

Morgan County Commission
Meeting Minutes
February 16, 2012

Members Present: Stacy Dugan, Brenda Hutchinson and Bradley Close

The meeting was opened by Debra Kesecker, County Clerk at 9:00 a.m.

Also Present: Andy Swaim, Beth Skinner, Kate Shunney, Morgan Messenger, Carl Cowgill, Chris Risinger, Margi Allyger, Matthew Pennington, Dale McConnell, Bob Ford, Eric Pritchard, Brandon Ridgely, Paul Mock, Tricia Strader, Journal, George Farnham, Jerry Berman, Gerald Chaskes, Amy Lane, Authea McCallister, Marshall Younker II, Barbie Ginck, Paul Murtha, GJ Fisher, Vince Shambaugh, Sheriff, and Laurie Fischer

ADMINISTRATION ITEMS:

Meeting Minutes

On a Brad Close/Brenda Hutchinson motion, the County Commission approves the meeting minutes from the February 2, 2012 County Commission meeting. This motion carried.

On a Brad Close/Brenda Hutchinson motion, the County Commission approves the meeting minutes from the February 6, 2012 Board of Equalization meeting. This motion carried.

On a Brad Close/Brenda Hutchinson motion, the County Commission approves the meeting minutes from the February 8, 2012 Board of Equalization meeting. This motion carried.

On a Brad Close/Brenda Hutchinson motion, the County Commission approves the meeting minutes from the February 8, 2012 Special County Commission meeting to Rescind previous motion to appoint WSPSD member and appoint a WSPSD board member. This motion carried.

Exonerations

Ronald McIntire, Assessor, approached the Commission and presented exonerations. Mr. McIntire explained that two of the exonerations were for waiving the penalty fees. On a Brad Close /Brenda Hutchinson motion, the County Commission approved the penalty fee exonerations. President Dugan opposed. Mr. McIntire also presented exonerations with clerical errors. On a Brad Close /Brenda Hutchinson motion, the County Commission approved the exonerations. This motion carried.

Possible Appointment to Solid Waste Authority

The County Commission had received an email with a volunteer application and resume from Adam Keeling. Mr. Keeling expressed interest in serving on the Solid Waste Authority Board. There is currently an opening on the board. On a Brad Close/Brenda Hutchinson motion, the County Commission appoints Adam Keeling to the Morgan County Solid Waste Authority Board to serve the remainder of David Zaken's four year term. This motion carried.

Corrected Court Order for Fire Board member

On a Brad Close/Brenda Hutchinson motion the County Commission rescinds the motion appointing Mark Miller to the Fire Board due to a clerical error. This motion carried. On a Brad Close/Brenda Hutchinson motion, the County Commission appoints Roger Steiner to the Fire Board to serve a three year term. This appointment is effective immediately and will expire June 30, 2014. This motion carried.

Goals for 2012

Commissioner Hutchinson presented the list of goals to the Commission for review. The Commission will further discuss the goals at the next Commission meeting.

Discussion & Decision regarding Tiger Grant

Bill Clark, Economic Development Authority Director, approached the Commission to receive permission to submit a pre-application to the Tiger Grant Program. On a Brenda Hutchinson/Brad Close motion, the County Commission authorized to move forward with the pre-application for the Tiger grant for funding for construction of a connector road from Rt 522 to Fairview Drive and Town of Bath Improvements. This motion carried.

Letter of support for Silling & Associates

The County Commission will send a letter of support to Silling & Associates for the construction of the courthouse.

Meeting request- February 21- Communications Meeting regarding Emergency Calls

The County Commission requested Jody McClintock, County Administrator, attend the communications meeting regarding emergency calls set for February 21, 2012 at 6:30 p.m. and report back to the Commission.

Student Representative Certificate- Ashley Tomlinson

The County Commission presented Ashley Tomlinson, Student Representative for the County Commission with a certificate. The Commission thanked Ms. Tomlinson for her interest in county government and for attending the Commission meetings.

