

Morgan County Commission  
Meeting Minutes  
May 5, 2011

Present: President Stacy Dugan and Commissioner Brad Close

Absent: Commissioner Hutchinson was absent due to a death in the family

Also Present: Jody McClintock, County Administrator, Ginger Johnson, Commission Secretary, Andy Swaim, Tricia Strader, Kate Shunney, Dale McConnell, Bruce Beadenkopf, Gordon McLeod, Portia Henry, Bryan Heironimus, Victor Dill, Paula Osbourne, Bob Osbourne, Mike Burks, Denise Bergen, Brett Butler, Patricia Porter, Virgil Porter, William Albanese, Marian Park, Lester Yost, Kevin Duckwall, Betty Mason, Sylvia Thomas, Renea Stansbury, Samantha Earnest, Todd Songer, Neil McLaughlin, Chris Rucker and Robert Dugan

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 meeting minutes from the April 21, 2011 County Commission meetings. This motion carried.

Calendar for May

On a Brad Close/Stacy Dugan motion, the County Commission approves the calendar for May. This motion carried.

Discussion regarding Auditor's request- WV State Auditor's Office Contract Extension Request

On a Brad Close/Stacy Dugan motion, the County Commission allows Commissioner Close to work with the State Auditor's office and moved to accept the contract extension request from the WV State Auditor's Office. Commissioner Close stated that he has spoken to the auditor, and there is confusion regarding the previous years audit. Commissioner Close stated he is working with the County Clerks Office and the auditor to get the problem resolved.

Additional information on Animal Control location

Jody McClintock, County Administrator, read aloud a statement from Commissioner Hutchinson who could not attend the meeting. The statement read as follows:  
I put the animal control item on the agenda but since I am unable to attend the meeting, I request that the item is tabled until the next meeting. The County Commission agreed to table the item until the next meeting.

Removal of old Courthouse Façade

Jody McClintock, County Administrator, stated that Morgan County resident, Dean Maxwell will be taking care of the removal of the old courthouse façade. Ms. McClintock stated that Mr. Maxwell is also the individual who purchased the cupola.

#### Statewide Redistricting Process

President Dugan stated that she had attended the public informational meeting regarding the statewide redistricting process at the Berkeley County Courthouse in Martinsburg, WV.

#### Smoking at the Ball field

Commissioner Close stated that he has been receiving complaints about individuals smoking at the ballfield on 522. The Commission discussed and agreed that they would prefer if the ballfields were smoke free. The Commission discussed the possibility of creating a designated smoking area. The Commission agreed to create the designated area with a bucket of sand to be used for the cigarette butts.

#### AGENDA ITEMS

##### Re-appointment of Evan Reichard to Morgan County Fire Board

On a Brad Close/Stacy Dugan motion, the County Commission hereby re-appoints Evan Reichard to the Morgan County Fire Board to serve a three year term. This appointment is effective immediately and will expire April 30, 2014. This motion carried.

##### Upcoming Vacancies on the Solid Waste Authority Board

Ginger Johnson, Commission Secretary explained to the Commission that she had spoken to Bennett Lentzner, President, Solid Waste Authority Board. Ms. Johnson stated that Mr. Lentzner is concerned because the board will be losing two board members at the end of June. Ms. Johnson stated that Mr. Lentzner was out of town and could not attend the Commission meeting. Ms. Johnson stated that she had reviewed the volunteer file and there are 2 applications for the Solid Waste Authority Board. The Commission agreed to advertise the vacancies and interview interested individuals in upcoming County Commission meetings.

##### County Commission reviews the changes to the Employee Handbook

The County Commission reviewed the proposed changes to the Employee Handbook conducted by the Wage & Review Board. The Commission requested some additional changes. The Commission agreed to give the handbook back to the Wage and Review Board for additional changes. Some of the changes included language changes for the hours of operation, language explaining that you must work 12 months prior to becoming eligible for family medical leave, language stating the percentage the county contributes toward the WV Public Employees Retirement System pension fund and language explaining the vacation earnings.

