

Morgan County Commission
Meeting Minutes
March 3, 2011

Present: President Stacy Dugan and Commissioner Brad Close

Absent: Commissioner Brenda Hutchinson was absent due to the fact that she and William Clark, Economic Development Authority Director traveled to Washington, DC to meet with Senator Rockefeller to discuss promoting economic development in Morgan County.

Also Present: Jody McClintock, County Administrator, Ginger Johnson, Commission Secretary, Bruce Embrey, Andy Swaim, Dave Abner, Tricia Strader, Trish Rudder, Tony Link, Chief Deputy, Sheriff's Department, Dale McConnell, Kate Lehman, Steve Ritz, Charles Trump, Kin Sayre, Ruth Drumheller, Mike Bailey, Lin Dunham, Mel Harmon, Sandy Kesecker, Chuck Hampe, James Michael and Bruce Beadenkopf.

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

ADMINISTRATION ITEMS:

Meeting Minutes

On a Brad Close/Stacy Dugan motion, the County Commission approved the amended meeting minutes from the February 17, 2011 County Commission meeting. This motion carried.

On a Brad Close/Stacy Dugan motion, the County Commission approved the Board of Equalization meeting minutes from February 19, 2011 Board of Equalization meeting. This motion carried.

Holiday Schedule

On a Brad Close/Stacy Dugan motion, the County Commission approved the amended holiday schedule for 2011. This motion carried.

The amendment included October 4, 2011, which is Election Day for WV Governor.

Carol York, Grant Administrator- Resolution for Court Security Grant & Allstate Grant

Carol York, Grant Administrator, approached the Commission with a resolution for a court security grant. The Commission does not have sufficient information at this time regarding the grant application so they decided to table the resolution until the next Commission meeting on March 17, 2011.

Allstate Grant

Carol York, Grant Administrator, approached the Commission with a resolution for the Allstate Foundation Independent Agency Hands in the Community grant program. Ms. York explained that Parks and Recreation may be eligible for a \$1000 grant under this program. Ms. York stated that the funding will be used to replace damaged fencing at the

girls' softball field. On a Brad Close/Stacy Dugan motion, the County Commission authorizes Stacy A. Dugan, President of the Morgan County Commission, to act on its behalf in the administration of the Allstate Foundation Independent Agency Hands in the Community grant program for Morgan County Parks and Recreation. This motion carried.

Recreational Trails Program Resolution

Carol York, Grants Administrator, approached the Commission with a resolution for the recreational trails program. Ms. York explained that on February 3, 2011, the County Commission passed a motion to provide \$8000 to assist in meeting the matching fund requirement of 20% for the FY2012 Recreational Trails grant application for \$80,000 for construction of a recreational trail at the Route 522 Ball Fields Recreation Area. Ms. York stated that the application has been revised to apply for \$35,200 in funding and the assistance from the Commission has decreased to \$2,640. President Dugan stated that she had some questions regarding the resolution and project. President Dugan asked who will be the project manager and manage the funds. Ms. York stated that in the past the County Administrator has been the project manager. President Dugan stated that she does not know if she can approve this resolution and stated that she is not happy with the way members of the Parks and Recreation board have managed funds. Commissioner Close stated that he thinks everyone on the Parks and Recreation board does a wonderful job and he thinks it is ridiculous for Commissioner Dugan to suggest the mismanagement of funds. Commissioner Close stated that Commissioner Dugan is more than welcome to oversee the project. Ms. York stated that the grant application has already been submitted, she was just informing the Commission that there will be a decrease in assistance from the Commission. President Dugan stated that as long as Carol York, Grant Administrator and Jody McClintock, County Administrator, oversee the project and the expenditures, she will approve the resolution. On a Brad Close/Stacy Dugan motion, the County Commission agrees to provide the matching funds of \$2,640 for the FY 2012 Recreational Trails project if the grant funding is awarded. This motion carried.

Commission calendar for March

The Commission reviewed and approved the calendar for March. It will be placed on the County Commission website.

Tax Credit for Siling & Associates

Commissioner Close stated that he is waiting for a telephone call from Mr. Potts regarding the tax credit for Siling & Associates. Commissioner Close stated that a decision cannot be made at this time.

