

Motion by Mr. Manuel to reappoint G. Warren Mickey to the West Virginia Eastern Panhandle Transportation Authority. Motion seconded by Ms. Morgan and unanimously approved.

(11) Approval of Telephone Line Rental Contracts.

Motion by Ms. Noland to approve a one-year renewal during which time the Commission will explore other options. Motion seconded by Mr. Manuel and unanimously approved.

(12) Interview of applicant Eric Smith for appointment to the Jefferson County Planning Commission.

Ms. Morgan nominated applicant Eric Smith for appointment to the Jefferson County Planning Commission. Ms. Noland nominated applicant Ed Burns for appointment to the Jefferson County Planning Commission. A vote was taken. Eric Smith was approved for appointment 3 to 2 with Ms. Widmyer, Ms. Morgan and Mr. Surkamp voting "yes". Ms. Noland and Mr. Manuel voted for applicant Ed Burns.

Commission took a 5-minute break.

(13) Tim Boyde Salary Adjustment Discussion – Work Session #2.

Motion by Ms. Noland for an Executive Session. Motion seconded by Ms. Morgan and unanimously approved.

Regular meeting reconvened and Mr. Boyde presented his request for salary adjustments for employees in accordance with the proposed salary schedule.

Motion by Ms. Noland to accept the salary schedule as recommended by the County Administrator, Mr. Boyde. Motion seconded by Mr. Manuel.

Mr. Surkamp moved that the motion be amended to state that for all succeeding electeds these are job classifications that are approved by the County Commission and recommended to electeds. No second on the motion.

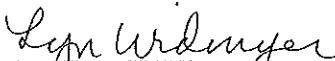
The motion by Ms. Noland, seconded by Mr. Manuel to accept the salary schedule as recommended by the County Administrator, Mr. Boyde was unanimously approved.

Mr. Boyde requested approval for proposed salary adjustments for 35 and 40 hour employees, employees not at minimum and those employees who have attained additional skills.

Motion by Ms. Noland to approve the proposed salary adjustments that are being recommended by the County Administrator, Mr. Boyde, with the additional monies coming from the insurance fund. Motion seconded by Mr. Manuel and approved 4 to 1, with Mr. Surkamp voting "no."

Motion by Mr. Manuel to adjourn the meeting, seconded by Mr. Widmyer and unanimously approved. Meeting was adjourned.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.


 LYN WIDMYER, PRESIDENT

Minutes**Jefferson County Commission****Thursday, October 14, 2010**

A meeting of the Jefferson County Commission was held on Thursday, October 14, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this October 14, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE.**APPROVAL OF MINUTES.**

Motion by Ms. Noland to approve the minutes of October 7, 2010 as presented. Motion seconded by Ms. Morgan and unanimously approved. (An audio tape of the October 7, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$8,233.83 being purchase order numbers: 49017, 48651, 48653, 48972, 48975, 48381, 49014, 49015, 49016, 49018, 48630, 48631, 48632, 49020. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve \$255,062.67 in accounts payable. Motion seconded by Mr. Manuel and unanimously approved.

COUNTY ADMINISTRATOR REPORTS**County Administrator Tim Boyde:**

- (1) Reported that IT is experiencing difficulties with the live broadcast of the meeting today, but that notices were sent out to the public in advance citing the problem and requesting their patience.
- (2) Reported that Angela Banks, Assessor, had nothing to report and has been removed from today's Agenda.
- (3) Reported on the prescription drug program and how it works. Stated that the program has been well received by Jefferson County residents.

COUNTY COMMISSION REPORTS**Commissioner Frances Morgan:**

- (1) Reported that she attended Middleway Days on Saturday, October 9, 2010.
- (2) Reported that she also attended the NAACP Freedom Fund Banquet on Saturday evening, October 9, 2010.
- (3) Reported that she attended the Candidate Forum in Bolivar on Sunday, October 10, 2010.
- (4) Reported that she attended the "goodbye" party for Roger Eitelman (PATH) on Sunday evening, October 10, 2010.
- (5) Reported that she attended the dedication of the South Jefferson Elementary School addition on Monday, October 11, 2010.
- (6) Reported that in the evening of October 11, 2010 she attended a meeting of the Farmland Protection Board. Ms. Morgan was named Secretary of the Board.
- (7) Reported that she attended a Planning Commission Meeting on Tuesday evening, October 12, 2010.

- (8) Reported that she attended the Potomac Street Celebration in Harpers Ferry on Wednesday, October 13, 2010.

Commissioner Jim Surkamp:

- (1) Reported that he attended the NAACP Freedom Fund Banquet on Saturday, October 9, 2010.

Commissioner Dale Manuel:

- (1) Reported that he attended the annual NAACP Freedom Fund Banquet at Shepherd University on Saturday, October 9, 2010. Mr. Manuel stated that it was well attended with an inspiring message on "soaring words."
- (2) Reported that he attended Middleway Days on Saturday, October 9, 2010. He reported that there was lots of good food and fun.
- (3) Reported that on Sunday, October 10, 2010 he attended an Open House at the Citizens Fire Company, which gave him an opportunity to meet the County's committed firefighters.
- (4) Reported that on Monday, October 11, 2010 he attended the dedication of the addition to South Jefferson Elementary School. Mr. Manuel stated that the student speakers were exemplary.
- (5) Reported that on Tuesday, October 12, 2010 he attended a meeting of the Homeless Coalition. He reported that through efforts of the churches and an outpouring of volunteers, the Coalition will be able to provide cold weather shelters for many of the homeless this year.
- (6) Reported that he attended the Potomac Street Celebration in Harpers Ferry on Wednesday, October 13, 2010. He reported that the event was well attended and county and State allocations were recognized.

Commissioner Patricia Noland:

Ms. Noland had nothing new to report this week.

Commissioner Lyn Widmyer:

- (1) Reported that she attended Middleway Days on Saturday, October 9, 2010.
- (2) Reported that she attended the Citizens Fire Company Open House on Sunday, October 10, 2010.
- (3) Reported that she attended a meeting of the Canal Towns Initiative. She explained that Canal Towns is a coalition of towns along the C&O canal that are working to attract more tourism and to energize their communities. Harpers Ferry and Shepherdstown are involved in West Virginia and Hancock, Williamsport, Brunswick, Sharpsburg and Point of Rocks in Maryland. There is a grant for the National Park Service to put together a program.
- (4) Reported that she attended a meeting of the NAACP where the topic was the school levy. There was great concern that the levy will not pass.

Ms. Morgan inquired if it would be helpful for the County Commission issued a Resolution supporting the levy. There was unanimous consent to place a Resolution on next week's agenda.

Ms. Widmyer suggested that the Commission needed to do a photo op, with the Commissioners holding a "Vote Yes to the Levy" sign.

- (5) Ms. Widmyer suggested that this would be an appropriate time to go over upcoming Commission meeting dates. Following discussion it was unanimously agreed as follows:

The Commission will hold its regular meeting on November 4, 2010, conduct canvass of votes from the November 2, 2010 election on November 8, 2010 and hold a regular meeting on November 18, 2010.

By unanimous consent, the Commission will not meet on November 11, 2010 or November 25, 2010.

In December 2010 the Commission will hold regular meetings on December 2, 7, 9 and 16, 2010. Commission will not meet on December 23, 2010 and December 30, 2010.

PRESENTATIONS:

- (1) Letter and Memorandum of Understanding of U.S. Customs and Border Patrol for review and signature re: Emergency Landing of Aircraft.

Mr. Boyde explained the terms of the Memorandum of Understanding and, following discussion, Mr. Manuel made a motion to approve the Memorandum of Understanding regarding landing emergency aircraft with the understanding that the U.S. Customs and Border Patrol will notify the surrounding property owners that this will be occurring. Ms. Noland seconded the motion and it was unanimously approved.

(2) Extension Office Copier Maintenance Renewal.

Ms. Noland made a motion to approve \$2,800.00 to renew the maintenance agreement on the Extension Office copier, with the money to be taken from the coal severance fund. Mr. Manuel seconded the motion and it was unanimously approved.

(3) Update to Stormwater Management Pond at Windmill Crossing.

Roger Goodwin, Chief Engineer, provided an update on the status of the plans for the management of the stormwater ponds at Windmill Crossing. Mr. Goodwin advised that the ponds are not currently adequate. Ms. Widmyer had previously voiced her concerns to the City of Charles Town. Ms. Widmyer suggested that (1) the Planning Commission work out the ownership of the ponds with the City of Charles Town, (2) execute a Memorandum of Understanding with the City of Charles Town, and (3) request that the City forward copies of plans to the Planning Commission for review where City and County lands adjoin.

Attorney Peter Chakmakian answered questions from the Commissioners regarding responsibility for maintaining the stormwater management facilities.

Mr. Goodwin also offered updates on the Westridge Hills project, the water budget study, and the Chapel View Subdivision issues.

Stephanie Grove: offered her legal opinion on jurisdiction.

The Commission directed Mr. Boyde to handle (1) getting an agreement with the City of Charles Town that they will send copies of plans to the County Planning Commission for review when City and County properties adjoin and, the County will forward its plans to the City, (2) ascertain the relationship of the capacity of the stormwater management ponds in the County to the proposed development by the City, and (3) determine who is going to pay for upkeep and maintenance.

These tasks should be set down in writing with a timeline and the name(s) of the person(s) responsible for handling each task. Notify the Homeowners' Association and Windmill Crossing merchants that these discussions are being held.

(4) Stephanie Grove – Legal Update:

- (1) Reported that she is working with the Sheriff regarding a West Virginia Human Rights Violation that allegedly occurred a year ago.
- (2) Reported that she has been working on contract issues with Brad Stevens, attorney for PATH.
- (3) Reported that she spoke with attorney Ray Byrd and advised him that he would be placed on the October 21, 2010 agenda for the Commission meeting. Ms. Grove will email to the Commissioners the order that Mr. Byrd submitted. Mr. DeJarnett did not submit an order.

The Commission took a 5 minute break at 11:00 a.m.

(5) Legislative Issues – Patricia Noland:

Ms. Noland reported that she will be sending a letter to the Berkeley County Commission explaining that the Jefferson County Commissioners will not be able to participate in the Berkeley County Summit on Tuesday, November 16, 2010.

Ms. Noland reminded the Commission that Earl Ray Tomblin, WV State Senate President and Lieutenant Governor, will be making a presentation on the Potomac Street project at Harpers Ferry City Hall on Friday, October 15, 2010 at 5:00 p.m.

Ms. Widmyer added that Senator Herb Snyder will be here in November to update the Commission on the Chesapeake Bay Initiative. He/she will have some good things to report.

(6) Approval of Resolution for the Community Participation Grant Program Funds in the amount of \$4,500.00. – Fisherman's Hall.

Motion by Mr. Surkamp to approve the Resolution for the Community Participation Grant program for Fisherman's Hall in the amount of \$4,500.00 and to authorize the president to affix her signature on the Resolution. Motion seconded by Mr. Manuel and unanimously approved.

JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 14th day of October, 2010 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Lyn Widmyer, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and to act as the administrator of grant funds pursuant to provisions of the Community Participation Program in the amount of \$4,500. The funds from this project will be used for the preservation and rehabilitation of the Fisherman's Hall.

Dated: _____

 LYN WIDMYER
 PRESIDENT
 JEFFERSON COUNTY COMMISSION

Motion by Mr. Manuel to approve the Resolution for the Community Participation Grant program for Star Lodge/Locke House in the amount of \$500.00 and to authorize the president to affix her signature on the Resolution. Motion seconded by Mr. Surkamp and unanimously approved.

Motion by Ms. Noland to approve the Resolution for the Community Participation Grant program for the Webb/Blessings House for the Jefferson County Black History Society in the amount of \$5,000.00 and to authorize the president to affix her signature on the Resolution. Motion seconded by Mr. Manuel and unanimously approved.

