

Berkeley County Commission Meeting

July 15, 2010

9:30 A.M.

Present:

Ronald K. Collins, President

William L. Stubblefield, Commissioner

Anthony J. Petrucci, Commissioner

Deborah Hammond, County Administrator

Norwood Bentley, County Counsel

Also Present: Penny Miller, County Commission; Alan Davis, Deputy County Administrator; Gwen Campbell, Finance; Jay Russell, Facilities Supervisor; The Honorable Patsy Kilmer, Assessor; Stefanie Allemong-Miller, Director, Department of Land Use & Engineering; Mary Kackley, Director 911 Central Dispatch; The Honorable Sheriff Kenneth LeMaster; Deputy Coby Myers

The Morning Prayer was led by Rev. Doug Diamond of the Fellowship Church of the Brethren followed by the Pledge led by Ms. Campbell.

Re: Agenda

President Collins read the Agenda for the July 15, 2010 Berkeley County Commission Meeting.

Commissioner Petrucci made a motion to accept the Agenda as read by President Collins. Commissioner Stubblefield seconded the motion. The motion carried.

Re: Consent Agenda

1. Purchase Order Log

Commissioner Stubblefield questioned page 11 for the WV Bureau of Employment Program. Ms. Campbell stated this was for Unemployment Compensation.

2. Approval of Minutes

There were no changes or additions to the July 8, 2010 Berkeley County Commission Meeting Minutes.

3. Hiring Recommendations and Changes in Status

There were no Hiring Recommendations or Changes in Status.

4. Commission Calendars

President Collins reviewed the Commission Calendars for the month of July. President Collins stated that he would be out of town and would not be in attendance of the July 22, 2010 Berkeley County Commission Meeting. He also stated that Commissioner Stubblefield would be conducting the July 22, 2010 Berkeley County Commission Meeting.

5. Board and Commission Calendars

President Collins reviewed the Board and Commission Calendars for the month of July.

6. Resolution and Contract – Morgan Cabin Community Participation

President Collins reviewed the Resolution and Contract for the Morgan Cabin Community Participation Grant.

7. Resolution – FEMA Grant Application

President Collins reviewed the Resolution for the FEMA Grant Application. Ms. Hammond stated that this Resolution did not require a Grant Match from the County, however there were funds available from previous buyouts should a match be required.

Re: Consent Agenda Approval

Commissioner Stubblefield made a motion to approve the Consent Agenda for the July 15, 2010 Berkeley County Commission Meeting. Commissioner Petrucci seconded the motion. The motion carried.

Re: Correction of Assessments Log, Apportionment of Assessment Applications, Deconsolidation Applications and Consolidations of Properties Applications – Assessor’s Office

The Honorable Patsy Kilmer, Assessor, appeared before the Commission to present three Personal and one Real Estate Exoneration.

Commissioner Stubblefield made a motion to approve three Personal and one Real Estate Exoneration as presented by the Assessor. Commission Petrucci seconded the motion. The motion carried.

Re: Board and Commission Meeting Reports

Commissioner Petrucci stated that he attended a follow up meeting concerning the Boydville property. Commissioner Petrucci questioned if the Roundhouse Authority was still meeting. Commissioner Stubblefield stated that there were several vacancies and Mr. Martin wanted to hold off on reappointing expired vacancies, but stated that a good bit of time has passed since that request was made. Commissioner Petrucci stated that he believes that the expired vacancies need to be reappointed or new board members need to be appointed. Commissioner Stubblefield agreed with Commissioner Petrucci and stated that he would contact Mr. Martin. Mr. Bentley stated that the

Roundhouse Authority was being sued for a trolley accident and there needed to be an active board to deal with this suit.

Commissioner Stubblefield stated that he met with a special committee of the Ambulance Authority to develop a survey regarding the employee's attitude toward their work place. Commissioner Stubblefield also stated that he attended the Fire Board Meeting. He stated that topics of discussion included redoing the Fire Ordinance to get collection schedules more in line with the Ambulance Authority. He stated that a necessary first step in the attempt was to combine certain functions of the Fire Board and Ambulance Authority. Commissioner Stubblefield also stated that the collection service served 400-500 individuals for not paying their fire fees and the collection of unpaid fees is \$380,000 greater than last year. Commissioner Stubblefield stated that he and Ms. Hammond attending a meeting regarding the Circuit Clerk vault for records and discussed the first step in selecting an engineer. Commissioner Stubblefield attended the ribbon cutting ceremony for Pan Tran and the Senior Center. He stated that President Collins spoke at the ribbon cutting. Commissioner Stubblefield stated that he and the Mayor were interviewed on the radio following the ribbon cutting. Commissioner Stubblefield stated that he attended the Water District Meeting. He stated that the Supreme Court is permitting the Public Service Commission to intervene in the Faircloth case. He also stated that the Water District's picnic would be Friday, July 15th at 6:00 PM. Commissioner Stubblefield stated that the drought monitor has the region in an abnormally dry area, but the aquifer appears to be alright. Commissioner Stubblefield stated that the Commission had received a letter from DEP concerning North Mountain Shale stating that appeals can be appealed to the DEP Appellate Board, the Circuit Court and the Supreme Court. Commissioner Stubblefield stated that he and President Collins met with Lee Thorne of the WV DOT and discussed Wheatland Drive. Commissioner Stubblefield stated that he attended the Development Authority Board Meeting where the Air Show was discussed as well as the update on prospects. Commissioner Stubblefield also stated that he met with Heather Henline, Editor of the Journal.