AGENDA ITEMS:

Chief Deputy Tony Link, Morgan County Sheriff's Department- Review from Court Security & Emergency Preparedness conference

Tony Link, Chief Deputy, approached the Commission and explained that he had attended a conference in Charleston, WV held by the Supreme Court regarding courthouse security and emergency preparedness. Deputy Link stated that he is the chairman of the court security and emergency preparedness committee. Deputy Link

stated that he will be forming an emergency safety committee that needs to include Elected Officials, a Judge, the County Administrator and a County Commissioner. Deputy Link stated that there will be one meeting per month and it may take several months to get everything organized and into place. Deputy Link stated that there will be evacuation plans created for the courthouse in the event of natural disasters or emergencies. Deputy Link stated that evacuation drills will be conducted. Deputy Link stated that he would like to get started in April. The Commission thanked Deputy Link for the information.

Kate Lehman & Steve Ritz, Potomac Headwaters RC&D- Annual Review and Budget request of \$1200

Kate Lehman, representing Potomac Headwaters RC&D, approached the Commission and gave a review of the programs that Potomac Headwaters RC&D offers to the community. Ms. Lehman stated that Morgan County was the first county to have Potomac Water Watch, a program where people donate outdated medications which have adverse effects on the environment when introduced through our water systems or landfills. Steve Ritz, RC&D Coordinator, representing the Potomac Headwaters RC&D approached the Commission and presented a CD of Morgan County Soil Surveys to the Commission. The Commission thanked Ms. Lehman and Mr. Ritz for their time.

Kim Nickles, County Clerk Office- Estate of Betty Nelson

Kim Nickles, County Clerk Office, approached the Commission for the motion of removal of the executrix and for the appointment of an administrator for the estate of Betty Nelson. Charles Trump, Attorney, approached the Commission and gave an overview of the estate. Mr. Trump stated that the deceased Betty A. Nelson, died on September 26, 2007. Leonard Nelson, the surviving spouse of Betty A. Nelson, claimed his elective share, among which elective share was determined, ordered and adopted by the Morgan County Commission on June 24, 2010. Mr. Trump stated that there are proceedings active in circuit court regarding the estate. Mr. Trump requested to remove Ruth Drumheller as the current executrix and stated that there is evidence suggesting that she is not following through with closing the estate. Mr. Trump stated that Ms. Drumheller has not filed the annual statements of accounts or sold any of the personal items of the deceased. Kin Sayre, Attorney, representing Ruth Drumheller, the Executrix of the estate, approached the Commission and stated that he objects to the motion of the removal of the executrix. Charles Trump called Ms. Drumheller to approach and Debra Kesecker, County Clerk swore her in. Mr. Trump asked Ms. Drumheller questions pertaining to the estate of Betty Nelson. Mr. Sayre also asked Ms. Drumheller with some questions concerning the estate. President Dugan stated that she saw an ad in the local newspaper advertising the estate sale. Mr. Sayre stated that there has been a Fiduciary Commissioner assigned and an estate sale scheduled for March 25, 2011. Commissioner Close stated that it seemed that everything can be dissolved after the estate sale. Mr. Sayre requested that the Commission re-schedule the removal of the executrix until after the estate sale. Mr. Sayre requested that the Commission revisit the issue at the April 21, 2011 County Commission meeting. Mr. Trump stated that he will not object and that his motion for the removal of executrix is still pending. Mr. Trump requested that Ms.

Drumheller get the accounting list within 15 days. The Commission agreed to wait until after the estate sale to make a decision and placed the estate of Betty Nelson on the agenda for the April 21, 2011 County Commission agenda. The County Commission gives Ms. Drumheller 15 days from today's date, March 3, 2011 to file the accounting list.

Phil Harmison- excluding firefighters from paying fire fees

Mel Harmon approached the Commission and explained that Phil Harmison will not be attending the Commission meeting due to illness. Mr. Harmon stated that Mr. Harmison has been working on recognizing incentives for firefighters in Morgan County. Mr. Harmon stated that volunteer firefighters risk their life to help and save others. Mr. Harmon presented a letter of support from the State of West Virginia State Fire Marshal's Office. Mr. Harmon stated that the letter suggests that the County Commission exclude any firefighters from paying the fire fees in their county. Mr. Harmon stated that the letter suggests the Fire Chief of each Department determine the firefighters that are in good standing and submit the list to the County Commission for accountability. Commissioner Close stated that he thinks this is a great start. President Dugan agreed and stated that this needs to be discussed at the Fire Board meeting. President Dugan stated that she is a member on the Fire Board. The Commission agreed to follow up with an incentive program for the firefighters in Morgan County.