JEFFERSON COUNTY COMMISSION

CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 14th day of October, 2010 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Lyn Widmyer, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Community Participation Program in the amount of \$5,000. This project is to assist in the emergency measures of preserving and stabilizing the historic Webb/Blessing's House for the Jefferson County Black History Preservation Society.

Dated: _____

LYN WIDMYER
PRESIDENT
JEFFERSON COUNTY COMMISSION

(7) Tim Boyde, County Administrator presented proposed employee policies regarding Hours of Work, Compensatory Time and Supervisory Responsibilities.

The Commissioners reviewed the proposed policies along with Mr. Boyde. No action was taken at this time.

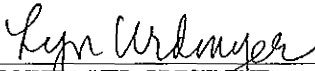
Judy Matlick, coordinator of the County Extension Service inquired as to if the Extension Office would be able to keep the hours they now work of 8:30 a.m. to 4:30 a.m.

(8) Executive Session Tim Boyde -- Employee Evaluation -- (§6-9A-4).

Motion by Ms. Noland to go into Executive Session for a personnel evaluation. Motion seconded by Ms. Morgan and unanimously approved.

The Commission went into Executive Session and adjourned at the conclusion of the session.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.


 LYN WIDMYER, PRESIDENT

Jefferson County Commission

Thursday, October 21, 2010

A meeting of the Jefferson County Commission was held on Thursday, October 21, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this October 21, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES.

Motion by Mr. Manuel to approve the minutes of the September 7, 2010 Special Session/Public Hearing as presented. Motion seconded by Ms. Noland and unanimously approved. (An audio tape of the September 7, 2010 Special Session/Public Hearing is available through the Jefferson County Commission Office.)

Unanimous consent to hold over for one week approval of the Minutes of the October 14, 2010 meeting.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$92,424.69 being purchase order numbers: 49119, 48725, 48970, 48976, 49029, 49031, 48977, 48829, 48831, 49025, 49027, 49028, 49030, 49032, 49033, 48633, 49024 and 48595. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve \$412,243.15 in accounts payable. Motion seconded by Ms. Morgan and unanimously approved.

Ms Widmyer recommended preparation and implementation of a policy for the use of the P-cards. Mr. Boyde advised that he was currently in the process of drafting a policy.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

- (1) Reported that repairs are progressing at the Hunter House. He explained that the existing chimney is being torn down and will be built back up at a cost of \$9,000.00. Work should be finished in a week or two.
- (2) Reported that the IPrism web filter services need to be renewed. The vendor has extended a special offer whereby the Commission can purchase a 5-year renewal for the cost of a 3-year renewal. A regular 5-year renewal costs \$18,650.00 and a 3-year renewal is \$11,000.00. There would be a savings of \$7,650.00 by purchasing the 5-year renewal.

Motion by Mr. Manuel to authorize the purchase of a 5-year renewal of the IPrism web filter services at the cost of a 3-year renewal plan. Ms. Morgan seconded the motion and it was unanimously approved.

Ms. Widmyer commented that she received a letter from Lou Tiano of the Parks and Recreation Board complimenting Mark Schiavone, Kirk Davis and Bill Polk for working with them to save money on heating, air conditioning, lighting and electrical. The Board members extended special thanks to Bill Polk for walking the building with them.

COUNTY COMMISSION REPORTS

Commissioner Patricia Noland:

- (1) Reported that she attended the TIF meeting on October 18, 2010 and feels it would benefit Jefferson County.
- (2) Reported that on October 19, 2010 she attended the Jefferson Council on Aging meeting. She stated that its client base is continuing to grow and that it is currently looking for a new director. Meal service will be expanded to Harpers Ferry.

Commissioner Dale Manuel:

- (1) Reported that on October 15, 2010 he attended the Breeders' Classic at the Charles Town Race Track. After the special County Commission Race Mr. Manuel and Ms. Morgan were given the opportunity to present trophies to the winners.
- (2) Reported that on October 16, 2010 he attended the Shepherdstown Train Station Reception and watched a film which outlined the remarks of individuals who had recollections of the train station and what was happening there in the past.
- (3) Reported that on October 18, 2010 he attended the Ranson Centennial Celebration at the Jefferson County Council on Aging. Watched a program on the roots of Ranson 1890 which was extremely informative.
- (4) Reported that he attended the TIF meeting on October 18, 2010. Stated that he would like to have more specifics on its impact on the education system and funding that's available for schools in Jefferson County.
- (5) Reported that he attended the Emergency Services Agency meeting on October 19, 2010. Emergency Services projected it may have a shortfall in the future, possibly as much as \$200,000.00.
- (6) Reported that on October 19, 2010 he attended a meeting of the Eastern Panhandle Transportation Authority. He stated that the Transportation Authority may need help with allocations for a truck and manpower.
- (7) Reported that on October 20, 2010 he attended a hot dog roast at the Open House Ranson at Lance/Slusher Park. This was part of the Ranson Centennial Celebration that is happening all week.
- (8) Reported that on October 20, 2010 he attended a meeting of Parks and Recreation. They are working on numerous grants, some of which are approved and some have been submitted. Also reported that Parks and Recreation had its elections and it retained its current officers.

Commissioner Jim Surkamp:

- (1) Reported that he attended the TIF meeting on October 18, 2010.
- (2) Reported that he attended the NAACPP Forum at the Clarion Hotel on October 19, 2010.

Commissioner Frances Morgan:

- (1) Reported that she and her niece attended the Breeders' Classic County Commission Stakes Race with Mr. Manuel and his wife on October 15, 2010. She noted that the Municipalities Stakes Race and the County Commission Stakes Race have the same purse as the Governor's - \$50,000.00.
- (2) Reported that on October 18, 2010 she traveled to the Day Report Center in Martinsburg and attended a small graduation for three people who had been through the whole program.
- (3) Reported that on October 19, 2010 she attended a special meeting of the Jefferson County Planning Commission.
- (4) Reported that on the evening of October 19, 2010 she attended the NAACP Forum regarding the State races at the Clarion Hotel.
- (5) Ms. Morgan noted that she read a very interesting article on the front page of the Herald Mail about the Governor of Pennsylvania kicking off the creation of an intermodal freight facility in Franklin County, Pennsylvania that will be worth millions and millions of dollars. According to the article it will bring thousands of jobs to the 81 corridor from Martinsburg stretching up to Carlisle.
- (6) Noted that with regard to election news a Virginia group had placed an ad in Nevada pleading with Latino voters not to vote. The justification behind it was that the candidates had all disappointed this particular group of voters and they were encouraged to boycott the vote.

Commissioner Lyn Widmyer:

- (1) Reported that she attended the Ranson Centennial Celebration about the history of Ranson on October 18, 2010.
- (2) Reported that she attended the Region 9 meeting on October 18, 2010 where it was reported that a new GIS staff member had been hired. Additionally, it was decided to establish a Neal Carpenter Community Service Award. Ms. Widmyer was selected to chair the committee for Region 9 regarding the Chesapeake Bay Initiative.

Unanimous Support for the School Excess Levy:

Motion by Ms. Morgan to express the Commission's support of a resolution and to authorize the drafting of a letter to be used as an advertisement and placed in the Journal and other newspapers and on the County Commission website. Motion seconded by Mr. Manuel and unanimously approved.

Ms. Widmyer will have a press release prepared which will state "Jefferson County Commission urges you to support the tax levy. Paid for by the Commissioners."

Edward Urzan of 949 Summit Point, inquired as to the percentage of property tax that is allocated for the school levy and stated that he supports the school levy.

PRESENTATIONS:**(1) Interview and Appointment – Jefferson County Summit Point Library**

Motion by Mr. Surkamp to appoint Edward Urzan to the Board of the Jefferson County Summit Point Library. Motion seconded by Mr. Manuel and unanimously approved.

(2) Doug Pittinger, Director Jefferson County Emergency Services Agency – Strategic Plan Update

Doug Pittinger presented an update on ESA's Strategic Plan. He stated that a formal fiscal management agreement between the fire companies had been signed. In process of hiring a consultant (Delta Development Group based in Pennsylvania) to put together a 5-year strategic plan for ESA. ESA is drafting a letter to Mr. Boyde regarding Commission assistance in paying the consultant's fee.

(3) Lynn Fields, Deputy Probate Clerk – Estate Closings in October 2010

Motion by Ms. Morgan to commence the quarterly fiduciary review. Motion seconded by Mr. Manuel and unanimously approved. Commissioner Noland recused herself.

Ms. Fields presented a listing of estate closings for approval. Motion by Mr. Manuel to accept the listing of estate closings as presented. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Mr. Manuel to adjourn the quarterly fiduciary review. Motion seconded by Ms. Morgan and unanimously approved.

(4) Jennifer S. Maghan, County Clerk's Report

Ms. Maghan reported on early voting statistics.

(5) Lynn Fields, Deputy Probate Clerk

-Status of Proposed Order – First Interim Accounting of the John J. Warfield Estate

The Commission received no objections to the proposed order as presented by the Prosecuting Attorney. Fiduciary Commissioner, David DeJarnett, Esq., had no objections to its entry.

Motion was made by Ms. Morgan to approve and adopt the First Interim Accounting of the John Warfield Estate. Ms. Noland seconded the motion and it was unanimously approved.

(6) Legal Update – Ralph Lorenzetti, Prosecuting Attorney

-Contract Brad Stevens

Reported that the proposed contract for hiring attorney Brad Stevens will be presented to the Commission next week. Ms. Hewitt-Thomas, who works with Mr. Stevens, offered a brief overview of Mr. Stevens and his legal work. Mr. Stevens' fee for his legal services on the PATH Case, Case No. 09-0770-E-CN, is \$27,000.00. The Commission will determine if it will be paid in one lump sum or in installments, monthly or otherwise.

Motion by Mr. Manuel that attorney Brad Stevens' fee be paid in monthly installments. Ms. Morgan seconded the motion and it was unanimously approved.

Mr. Lorenzetti reported that he received a letter from attorney Michael Cassell who is representing individuals who are in opposition to rezoning. Mr. Lorenzetti would like to discuss this matter further with the Commission and asked that the Commission determine if this is an agenda item.

(7) Legislative Issues - Interim Session

Ms. Noland offered an update on several legislative issues. She reminded the Commission that Ms. Vivian Parsons will be here on November 29, 2010 at 3:00 p.m. to report on pending legislative issues. Ms. Noland and Ms. Widmyer recommended that at least one half hour before the 3:00 p.m. meeting on November 29, 2010, the Commissioners should discuss what issues they consider priorities and would like Ms. Parsons to focus on. The time for this discussion should be posted on the agenda.

(8) Proclamation – November 14 – 20, 2010 – National Hunger and Homelessness Awareness Week in Jefferson County, WV (DM)

Motion by Mr. Manuel to approve a Proclamation setting forth the week of November 14 – 20, 2010 as National Hunger and Homelessness Awareness Week in Jefferson County, WV. Motion seconded by Ms. Morgan and unanimously approved.

It was further recommended by the Commissioners to place boxes for the collection of donations in the lobby of the Hunter House and other Jefferson County offices.

(9) Tim Boyde, County Administrator -- Work Session #4**- Policies and Procedures**

- a. **Classification Plan** -- Mr. Boyde explained how the Plan is designed and there were no revisions recommended by the Commission.
- b. **Calculation of Compensation** -- Mr. Boyde explained the application of the calculations. Discussion followed and it was agreed that some revisions were needed. Mr. Boyde will make the recommended revisions and present a new draft to the Commission next week.

**(10) Cam Siegrist, Attorney, Bowles, Rice, McDavid, Graff & Love, PLLC
Public Hearing on the Issuance of Commercial Development Bonds by Jefferson County**

The hearing was called to order at 11:30 a.m. Ed McDevitt, Esq. of Bowles, Rice, McDavid, Graff & Love, LLC and Bob Bates, President of Rural Housing Preservation Associates explained the housing rehabilitation program. Currently there are 43 housing units with Jefferson County having two projects, one in Harpers Ferry and one in Shepherdstown. Mr. McDevitt and Mr. Bates requested approval to issue tax exempt bonds and go forward with the two rehabilitation projects.

