

Morgan County Commission
Meeting Minutes
June 2, 2011

Present: President Stacy Dugan, Commissioner Brenda Hutchinson and Commissioner Brad Close

Also Present: Jody McClintock, County Administrator, Ginger Johnson, Commission Secretary, Andy Swaim, Kate Shunney, Keith and Traci Barker, James Campbell, Marty Brown, Vince Shambaugh, Sheriff, Kim Jackson, Circuit Clerk, Tony Link, Victoria Slater-Madert, Paul Shroyer and Steve Rawlings, WV Risk Pool

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

ADMINISTRATION ITEMS:

Meeting Minutes

On a Brenda Hutchinson/Brad Close motion, the Morgan County Commission approved the meeting minutes from the May 19, 2011 County Commission meetings. This motion carried.

Calendar for June

The County Commission approves the calendar for June.

Results of May 14, 2011 Primary Election

On a Brenda Hutchinson/Stacy Dugan motion, the County Commission approves the results from the May 14, 2011 Primary Election to be certified. This motion carried.

Re-appointment to the Morgan County Fire Board

On a Brenda Hutchinson/Brad Close motion, the County Commission hereby re-appoints Louis Herrell to the Morgan County Fire Board. This appointment is effective immediately and will expire June 30, 2012. This motion carried.

On a Brenda Hutchinson/Brad Close motion, the County Commission hereby re-appoints Mark Miller to the Morgan County Fire Board. This appointment is effective immediately and will expire June 30, 2014. This motion carried.

Invoice 109

On a Brad Close/Brenda Hutchinson motion, the County Commission approved the payment of Invoice 109 for half the rent and utilities and a portion of the maintenance bill for the air conditioning at the Morgan County Rescue Squad building. This motion carried.

Discussion on Planning Commission board member re-appointments

President Dugan stated that while attending a fire board meeting, she was approached by a gentleman and asked when he will be appointed to the Morgan County Planning Commission. President Dugan stated that she had explained to him the process of submitting an application and having an interview before anyone gets appointed to a volunteer board. The County Commission stated that there are currently three individuals due for re-appointment at the end of June, and two will be re-appointed. Ginger Johnson, Commission Secretary, will check the volunteer applications for individuals interested in serving on the Planning Commission. The Commission will perform interviews at a future Commission meeting.

AGENDA ITEMS:

Traci Barker- Discuss problem with rabid wild animals

Traci Barker approached the Commission to discuss problems with rabid wild animals. Ms. Barker explained that on Easter weekend there was a raccoon on her property. Ms. Barker stated that the raccoon was in her driveway in the daytime hours and started chasing after her. Ms. Barker stated that she shot the raccoon. Ms. Barker stated that she then called Morgan County Animal Control and was told that they only deal with domestic animals. Ms. Barker explained that she called surrounding areas and finally found help from Animal Control in a neighboring county. Ms. Barker stated that they explained to her how to remove the head of the animal. Ms. Barker stated that they sent it away for testing and it tested positive for rabies. Ms. Barker stated that she did not receive help with this situation in Morgan County. James Campbell, citizen, approached the Commission and asked the protocols for rabies testing in Morgan County. Keith Barker approached the Commission and stated that when they called the Health Department to check about testing the animal for rabies, they were told there was a charge of \$85. Mr. Barker asked where our tax money is going. President Dugan stated that she will talk to Lee Fowler, Morgan County Health Department, to find out the protocols for rabies testing. Commissioner Hutchinson stated that if there are not protocols in place, maybe we can work on creating protocols so people know what to do. The Commission agreed to contact the Morgan County Health Department and follow up on protocols for rabies testing. The County Commission thanked Mr. and Mrs. Barker for their time.

Possible Executive Session- Resolution of Hospital Employee Litigation

President Dugan explained that she is an employee of Valley Health and therefore she recused herself from the County Commission meeting due to the discussion on the hospital employee pending litigation. On a Brad Close/Brenda Hutchinson motion, the County Commission went into executive session at 10:17 a.m. to discuss the State of West Virginia, ex. rel. Jennifer Baker, Janet Horner, Sharon Hendershot, Barbara Johnson, Tanya Manley, Helen Miller, Christine Mullen, Ruth Smith, Bernice Stotler, DeeAnn Stotler, Linda Stotler, Barbara Yost, Carol Layton, Nancy Waugh and Terry Kesecker, Plaintiffs v. Civil Action No. 07-C-78 Morgan County War Memorial Hospital, by and through Morgan County War Memorial Hospital Board of Directors, John Borg, and Valley Health System, Defendants. This motion carried.

On a Brad Close/Brenda Hutchinson motion, the County Commission came out of executive session and reconvened back into regular session at 10:29 a.m. This motion carried.