WVACO- West Virginia Association of Counties Conference

The County Commission attended the annual Association of Counties conference in Charleston, WV on Feb. 12-14, 2012 in Charleston, WV. While in Charleston, the Morgan County Commission

Commissioners talked to legislators about issues in Morgan County. The issues included the connector road for the new hospital and the Cacapon State Park expansion project. President Dugan stated that she and Commissioner Hutchinson met with Governor Earl Ray Tomblin to discuss the expansion project at Cacapon State Park. President Dugan stated that Governor Tomblin stated that he would like to see the project completed in phases.

WV Senate Bill 168

Commissioner Close stated that while in Charleston, WV, he had lobbied against Senate Bill 168, a bill to amend and reenact §7-7-1 and §7-7-4 of the Code of West Virginia, 1931, as amended, all relating to compensation of elected county officials and county commissioners for each class of county; legislative findings; and authorizing increasing this compensation after July 1, 2012. Commissioner Close stated that he is against elected officials getting a pay increase.

Commissioner Hutchinson agreed and stated that she is also against the increase. Commissioner Hutchinson stated that if the Commission can't give their employees pay increases, then she feels that the elected officials shouldn't get an increase.

AGENDA ITEMS:

Discussion on Boys & Girls Club using Red Cross Room

Chris Risinger, representing the Boys & Girls Club, approached the Commission. Mr. Risinger explained that he had previously requested using the Red Cross Room located on the 3rd floor of the building where the Boys & Girls Club is located. Mr. Risinger stated that he would like to withdraw the previous request and submit a new request. Mr. Risinger stated that the Senior Center will be moving to the US Silica property. Mr. Risinger asked if the Boys and Girls club could use the Senior Center space. Mr. Risinger explained that the Boys and Girls Club is continually growing. Mr. Risinger explained that the additional space would add a dedicated area for homework, a larger kitchen and recreational space. Mr. Risinger also stated that the space is downstairs and that would help eliminate noise. Mr. Risinger stated that the program prepares 65 meals a day and currently has 163 children that actively attend the program. President Dugan stated that both of her children attend the program, and she thinks the Boys & Girls Club do an excellent job. Commissioner Hutchinson stated that she has always thought that if the Senior Center moved, the Boys & Girls Club could use the additional space. On a Brenda Hutchinson/Brad Close motion, the County Commission approves the request for the Boys & Girls Club to use the space downstairs once the Senior Center has moved to its new location. This motion carried.

Ronald McIntire, Assessor- Hiring Staff

Ronald McIntire, Assessor, approached the Commission to request the hiring of staff for the Assessor's office. Mr. McIntire explained that he is short staffed. Mr. McIntire explained that he needs a full time employee out in the front office. Mr. McIntire stated that he has one opening to fill, and he plans to hire another employee to be paid out of the evaluation fund. Mr. McIntire explained that he has

advertised in the local newspaper and would like to start the employee on March 1, 2012. On a Brad Close/Brenda Hutchinson motion, the County Commission will take \$2500 out of capital outlay equipment/ and or improvement fund and transfer to the salary line for the Assessor's office. The Commission requested Mr. McIntire also contribute \$2500 to cover the employee's compensation until the end of this fiscal year dated June 30, 2012. This motion carried. Mr. McIntire will meet with the Commission on March 1, 2012 to review his budget for FY 2012.

Kate Lehman- Presentation of Warm Springs Watershed Association

Kate Lehman, representing the Warm Springs Watershed Association, approached the Commission to give a power point presentation. Ms. Lehman explained that the presentation provides information about natural stream processes and how human intervention can interfere with these processes. Ms. Lehman presented a handout to the Commission. Ms. Lehman explained that the Warm Springs Watershed Association secured a Chesapeake Bay Regulatory and Accountability Program grant to do a comprehensive watershed management plan. Once the engineers have issued their report, Ms. Lehman will then come before the various groups in the community to inform them of what is recommended and seek input from the community. The County Commission thanked Ms. Lehman for her time and presentation.