There was no public comment or questions regarding the projects.

Ms. Widmyer closed the public hearing and the Commission went into a work session.

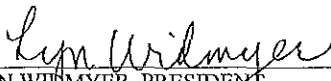
Motion by Ms. Noland to approve two proposed rehabilitation projects, one in Harpers Ferry and one in Shepherdstown, subject to legal review and subject to final approval by the Jefferson County Commission. Motion seconded by Ms. Morgan and unanimously approved.

(11) Alana C. Hartman, WV Department of Environmental Protection, Potomac Basin Coordinator

Ms. Hartman presented the Commission with an update on the West Virginia Watershed Implementation Plan. Public meetings will be held on November 3, 2010 from 6:00 p.m. to 8:00 p.m. at the Martinsburg Holiday Inn, and on November 4, 2010 from 6:00 p.m. to 8:00 p.m. at the south Branch Inn in Romney, WV. The Romney meeting will be in the form of a webinar.

Also in attendance at Ms. Hartman's presentation to the Commission were Senator Herb Snyder and Delegates Tiffany Lawrence and Terry Walker. Following Ms. Hartman's presentation Senator Snyder and Delegate Lawrence commented on the Watershed Plan and other legislative issues.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.


LYN WIDMYER, PRESIDENT

Jefferson County Commission**Thursday, October 28, 2010**

A meeting of the Jefferson County Commission was held on Thursday, October 28, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this October 28, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE.**APPROVAL OF MINUTES.**

Motion by Mr. Manuel to approve the minutes of the October 14, 2010 meeting as presented. Motion seconded by Ms. Morgan and unanimously approved. (An audio tape of the October 14, 2010 meeting is available through the Jefferson County Commission Office.)

Motion by Ms. Morgan to approve the minutes of the October 21, 2010 meeting as amended. Motion seconded by Ms. Noland and unanimously approved. (An audio tape of the October 21, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$32,294.22 being purchase order numbers: 49038, 48297, 49047, 48197, 49034, 49036, 49037, 49039, 49044, 49045, 49046, 49048, 48933, 48547, 48549, 48550, 48551, 48552, 48903, 48904, 49040, 49041, 49042, 48596, 48597, and 49043. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve \$389,529.02 in accounts payable. Motion seconded by Ms. Morgan and unanimously approved.

PUBLIC COMMENT

Paul Rosa commented on (1) the wireless communication ordinance, (2) Harper Ferry's request to have Kirk Davis assist in the Potomac Street project, and (3) the proper venue for attorney Michael Cassell's comments on the proposed US 340 Federal Lands Rezoning.

COUNTY ADMINISTRATOR REPORTS**County Administrator Tim Boyde:**

- (1) Reported that he had received a quote of \$1,500.00 per year to purchase liability insurance for volunteers working on County projects. Mr. Boyde will provide the Commissioners with a list of volunteers for their approval and the Commission will consider payment of the \$1,500.00 insurance premium at next week's meeting.
- (2) Reported that in connection with TIF he met with Gary Rawlings, Charles Town City Manager and Dave Mills, Ranson City Manager and reviewed the current composition of brownfields and reviewed different projects that could be of benefit to the area. Mr. Boyde will submit a written report at next week's Commission meeting.

Mr. Manuel commented that he would like to see an accounting of the County contingency fund for the last five (5) years. An accounting will be prepared for the Commission's review.

COUNTY COMMISSION REPORTS**Commissioner Jim Surkamp:**

- (1) Reported that he attended the Council of Governments meeting on Wednesday evening. The topic was sewer consolidation. The subject will be revisited in January, 2011.
- (2) Reminded the Commission that Delegate Lawrence invited Mr. Thorn to Charles Town and Mr. Thorn will be in Charles Town tomorrow. He is the one to go to for signs, Mr. Surkamp inquired if the Commission would consent to his going to Mr. Thorn for "Share the Road"
- (3) signs for bikers. The Commissioners had no objection.

Commissioner Frances Morgan:

- (1) Reported that on October 26, 2010 she attended a lengthy Planning Commission meeting where Athens Green and the expansion of Summit Point Raceway were two of the topics discussed.
- (2) Reported that on October 27, 2010 she spoke at length on the telephone with Peter Fricke of the Farmland Protection Board regarding environmental and Chesapeake Bay issues.
- (3) Ms. Morgan noted that Lynn Welsh, a Jefferson County resident and Ms. Morgan's neighbor, won a national tennis tournament in Palm Springs, California. The story was covered in the Winchester Star newspaper.

Commissioner Dale Manuel:

- (1) Reported that on October 23, 2010 he attended the Ranson 100 Year Dedication Ceremony. Governor Manchin delivered the key note address. The park and a beautiful made-in-America clock were dedicated as well.
- (2) Reported that on the same date, October 23, 2010 he was in attendance when Governor Manchin presented awards to outstanding citizens and businesses in front of the Bank of Charles Town. The Governor posed for a picture with a "Support the Levy" sign.
- (3) Reported that on October 27, 2010 he attended the Council of Governments meeting. The topic of discussion was sewer consolidation.
- (4) Reminder that the Animal Welfare Society is celebrating "Howloween" on Saturday night, October 30, 2010 at the Hollywood Casino at the Charles Town Races.

Commissioner Patricia Noland:

- (1) Reported that she attended the Jefferson County Roundtable Meeting on October 27, 2010.

Commissioner Lyn Widmyer:

- (1) Reported that she attended the Governor's awards presentation on October 23, 2010 and was pleased to see so many local businesses honored by the Governor.
- (2) Reported that she attended the Eastern Panhandle Economic Outlook Conference. It was reported at the conference that the Eastern Panhandle is growing again and that it is doing much better economically now than at this time last year.
- (3) Received the West Virginia State Auditor's Magistrate Courts report and will place it in the County Commission Office for the Commissioners to review.
- (4) Reported that groundbreaking for the APUS Building is scheduled for the morning of Thursday, November 18, 2010. In order for the Commissioners to be able to attend the groundbreaking, the Commission meeting will convene at 10:30 a.m. instead of its regular time on that date.

PRESENTATIONS:**(1) Angie Banks, Assessor – Exonerations**

Angela Banks, Assessor, requested exoneration for Tuscawilla Hills Citizens Association, Inc. (Shenandoah Dev Corp.) in the amount of \$2,143.84. Parcel was assessed as a building lot under the name of Shenandoah Dev. Corp. It should have been transferred previously and assessed as common area to the Tuscawilla Hills Citizens Association.

Motion by Mr. Manuel to approve exoneration of \$2,143.84 for Tuscowilla Hills Citizens Association, Inc. (Shenandoah Dev Corp., Ticket No. 6029. Motion seconded by Ms. Noland and unanimously approved.

Name	District	Type	Ticket #	Amount
Tuscowilla Hills Citizens Assn., Inc. (Shenandoah Dev Corp.)	Charles Town	Real Estate	6029	\$2,143.84

(2) Barbara Miller, Director of Homeland Security and Emergency Management

Ms. Miller presented Memoranda of Understanding to be signed by officials of 16 Jefferson County Schools and the Jefferson County Commission, which executed MOU's would allow Homeland Security and Emergency Management to use the schools for points of distribution, back up command centers, shelters or other uses deemed necessary during disasters or large emergencies.

Motion by Ms. Morgan that the Commission authorize its President, Lyn Widmyer, to sign the 16 MOU's on its behalf. Motion seconded by Ms. Noland and unanimously approved.

(3) Rolfe M. Kelley, President, Jefferson County Emergency Services Agency

Updated the Commission on the status of ESA's Strategic Plan and informed the Commissioners that it has accepted a new bid for consultation in the amount of \$31,500.00. Mr. Kelley requested that the Commission approve additional funding for the preparation of the Strategic Plan in the amount of \$6,500.00.

Motion by Mr. Manuel to approve the additional \$6,500.00 in funding for the ESA Strategic Plan consultation fee, and that the \$6,500.00 be deducted from the coal severance fund. Motion seconded by Ms. Morgan and unanimously approved.

(4) Legislative Issues – Patricia Noland

Ms. Noland advised that the legislative issues she presented at the Commission's October 21, 2010 meeting are ongoing and she had nothing new to report.

(5) Approval of Employment – Jefferson County Commission – Administrative Assistant

Mr. Boyde explained the need for a full-time Administrative Assistant in the Jefferson County Commission Office and requested that the Commission approve the hiring of Deborah S. Stellato as Administrative Assistant II, effective October 31, 2010.

Motion by Ms. Morgan to hire Deborah S. Stellato as full-time Administrative Assistant II in the Jefferson County Commission Office, effective October 31, 2010. Motion seconded by Mr. Surkamp and unanimously approved.

(6) Request by Linda Briganti of the Dolley Madison Garden Club to use the Commission meeting room for a Christmas Market Place on Saturday, December 4, 2010

Motion by Ms. Morgan to approve the use of the Commission meeting room by the Dolley Madison Garden Club for a Christmas Market Place on Saturday, December 4, 2010. Motion seconded by Ms. Noland and unanimously approved.

(7) Request for Approval of Appointment of Tommy Lee Longerbeam to the Jefferson County Sheriff Reserve

Motion by Mr. Manuel to approve the appointment of Tommy Lee Longerbeam to the Jefferson County Sheriff Reserve. Motion seconded by Mr. Surkamp and unanimously approved.

(8) Legal Update -- Stephanie Grove, Assistant Prosecuting Attorney

Ms. Grove stated that she had reviewed and approved the contract with attorney Brad Stephens in connection with the PATH Case, Case No. 09-0770-E-CN, and recommended that the Commission approve the contract.

Motion by Mr. Surkamp to approve the contract as reviewed and recommended by Ms. Grove. Motion seconded by Ms. Morgan and unanimously approved.

Ms. Grove offered an overview of the test well drilling services contract by Analytical Services, Inc. She has reviewed the contract and recommended some changes. Ms. Grove recommended that the Commission approve the contract with her changes.

Motion by Mr. Surkamp to approve the contract for Analytical Services, Inc. with Ms. Grove's changes. Ms. Morgan seconded the motion and it was unanimously approved.

(9) Tom Bayuzik, Executive Director of the Jefferson County Development Authority

Mr. Bayuzik requested approval from the Commission to split and create two positions: Ag Development Officer and Jefferson County Farmland Protection Board Administrator. Peter Fricke also spoke on the need for two administrators.

Motion by Mr. Manuel to approve splitting the Administrator position into two: one Ag Development Officer and one JC Farmland Protection Board Administrator. Motion seconded by Ms. Noland and unanimously approved.

The Commission took a 5 minute break at 11:00 a.m.

(10) Interviews and Appointments to the Emergency Services Agency

There were four applicants for two positions at the Emergency Services Agency, one full-time and one unexpired term: (1) Paul Rosa, (2) Michael Alvarez, (3) Marty Freeman, and (4) Brenda Engle. Messrs. Rosa and Alvarez spoke briefly to the Commission explaining why they should be appointed. Marty Freeman and Brenda Engle were not present. Upon nomination and vote, the Commission appointed Michael Alvarez (with four votes) to the full time position, and Marty Freeman (with three votes) to fill the unexpired term.

(11) Jennifer S. Maghan, County Clerk's Report

Ms. Maghan advised that voter canvass for the Commissioners is scheduled for Monday, November 8, 2010 beginning at 9:30 a.m. in the Old County Commission Meeting Room in the Circuit Courthouse. She also updated the Commissioners on the numbers of early voters which has increased since 2006.

(12) Request from the Corp. of Harpers Ferry to utilize the part-time services of Kirk Davis, Capital Projects Manager, in the Potomac Street Construction Project

Joe Anderson of the Harpers Ferry Council and Al Alsdorf of the Historic Foundation spoke to the need for Mr. Davis' assistance on the project. After discussion as to the feasibility of Mr. Davis being able to both handle his work for Capital Projects and assist with the Potomac Street Construction Project, it was determined that that would not be an issue.