##### Soccer Field- Possible Alternative Options

Jody McClintock, County Administrator, approached the Commission and read aloud a statement from Commissioner Hutchinson, who could not attend the meeting. The statement read as follows: if there is funding available to successfully remediate the field

and all three commissioners are in agreement that the field would be opened after the remediation, I would certainly be in favor of going forward with an approved course of action (replacing several feet of soil or putting in a geotech barrier.) If all three commissioners are not on board for this type of action, I see no point in spending anymore time or money on this project. As a possible alternative use for the property, I would suggest the possibility of looking for funding to build a new animal control facility on this property. It would certainly be a tremendous improvement over the current situation. If we do decide that the soccer field is not going to be a possibility, I do believe that we need to reimburse P&R for any monies spent out of their operating budget and for any donations that were spent on behalf of the field. Commissioner Close stated that he had a list of items to discuss as well. Commissioner Close explained that he would like to extend his gratitude and commend the volunteers for the time and effort that they have spent. Commissioner Close stated that he feels truly unfortunate that we have individuals in our community that make allegations regarding our volunteers and former County Commissioners. Commissioner Close stated that he would like to have a work day with parks and recreation members and citizens of the community to work on the field, dig up holes and see what is found at the field. Commissioner Close stated that he is ready to clean it up and see if the field can be ready for the kids to play soccer. President Dugan stated that we need to follow through with the soil report and do what Potesta & Associates, Inc. suggests we do to clean the field properly. President Dugan stated that she is fine if it is done properly. President Dugan also stated that she has received several emails and facebook inquires about the possibility of putting tennis courts at the location. Gordon McLeod, Parks and Recreation, approached the Commission and presented a handout of information printed from the MorganWatch.com website created by Larry Schultz. President Dugan stated that the Commission is not here to discuss the website or anything that Mr. Schultz puts on the website, we are here to discuss alternative options for the soccer field. Mr. McLeod stated that a copy of the Potesta & Associates, Inc. report is attached with the paperwork he presented. The Commission reviewed the report. Bruce Beadenkopf, Parks and Recreation, approached the Commission and asked if the Health Department could do an inspection. Commissioner Close stated that he did not think the Health Department could do an inspection. Mr. Beadenkopf asked if a date can be set for the work day. Commissioner Close stated yes and the Parks and Recreation Board could schedule the date for the work day. Commissioner Close explained that in his opinion, he would like to bring everyone together for the work day to work together and see what is found on the field. Commissioner Close stated that his concern is the safety of the children, and he feels that the other soccer fields are in worse condition. President Dugan stated that she will not do anything until the top 3-4 inches of top soil are removed completely, and new top soil is put down. The work day will be scheduled and advertised in the Morgan Messenger, and everyone is invited to come and participate.

Jody McClintock, County Administrator- Executive Session- Regarding Personnel Matter

On a Brad Close/Stacy Dugan motion, the County Commission went into Executive Session at 11:33 a.m. to discuss an personnel matter. This motion carried.

On a Brad Close/Stacy Dugan motion, the County Commission came out of executive session and back into regular session at 12:00 p.m. This motion carried. On a Stacy

Dugan/Brad Close motion, the County Commission allows Jody McClintock, County Administrator and Commissioner Brad Close to meet with Joel Tuttle, Senior Life Services to discuss a personnel issue regarding a contractual item. This motion carried.

The County Commission adjourned for lunch at 12:05 p.m. and reconvened at 1:15 p.m.

Brett Butler, BB&T Bank- Banking Services

Brett Butler and Denise Bergen, representing BB& T Bank approached the Commission to discuss banking services provided by BB&T. Mr. Butler presented a handout of information to the Commission for their review. Mr. Butler and Ms. Bergen explained the banking services that BB&T offers. Mr. Butler explained that BB&T offers payroll services, worker's compensation, retirement 401 K services, medical plans and supplemental coverage, employee banking benefits and a BB&T MyLink Payroll Card. The County Commission thanked Mr. Butler and Ms. Bergen for their time and information.

