

Morgan County Commission  
Budget Review Meeting Minutes  
July 1, 2010

Members Present: Thomas Swaim, Brenda Hutchinson and Stacy Dugan

The meeting was opened by Cathy Payne, Deputy County Clerk at 9:33 a.m.

ADMINISTRATION ITEMS:

Approval of Minutes

On a Stacy Dugan/Thomas Swaim motion, the County Commission approved the minutes from the June 24, 2010 County Commission meeting. This motion carried.

Carol York- Underage Drinking grant program

Carol York, Grants Assistant, approached the Commission and presented a resolution. Ms. York explained that the Morgan County Partnership has applied for a grant through the Enforcing Underage Drinking grant program. On a Thomas Swaim/Stacy Dugan motion, the Morgan County Commission authorizes Brenda J. Hutchinson, President of the Morgan County Commission, to act on its behalf to enter into a contractual agreement with the Division of Criminal Justice Services to receive and administer grant funds pursuant to provisions of the Enforcing Underage Drinking program. This motion carried.

County Offices closed for Senator Byrds Memorial

Commissioner Hutchinson explained that Governor Manchin has closed all state offices for Friday, July 2, 2010 to honor Senator Byrd's memorial. Commissioner Hutchinson stated that she received a phone call from Judge Yoder, Administrative Judge for Morgan County and he strongly suggested that the Morgan County Courthouse county offices close on Friday, July 21, 2010. Commissioner Hutchinson stated that she is in favor of closing the offices. Commissioner Dugan stated that she thinks Senator Byrd should be honored. Commissioner Dugan asked if any employees planned on attending the memorial. The Commission was not aware of any employees who were going to the memorial. Commissioner Swaim stated that the offices are closed on Monday, for the July 4, 2010 holiday and it is short notice to close the offices on Friday. Commissioner Swaim stated that there may be individuals that have a closing date for Friday and may need access to the county offices. Commissioner Swaim stated that he votes to keep the county offices open on Friday. Commissioner Dugan stated that she agrees with Commissioner Swaim and the offices should remain open on Friday. Commissioner Dugan also stated that the zoning public hearing in Paw Paw, WV is scheduled for Friday. On a two to one vote, the County Offices will remain open on Friday, July 1, 2010.

County Commission Association of Counties Annual Dues

The County Commissioners agreed to the annual payment of \$5.00 to go to the West Virginia Association of Counties. Commissioner Swaim stated that he saw the agenda for the County Commission Association of Counties meeting that will be held August 2-

3, 2010. Commissioner Swaim stated that one of the agenda items is titled running an effective campaign. Commissioner Swaim stated that he thinks it is wrong to use taxpayers money for that kind of training. Commissioner Dugan stated that is just one agenda item for the meeting. Commissioners Dugan and Hutchinson plan to attend the meeting at the Stonewall Jackson resort on August 2-3, 2010.

Follow up on Soccer Field

Commissioner Hutchinson stated that Jody McClintock, County Administrator, talked to Steve Rawlings, from the WV Counties Risk Pool Insurance. Commissioner Hutchinson stated that Mr. Rawlings explained that it would not affect the liability coverage if the County Commission chose to go with the plan to fertilize and plant grass and go over the field with metal detectors. Commissioner Hutchinson stated that Mr. Rawlings did suggest that a written plan be put into place and followed.

AGENDA ITEMS:

Aaron Robertson- Courthouse Change Orders #18 & #19

Jody McClintock, County Administrator, approached the Commission and presented courthouse change orders #18 and #19. Ms. McClintock explained that change order #18 is for an additional cost to the gallery rail in #150 and rail in #330, additional cost to add additional conduits per request of the Supreme Court and additional cost for additional power supplies to door 132, 137, 153, 154, 217 and 316. The total cost of the change order is \$3,049.00. Ms. McClintock explained that change order #19 included an additional cost to add remote readers to the water vault per request of the local water company, additional cost to add additional data and power outlets in room 242, additional cost for miscellaneous painting, additional cost for base course asphalt paving in alley and a cost savings for deletion of wire and conduit to the exterior light bollards. Ms. McClintock stated that the total cost for the change order is \$18,808.70. On a Stacy Dugan/Thomas Swaim motion, the County Commission authorizes its president, Brenda J. Hutchinson, to sign courthouse construction change orders #18 and #19. This motion carried.