Motion by Ms. Morgan to approve the Corp. of Harpers Ferry's part-time utilization of Kirk Davis, Capital Projects Manager, to assist with the Potomac Street Construction Project. Motion seconded by Mr. Surkamp.

Motion amended by Ms. Noland to further state that Mr. Davis is approved to work on the Harpers Ferry project for no more than 348 hours total and that a MOU should be prepared. Subject to legal review of the MOU the amended motion was unanimously approved.

(13) Mark Schiavone, Director of Capital Planning and Management

Mr. Schiavone requested that the Commission approve his draft Resolution to amend the Coal Severance Fund. This revision is required to fund certain decisions made by the County Commission.

Motion by Mr. Manuel to approve the Resolution amending the Coal Severance Fund. Motion seconded by Ms. Morgan and unanimously approved.

(14) School Levy

Motion by Ms. Morgan to adopt a Resolution indicating the Commission's support for the renewal of the school levy and to distribute the Resolution electronically. Motion seconded by Mr. Manuel and unanimously approved.

The Commission broke for a 1-hour lunch at 12:30 p.m.

(15) J. Michael Cassell, Esquire – Proposed US 340 Federal Lands Rezoning

Mr. Cassell commented that the proposed US 340 Federal Lands Rezoning is "not ready for prime time." He stated that many citizens have questions and he has not been able to review a file on the proposed rezoning. He suggested to the Planning Commission that they put together a file with all pertinent documents concentrated within that file. Mr. Cassell made a request to postpone the public hearing in this matter which is scheduled for November 18, 2010.

(16) John Maxey, President, Jefferson County Planning Commission – Response to letter from Lyn Widmyer, County Commission President, regarding the rezoning of certain Federal lands along US 340

Mr. Maxey read a letter prepared by the Planning Commission in response to the Jefferson County Commission's correspondence, which letter explained the Planning Commission's position on the rezoning matter.

Motion by Ms. Widmyer that at least two weeks prior to the November 18, 2010 public hearing that the Planning Commission submit a report stating what is to be accomplished, assure that all adjacent landowners have been notified, and post the report on the web along with all supporting documents. Motion seconded by Mr. Surkamp and unanimously approved.

(17) Jennifer Brockman, Director of Planning and Zoning

Steve Barney and John Maxey commented on the draft wireless telecommunications facilities ordinance that is being prepared and the need to schedule a public hearing with regard to the final draft.

As per request of the County Commission, Jennifer Brockman presented the Commissioners with a draft of the FY2011 Quarterly Work Plan for the Planning and Zoning Department.

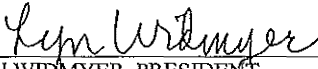
Motion by Mr. Surkamp to hold a public hearing on the proposed telecommunications facilities ordinance before the end of the year. Motion seconded by Ms. Widmyer.

Mr. Surkamp amended his motion to add "pending review of the Work Plan."

Discussion followed and Mr. Surkamp withdrew his original motion and amended motion.

Motion by Ms. Noland to adjourn the meeting. Motion seconded by Mr. Manuel.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.


LYN WIDMYER, PRESIDENT

Jefferson County Commission

Thursday, November 4, 2010

A meeting of the Jefferson County Commission was held on Thursday, November 4, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this November 4, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:35 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES.

Motion by Ms. Morgan to approve the minutes of the October 28, 2010 meeting as amended. Motion seconded by Ms. Noland and unanimously approved. (An audio tape of the October 28, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$1,745.91 being purchase order numbers: 48509, 48949, 48652, 48197, 49053, 48382 and 49054. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve \$72,856.72 in accounts payable. Motion seconded by Ms. Morgan and unanimously approved.

PUBLIC COMMENT

Attorney Mike Cassell, who represents certain landowners along the US 340 corridor, introduced Barbara Gibson. Mrs. Gibson and her husband James own property along the proposed rezoning sites. Mrs. Gibson read a letter prepared by her husband regarding their concerns with the proposed rezoning of Federal lands along the US 340 corridor.

Commissioner Widmyer commented that the Gibsons had some valid points and recommended that Planning Commission attorney Steve Groh or County Commission attorney Stephanie Grove research the answers to their concerns.

Attorney Mike Cassell stated that it was his belief that the Petition filed by the Planning Department does not comply with the current zoning ordinance.

Walt Pellish of 138 Tamarack Drive, Shepherdstown, WV spoke on several topics. First, he expressed his appreciation to Commissioner Surkamp for his service to the community.

Mr. Pellish will be sworn in as a Commissioner in January 2011. He stated that he has no prearranged agendas and that he will do the best that he can for the County.

Thirdly, he complimented County Clerk Jennifer Maghan for the excellent way the voting procedure was handled by her office.

With regard to the rezoning of Federal lands, Mr. Pellish is very concerned and would like to see this subject be tabled until the new County Commission is in place in 2011.

In concluding, he expressed his opinion that the present County Commission has been very dedicated and working hard and he suggested they take the next week off!

John Maxey of 335 Old Shenandoah Trail, Harpers Ferry, WV added his comments regarding the proposed public hearing on November 18, 2010 regarding the rezoning of Federal lands along the US 340 corridor. He stated that ads had been posted in the newspapers and on the web, signs had been posted, and binders had been placed at public libraries regarding the hearing. He recommended that the rezoning request go forward.

Mr. Maxey also advised that the Planning Commission will soon be making a recommendation to the County Commission regarding the cell tower ordinance.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

- (1) Reported that Global Data Systems is in the process of assessing our current IT problem.
- (2) Advised that he will update the Commission on TIF at the Commission's next scheduled meeting.
- (3) Reported that meeting dates for the County Commission for the remainder of 2010 are as follows: 11/18/10, 12/02/10, 12/09/10 (budget work session for FY 2012) and 12/16/10 (personnel policies and agenda items for 2011). Also, at the 12/16/10 meeting, department heads will present documents to the Commission outlining their present workloads and expected work plans for the future.

COUNTY COMMISSION REPORTS

Commissioner Patricia Noland:

- (1) Reported that she attended an Affordable Housing meeting on Wednesday night and stated that it is anticipated that applications will be taken commencing in January 2011.
- (2) Reported that she attended a benefit for Shepherdstown Day Care held at the Lewis Farm.

Commissioner Dale Manuel:

- (1) Reported that on October 29, 2010 he attended a meeting on Blue Ridge Mountain presented by DOH representatives. The meeting was sponsored by Delegate Lawrence and the importance of a second exit route from the area was discussed.
- (2) Reported that on October 30, 2010 he attended an Animal Welfare Society Dinner and Auction. He noted an increase in attendance and was hopeful that also meant an increase in donations.
- (3) Reported that also on October 30, 2010 he attended the Shepherdstown Fire Company Apple Butter Festival. He noted that the event was well attended and there were lots of great foods and craft items.

Commissioner Jim Surkamp:

- (1) Reported that he also attended the meeting on Blue Ridge Mountain on October 29, 2010.
- (2) Reported that he attended the WVDEP-EPA sponsored meeting concerning the Chesapeake Bay Clean Up at the Holiday Inn on Wednesday evening.

Commissioner Frances Morgan:

- (1) Reported that she also attended the Chesapeake Bay meeting at the Holiday Inn on Wednesday evening.

- (2) Stated to Mr. Boyde and Mr. Schiavone that she needs to understand what the Lottery Commission is doing with the table games revenue and table games reports.

Commissioner Lyn Widmyer:

- (1) Reported that she, too, attended the meeting on Blue Ridge Mountain on Wednesday evening.
- (2) Reported that she attended the Jefferson County Public Service District meeting.
- (3) Reported that she attended the Chesapeake Bay Stake Holders Committee meeting. Ms. Widmyer is a member of the Committee for Region 9.

The Commission took a 5 minute break at 10:30 a.m.

PRESENTATIONS:

Lynn Fields, Probate: Re: Estate of John J. Warfield, Deceased

Request that the Commission authorize Commission President Lyn Widmyer to sign a time sensitive Order of Appointment on the Commission's behalf directing that the Bank of Charles Town be appointed Administrator C.T.A., D.B.N. of the John J. Warfield Estate.

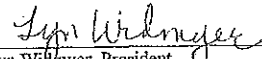
Ms. Morgan made a motion that the Commission authorize Commission President Lyn Widmyer to affix her signature to the Order of Appointment directing that the Bank of Charles Town be appointed Administrator C.T.A., D.B.N. of the John J. Warfield Estate. Motion seconded by Mr. Manuel and unanimously approved.

by James B. Packard-Gomez is to remain in place until he completes the duties as Administrator c.t.a. and until all accountings through September 7, 2010 have been approved by the County Commission. It was also made known to the Court that the administration of the Estate of John J. Warfield has not been completed and the appointment of a successor personal representative is needed to complete the administration. It was further made known to the Court that all of the heirs-at-law of John J. Warfield and all of the beneficiaries under the Last Will and Testament of John J. Warfield have consented to the appointment of the Bank of Charles Town as the successor personal representative of this Estate. It is accordingly, therefore, based upon the testimony presented to the Court

ORDERED that the Bank of Charles Town be, and is hereby appointed Administrator C.T.A., D.B.N. of the John J. Warfield Estate.

THEREUPON, came David S. Smith, Vice President and Trust Officer on behalf of the Bank of Charles Town, who qualified as such Administrator C.T.A., D.B.N. by taking an oath.

ENTER this 4th day of November, 2010.


Lyn Widmyer, President
Jefferson County Commission, West Virginia

Jennifer Maghan, County Clerk:

Provided an update on the election held on November 2, 2010 and reported an increase in voter turnout. Reminded Commission of the canvass scheduled for Monday, November 8, 2010 at 9:30 a.m. at the County Commission Meeting Room in the Circuit Courthouse.

Kirk Davis, Capital Projects Manager:

- (a) Request approval to purchase accident insurance for Jefferson County volunteer workers and to commence coverage immediately. Details of the insurance and premium cost were provided to the Commissioners at last week's Commission meeting.

Ms. Morgan made a motion to approve the purchase of accident insurance for Jefferson County volunteer workers. Motion seconded by Ms. Noland and unanimously approved.

- (b) Mr. Davis provided the Commission with an update of active Jefferson County grants.

Peter Fricke, Jefferson County Farmland Protection Board

- (a) Request approval to make changes to the Jefferson County Farmland Protection Program Easement Amendment Policy. Explanation of changes to the easement amendment policy by Mr. Fricke.

Mr. Manuel made a motion to adopt the Jefferson County Farmland Protection Board's process for amending easements as presented to the Commission by Mr. Peter Fricke. Motion seconded by Ms. Morgan and unanimously approved.

(b) Saunders/Hockman Easement

Dispute as to sale value of easement between Saunders/Hockman and the Farmland Protection Board. Present were Peter Fricke of the Farmland Protection Board, David DeJarnett, Esquire representing Mrs. Judy Hockman and Mrs. Margaret Saunders and husband, also present with their attorney. Testimony presented by David DeJarnett and Peter Fricke.

Motion by Mr. Surkamp, seconded by Mr. Manuel, that the County Commission approve the acquisition of the Saunders/Hockman easement on their property in the Shepherdstown District, Tax Map 22, Parcels 4 and 5 at the original appraised value of \$6,500.00 per acre.

Motion by Ms. Morgan to amend the acquisition amount to the more recent USDA/Natural Resources Conservation Service qualified appraisal value of \$562,400.00 or \$5,000.00 per acre.

Mr. Manuel withdrew his second to the original motion.

Ms. Morgan made a motion, seconded by Ms. Widmyer that the County Commission approve the purchase by the Jefferson County Farmland Protection Board of the conservation easement on the Saunders/Hockman property in the Shepherdstown District, Tax Map 22, Parcels 4 and 5, at the USDA/Natural Resources Conservation Service qualified appraisal value of \$562,400.00. Motion carried 4 – 1 with Mr. Surkamp voting "no."