On a Brenda Hutchinson/Brad Close motion, the County Commission amended the lease with Valley Health for the month of July, 2011 in the amount of \$57,100. \$50,000 will go as a credit to the lease agreement to Valley Health because of money advanced to cover the balance of the county's portion of the settlement. 7,100.00 will go to the reimbursement of \$7808.45, of the past judgement interest leaving a balance of \$708.45 going to the balance of the interest already paid out of fire recovery. This motion carried.

Paul Shroyer- County oversight of financials

Paul Shroyer approached the Commission and presented an information sheet listing the work he performs. Mr. Shroyer stated that he worked for the West Virginia State Auditor's office for 17 years as a County Government Auditor. Mr. Shroyer stated that he currently works with the Berkeley County Finance Department each month and provides assistance in reconciling the county books with the Sheriff Financial Records. Mr. Shroyer explained that he has installed an accounting system in the Barbour County Sheriff's Office and provided training for a new Chief Tax Deputy. Mr. Shroyer stated that he has also performed work in Preston and Randolph Counties. The Commission thanked Mr. Shroyer for his time.

Debra McLaughlin, Morgan County Prosecuting Attorney- Child Advocacy Program

Victoria Slater-Madert and Debra McLaughlin, Prosecuting Attorney, approached the Commission regarding a child advocacy program. Ms. Slater-Madert explained that Safe Haven Child Advocacy Center is a child-focused program that encourages a team approach to the investigation and treatment of child abuse. The team consists of prosecutors, law enforcement, child protective service workers, mental health and medical care providers and victim advocates. Ms. McLaughlin stated that children and families have to travel to Martinsburg, WV for interviews because there is not a child advocacy program in Morgan County. Ms. McLaughlin explained that Ms. Slater-Madert has been working with her and Tony Link, Chief Deputy to get a child advocacy program in Morgan County. Ms. McLaughlin stated that Ms. Slater-Madert has agreed to use some of her grant money to purchase video and audio equipment required to set up a child advocacy center in the prosecuting attorney's office in the courthouse. Ms. Slater-Madert stated that the system should be running by July 22, 2011. The Commission agreed that this is a great idea and thanked Ms. McLaughlin, Ms. Slater-Madert and Mr. Link for their time and hard work.

Kim Jackson, Circuit Clerk- Possible Executive Session- Budget issue involving Personnel Issue

Kim Jackson, Circuit Clerk, approached the Commission to discuss a budget issue with her office. Ms. Jackson stated that she had an employee retire, and she promoted another employee as her chief deputy. Ms. Jackson stated that she gave the employee a partial increase for the extra duties she performs as chief deputy. Ms. Jackson stated that the County Commission cut the budget for FY 2011-2012, and now she does not have sufficient funds for her employees and they will have to take a pay cut. Ms. Jackson

stated that at the time she gave the employee the pay increase, she had the money in her budget; but since the Commission cut the budget, she does not have enough funds. Ms. Jackson stated that her office is the only office in the courthouse with employees that will be taking a pay cut starting July 1, 2011. Ms. Jackson stated that she is afraid they may quit, or there may be a lawsuit. Ms. Jackson requested funds in the amount of \$2441.20. President Dugan stated that she stands behind her original decision not to approve the additional funding. President Dugan stated that every office took budget cuts. President Dugan made a motion to not approve the additional funding. There was not a second. Commissioner Close stated that he would like to weigh the impact of a possible lawsuit. Commissioner Hutchinson stated that she would like to look further into this and make a decision at the June 23, 2011 County Commission meeting. Commissioner Close agreed to make a decision at the June 23, 2011 meeting as well.

Dave Barton, Shenandoah Group-Lunch Workshop meeting regarding Health Insurance

The County Commission had a lunch workshop meeting with Dave Barton, Shenandoah Group. At the workshop meeting, the Commission reviewed health insurance and OPEB (other post employee benefits) with Mr. Barton. Mr. Barton answered any questions the Commission had. The Commission thanked Mr. Barton for his time.

Steve Rawlings, WV Risk Pool- Worker's Compensation Proposal from WV Risk Pool

Steve Rawlings, WV Risk Pool, approached the Commission and explained that WV Risk Pool offers workers compensation insurance. Mr. Rawlings stated that ten County Commissions have already signed up in WV. Mr. Rawlings presented the proposal to the Commission for their review. The Commission reviewed the proposal and stated that there is a 11% savings. On a Brenda Hutchinson/Brad Close motion, the County Commission agreed to move forward and change the county's worker's compensation insurance to the WV Risk Pool effective July 1, 2011. This motion carried.

Administrator's Items

Letter to Milestone Construction, Inc.

The Commission agreed to send a certified letter with signature required to Milestone Construction, Inc. regarding the punch list items from the construction of the courthouse.

Adjournment

On a Brad Close/Brenda Hutchinson motion, the County Commission adjourned the meeting at 2:07 p.m.