Chuck Hampe- Morgan County Vietnam Veterans Foundation Grant Resolution

Carol York, Grant Administrator, and Chuck Hampe approached the Commission regarding a Vietnam Veterans Memorial. Ms. York stated that Mr. Hampe would like to create a Vietnam Veterans Memorial. Ms. York stated that there are community participation project grants. Ms. York stated that for this type of grant, the county would pay and then get re-imbursed from the state. Ms. York stated that Mr. Hampe has received a letter from Senator Clark Barnes including information about the Community Participation Project Grant. Mr. Hampe stated to the Commission that he thinks something should be done for Vietnam Veterans, and he would like to do a monument. Commissioner Close stated that this is a great idea; and if the county cannot help, he would like to help personally. President Dugan asked if Mr. Hampe was going to have a committee to help with the project. Mr. Hampe explained that once he raises \$1000, he will form a committee. Mr. Hampe stated that he has been doing raffle drawings and fundraisers. President Dugan asked where the monument will be placed. Mr. Hampe stated that he has thought about possibly asking the American Legion to place it there. Dave Abner, writer for the Morgan Messenger, suggested placing it at the new hospital. President Dugan stated that is a good idea and suggested that Mr. Hampe talk to Valley Health. President Dugan stated that she is not sure she is ready to commit funds for this project at this time and stated that she would like to see a committee formed and permission for the placement of the monument. Commissioner Close stated that he is not ready to commit county funds at this time, but he will help personally. The Commission suggested Mr. Hampe follow up with them when a committee is formed and more funds are raised. The Commission stated that this is a great idea, and they would love to see the

monument but this is in the beginning stages and they cannot contribute to the funds at this time. The Commission thanked Mr. Hampe for his interest and hard work.

Jim Michael & Lin Dunham- Eastern Panhandle Conservation District

Jim Michael and Lin Dunham, representing the Eastern Panhandle Conservation District approached the Commission to give an update and funds request. Mr. Dunham presented a handout of information to the Commission. Mr. Dunham explained the projects and education programs that the Eastern Panhandle Conservation District participates in. Mr. Dunham stated that he appreciates the funding that the Commission has contributed in the past. Mr. Dunham requested funds in the amount of \$10,000. Mr. Michael approached the Commission and explained some of the 2012 project plans for the Eastern Panhandle Conservation District. Mr. Michael stated that the Eastern Panhandle Conservation District assists in the Chesapeake Bay West Virginia Watershed Implementation Plan. Mr. Michael stated that some of the future plans include a riparian buffer behind the Morgan County Courthouse and the Widmyer School Streambank project. Mr. Michael requested funds in the amount of \$1000 for the maintenance of the Warm Springs Watershed. The Commission thanked Mr. Dunham and Mr. Michael for their time.

Bruce Beadenkopf, Parks & Recreation- Powerpoint Presentation

- Parks & Rec structure & budget of maintenance

Bruce Beadenkopf, representing the Parks & Recreation Board approached the Commission and presented a handout. Mr. Beadenkopf explained the programs Park & Recreation offer the children of Morgan County. Mr. Beadenkopf suggested providing adult programs as well. Mr. Beadenkopf reviewed the budget and expenses with the Commission. President Dugan asked Mr. Beadenkopf what money was going to be used to replace the pavilion that has fallen down at the North Berkeley Park. Mr. Beadenkopf stated that there are funds from a grant that can be used. Commissioner Close stated that he would like to see Parks & Recreation become self-sustained. Mr. Beadenkopf asked the Commission to consider hiring a county employee to be a maintenance worker for Parks & Recreation. The Commission agreed to discuss the request at the budget meeting. Mr. Beadenkopf also requested that the Commission re-visit the soccer field to walk the field and make sure it is ok. Commissioner Close agreed. President Dugan stated that she will walk the field but she is not changing her mind and she still thinks that the safety of children is top priority. Mr. Beadenkopf explained that the funds received by Parks & Recreation is from the hotel/motel tax, not taxpayers money. Mr. Beadenkopf asked the Commission to help contribute to Parks & Recreation. The Commission thanked Mr. Beadenkopf for his time.

Adjournment

On a Brad Close/Stacy Dugan motion, the County Commission adjourned the meeting at 12:39 p.m. This motion carried.