Barbara Miller, Director of Homeland Security and Emergency Management

Ms. Miller requests approval of a revised Inclement Weather Policy which would replace the policy of February 16, 1996 and all amendments thereafter.

Motion by Ms. Morgan, seconded by Ms. Noland to approve the Office of Homeland Security and Emergency Management's Inclement Weather Policy as revised. Motion was unanimously approved.

COUNTY COMMISSION OF JEFFERSON COUNTY

POLICY TITLE: Inclement Weather Policy

POLICY NUMBER: 1996-1

ADOPTED: February 16, 1996

EFFECTIVE: February 16, 1996

REVISED: February 3, 2005; November 4, 2010

Jefferson County Inclement Weather Policy – November 4, 2010

This policy replaces the Inclement Weather Policy dated February 16, 1996, and all amendments thereafter.

According to statute and interpretation by the Prosecuting Attorney of Jefferson County, the Commission has the authority to set the Courthouse hours. Effective November 10, 2010, the following inclement weather policy will be in effect for Jefferson County Government Offices:

In the event that inclement weather necessitates closing, delayed opening or early closure of all Jefferson County Government Offices, the closure process will be made by the Director of Homeland Security and Emergency Management and the Director of Maintenance with consultation with the County Administrator, who will then notify the County Commission. If a decision is made to close, delay opening or early closure of Jefferson County Government Offices, all media will be notified by the Homeland Security and Emergency Management Department. In addition, an auto-attendant telephone answering service will be available for employees and citizens to obtain up-to-date emergency information concerning county office closing, delays or early closing, and current weather related conditions within Jefferson County by dialing 304-728-1983. Information will also be posted on the County Commission website at www.jeffersoncountywv.org.

Tim Boyde, County Administrator

Mr. Boyde reported that pursuant to the Commission's request he reviewed the proposed split of job duties in the Ag Department. He found that the positions are consistent with a Grade 4, placing the positions on a salary scale of \$35,875.10 to \$61,756.69 for a 35-hour week. Mr. Boyde recommends the Commission approve the proposed job descriptions.

Mr. Manuel made a motion to approve the job descriptions for the Agriculture Department at Grade 4 as recommended by Mr. Boyde. Ms. Noland seconded the motion and it was carried 3 – 1 with Mr. Surkamp voting "no." Ms. Morgan had left the meeting before this item was discussed.

Ms. Morgan returned to meeting.

Jeff Polczynski, ENP – Director of Communications (by Mr. Boyde)

Request for approval to move Amy Martin from full-time Public Safety Dispatcher to part-time Public Safety Dispatcher, effective December 12, 2010.

Ms. Morgan made a motion to approve moving Amy Martin from full-time Public Safety Dispatcher to part-time safety dispatcher, effective December 12, 2010. Mr. Manuel seconded the motion and it was unanimously approved.

Robert Shirley, Sheriff (by Mr. Boyde)

Request for approval of employment of Robert Alan Rjasko as a Deputy in the Jefferson County Sheriff's Department filling a position vacated by Deputy Tennant.

Motion by Ms. Morgan to approve the hiring of Robert Alan Rjasko to the position of Deputy Sheriff. Motion seconded by Mr. Manuel and unanimously approved.

The Commission broke for lunch at 12:15 p.m.

The Commission reconvened at 1:35 p.m.

Edward D. McDevitt, Esquire of Bowles Rice McDavid Graff & Love, PLLC

Request approval and execution of contracts by Commissioners for Section 147(f) Commercial Development Revenue Bonds for the purposes of financing all or a portion of the costs of the acquisition, renovation, improvements and equipping of Affordable Housing as presented to the Commission on October 21, 2010 by attorneys McDevitt and Siegrist.

Motion by Ms. Morgan that the County Commission approve and execute contracts for Section 147(f) Commercial Development Revenue Bonds for the purposes of financing all or a portion of the costs of the acquisition, renovation, improvements and equipping of Affordable Housing as presented to the Commission on October 21, 2010 by attorneys McDevitt and Siegrist. Motion seconded by Mr. Surkamp and unanimously approved.

Legal Update – Stephanie Grove, Assistant Prosecuting Attorney

- (a) Reported that there will be five (5) more easements to be presented to the Commission for action by Peter Fricke.
- (b) Requested a short Executive Session at the end of the Commission meeting to discuss an issue concerning PATH Case No. 09-0770-E-CN,

Craig Yohn, Extension Agent

Mr. Yohn updated the Commission regarding the Nutrient Management Program and the Chesapeake Bay Program.

Fred Blackmer of Shannoandale, WV

As a concerned citizen, Mr. Blackmer attended the meeting on Wednesday evening, November 3, 2010 at the Holiday Inn regarding the Chesapeake Bay Initiative with speakers from the EPA and DEP. He recorded the presentation and brought each Commissioner a CD. Mr. Blackmer's opinion was that there were other options besides complying with the EPA regulations.

Ms. Widmyer inquired as to the timing of the public hearing on the proposed Federal lands rezoning.

- (a) On what day does the clock start running? Mr. Grove answered that it would start on Monday, November 1, 2010, the day the Petition was filed.
- (b) Is the Petition adequate in that it complies with the local zoning ordinance?

The Commission took a ten minute break at 3:05 p.m.

Ms. Widmyer advised that she will attend the Planning Commission meeting on November 9, 2010 and request that the Planning Commission hold off on the hearing and to amend or withdraw their Petition until the US 340 Comprehensive Study can be completed.

John Maxey commented that this should be done by a motion and vote by the County Commission.

Ms. Noland made a motion that the County Commission postpone or cancel the public hearing scheduled for November 18, 2010 due to technical deficiencies in the Planning Commission's Petition according to Section 12.3 of the zoning ordinance. Ms. Manuel seconded the motion and the motion was carried 3 – 1 with Mr. Surkamp voting "no." Ms. Morgan was not present at this time.

Mr. Manuel moved to go into an Executive Session pursuant to Stephanie Grove's request. Ms. Noland seconded the motion and it was unanimously approved.

The meeting was adjourned following the Executive Session.

The Commission broke for lunch at 12:15 p.m.

The Commission reconvened at 1:35 p.m.

Edward D. McDevitt, Esquire of Bowles Rice McDavid Graff & Love, PLLC

Request approval and execution of contracts by Commissioners for Section 147(f) Commercial Development Revenue Bonds for the purposes of financing all or a portion of the costs of the acquisition, renovation, improvements and equipping of Affordable Housing as presented to the Commission on October 21, 2010 by attorneys McDevitt and Siegrist.

Motion by Ms. Morgan that the County Commission approve and execute contracts for Section 147(f) Commercial Development Revenue Bonds for the purposes of financing all or a portion of the costs of the acquisition, renovation, improvements and equipping of Affordable Housing as presented to the Commission on October 21, 2010 by attorneys McDevitt and Siegrist. Motion seconded by Mr. Surkamp and unanimously approved.

Legal Update – Stephanie Grove, Assistant Prosecuting Attorney

- (a) Reported that there will be five (5) more easements to be presented to the Commission for action by Peter Fricke.
- (b) Requested a short Executive Session at the end of the Commission meeting to discuss an issue concerning PATH Case No. 09-0770-E-CN,

Craig Yohn, Extension Agent

Mr. Yohn updated the Commission regarding the Nutrient Management Program and the Chesapeake Bay Program.

Fred Blackmer of Shannoandale, WV

As a concerned citizen, Mr. Blackmer attended the meeting on Wednesday evening, November 3, 2010 at the Holiday Inn regarding the Chesapeake Bay Initiative with speakers from the EPA and DEP. He recorded the presentation and brought each Commissioner a CD. Mr. Blackmer's opinion was that there were other options besides complying with the EPA regulations.

Ms. Widmyer inquired as to the timing of the public hearing on the proposed Federal lands rezoning.

- (a) On what day does the clock start running? Mr. Grove answered that it would start on Monday, November 1, 2010, the day the Petition was filed.
- (b) Is the Petition adequate in that it complies with the local zoning ordinance?

The Commission took a ten minute break at 3:05 p.m.

Ms. Widmyer advised that she will attend the Planning Commission meeting on November 9, 2010 and request that the Planning Commission hold off on the hearing and to amend or withdraw their Petition until the US 340 Comprehensive Study can be completed.

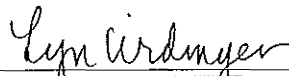
John Maxey commented that this should be done by a motion and vote by the County Commission.

Ms. Noland made a motion that the County Commission postpone or cancel the public hearing scheduled for November 18, 2010 due to technical deficiencies in the Planning Commission's Petition according to Section 12.3 of the zoning ordinance. Ms. Manuel seconded the motion and the motion was carried 3 – 1 with Mr. Surkamp voting "no." Ms. Morgan was not present at this time.

Mr. Manuel moved to go into an Executive Session pursuant to Stephanie Grove's request. Ms. Noland seconded the motion and it was unanimously approved.

The meeting was adjourned following the Executive Session.

Upon rising the Commission recessed until Monday morning November 8, 2010, sitting as a Board of Canvassers, beginning at 9:00 o'clock a.m.


 LYN WIDMYER, PRESIDENT

Special Session

Jefferson County Commission

Monday, November 8, 2010

A meeting of the Jefferson County Commission was held on Monday, November 8, 2010 at the County Commission Meeting Room at the Jefferson County Circuit Courthouse, 100 E. Washington Street, Charles Town, West Virginia. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this November 8, 2010 meeting is available through the Jefferson County Commission Office.)

The Jefferson County Commission sitting as a Board of Canvassers recessed at 3:30 p.m. and a Special Session of the Jefferson County The meeting was convened at 3:33 p.m. by Commissioner Widmyer following the recess at 3:30 p.m. of.

APPROVAL OF MINUTES.

Motion by Ms. Morgan to approve the minutes of September 30, 2010 as amended, seconded by Ms. Noland and unanimously approved. (An audio tape of the September 30, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$41,859.98 being purchase order numbers: 48948, 48886, 48503, 48723, 48724, 48833, 49006, 49007, 49008, 49011, 49012, 49013, 48930, 48539, 48555, 48556, 48557, 48558, 49009, 49010. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve \$562,351.25 in accounts payable. Motion seconded by Ms. Noland and unanimously approved.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

- (1) Met with department heads on Wednesday, October 6, 2010 to discuss policies and procedures. There was good interaction among the departments. A lot is being accomplished.
- (2) Spoke with Doug Pittinger and Pete Kelly from the JCESA about their request and proposal relative to long range planning. More on this later in the meeting.
- (3) Scheduled a TIF overview with John Stump for October 18, 2010 at 3:00 p.m. This coincides with the WAC meeting, but WAC will be relocated. Officials from both Ranson and Charles Town will be invited to attend.
- (4) Spoke with Alana Hartman, Potomac Basin Coordinator for the DEP re: the Chesapeake Bay Watershed. She will be coming before the Commission on October 21, 2010 to offer an update on the initiative.

- (5) Ms. Widmyer suggested sending Senator Snyder a complimentary invitation. Ms. Morgan suggested that the whole delegation should be invited and it was unanimously agreed to invite the entire delegation to the presentation on October 21, 2010.
- (6) Two changes to the Agenda. David Kemnitzer's 10:15 a.m. presentation was removed from the Agenda and Jennifer Brockman was moved from her 12:00 p.m. slot into the 10:15 a.m. time slot.

COUNTY COMMISSIONER REPORTS

Commissioner Patricia Noland:

- (1) Request that the Commission set up and host the yearly legislative meeting of the County Commissioners' Association on November 29, 2010 at 3:00 p.m. Vivian Parsons of the County Commissioners' Association will be here to speak about legislative issues.
- (2) Reported that Dale Manuel was appointed to the Legislative Committee of the County Commissioners' Association.
- (3) Wednesday, October 6, 2010 she attended an Affordable Housing meeting. The members plan to start taking applications in a couple of weeks. She advised that Marie Gallozzi was hired as Director.

