

**Morgan County Commission Meeting
January 24, 2013**

Members present:

Bradley Close, President
Stacy Dugan
Robert Ford

Also present: Jody McClintock, County Administrator; Ginger Johnson, Commission Secretary; Laura Breeden, Sheriff Tax Office; Delegate Larry Kump; Joshua Clark, Morgan Messenger; Tricia Strader, Journal Newspaper; John Anderson, Jeanne Mozier, Berkeley Springs Museum, Jill Kline Rone, Morgan Arts Council; Ann Beckley, Roger Day, Jason Pearce, Morgan County Animal Control; Don Lambert, Cheryl Lambert, Keith DeBlasio, Barb Wolfe, Henry Oswald, Mike Stark, David Hansen, Susan Paugh, Rose Bivens, Donna Bailey, Sylvia Decker, Mike Scales, Attorney; Jim Rich, and Richard Gay, Attorney

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

Administration Items:

Patriot Award

The Commission will announce the nominees for the Patriot Award at the next Commission meeting.

Revised Commission Committee Appointments

On a Stacy Dugan/Bob Ford motion, the County Commission approved the revised County Commission Committee Appointments. Motion carried.

Thank you letters

The County Commission is sending thank you letters to the Berkeley County Council and Town of Paw Paw, WV for the Chevrolet Caprice and Chevrolet Blazer they donated to the Morgan County Sheriff's Deputy Reserves.

Goals for 2013

The County Commission will have a workshop portion at the next Commission meeting to work on the Goals for 2013.

Ambulance Exonerations

On a Bob Ford/Stacy Dugan motion, the County Commission tabled a decision regarding the ambulance exonerations until the next County Commission meeting on February 7, 2013. Motion carried.

On a Stacy Dugan/Bob Ford motion, the County Commission signed the Emergency Management Performance Grant Application. Motion carried.

Board Meeting Reports

President Close explained that the LEECG grant for energy assessments of county owned properties was awarded funds in the amount of \$600.00. Since this is not enough funding to do the project, the Commission will not go forward and accept the funding. On a Stacy Dugan/Bob Ford motion, the County Commission will not accept the funding. Motion carried. President Close stated that Parks and Recreation are busy with biddy buddy basketball at this time. President Close attended the Juvenile Crime Enforcement Coalition and the group discussed ways the Protection Resource Officer can spend more time in the schools and work on getting his reports completed on a timely manner.

Commissioner Dugan stated that the Criminal Corrections Board will start charging community service .50/per hour to accumulate funds. The board will visit the Eastern Regional Jail on February 11 @ 5:00 p.m. Commissioner Dugan announced that the Warm Springs Watershed Association has given their support on the rail trail project.

Commissioner Ford explained that he attended the Emergency Medical Services board meeting and the board is struggling to collect delinquent ambulance fees. The magistrate has agreed to help with going forward to collect these fees.

Consent Agenda

Purchase/Check Logs

There were no questions or comments regarding the purchase/check logs.

Approval of Minutes

There were no changes to the January 10, 2013 Morgan County Commission meeting minutes.

Budget Revisions

There were no budget revisions.

Consent Agenda Approval

On a Stacy Dugan/Bob Ford motion, the County Commission approves the consent agenda. Motion carried.

Action Items:

Estate of Debra Miller

President Close stated that both parties are tax clients of his. President Close recused himself and left the room.

Richard Gay, Attorney, approached the Commission and presented an order denying motion to stay all probate proceedings. Mr. Gay requested the Commission bring action to settle the claim on real estate. Michael Scales, Attorney, approached the Commission and requested the Commission stay all probate proceedings until the appeal is completed. On a Bob Ford/Stacy Dugan motion, the County Commission went into executive session at 10:17 a.m. Motion carried. On a Bob Ford/Stacy Dugan motion, the County Commission came out of executive session at 10:22 a.m. Motion carried. On a Stacy Dugan/Bob Ford motion, the County Commission grants

the stay of all probate proceedings until the case goes to Circuit Court. Motion carried. Mr. Scales will present a revised order to the Commission.

David Hansen- Interview for Board of Health

David Hansen approached the Commission for an interview to serve on the Board of Health. Mr. Hansen stated that he has volunteered on the Sleepy Creek Watershed Association and is active in the Lions Club. On a Stacy Dugan/Bob Ford motion, the County Commission appoints David Hansen to serve on the Board of Health. This appointment is effective immediately. Motion carried.