Paul Mock- Interview for EDA (Economic Development Authority) Board

Paul Mock approached the Commission for an interview to sit on the EDA Board. Mr. Mock explained that he has been self employed in Agriculture & Horticulture for 26 years. Mr. Mock stated that he moved to Morgan County 8 years ago. Mr. Mock stated that he owns his own business and employs 5 full time Morgan County residents. Mr. Mock stated that he would like to create jobs so citizens do not have to commute so far to work. Commissioner Close stated that he likes to see individuals on the EDA board that have experience in building their own business. The Commission thanked Mr. Mock for his time and interest. The Commission have interviewed three individuals for the vacant seat on the board and will make a decision at the Commission meeting on March 1, 2012.

Eric Pritchard, Jim Dupont & Tim Seims- Promote Analysis

Eric Pritchard, Jim Dupont and Tim Seims approached the Commission. Mr. Pritchard explained that two years ago, they had formed a committee that studied the tax assessments on properties in Morgan County. Mr. Pritchard stated that the committee had three meetings. Mr. Pritchard explained that their studies show that the assessments in Morgan County are over valued. Mr. Pritchard explained that by WV code, the state recommends the assessments be within a 15% median assessed value. Mr. Pritchard stated that Morgan County's assessments are over 40% of the median assessed value. Jim Dupont stated that he hopes to see this changed. Mr. Pritchard requested the Commission appoint a committee to work on this and ways to get the assessments lowered. President Dugan stated that the County Commission has had eight individuals come before the Board of Equalization this

year. President Dugan stated that she does not think the County Commission should form this committee and explained that she would like to see the Assessor take this project. Commissioner Close stated that the County Commission had no problem establishing the Comcast committee or the Marcellus Shale committee.

Commissioner Close stated that he does not have a problem with the County Commission establishing a committee to study the assessments, but he would like to see the Assessor be on the committee. Commissioner Hutchinson stated that she would like to talk to the Assessor first, and she would like for him to be the chair of the committee if it is formed. The Commission thanked Mr. Pritchard, Mr. Dupont and Mr. Seims for their time.

Jerry Berman- Comcast Report- Preliminary Report of Committee, Approval for Public Hearing

Jerry Berman, Chairman, Comcast Committee, approached the Commission. Mr. Berman explained that the committee has monthly meetings. Mr. Berman explained that the Comcast franchise agreement expires in May. Mr. Berman requested the County Commission have a public hearing before renewing the Comcast cable TV franchise agreement. Mr. Berman explained that Comcast is committed to providing quality cable TV service and prompt attention to the needs of its customers. Mr. Berman explained that there is no record of Comcast working with the citizens of Morgan County to better serve them. Mr. Berman stated that he would like to have public input before the franchise is renewed. Mr. Berman requested the County Commission have a public hearing to receive public comments. President Dugan thanked Mr. Berman and stated that he has done an excellent job with the committee. President Dugan stated that all of the committee members have been wonderful. Commissioner Close asked if Comcast provides hi definition TV. Mr. Berman stated that they say yes, but customers are not getting it. The Commission agreed to have a public hearing. The County Commission will have a public hearing to hear citizens comments before renewing the Comcast Franchise agreement. The public hearing is scheduled for March 15, 2012 at 1:30 pm in the County Commission Meeting Room. If you cannot attend the public hearing, you may submit comments on the county website at www.morgancountywv.gov or submit written comments to Jody McClintock at the Commission Office at 77 Fairfax St., Rm 101, Berkeley Springs, WV 25411.

Sheriff Vince Shambaugh- In Car Camera, Gas & Tires , New Vehicle

Vince Shambaugh, Sheriff, approached the Commission to discuss in car cameras. Sheriff Shambaugh stated that currently there are 5 cars with cameras and 6 cars without cameras. Debra McLaughlin, Prosecuting Attorney, approached the Commission and explained that the county has been sued in the past and a camera would have been beneficial. Ms. McLaughlin explained that some cameras even target speeds so if someone says they weren't speeding, it's on the camera. Sheriff Shambaugh stated that the cameras he currently has are outdated and cannot be serviced. President Dugan stated that the cost for the cameras is \$4500-\$5000 each. Commissioner Close suggested trying to purchase cameras through a grant.

