

**Morgan County Commission Meeting  
May 2, 2013**

**Members present:**

Bradley Close, President  
Stacy Dugan  
Robert Ford

**Also present:** Jody McClintock, County Administrator; Ginger Johnson, Commission Secretary; Josh Clark, Morgan Messenger; Delegate Larry D. Kump; Mayor Susan Webster; Glorious Sagle; Keith DeBlasio & Patricia Dilts, Advocare ; Hayley Andrews, Assessor's Office; Rick Litten; Tricia Strader, Journal Newspaper; Steve Kaldes; Barbara Green; Laura Breeden, Sheriff Tax Office; Sandy Bienen; DF Hill II; Anna Messner; Bill Messner; Mary Bennett, Kenny Messner; Michael Messner; Amy Messner; Wonda Messner; Larry Lower; Gary Nelson; Harriet Nelson; Patty Heaphy; Terry Purcell – Diehl; Thomas Allen Diehl; John Munday; Timothy Newton; Matt Close; Patti Miller; Kris O'Brien and Carol Reese

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

**Administrative Items**

**Approval & signature on Exoneration orders**

On a Bob Ford/Stacy Dugan motion, the County Commission approved the exoneration orders. President Close voted yea, Commissioner Dugan voted yea and Commissioner Ford voted yea. Motion carried.

**Calendar for May**

The County Commission reviewed and approved the calendar for May.

**Agreement with Olde Town Holding**

On a Stacy Dugan/Bob Ford motion, the County Commission signed the agreement with Olde Town Holding Company, LTD for the sole purpose of the Rails to Trails project for the North Berkeley Rail Trail. . President Close voted yea, Commissioner Dugan voted yea and Commissioner Ford voted yea. Motion carried.

**Consent Agenda**

**Meeting Minutes**

On a Bob Ford/Stacy Dugan motion, the County Commission approved the meeting minutes from the April 16, 2013 County Commission meeting. . President Close voted yea, Commissioner Dugan voted yea and Commissioner Ford voted yea. Motion carried.

On a Brad Close/Stacy Dugan motion, the County Commission approved the meeting minutes from the April 25, 2013 County Commission meeting. . President Close voted yea, Commissioner Dugan voted yea and Commissioner Ford voted yea. Motion carried.

The County Commission tabled the meeting minutes from the April 18, 2013 meeting until the May 2 County Commission meeting.

### **Action Items**

#### **Estate of William Frederick Mesner**

William Mesner, Mary Bennett, Kenneth Mesner, Mike Mesner and Frank Hill, Attorney, approached the Commission to discuss the estate of William Frederick Mesner. The County Commission reviewed a packet of information with the children of the late Mr. William Frederick Mesner. President Close explained that there are issues to work out and he would like the members of the family to take the packets of information to review and write up their responses to resolve the issues before following up with the Commission.

#### **Petition for application of ordinance relating to the regulations of All-Terrain Vehicles in Morgan County – Kesecker Knoll Sub-Division**

The County Commission reviewed the petition for application of ordinance to the regulations of All-Terrain Vehicles in Morgan County for the Kesecker Knoll Sub Division. On a Bob Ford/Stacy Dugan motion, the County Commission approves the petition for application effective immediately. President Close voted yea, Commissioner Dugan voted yea and Commissioner Ford voted yea. Motion carried.

### **Reports**

#### **Patty Heaphy**

##### **Clarification on current Commission procedures regarding:**

##### **Placement on Agenda, Official Meeting Minutes & Public Comment Period**

Patty Heaphy approached the Commission and stated that the topic of fracking has been requested to be put on the agenda and was not and she feels that this is discrimination. Commissioner Close explained that he operates the meetings on Roberts Rules of Order. Commissioner Dugan explained that the Commission has discussed fracking and even formed a committee that met 18 times and spent over 200 hours working on a draft Marcellus Shale report. Commissioner Ford explained that a County Commission meeting is not a public hearing meeting, it is a meeting to conduct county business. The County Commission thanked Ms. Heaphy for her time.

#### **Administrator's Report**

Jody McClintock, County Administrator, explained that it is time for the re-appointments to the Home Consortium board. Ms. McClintock stated that Denise Bergen no longer can sit on the board. Ms. McClintock will follow up with the Commission regarding the vacancy on the board.

### **Recess**

On a Brad Close/Bob Ford motion, the County Commission made a motion to recess the meeting. President Close voted yea, Commissioner Dugan voted yea and Commissioner Ford voted yea. Motion carried.