Commissioner Dale Manuel:

- (1) Reported that he attended Blue Ridge Elementary School Ground Breaking Ceremony on October 2, 2010.
- (2) Reported that he attended the dedication of the Driswood Elementary School on October 2, 2010.
- (3) Reported that on October 2, 2010 he attended the PATH Yard Sale held to raise money to resist the PATH power line.
- (4) Reported that on October 6, 2010 he attended the Brownfield Project Meeting at the Shepherdstown Library.

Commissioner Morgan:

- (1) Reported that on October 1, 2010 she attended the monthly meeting of the Board of Health.
- (2) Reported that on October 6, 2010 she attended the Bolivar City Council meeting.
- (3) Reported that on October 5, 2010 she attended the luncheon fundraiser for Community Alternatives to Violence.
- (4) Reported that on October 2, 2010 she attended the ribbon cutting ceremony at the Blue Ridge Elementary School.
- (5) Reported that on October 4, 2010 she attended the NAACP candidates' debate in the County Commission Meeting Room.

Commissioner Surkamp:

Mr. Surkamp inquired of Mr. Boyde as to the status of the letter received by the Commission from the Risk Pool. Mr. Boyde advised him that the letter had been forwarded to BRIM and that the issue is being addressed.

Commissioner Lyn Widmyer:

- (1) Reported that she attended an all day work session on Smart Code. The work session was very well attended and the Jefferson County Planning Department staff was also in attendance.
- (2) Reported that she participated in the Freedom's Run marathon on Saturday, October 2, 2010.
- (3) Reported that on October 4, 2010 she attended the Public Service District meeting.

PRESENTATIONS:

- (1) **Jefferson County Emergency Services Agency – Fire Company Contracts – Pete Kelly** of the JCESA, standing in for Doug Pittinger, discussed the status of the proposed fire company contracts.

Motion by Mr. Manuel, seconded by Ms. Noland, to authorize the President to sign the contracts on behalf of the County Commission and release \$25,000.00 to each of the fire companies. Motion was unanimously approved.

- (2) **Jennifer Brockman, Director of Planning and Zoning** – Follow up on Land Development Fee Roundtable Discussion and Request to Schedule a Public Hearing on the Draft Land Development Fee – Ms. Brockman gave a brief presentation on estimated cost recovery fees and requested that the Commission go forward with a public hearing. There was unanimous agreement that the fees were too high and it was suggested to refer the fee schedule back to the Planning Commission for revision and policy recommendation.

Motion by Mr. Surkamp that the Commission institute a fee with the amount to be determined. The motion was not seconded.

Motion by Mr. Surkamp that the Commission refer back the estimated cost recovery fee schedule to the Planning Commission with questions to be answered on fee levels. Secondly, that a site plan fee be instituted. Ms. Widmyer seconded the motion.

Mr. Manuel asked if the motion was divisible. Ms. Widmyer answered in the affirmative and asked Mr. Surkamp if he would like to restate the first part of his motion.

Motion by Mr. Surkamp that the County Commission refer the proposed land development fee schedule back to the Planning Commission for further recommendations. Motion was previously seconded by Ms. Widmyer. Motion was unanimously approved.

Motion by Mr. Surkamp that the Commission approve the proposed structure and categories of the fee schedule because they comply with the current ordinances. The motion was not seconded.

The Commission took a 5 minute break at 10:35 a.m.

- (3) **Jennifer Maghan, County Clerk** – Proposed change of polling place – request for the Commission to approve a change of polling place for districts 23A and 23B from the 7th Day Adventist Church to the Country Day School.

Motion by Ms. Morgan to approve the change in polling place for 23A and 23B from the 7th Day Adventist Church to the County Day School for the November 2, 2010 election. Motion seconded by Mr. Manuel and unanimously approved.

- (4) **Angela Banks, Assessor – Exonerations**

Angela Banks, Assessor, requested exoneration for John McDowell in the amount of \$329.94. His business, Goldenrod Antiques, was closed in November, 2007.

Motion by Ms. Noland to approve exoneration of \$329.94 for John McDowell, Ticket No. 305596 as presented by Angela Banks, Assessor. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
John McDowell	Charles Town	Personal Property	305596	\$329.94

Angela Banks, Assessor, requested exoneration for Anthony A. Williams in the amount of \$31.10. His vehicle was assessed in another county and should not have been assessed in Jefferson County.

Motion by Ms. Morgan to approve exoneration of \$31.10 for Anthony A. Williams, Ticket No. 304909 as presented by Angela Banks, Assessor. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
Anthony A. Williams	Charles Town	Personal Property	304909	\$31.10

Angela Banks, Assessor, requested exoneration for Mariah C. Cox in the amount of \$99.98. Applicant moved prior to July 1, 2009. Vehicle was erroneously assessed in Jefferson County.

Motion by Ms. Morgan to approve exoneration of \$99.98 for Mariah C. Cox, Ticket No. 314903 as presented by Angela Banks, Assessor. Motion seconded by Ms. Noland and unanimously approved.

Name	District	Type	Ticket #	Amount
Mariah C. Cox	Charles Town	Personal Property	314903	\$99.98

(5) Legislative Issues – Commissioner Patricia Noland

Ms. Noland elaborated on legislative issues discussed at the County Commissioners' Association meeting she attended in Barboursville. She advised that the Legislative Summit would be hosted by the Jefferson County Commission this year and held in the Commission Meeting Room. She suggested that the Commission send letters to the Berkeley County Commissioners and the Jefferson County Delegates and invite them to participate in the Summit.

(6) Legal Update – Stephanie Grove, Assistant Prosecutor

- a. Reported that she has reviewed the proposed Impact Fee Agreement with Tischlerbise, Inc. Mark Schiavone is making suggested revisions and the agreement will be ready for execution.
- b. Reported that she is currently working on personnel issues with Mr. Boyde.
- c. Reported that she has reviewed the proposed agreement with Global Data and advises that it is ready to be executed.

Motion by Ms. Morgan to go into Executive Session. Motion seconded by Mr. Surkamp and unanimously approved.

- (7) Flowing Spring Treatment Plant Letters** – discussion by Commissioners as to whether or not to support the project without Federal and State grants. Unanimous consent that Ms. Widmyer would send a letter to Sandra Squire of the Public Service Commission advising that the Jefferson County Commission would not support this project without the assistance of Federal and State grants.

- (8) Request by Hali Taylor, Director, Shepherdstown Library and Tom Bayuzik of the Jefferson County Development Authority, for a letter of support from the County Commission for an EPA grant clean up application for funds to clean up a 4.5 acre brownfield.**

Motion by Ms. Morgan to provide a letter of support drafted by Ms. Taylor and signed by the Commissioners. Motion seconded by Mr. Manuel.

Ms. Morgan moved to amend the motion to state that the Commission authorizes the President of the County Commission to sign the letter on behalf of all of the Commissioners. Amended motion seconded by Ms. Noland and unanimously approved.

Commission took a 5 minute break at 12:05 p.m.

Ms. Noland made a motion for an Executive Session. Motion was seconded by Ms. Morgan and unanimously approved.

- (9) Request for approval to fill the vacancy in the Animal Control Department for an Animal Control Officer.**

Motion by Mr. Manuel to approve and begin the process by advertising to fill the position.
Motion seconded by Ms. Noland and unanimously approved.

(10) Reappointment to the West Virginia Eastern Panhandle Transportation Authority – G. Warren Mickey.

Motion by Mr. Manuel to reappoint G. Warren Mickey to the West Virginia Eastern Panhandle Transportation Authority. Motion seconded by Ms. Morgan and unanimously approved.

(11) Approval of Telephone Line Rental Contracts.

Motion by Ms. Noland to approve a one-year renewal during which time the Commission will explore other options. Motion seconded by Mr. Manuel and unanimously approved.

(12) Interview of applicant Eric Smith for appointment to the Jefferson County Planning Commission.

Ms. Morgan nominated applicant Eric Smith for appointment to the Jefferson County Planning Commission. Ms. Noland nominated applicant Ed Burns for appointment to the Jefferson County Planning Commission. A vote was taken. Eric Smith was approved for appointment 3 to 2 with Ms. Widmyer, Ms. Morgan and Mr. Surkamp voting "yes". Ms. Noland and Mr. Manuel voted for applicant Ed Burns.

Commission took a 5-minute break.

(13) Tim Boyde Salary Adjustment Discussion – Work Session #2.

Motion by Ms. Noland for an Executive Session. Motion seconded by Ms. Morgan and unanimously approved.

Regular meeting reconvened and Mr. Boyde presented his request for salary adjustments for employees in accordance with the proposed salary schedule.

Motion by Ms. Noland to accept the salary schedule as recommended by the County Administrator, Mr. Boyde. Motion seconded by Mr. Manuel.

Mr. Surkamp moved that the motion be amended to state that for all succeeding electeds these are job classifications that are approved by the County Commission and recommended to electeds. No second on the motion.

The motion by Ms. Noland, seconded by Mr. Manuel to accept the salary schedule as recommended by the County Administrator, Mr. Boyde was unanimously approved.

Mr. Boyde requested approval for proposed salary adjustments for 35 and 40 hour employees, employees not at minimum and those employees who have attained additional skills.

Motion by Ms. Noland to approve the proposed salary adjustments that are being recommended by the County Administrator, Mr. Boyde, with the additional monies coming from the insurance fund. Motion seconded by Mr. Manuel and approved 4 to 1, with Mr. Surkamp voting "no."

Motion by Mr. Manuel to adjourn the meeting, seconded by Mr. Widmyer and unanimously approved. Meeting was adjourned.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.

LYN WIDMYER, PRESIDENT

Special Session Minutes
Jefferson County Commission
Monday, November 8, 2010

A special meeting of the Jefferson County Commission was held on Monday, November 8, 2010 at the County Commission Meeting Room at the Jefferson County Circuit Courthouse, 100 E. Washington Street, Charles Town, West Virginia. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this November 8, 2010 meeting is available through the Jefferson County Commission Office.)

Following the recess at 3:30 p.m. of the County Commission, sitting as a Board of Canvassers, a special meeting of the Jefferson County Commission was convened at 3:35 p.m. to address pending issues not previously heard due to no meeting being held on Thursday, November 11, 2010.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$24,280.62 being purchase order numbers: 49059, 49067, 49089, 48884, 49057, 49058, 49060, 49062, 49063, 49064, 48636, 48637, 48638, 48639, 49065, 49066, 48600, 47400. Motion seconded by Ms. Noland and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve \$137,032.51 in accounts payable. Motion seconded by Ms. Noland and unanimously approved.

The Commission suggested that Mr. Boyde prepare a policy for review and approval by the Commission whereby any listed accounts payable over a certain amount would be accompanied by a short description of the expense.

OLD BUSINESS

The Commission discussed a reconsideration of the action it took on Thursday, November 4, 2010 at which time the Commission cancelled the public hearing regarding rezoning public lands along the Rt. 340 corridor which hearing was scheduled for November 18, 2010.

Motion by Mr. Manuel that reconsideration of the Commission's previous action be revisited by the Commission at this particular time and be subject to amendment. Motion was seconded by Ms. Widmyer and unanimously approved.

Discussion followed.

Motion by Ms. Noland to cancel the hearing scheduled for November 18, 2010 because the Petition filed by the Jefferson County Planning Commission did not meet all the requirements of Chapter 8A of the West Virginia Code. Motion seconded by Mr. Manuel and carried 3 - 2. Mr. Surkamp and Ms. Morgan voted "no."

Ms. Widmyer suggested preparing a policy indicating the procedure for handling rezoning requests so that in the future the action to be taken will be clear.

Motion by Mr. Manuel to adjourn the meeting and reconvene at 9:30 a.m. Thursday, November 18, 2010. Meeting was adjourned.