Jody McClintock, County Administrator, explained that the grant requires a 25% match. Commissioner Close stated that he would like to review the budget at the budget meeting next month before making a decision on purchasing the cameras. The County Commission agreed.

Gas & Tires

Sheriff Shambaugh approached the Commission to request funding for gas & tires. Sheriff Shambaugh explained that at the budget meeting last year he had requested \$72,000 for gas and tires. Sheriff Shambaugh stated that he was given \$45,000 and now the department is out of gas and funds. President Dugan asked what the department has done to conserve gas. Sheriff Shambaugh stated that they have cut down on patrols, limited trips for training and teamed up partners to ride together. Sheriff Shambaugh stated that he has brought in \$90,000 in forfeiture funds since he has been Sheriff. Commissioner Close asked what he has bought out of the forfeiture funds. Sheriff Shambaugh stated that he has bought equipment, 2 cameras, ammo and a K9 dog. Commissioner Close stated that he thinks the Commission needs to fund fuel. Commissioner Close stated that he does not want to jeopardize public safety because of gas. Sheriff Shambaugh stated that he needs \$30,000. Commissioner Hutchinson stated that she will agree to give \$10,000. Commissioner Close stated that he would agree to give \$20,000. President Dugan suggested \$15,000. Commissioner Close made a motion to transfer \$20,000 out of the coal severance fund to the Sheriff Gas Budget for fuel. Motion died for lack of a second. On a Brenda Hutchinson/Stacy Dugan motion, the County Commission agreed to move \$12,000 out of coal severance to the gas budget 700-343 and revisit the Sheriff's funds for gas in two months. This motion carried. Commissioner Close opposed.

Morgan County Humane Society/Morgan County Animal Control Proposal

George Farnham, Morgan County Humane Society, approached the Commission to discuss the proposal for Animal Control. Mr. Farnham had previously approached the Commission with a proposal for the County to lease the property at the Humane Society location for a period of 10 years at the cost of \$1 per year. Mr. Farnham explained that the committee has met twice with Tina Byers, Legal Counsel, regarding the proposal. The County Commission discussed the proposal. Commissioner Hutchinson asked if the Prosecuting Attorney has had a chance to review the documents. Commissioner Hutchinson stated that she was on the committee and attended the meetings. Commissioner Hutchinson explained that she is in favor of the proposal and moving Animal Control out to the Humane Society. Commissioner Hutchinson stated that she has been approached from citizens willing to form a committee to have fund raisers for the costs involved. Commissioner Close asked what will happen if the Humane Society decides to sell the property. President Dugan stated that she would rather purchase the property instead of lease it. Mr. Farnham stated that he believes the fair market value would be \$150,000. The County Commission agreed to visit the Humane Society facility on March 6, 2012. The County Commission will also have Debra McLaughlin, Prosecuting Attorney, review the proposal before a decision is made.

Kim Nickles, County Clerk's Office- Estate of William Raab

Kim Nickles, Deputy County Clerk, approached the Commission to ask for a court appointed executor for the estate of William Raab. Ms. Nickles requested Frank Hill, from Jefferson County, WV be the court appointed executor for the estate of William Raab. Ms. Nickles stated that if Mr. Hill has any conflicts of interest, he will contact her. On a Brenda Hutchinson/Brad Close motion, the County Commission approved for Ms. Nickles to send the documents to Frank Hill to serve as executor of the estate of William Raab. This motion carried.

Request for approval to order supply item

On a Brad Close/Brenda Hutchinson motion, the County Commission approves the purchase of filters for the RTU system at the cost of \$2,596.00 for the year. This motion carried.

Adjournment

On a Brad Close/Stacy Dugan motion, the County Commission adjourned the meeting at 12:10 p.m. This motion carried.