

Morgan County Commission  
Meeting Minutes  
September 15, 2011

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

Also Present: Jody McClintock, County Administrator, Ginger Johnson, Commission Secretary, Tricia Strader, Journal, Andy Swaim, Kate Shunney, Morgan Messenger, Karen Sunderlin and Pat Moore, Legal Shield, Alma Gorse, County Planner, Eric Pritchard, Tammy Steiner, Stephanie Steiner, J.J. Steiner, Kathy Hetrick and Keith Whitener, Milestone Construction, Bennett Lentzner, Morgan County Solid Waste Authority, Barb Wolfe, Barbara Tutor, Dave McDonald, IT Webmaster, Debra McLaughlin, Prosecuting Attorney, Delegate Daryl Cowles, Connie Perry, Steve Hutchinson, Jeanne Mozier, Cindy Largent-Hill, and Barbara Tutor

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

ADMINISTRATION ITEMS:

On a Brad Close/Brenda Hutchinson motion, the County Commission approves the minutes from the August 30, 2011 meeting with Silling & Associates and the September 1, 2011 County Commission meeting. This motion carried.

Signing of the Breast Cancer Awareness Proclamation

The County Commission signed the proclamation and proclaimed October 2011, as West Virginia Breast Cancer Awareness month.

Trip to Charleston, WV

Commissioner Hutchinson stated that she and Commissioner Close, Jim Michael and Joe Michael traveled to Charleston, WV to meet with representatives on behalf of the Cacapon State Park expansion project.

Courthouse Bell

President Dugan explained that she talked to Larry Wilson regarding painting the courthouse bell. President Dugan stated that Mr. Wilson suggested a powder coating with black gloss paint. President Dugan stated that the cost for painting the bell is \$1394. 00. Commissioner Hutchinson stated that she talked to Mr. Wilson and if the bell is displayed outdoors, it needs painted or it will rust but if you display the bell indoors, it does not need painted. Commissioner Close suggested at the present time to display the bell inside the courthouse with the option of possibly painting it and moving it outside in the future. The Commission agreed to display the bell inside the courthouse at this time with the option of moving it outdoors in the future.

### President's Award

Commissioner Hutchinson announced that the Morgan County Commission office received the President's Award for the Morgan County Fair. Commissioner Hutchinson explained that staff members decorated the hallways of the High School with the posters from the Safe Routes to School program.

### Grand Opening at the Berkeley Springs State Park Main Bath House

President Dugan stated that the open house for the Main Bath House at the Berkeley Springs State Park is scheduled for Monday, September 19, 2011 at 11:00 am. President Dugan stated that the First Lady of WV, Joanne Tomblin plans to attend.

### AGENDA ITEMS:

#### Vernon Brinegar- Blue Cross Blue Shield, Health Insurance/Retirement Plans

Vernon Brinegar, representing Blue Cross Blue Shield Health Insurance, approached the Commission to discuss Blue Cross Blue Shield Health Insurance plans and retirement plans. Mr. Brinegar agreed to get with Human Resources and review the county employees health insurance and retirement plans to make sure that they are in the correct plan. Mr. Brinegar will follow up with the County Commission.

#### Karen Sunderlin, Pre-Paid Legal Aide Services

Karen Sunderlin and Pat Moore, Director, Pre-Paid Legal Aide Services, approached the Commission to discuss pre- paid legal services. Ms. Moore presented a handout of information to the Commission. Ms. Moore stated that the services are no cost to the county and explained that employees can have automatic withdrawals from their paychecks. Ms. Moore explained that some of the services provided include unlimited access to a law firm, 24/7 access to a representative, identity theft protection, drafting of wills and powers of attorney and answers to traffic violation questions. Commissioner Close agreed to present the information to the Wage and Review Board and follow up with the Commission.

#### Alma Gorse, County Planner and Commissioner Hutchinson, Present Overview of Chesapeake Bay Meeting

Alma Gorse, County Planner, approached the Commission and explained that she and Commissioner Hutchinson along with the Planning Commission have been working on Phase 2 of the Watershed Implementation Plan. Ms. Gorse stated that the plan is for the reduction of pollutants getting into the Chesapeake Bay. Ms. Gorse stated that the Planning Commission has been awarded \$10,000 through the Chesapeake Bay Regulatory and Accountability grant to support local governments. Ms. Gorse explained that the project will fund a consultant to do an all-inclusive review of Morgan County's Comprehensive Plan, Subdivision Regulations, Commercial Regulations and Stormwater Management Ordinance. Commissioner Hutchinson explained that the meetings ended on a positive note and that Morgan County has been proactive and is ahead of the game. The Commission thanked Ms. Gorse for her review.

Kim Nickles, County Clerk Office- Estate of Thomas Ryan

Tina Byers, representing the Petitioner of the Estate, Robin Ryan, approached the Commission to discuss the estate of Thomas Ryan. Ms. Byers explained that Thomas Ryan lived in Martinsburg, WV at the time of his death but he also has property in Morgan County, WV. Ms. Byers stated that the death certificate incorrectly states that he lived in Great Cacapon, WV. Ms. Byers asked the Commission to determine the correct county in which the estate should be settled. Charles Trump, representing the Executor of the Estate, Tim Ryan, approached the Commission and explained that when Mr. Ryan died, he had a house in Berkeley County and it was titled in Berkeley County to his wife, Karen Ryan. Mr. Trump stated that he also owned business property and acreage in Morgan County. Mr. Trump requested that the Commission should let the Circuit Court decide which county the estate should be settled in. Ms. Byers also suggested that the Commission appoint a Fiduciary Commissioner. Commissioner Hutchinson made a motion to appoint a Fiduciary Commissioner. Motion died for lack of a second. On a Stacy Dugan/Brad Close motion, the County Commission agreed to defer the estate of Thomas Ryan to the Circuit Court to decide which county the estate should be settled. This motion carried.

