volunteers to help assist them. Ms. McClintock explained that the animal control officers would like a little more time before they get volunteers involved. Ms. McClintock explained that the animal control officers are getting established with the daily activities of the kennel and animal control calls and would prefer to have more time to have ordinances and policies to follow before involving volunteers. The Commission agreed. Commissioner Dugan suggested placing pictures of dogs that need homes on the county website. Commissioner Hutchinson stated that this had already been discussed and is in the works. A camera may need to be purchased to accomplish this. Animal Control Officer, Holly Jack, stated that the animal control department needs foster homes and names of rescue shelters. The Commission will revisit the animal control issue at the County Commission meeting on May 6, 2010 at 10:00 a.m.

Adjournment

On a Stacy Dugan/Thomas Swaim motion, the County Commission adjourned the meeting at 7:40 p.m. This motion carried.