Jefferson County Commission**Thursday, November 18, 2010**

A meeting of the Jefferson County Commission was held on Thursday, November 18, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this November 18, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 12:00 p.m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE.

Due to the lateness of the hour, Ms. Widmyer inquired of Jim Taylor from Briggs Animal Adoption Center if he would care to reschedule his presentation for another day. Mr. Taylor agreed to reschedule and will do so after the first of the year.

PRESENTATIONS:

- 1, **Lynn Fields of the Probate Office** presented for Commission approval attorney Mary Binns-Davis Petition of Mary Binns-Davis to Resign as Administratrix of the Estate of William E. Farrell, Deceased and Appointment of Mrs. Farrell as Administratrix of the Estate.

Mr. Surkamp made a motion to approve the Petition and resignation of attorney Mary Binns-Davis as Administratrix of the Estate of William F. Farrell, Deceased. Motion was seconded by Mr. Manuel and unanimously approved. (See Order, page 2.)

Jefferson County
 JEFFERSON COUNTY CLERK'S OFFICE
 RECEIVED BY 20100224 PM
 JTB 05/01/11 11:02 AM
 JEFFERSON COUNTY
 JTB 05/01/11 11:02 AM
 JTB 05/01/11 11:02 AM
 JTB 05/01/11 11:02 AM

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

IN RE:

THE ESTATE OF WILLIAM E. FARRELL

ORDER TO RESIGN AS FIDUCIARY

COMES NOW the Petitioner, Mary Blinn-Davis, Administratrix of the Estate of William E. Farrell and pursuant to West Virginia Code §44-3-7, hereby files her Petition to Resign as Fiduciary. In support of her Petition, the Petitioner states as follows:

1. On March 17, 2010, the Petitioner was qualified as the Administratrix of the Estate of William E. Farrell.
2. Margaret Farrell, the deceased spouse, is the only individual, so far known by the Petitioner, to have an interest in the estate of the Petitioner's hands or under the Petitioner's control, and to which the Petitioner's duties to as such fiduciary relate.
3. None of the individuals so far know to have an interest in the estate of the Petitioner are under disability; however, Margaret Farrell is a non-resident of the State of West Virginia with a residence address of 10505 Cedarville Road, Brandywine, Maryland.
4. That the Appraisal of the Estate has been filed in the Jefferson County Probate Office.
5. That the Petitioner desires to resign as Fiduciary of the Estate of William E. Farrell.
6. That the probate assets consists almost entirely of the proceeds of a lawsuit.
7. That the attorney handling the lawsuit for Margaret Farrell and Margaret Farrell desire to take over the Administration of the estate in the Petitioner's hands to maximize recovery for Margaret Farrell and avoid time delay associated with having another lawyer sign necessary releases.
8. That the Estate of William E. Farrell will suffer no prejudice or loss if the Petitioner resigns and Margaret Farrell is appointed as the Administratrix of the Estate of William E. Farrell.
9. That Petitioner is unaware of any reason why Margaret Farrell would be unable to qualify as Administratrix.

WHEREFORE the Petitioner respectfully requests that she be permitted to resign as fiduciary in the Estate of William E. Farrell.

ENTERED this 18 day of November, 2010.

Stephanie Grove
 President of the County Commission

(1)(a) The matter of the Petition for Removal of Executor, Mickey D. Duncan, from the Administration of the Estate of Francis D. Duncan, for an accounting, and for the appointment of Patricia Mauck, Diane Pulse, and Gale Hill as Co-Administratrixes CTA was postponed at Mickey Duncan's request.

(1)(b) Substituted in the place of Duncan was attorney David Camilletti's motion for extension of time to file an elective share in the matter of Sallie Shepherd Spalding. The Commission will hear this matter in the afternoon session.

2. **Legal Update – Stephanie Grove, Assistant Prosecuting Attorney** requested an Executive Session to discuss issues associated with the PATH litigation.

Mr. Surkamp made a motion that the Commission commence an Executive Session to discuss issues associated with the PATH litigation. Motion seconded by Mr. Morgan and unanimously approved.

The Commission reconvened at 2:00 p.m. No action was taken during the Executive Session.

3. **Angela Banks, Assessor** requested approval for exoneration and apportionments:

Request exoneration for Margaret M. Drennen, MMD, LLC, in the amount of \$2,271.60, Ticket No. 28203. Part of land should have received Farm Use Valuation.

Motion by Ms. Morgan to approve exoneration of \$2,271.60 for Margaret M. Drennen, MMD, LLC for Ticket No. 28203. Motion seconded by Ms. Noland and unanimously approved.

Name	District	Type	Ticket #	Amount
Margaret M. Drennen, MMD, LLC	Shepherdstown	Real Estate	28203	\$2,271.60

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES

Request approval of the Notice of Apportionment of Jointly Owned Motor Vehicles filed by a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, in the amount of \$186.54, Ticket No. 304920, for the following:

NAME	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Ashley N. White	Wife	\$8,400.00	\$180.10
Rusty A. White	Husband	\$ 300.00	\$ 6.44
TOTAL TAXES DUE:			\$ 186.54

Motion by Ms. Noland to approve the apportionment of jointly owned motor vehicles, Ticket No. 304920, in the amount of \$186.54. Motion seconded by Mr. Manuel and unanimously approved.

NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES

Request approval of the Notice of Apportionment of Jointly Owned Motor Vehicles filed by a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, in the amount of \$113.30, Ticket No. 304876, for the following:

NAME	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Ashley N. White	Wife	\$4,800.00	\$106.64
Rusty A. White	Husband	\$ 300.00	\$ 6.66
TOTAL TAXES DUE:			\$ 113.30

Motion by Ms. Morgan to approve the apportionment of jointly owned motor vehicles, Ticket No. 304876, in the amount of \$113.30. Motion seconded by Ms. Noland and unanimously approved.

4. **Jennifer Maghan, County Clerk** - request approval to hire Marissa Curry of Harpers Ferry Job Corps as a paid intern at a pay rate of \$8.00 per hour through the month of December, 2010. Ms. Maghan informed the Commission that the money for Ms. Curry's salary had been budgeted previously.

Motion by Mr. Surkamp to approve the hiring of Marissa Curry of Harpers Ferry Job Corps as a paid intern in the County Clerk's Office at a pay rate of \$8.00 per hour through the month of December, 2010 and to utilize the funds for her salary previously budgeted by the County Clerk for employment purposes. Motion seconded by Ms. Noland and unanimously approved.

5. Tim Boyde advised the Commission that two candidates had applied for the position on the Water Advisory Committee. Mr. William Nowell introduced himself to the Commission and spoke about his qualifications to be on the Committee.

Mr. Surkamp nominated Mr. Nowell to fill the position on the Water Advisory Committee. Motion was seconded by Ms. Noland and unanimously approved.

The second candidate, Mary Sell, was not able to attend the meeting and her resume was not received in readable condition. Ms. Sell will be sent a letter advising her of the Commission's choice and suggesting that she may wish to reapply in January, 2011, when there will be three more openings on WAC.

A brief discussion followed regarding revitalizing the Building Committee and readvertising the vacant position on the Building Committee.

- (5)(a) Mr. Boyde informed the Commission that the Jefferson Center is concerned that it cannot comply with Commission requirements to obtain funds allocated by the Commission because it is new and does not yet possess the required documents and paperwork. Because the Center is new it is in need of the funds up front.

Motion by Mr. Manuel that upon receipt by the Jefferson County Commission of a letter from the Jefferson Center describing how the allocated funds will be used, the Jefferson County Commission will release the funds to the Jefferson Center. Motion seconded by Ms. Noland and unanimously approved.

6. **Roger Goodwin, County Engineer** – presented Hospice of the Panhandle's request for waiver of permit fees in the amount of \$10,122.76 for two buildings to be constructed in Shepherdstown, WV.

Motion by Ms. Noland to approve a full waiver of Hospice of the Panhandle's permit fees in the amount of \$10,122.76 for two buildings to be constructed in Shepherdstown, WV. Motion seconded by Ms. Morgan and unanimously approved./

- (6)(a) Request for complete bond release of \$15,909.00 on the SPARC Training Building #1.

Motion by Mr. Manuel to approve the complete bond release on the SPARC Training Building #1 in the amount of \$15,909.00. Seconded by Ms. Noland and unanimously approved.

7. **Kirk Davis of Capital Planning and Management** initiated a discussion on the possible purchase of the Cement Mill Property to be held in trust prior to transfer to the National Park Service. Discussion was for informational purposes only. No action was taken.
8. Discussion and action on the request by **Mark Schiavone** for approval of Revision 002 to the Coal Severance Fund (Fund 002) and draft Resolution was postponed until the meeting on Thursday December 2, 2010.
9. The motion by attorney David Camilletti for extension of time to file elective share in the Sallie Shepherd Spaulding probate matter was revisited by the Commission.

Ms. Morgan made a motion to approve a 90-day extension of Mr. Camilletti's request for an extension to file an elective share in the Sallie Shepherd Spaulding matter. Motion was seconded by Mr. Surkamp and unanimously approved.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the minutes of the November 4, 2010 meeting as amended. Motion seconded by Ms. Noland and unanimously approved. (An audio tape of the November 4, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$37,677.95 being purchase order numbers: 44124, 48657, 48661, 48984, 48985, 48987, 48988, 48989, 48990, 48992, 49079, 49090, 49097, 48531, 49069, 49072, 4907549076, 49077, 48640, 48641, 48642. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve \$384,919.30 in accounts payable. Motion seconded by Mr. Surkamp and unanimously approved.

COUNTY ADMINISTRATOR REPORTS**County Administrator Tim Boyde:**

- (1) In place of the afternoon work session, at the December 2, 2010 meeting Troy Truax of the Delta Development Group, Inc. will present a proposal for Jefferson County Emergency Services' 5-Year Strategic Plan.
- (2) All new and approved policies have been distributed to Department Heads and elected officials.
- (3) Currently in the process of budget review.
- (4) Met with Chuck Penn of Dominion Electric.
- (5) Attended an Economic Development Authority Board meeting with County Commissioner and employees.

Commissioner Frances Morgan:

- (1) Attended the Heritage event at the Clarion Hotel in Shepherdstown.
- (2) Attended the Day Report Center meeting on November 10, 2010.
- (3) Attended the Planning Commission meeting.
- (4) Attended the Board of Health meeting on November 12, 2010.

Commissioner Jim Surkamp:

- (1) Attended the State Racing Committee meeting.

Commissioner Patricia Noland:

- (1) Attended the United Way Art of the Grapes Reception at the Hollywood Casino.
- (2) Attended a meeting at the Board of Education Office.
- (3) Attended a meeting at the Jefferson County Council on Aging.

Commissioner Dale Manuel:

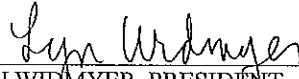
- (1) Attended the Farmers' Year Round Market meeting on November 4, 2010.
- (2) Participated in the Election Canvass on November 8, 2010.
- (3) Participated in Election Canvass and Special Commission meeting on November 9, 2010.
- (4) Attended a meeting at the Rotary Club regarding the Christmas for Charities dinner.
- (5) Attended the Leadership Jefferson Lunch on November 10, 2010.
- (6) Attended the Certification of Election Results on November 12, 2010.
- (7) Attended the United Way Art of the Grapes Reception at the Hollywood Casino.
- (8) Attended a Steering Committee Meeting on November 16, 2010, Jefferson County Day at the Legislature.
- (9) Attended an EPTA meeting on November 16, 2010.
- (10) Attended an Emergency Services Agency meeting on November 16, 2010.
- (11) Attended a Home Consortium meeting on November 17, 2010.
- (12) Attended a Parks & Rec meeting on November 17, 2010.

Commissioner Lyn Widmyer:

- (1) Attended a Planning Committee meeting regarding rezoning of federal lands along the US 340 corridor and explained the County Commission's positions on hearings and schedules.
- (2) Attended the State Racing Commission meeting.
- (3) Attended the Board of Community Ministries meeting.