Proclamation for Constitution Day 2011

On a Brad Close/Brenda Hutchinson motion, the County Commissioners of Morgan County, WV proclaim September 17, 2011, as Constitution Day and September 17-23, 2011, as Constitution Week in Morgan County, WV. This motion carried.

Proclamation for Remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>

On a Brad Close/Brenda Hutchinson motion, the County Commission will sign the proclamation for Remembrance of the 10<sup>th</sup> Anniversary of the terrorist attacks on September 11, 2001 and follow with a moment of silence. This motion carried.

“Terror in the Sky” poem written by Chuck Hampe

Stephanie Steiner approached the Commission to read the poem titled “Terror in the Sky” written by Morgan County resident, Chuck Hampe. Mr. Hampe wrote the poem on September 11, 2001, the day of the attacks. The Commission thanked Ms. Steiner for reading the poem aloud.

Bennett Lentzner, Solid Waste Authority- Review Budget/Funds Request \$15,000

Bennett Lentzner, representing the Solid Waste Authority, approached the Commission to request funds for the Solid Waste Authority. Mr. Lentzner presented a budget review to the Commission and requested funds in the amount of \$15,000. Mr. Lentzner explained that the Solid Waste Authority will have to cut hours of operation and some of the services they provide if they do not receive funding. President Dugan asked Mr. Lentzner if the Solid Waste Authority will ever be self sufficient. Mr. Lentzner stated that recycling centers cannot be self sufficient. Commissioner Hutchinson stated that while she was attending a meeting in

Morgantown, WV, she spoke to a representative from a Solid Waste Authority and they have a self sufficient recycling center, but Morgan County does not have a large enough population to do so. Commissioner Hutchinson asked Mr. Lentzner if he has checked into applying for grants. Mr. Lentzner stated that he has applied and the Solid Waste Authority is receiving all that they are eligible for at this time. The Commission explained that they will review the funds request during the month of December; and at that time, they will know if the funds are available to help the Solid Waste Authority.

Keith Whitener, Milestone Construction Services, Inc. – Discuss Construction Issues regarding courthouse

Keith Whitener, President, and Kathy Hetrick, Project Manager, Milestone Construction Services, Inc. approached the Commission to discuss the on going construction issues at the courthouse. Mr. Whitener stated that he had received a letter from Prosecuting Attorney, Debra McLaughlin, regarding the continuing construction issues. Mr. Whitener reviewed the list of issues with the Commission. Mr. Whitener requested time to repair the problems and suggested that Architect Tom Potts review the list of items completed. The Commission stated that the RTU 2 has never worked properly. Mr. Whitener stated that the RTU warranty has been extended and Milestone Construction Services, Inc. does not want to replace it. Mr. Whitener stated that it costs \$100,000, and it may be a waste of money to replace it if it continues to work properly. Commissioner Hutchinson stated that it has only worked properly for the past 2 weeks. Mr. Whitener will follow up with the Commission with a scheduled project list stating when the projects will be completed. The County Commission requested the list no later than Wednesday, September 21, 2011. The County Commission thanked them for their time.

Commission decision on the Maintenance Agreement for Voting Machines

On a Brenda Hutchinson/Brad Close motion, the County Commission agreed to go forward with a 4 year maintenance plan at the cost of \$5156.25 per year. This motion carried.

Workshop Meeting/Possible Decision- Magisterial Re-Districting

The County Commission held a workshop meeting regarding the options for redistricting the county's magisterial districts. Morgan County currently has three magisterial districts. Delegate Daryl Cowles approached the Commission and explained the process of re-districting. The County Commission heard opinions from the public. Local resident, Connie Perry stated that she is against re-districting. Ms. Perry stated that years ago, there were more districts and that didn't work so it was changed back to three districts. Jeanne Mozier, resident, approached the Commission and stated that she thinks it would be beneficial to re-district and explained that creating additional districts allows more residents to run for political seats. Cindy Largent- Hill, resident, asked what it would cost to re-district. After listening to the comments, the Commission decided to take a vote. On a Brenda Hutchinson/Stacy Dugan motion, the County Commission decided to keep the

magisterial districts the same and make no changes that could be costly to the county. Commissioner Close opposed stating that he would like to have more magisterial districts to allow more individuals the opportunity to run for office. This motion carried.

#### Administrator's Report

##### Decision on part time Animal Control Officer

Jody McClintock, County Administrator, explained that she and Holly Jack, full -time Animal Control Officer, performed interviews regarding a part time animal control officer. Ms. McClintock requested that Matthew Knave be hired as the part-time animal control officer to replace part time officer Jason Pearce. On a Brad Close/Brenda Hutchinson motion, the County Commission approves the hiring of Matthew Knave as the part- time animal control officer to replace Jason Pearce. This motion carried.

##### Discussion on plaque for Opal Heare

Jody McClintock, County Administrator, explained that she had sent a letter to the Heare family regarding a plaque for Opal Heare. Ms. McClintock is still waiting to hear back from the family.

##### October 7, 2011- Apple Butter Weekend

The Commission decided to close the courthouse at 1:00 pm on Friday, October 7, 2011 due to the preparation for the Apple Butter Festival. There is limited parking for the employees. The back parking lot will be used by the Boy Scouts.

##### Adjournment

On a Brad Close/Brenda Hutchinson motion, the County Commission adjourned the meeting at 1:55 p.m. This motion carried.