President Collins stated that he attended the Planning Commission Meeting and the Sewer Board Meeting.

Re: Board and Commission Vacancies

President Collins stated that there were several expired board members. He stated that the following board members had submitted requests of interest to be reappointed:

Lisa Dirting – RC&D Council
Kevin Starliper – Berkeley County Building Commission
Bucky Strauch – Planning Commission

President Collins requested that Ms. Hammond schedule interviews for the Planning Commission candidates for the July 29th Meeting.

Commissioner Petrucci made a motion to reappoint the above named individuals to their prospective boards. Commissioner Stubblefield seconded the motion. The motion carried.

**Re: The Honorable Sheriff Kenneth Lemaster
Deputy Coby Myers, Berkeley County Judicial Center
Request for Declaration of Surplus Property**

The Honorable Sheriff Lemaster along with Deputy Coby Myers appeared before the Commission to request the Declaration of Surplus Property. Deputy Myers stated that they had acquired old blazers and pants from prior bailiffs that were not able to be worn by any of the bailiffs as the bailiff uniforms have since changed and he would like to donate these blazers and pants to the Rescue Mission.

Commissioner Petrucci made a motion to grant the request for Declaration of Surplus Property to be donated to the Rescue Mission. Commissioner Stubblefield seconded the motion. The motion carried.

**Re: Norwood Bentley, III, County Counsel
Draft Policy – Waiver of Building Permit and Planning Fees
Affirmation of President’s Authority to Sign Bond Releases**

Norwood Bentley, County Counsel reviewed the Draft Policy for the Waiver of Building Permit and Planning Fees. President Collins stated that this Policy would allow the Commission to approve the waiver of Building Permit Fees for the Eagle Scout that made a request for the waiver of fees for an Eagle Scout Project.

Commissioner Stubblefield made a motion to adopt the Waiver of Building Permit and Planning Fees Policy. Commissioner Petrucci seconded the motion. The motion carried.

Mr. Bentley reviewed the Affirmation of the President’s authority to sign the bond releases. Mr. Bentley stated that this was to affirm the action taken by the President on July 9, 2010 for a Bond for the Department of Land Use Engineering and Planning. Mr. Bentley stated that this affirmation would allow a contractor to be paid for five jobs that had been completed and inspected by Engineering.

Commissioner Stubblefield requested this affirmation be held for two weeks since Read Ahead materials had not been provided prior to the meeting giving the Commission time to review.

**Re: Jay Russell, Facilities Supervisor
Facilities Requisitions – Dunn Building and 100 West King Street**

Jay Russell, Facilities Supervisor, appeared before the Commission to present requisitions for the Dunn Building and 100 West King Street locations. Mr. Russell reviewed the requisition for the fence surrounding the new chiller unit. Mr. Russell stated that Mr. Mosley’s fence, a neighbor to the Church Street parking lot where the chiller unit was installed, had to be removed to install the chiller. Mr. Mosley was assured by the Commission that his fence would be reconstructed. Mr. Russell stated that he had acquired bids and was recommending Long Fence for a total of \$2,718.00. Ms. Hammond stated that the contractor had provided credit exceeding the amount of the fence and this would be budget neutral. Commissioner Petrucci stated that he would like to have something in writing from Mr. Mosley that the fence would belong to the Berkeley County Commission since the owner of the original fence cannot be identified.

Commissioner Petrucci made a motion to proceed with the installation of the fence between the chiller and Mr. Mosley's property by Long Fence in the amount of \$2,718.00. Commissioner Stubblefield seconded the motion. The motion carried.

Mr. Russell reviewed the Requisition for the replacement of carpeting for the County Clerk's Office at 100 W. King Street. Mr. Russell recommended Berkeley Flooring for an amount of \$2,833.53.

Commissioner Stubblefield made a motion to accept the bid from Berkeley Flooring for the replacement of carpet in the County Clerk's office in the amount of \$2,833.53. Commissioner Petrucci seconded the motion. The motion carried.

Mr. Russell reviewed the Requisition for the painting of the ceiling in the Dunn Building. Mr. Russell stated there was loose paint on the ceiling caused by construction on the roof. Mr. Russell recommended Kirkland Painting in the amount of \$5,342.40 whose quote is good for sixty days.

Commissioner Stubblefield made a motion to award the painting to Kirkland Painting in the amount of \$5,342.40. Commissioner Petrucci seconded the motion. The motion carried.

Ms. Hammond stated that this invoice could be paid out of the Bond Funds since it is the completion of the roof project.