Dave Corsaro- Potesta Engineers and Environmental Consultants- Soccer Field

Dave Corsaro, representing Potesta Engineers and Environmental Consultants, approached the Commission regarding the soccer field. Mr. Corsaro explained that the levels of arsenic found at the soccer field are probably not related to the auto parts but to the pesticides used in orchards. The Commission discussed the plan of fertilizing and planting grass and using metal detectors to remove any metal particles. Commissioner Hutchinson stated that she thinks the written plan should be handed over to Parks and Recreation. Commissioner Swaim stated that he agrees, and it will take volunteers to use the metal detectors at the soccer field. Commissioner Swaim stated that he has a metal detector, and Parks and Recreation can use it. Commissioner Dugan stated that it's a children's safety issue not an insurance liability issue. Commissioner Hutchinson stated that the Commission is not putting children on the field right now and stated that after the fertilization, the Commission will take another look at the field next spring. Commissioner Hutchinson stated that the children are her top concern, and this is a wait and see approach instead of spending \$50,000.00 unnecessarily. On a Thomas

Swaim/Brenda Hutchinson motion, the County Commission will turn the plan over to Parks and Recreation and let them proceed with a written plan and remove the metal from the field with metal detectors, plant grass, clean and maintain the field, revisit and re-evaluate the field next spring at the beginning of March. Commissioner Dugan opposed. This motion carried.

#### Decision on possible zoning community meetings

Commissioner Hutchinson stated that the Commission is having two public hearings on the zoning ordinance. Commissioner Hutchinson stated that a number of people have suggested to her to have zoning community meetings. Commissioner Hutchinson stated that the Commission can hold community meetings to present the power point presentation and hand out copies of the ordinance to inform residents. Commissioner Hutchinson stated that the meetings can be held in different parts of the county such as South Morgan Fire Hall, Pleasant View School, Great Cacapon School and Cacapon State Park. Commissioner Swaim stated that he is not sure WV Code gives the County Commission authority to do community zoning meetings. Commissioner Swaim stated that it is a very thin line between informing and promoting; and if county money is spent, there could be a lawsuit. Commissioner Hutchinson asked if either one of the other two Commissioners has a problem with her performing the meetings alone to help educate the citizens. Commissioners Swaim and Dugan stated that they do not have a problem with Commissioner Hutchinson having the meetings herself. Commissioner Hutchinson agreed to hold the zoning community meetings alone.

#### Budget Review

##### - Funds Request Review

##### - Decision on salary increase for employees

The Commission reviewed the budget and the funds requests.

On a Stacy Dugan/Thomas Swaim motion, the County Commission adjourned for lunch at 12:15 p.m. This motion carried.

On a Thomas Swaim/Stacy Dugan motion, the County Commission reconvened after lunch at 1:00 p.m. This motion carried.

#### Sprinkler System for Magistrate Court Building

Commissioner Dugan asked about the sprinkler system for the Magistrate Building. Commissioner Swaim stated that the Commission received a quote for \$20,000.00-\$25,000.00 to install the sprinkler system. Commissioner Swaim stated that he would like to approve the installment of the sprinkler system in the magistrate court building. Commissioner Swaim stated that he would like to have the Sheriff's Department move into the Magistrate Building. Commissioner Hutchinson stated that she already has enough on her plate at this time and leaves this project up to her fellow Commissioners. On a unanimous vote, the County Commission approves the spending of \$20,000.00-\$25,000.00 out of the fire recovery fund to go towards a sprinkler system for the Magistrate Building. On a two to one vote, the County Commission approved the Sheriff's Department to move into the Magistrate's Building and make the renovations

totaling a cost of \$12000.00. Commissioner Hutchinson opposed and stated that she is opposed to taking money out of the fire recovery fund.

On a two to one vote, the County Commission approved the hiring of two part-time bailiffs for security plus expenses for uniforms. Commissioner Hutchinson opposed.

Decision on salary increase for employees

All three Commissioners agreed to a 3% increase for employees.

Review of Funds Requests

The County Commission reviewed the funds requests and approved the following:

Morgan County Parks and Recreation- \$15,000.00

Morgan Arts Council- \$10,000.00

Spohrs Cross Roads Community Center- \$500.00

Museum of Berkeley Springs- \$2,000.00

Berkeley Springs State Park Historical Foundation- \$500.00

Paw Paw Youth League- \$2500.00

Morgan County Observatory Foundation- \$1,000.00

Cacapon State Park Foundation- \$3500.00

Morgan County Fair- \$5000.00

Paw Paw Festival- \$1,000.00

Boys & Girls Club of the Eastern Panhandle- \$700.00 for basketball hoops, picnic tables and sports equipment

Boys & Girls Club of the Eastern Panhandle- \$3000.00

South Morgan VFD- \$500.00

Morgan County Health Department- \$5000.00

Morgan County Tennis Association- \$300.00

On a Stacy Dugan/Thomas Swaim motion, the County Commission adjourned the meeting at 2:40 p.m. This motion carried.