Mike Stark- Petition for application of ordinance to the regulations of All-Terrain Vehicles in Morgan County- Chestnut Grove Property Owners Association

Mike Stark, representing the Chestnut Grove Property Owners Association, approached the Commission with a petition for application of ordinance to the regulations of All-Terrain Vehicles in Morgan County for the Chestnut Grove Property Owners Association. Mr. Stark presented a copy of the notice given to the homeowners, a copy of the minutes from the meeting at which the majority vote was taken to adopt the ordinance and a copy of the bylaws for the homeowners association. Mr. Stark presented the documents and showed proof that the property owners association are in favor of the adopting the ordinance. On a Stacy Dugan/Bob Ford motion, the County Commission approves the petition for application effective immediately. Motion carried.

Roger Day- Animal Loss Report

Roger Day approached the Commission and explained that he had some chickens that he believes were killed by his neighbors' dog. The Commission suggested Mr. Day contact the owner and try to resolve the issue and if that doesn't work, then Mr. Day should talk to the Magistrate's office about filing a claim against the dog owner and bringing civil action for the damages and loss of the chickens.

Don Lambert - Petition for application of ordinance to the regulations of All-Terrain Vehicles in Morgan County- Cold Spring Forest Section 1

Don Lambert, representing the Cold Spring Forest Section 1 Home Owners Association approached the Commission with a petition for application of ordinance to the regulations of All-Terrain Vehicles in Morgan County for the Cold Spring Forest Section 1 Home Owners Association. Mr. Lambert presented the petition for application, a copy of the minutes from the meeting at which the majority vote was taken to adopt the ordinance and a copy of the bylaws for the homeowners association. Mr. Lambert presented the documents and showed proof that the property owners association are in favor of the adopting the ordinance.

Keith DeBlasio, property owner in Cold Spring Forest Section 1, approached the Commission and explained that he objects to the petition for application of the regulation of All-Terrain Vehicles. Commissioner Ford stated that Mr. Lambert provided all of the necessary documents and even if Mr. DeBlasio objects, the association still has the majority vote in favor of adopting the ordinance. On a Bob

Ford/Stacy Dugan motion, the County Commission approves the petition for application effective immediately. Motion carried. Mr. DeBlasio stated that he wants it on the record and in his opinion he claims the meeting minutes presented are falsified.

Hotel/Motel Tax & General Fund Semi-annual review and decision on disbursements

On a Stacy Dugan/Bob Ford motion, the County Commission approves \$5000 from hotel/motel funds for the Berkeley Springs Museum. Motion carried.

On a Stacy Dugan/Bob Ford motion, the County Commission approves \$5000 from hotel/motel funds for the Morgan Arts Council. Motion carried. Funds will be given at the next quarterly check.

Sponsorship for WV's 150th Birthday Celebration at Cacapon State Park
On a Bob Ford/Stacy Dugan motion, the County Commission approves \$4000 for fireworks out of the hotel/motel funds contingent on the state park moving forward and providing the fireworks display. If there is no fireworks display, the funds will be retracted. Motion carried.

The County Commission took a brief recess

Reports

Jody McClintock, County Administrator

Review quotes for temporary cleaning service contract for courthouse

Jody McClintock presented two quotes for cleaning services for the courthouse while the full time cleaning employee is off on leave. The quotes were as follows:

ABH Services Inc.- \$449.00/weekly- cleaning 3 nights a week

All Clean Janitorial- \$280.00/weekly- cleaning 3 nights a week

On a Bob Ford/Stacy Dugan motion, the County Commission approves the quote with All Clean Janitorial Services for the price of \$280.00 for services three times a week.

Review quotes for projector for Commission Meeting Room

On a Stacy Dugan/Bob Ford motion, the County Commission approves the quote from LDH Electrical Contractors, Inc. to purchase and install a projector in the Commission Meeting Room for the amount of \$3550.00. Motion carried. The funds will come out of the capital outlay account.

911 Policies & Procedures

The County Commission along with Jody McClintock, County Administrator met with Dave Michael to discuss policies and procedures regarding the 911 Emergency Center. Zachary Caldwell was hired as 911 Director and he will manage staff and oversee the operations at the 911 center. Dave Michael will continue to be the Office of Emergency Services Director and will train Mr. Caldwell. Mr. Michael will work on getting all of the training certifications for 911 staff completed by June 30, 2013.

Every month, Mr. Michael and Mr. Caldwell will come before the County Commission and give a monthly report on the activities at the 911 center. The Commission also discussed office space and Ms. McClintock will check into the possibility of the 911 center moving into the old hospital. The Commission also discussed the need for Assistant OES Directors and the possibility of having contracted individuals that agree to attend trainings and will be available in the event of an emergency or catastrophe. Mr. Michael agreed to contact Derrick Springsteen from Morgantown, WV to see about getting help with mapping.

Adjournment/Recess

On a Stacy Dugan/Bob Ford motion, the County Commission made a motion to recess the January 24, 2013 County Commission meeting. Motion carried.