**Re: Deborah Hammond, County Administrator
Meeting Report
Dunn Building Project Report and Approvals
State Budget Revision #1 – Coal Severance Fund**

1. Meeting Report

Ms. Hammond stated that she attended a Real Estate Meeting on July 8th. Ms. Hammond also met with RFP Engineering Services on July 9th. Ms. Hammond stated that questions for the firms are due July 16th and interviews have been scheduled with the two responding firms. Ms. Hammond stated that a Building Commission Meeting was scheduled for July 13th, but due to the lack of a quorum the meeting had to be rescheduled. Ms. Hammond stated that she attended the Development Authority on July 14th with the following points of interest discussed:

- a. Memorandum of Understanding was developed and approved by the Development Authority and the Air Guard for the use of Tabler Station property for parking and a jeep promotion exhibit during the air show.
- b. First Wall Street Journal publication has been run featuring the Development Authority.
- c. Comcast Spotlight advertisement is in development using funds from the WESTPEP Grant from the State for marketing purposes which will be designed for the DC/Baltimore audience.
- d. Quad State bus tour is planned for October 7th hosting developers, consultants and brokers for properties in PA through VA.
- e. Eight prospects reported on in various stage of due diligence and review of sites in Berkeley County.

- f. Development Authority has been funded by the State's industrial access road program for funding of 1,100 feet of Technology Drive.

2. Updates

Ms. Hammond stated that the June distribution had been received and the report copied for the Commission files. She also stated that the Commission should have the final June Revenue Report by next week for review.

3. State Budget Revision # 1 – Coal Severance Fund

Ms. Hammond reviewed the State Budget Revision #1 for the Coal Severance Fund.

Commissioner Petrucci made a motion to approve the State Budget Revision #1. Commissioner Stubblefield seconded the motion. The motion carried.

Re: Deborah Hammond, County Administrator Request for Waiver of Fees – Eagle Scout Project (continued) Declaration of Surplus Property

Ms. Hammond reviewed the Request for the Waiver of Fees for Dakota Oliver to build a pavilion for the Bunker Hill Brethren in Christ Church as his Eagle Scout project.

Commissioner Petrucci made a motion to approve the Waiver of Fees totaling \$457.36 for Dakota Oliver to build a pavilion for the Bunker Hill Brethren in Christ Church for his Eagle Scout Project. Commissioner Stubblefield seconded the motion. The motion carried.

Ms. Hammond reviewed the Order for the Declaration of Surplus for the 2010 Surplus Sale. Commissioner Stubblefield questioned if there was an inventory list of all the items to be sold. Ms. Hammond stated that there were so many surplus items that had not been inventoried that there was not an itemized inventory list. Commissioner Stubblefield stated that he would like to have some type of list with the items listed that were sold. President Collins stated that when the auctioneer sold the items he would create a ticket for each item sold and to whom they were sold and also list the price the item was sold for and this could be used as an inventory list.

Commissioner Petrucci made a motion to approve the Declaration of Surplus Property. Commissioner Stubblefield seconded the motion. The motion carried.

Re: Items from the Public

There were no items for the public.

Re: Executive Session

Commissioner Stubblefield made a motion to go into Executive Session at 10:44 AM to discuss Personnel. Commissioner Petrucci seconded the motion. The motion carried.

President Collins declared the Commission out of Executive Session at 11:10 AM.

**Re: Alan Davis, Deputy County Administrator
Changes in Status Recommendations**

Alan Davis, Deputy County Administrator appeared before the Commission to recommend the following Changes in Status.

1. Termination of Donna Myers and Korey Haddix with 911 Central Dispatch at the close of business, Thursday, July 15, 2010.

Commissioner Petrucci made a motion to accept the recommendations of Mr. Davis to terminate Donna Myers and Korey Haddix with 911 Central Dispatch. Commissioner Stubblefield seconded the motion. The motion carried.

2. Hiring of Kimberly J. Shrader as County Engineer with an annual salary of \$70,000 for the Department of Land Use Engineering and Planning effective Monday, July 19, 2010.

3. Termination of Ian Liong with Department of Land Use Engineering and Planning effective at the close of business, Friday, July 30, 2010.

Commissioner Stubblefield made a motion to accept the recommendations of Mr. Davis to hire Kimberly J. Shrader as the County Engineer with an annual salary of \$70,000 with the Department of Land Use Engineering and Planning and to terminate Ian Liong with the Department of Land Use Engineering and Planning. Commissioner Petrucci seconded the motion. The motion carried.

Re: Appointment of President Pro Tem

Commissioner Petrucci made a motion to appoint Commissioner Stubblefield as President Pro Tem for the purpose of signatures in the absence of President Collins next week. President Collins seconded the motion. The motion carried.

Re: Adjourn

Commissioner Petrucci made a motion to adjourn the July 15, 2010 Berkeley County Commission Meeting. Commissioner Stubblefield seconded the motion. The motion carried.

Approved: _____

Ronald K. Collins, President