Workshop Meeting With Morgan County Rescue Squad & Representatives from War Memorial Hospital, Valley Health Systems, Valley Medical Transport and West Virginia Medical Command

The County Commission had a workshop meeting with Morgan County Rescue Squad and representatives from War Memorial Hospital, Valley Health Systems, Valley Medical Transport and West Virginia Medical Command to discuss the budget and issues with transporting in Morgan County. Larry Petruso, representing West Virginia Medical Command, attended the meeting by telephone conference. Kevin Duckwall, representing Morgan County Emergency Medical Services, approached the Commission and stated that there were 462 transports out of War Memorial Hospital last year. Mr. Duckwall stated that there were 134 transports from Valley View Nursing Home last year. President Dugan stated that people are upset because they feel like when they are picked up, they are forced to go to War Memorial Hospital when they prefer to go to Winchester or elsewhere. Commissioner Close asked what the procedure is and who determines where the patient goes. Mr. Duckwall stated that the decision is made with patient input along with the medic and MedCom. Mr. Duckwall stated that usually the patient will go to the nearest available facility. Mr. Petruso stated that the final decision is made by the medic. President Dugan asked if there is a waiver that the patient can sign so they can go to the facility they choose. Mr. Duckwall stated that if the patient signs the waiver, the patient could be responsible for the cost of the ambulance ride to the other facility since most insurance companies only cover to the nearest facility. Betty Mason, citizen approached the Commission and explained that she had a stroke and was taken to War Memorial Hospital and had to wait four hours to be transported. Ms. Mason stated that her heart rhythm was out of line, and she could have died waiting for the transport. Ms. Mason stated that Morgan County needs a transport system for the safety of the citizens. Gary Miller, citizen, explained how he has had to be taken to War Memorial Hospital on four different occasions and had to wait for hours to be transported. Mr. Miller stated that this caused him and his wife stress and impacted his medical conditions. Mr. Miller stated that on one occasion, his wife saw ambulance crew members sitting outside the rescue squad building while he was waiting for a transport. Mr. Duckwall stated that the

county's ambulance vehicles are for 911 calls. Mr. Duckwall explained that the \$75 ambulance fee covers manpower and equipment; not transports. Mr. Duckwall stated that the EMS ordinance states that the \$75 fee does not include transports. Mr. Duckwall stated that the money is not there to pay for the transport vehicle. The County Commission scheduled a budget meeting with the Morgan County Rescue Service for June 1, 2011 at 12 noon. The County Commission will also meet with representatives from the War Memorial Hospital, Valley Health Systems, Valley Medical Transport and West Virginia Medical Command to further discuss the transport services on June 9, 2011 at 9:30 a.m. The County Commission thanked everyone for their time.

#### Conference call with Tom Potts, Architect, Silling & Associates

The County Commission held a conference call meeting with Tom Potts and Sean Simon, Silling & Associates regarding the heating and air conditioning units for the courthouse. Mr. Potts agreed to draft a letter to Milestone Construction Services, Inc. regarding the problems with the heating and air conditioning.

#### Administrator's Report

##### Application for payment to Milestone Construction

The County Commission agreed to discuss the payment with Tom Potts, Architect, Silling & Associates before payment is made.

#### Avaya Contract

Jody McClintock, County Administrator, explained to the Commission that she had received a bill from Avaya even though the county is no longer a customer. Ms. McClintock stated that she had contacted Avaya, and there is a dispute over the bill. The County Commission suggested having Debra McLaughlin, Prosecuting Attorney, draft a letter regarding the dispute.

#### Met with Dave Barton, Shenandoah Group- possible workshop to discuss insurance possibilities

Jody McClintock, County Administrator, stated that Dave Barton, Shenandoah Group, will be here to conduct a workshop meeting to discuss insurance possibilities. Ms. McClintock stated that the meeting may be sometime in June.

#### Discussion on Elevator Maintenance Proposals

Jody McClintock, County Administrator, presented maintenance proposals for the elevator maintenance. The County Commission agreed to review and further discuss the proposals at the next meeting.

#### Adjournment

On Brad Close/Stacy Dugan motion, the County Commission adjourned the meeting at 4:13 p.m. This motion carried.