Ms. Noland moved to adjourn the meeting and the meeting was adjourned at 3:15 p.m.

Upon rising the Commission recessed until Thursday morning December 2, 2010, beginning at 9:30 o'clock a.m.


 LYN WIDMYER, PRESIDENT

Jefferson County Commission

Thursday, December 2, 2010

A meeting of the Jefferson County Commission was held on Thursday, December 2, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this December 2, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:30 a.m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the minutes of the November 18, 2010 meeting as amended. Motion seconded by Ms. Noland and unanimously approved as amended. (An audio tape of the November 18, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Mr. Noland to approve Purchase Orders in the amount of \$94,095.47 being purchase order numbers: 48659, 48660, 45557, 49140, 49141, 49167, 49168, 49081, 49084, 49085, 49086, 49087, 48905, 48906, 48908, 48909, 49164, 48601, 48602 and 49082. Motion seconded by Ms. Noland and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve \$191,644.40 in accounts payable. Motion seconded by Ms. Noland and unanimously approved.

PUBLIC COMMENT

Paul Rosa : (1) urged the Commission to set a date for a public hearing on the proposed Wireless Telecommunications Ordinance as soon as possible in January 2011, and (2) as a member of the Harpers

Ferry Conservancy Mr. Rosa made a request that the Commission approve the easements to be presented today for approval by Mr. Peter Fricke of the Farmland Protection Board.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

- (1) Reported that he has received emails regarding the meeting on Blue Ridge Mountain on December 7, 2010. He responded that this meeting is only for the presentation to the public of the "Common Vision" report. No action will be taken at this meeting and it is open to public comment.
- (2) Reported that he received a letter from the West Virginia Association of Counties suggesting language that could be sent to Senators by the Commission to assist in the defeat of legislation which would require mandatory collective bargaining for all employees. This will be placed on the December 9, 2010 Commission Agenda for discussion.
- (3) Reported that the proposed P-Card Policy was presented to Department Heads, however further discussion will be tabled until the end of this year.
- (4) Attended a meeting with the City Managers of Shepherdstown and Charles Town to discuss the Chesapeake Bay initiative and other matters.
- (5) Reminded the Commission that Tony Truax of the Delta Development Group is scheduled to discuss progress on the Jefferson County Emergency Services 5-Year Strategic Plan at 1:30 p.m. this date.
- (6) Mr. Boyde presented a plaque from the Jefferson County Free Clinic honoring the Jefferson County Commission for its ten years of support.

COUNTY COMMISSION REPORTS:

Commissioner Frances Morgan:

- (1) Attended the County Commission Association meeting and Legislative Briefing on November 29, 2010 in the Jefferson County Commission Meeting Room in the Old Charles Town Library.

Commissioner James Surkamp:

- (1) Attended the public hearing in Ranson regarding JUI Utilities' proposed rate hike.

Commissioner Dale Manuel:

- (1) Attended the County Commission Association meeting and Legislative Briefing on November 29, 2010 in the Jefferson County Commission Meeting Room in the Old Charles Town Library.
- (2) Attended the tasting at the new Final Cut Steak House at the Hollywood Casino on December 1, 2010.
- (3) Attended the Partnership for Affordable Housing meeting on December 1, 2010.

Commissioner Patricia Noland:

- (1) Attended the County Commission Association meeting and Legislative Briefing on November 29, 2010 in the Jefferson County Commission Meeting Room in the Old Charles Town Library

Commissioner Lyn Widmyer:

- (1) Attended a dinner at the Jefferson County Free Clinic. The Jefferson County Commission received an award for its ten years of support.
- (2) Attended a Solid Waste Management Authority meeting.
- (3) Attended the Chesapeake Bay Compliance Strategy Workshop. Senator Herb Snyder was the keynote speaker.

- (4) On December 1, 2010 attended a Health Impact Assessment held in Shepherdstown regarding trail studies.

PRESENTATIONS:

1. **Peter Fricke of the Jefferson County Farmland Protection Board** requested the approval of deeds for Farmland Conservation Easements for the following:

- Jack L. Burch, Sr.
- William A. Knighten and Dixie L. Knighten
- Scott I. Morgan and Sondra J. Morgan
- John M. Restaino and F. Mark Schiavone
- Laurie L. Scott
- Twin Ridge Orchard Company, Inc.
- Walter Walls, Tammy P. Walls and Ray E. Walls

Commissioner Morgan requested that the easement for Scott I. Morgan and Sondra J. Morgan be considered last and, being a relative of Scott Morgan, she recused herself from any discussion of the Morgan deed.

Motion by Ms. Morgan to approve the easements for:

- Jack L. Burch, Sr.
- William A. Knighten and Dixie L. Knighten
- John M. Restaino and F. Mark Schiavone
- Laurie L. Scott
- Twin Ridge Orchard Company, Inc.
- Walter Walls, Tammy P. Walls and Ray E. Walls

Motion seconded by Mr. Surkamp and unanimously approved.

Motion by Mr. Manuel to approve the easement for Scott I. Morgan and Sondra J. Morgan subject to review by the Planning staff. Motion seconded by Mr. Surkamp and unanimously approved with the exception of Ms. Morgan who recused herself previously.

The Commission took a five minute break at 10:20 a.m.

2. **Stephanie Grove, Assistant Prosecuting Attorney**, provided a short update on legal matters and requested an Executive Session .

Mr. Surkamp made a motion that the Commission go into Executive Session per request of legal counsel, Stephanie Grove. Ms. Noland seconded the motion and it was unanimously approved.

The Commission commenced an Executive Session.

The Commission exited the Executive Session.

3. **Jennifer Maghan, County Clerk** suggested that a portion of the transfer taxes generated by the Farmland Protection Board be allocated to the County Clerk's Office in order to keep the money in the County. She also inquired as to when the budget hearings would be held by the Commission. Mr. Boyde responded that an overview of the budget would be presented at the next meeting on December 9, 2010, but that specific items would be considered after January 1, 2011.

Ms. Maghan commented on possible voting precinct changes.

4. **John Allen, Chairman of the Courthouse Committee** introduced architect **David Kemnitz** who provided a Power Point presentation of his Historic Structures Report on

the courthouse building and outlined restoration work that needed to be done to the bell tower and roof of the building.

Motion by Mr. Surkamp to approve the study by Mr. Kemnitzer and the Courthouse Committee and to pursue his recommendations in a prioritized manner within budget constraints. Mr. Manuel seconded the motion and it was unanimously approved.

5. **Roger Goodwin, Chief Engineer and Rebecca Burns, Office Manager**, presented a request by the developer of Thorn Hill Subdivision, Lots 1 – 179 to toll the construction bond agreement for a period of four years. The property has been sold at a Sheriff's Tax Sale. Mason Carter of the Engineering Department explained the auction of the property for unpaid taxes totaling \$37,904.11. Attorney David Hammer expressed concern regarding the legality of tolling the construction bond on this property currently held by the State.

Mr. Manuel moved to table the matter to a time certain next week to allow legal counsel to research the ramifications of the tax sale on the property as concerns approval by the Commission of tolling the construction bond. Mr. Surkamp seconded the motion and it was unanimously approved.

6. **Mark Schiavone, Director of Capital Planning and Management** requested a modification of the FY2010 CIP for the Independent Fire Company. Mr. Schiavone requested the allocation be raised to \$89,000.00 to enable the fire company to purchase an emergency generator at a cost of \$65,000.00.

Mr. Surkamp made a motion to approve the increase in allocation to the Independent Fire Company to \$89,000.00 to enable the fire company to purchase an emergency generator at a cost of \$65,000.00. Mr. Manuel seconded the motion and it was unanimously approved.

Mr. Schiavone made a request that the Commission approve the modification of Revision 002 to the Coal Severance Fund (Fund 002).

Motion by Mr. Manuel to approve the modification of Revision 002 to the Coal Severance Fund as presented. Motion seconded by Mr. Noland and unanimously approved.

The Commission broke at 12:15 p.m. for lunch.

The Commission reconvened at 1:30 p.m. Commissioner Surkamp was not present for the afternoon session.

Commissioner Widmyer read a letter from the West Virginia Culture Division designating Jefferson County as a certified arts community.

7. **Troy Truax of Delta Development Group, Inc.** reported on the progress of Jefferson County Emergency Services' proposed 5-Year Strategic Plan.
8. **Tim Boyde** reported that the date chosen by the Commission to hold a Public Hearing regarding the Proposed Wireless Telecommunications Facilities Ordinance Draft is January 20, 2011.
9. **Mr. Boyde** reported that Roger Ritchie's request to use the Commission Meeting Room on December 21, 2010 is tabled until next week to allow time to gather more information on Mr. Ritchie's organization.
10. Motion by Ms. Noland to approve the Jefferson County Commission Holiday Schedule 2011 as submitted. Motion seconded by Ms. Morgan and unanimously approved.

JEFFERSON COUNTY COMMISSION HOLIDAY SCHEDULE 2011

NEW YEAR'S DAY	FRIDAY, JANUARY 1, 2011
MARTIN LUTHER KING'S BIRTHDAY	MONDAY, JANUARY 17, 2011
PRESIDENT'S DAY	MONDAY, FEBRUARY 21, 2011
MEMORIAL DAY	MONDAY, MAY 30, 2011
WEST VIRGINIA DAY	MONDAY, JUNE 20, 2011
INDEPENDENCE DAY	MONDAY, JULY 4, 2011
LABOR DAY	MONDAY, SEPTEMBER 5, 2011

COLUMBUS DAY	MONDAY, OCTOBER 10, 2011
VETERAN'S DAY	FRIDAY, NOVEMBER 11, 2011
THANKSGIVING	THURSDAY, NOVEMBER 24, 2011
	FRIDAY, NOVEMBER 25, 2011
CHRISTMAS	MONDAY, DECEMBER 26, 2011

IN ADDITION TO THE DAYS LISTED ABOVE, THE COMMISSION WILL OBSERVE AS HOLIDAYS, ANY NATIONAL, STATE OR OTHER ELECTION DAY THROUGHOUT THE COUNTY, AND ALL DAYS WHICH MAY BE APPOINTED OR RECOMMENDED BY THE GOVERNOR, OF THIS STATE, OR THE PRESIDENT OF THE UNITED STATES, AS DAYS OF THANKSGIVING, OR FOR THE GENERAL CESSATION OF BUSINESS, ANY DAY OR PART THEREOF DESIGNATED BY THE GOVERNOR AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE, FOR STATE EMPLOYEES STATEWIDE MAY ALSO BE TIME OFF FOR COUNTY EMPLOYEES IF THE COUNTY COMMISSION ELECTS TO DESIGNATE THE DAY OR PART THEREOF AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE FOR COUNTY EMPLOYEES. ANY ENTIRE OR PART STATE WIDE DAY OFF DESIGNATED BY THE GOVERNOR MAY, FOR ALL COURTS, BE TREATED AS IF IT WERE A LEGAL HOLIDAY, AS PROVIDE FOR IN 2-2-1 OF THE WEST VIRGINIA CODE, AS AMENDED.

DATE: 12/2/10

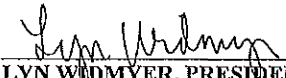
_____/s/_____
 PRESIDENT
 JEFFERSON COUNTY COMMISSION

11. Motion by Ms. Noland to approve January 6, 2011 at 9:30 a.m. as the date and time for the first meeting of the Jefferson County Commission in 2011. Motion seconded by Ms. Morgan and unanimously approved.
12. Ms. Noland presented her proposed scoring program to be used for agencies that request funding from the County Commission. Commissioners suggested several amendments to the program as proposed.

Ms. Morgan made a motion to adopt Ms. Noland's proposed scoring program as amended. Ms. Noland suggested that the Commissioners carefully review the program and place it on the agenda to revisit at the meeting next week. It was agreed that the proposed scoring program would be placed on the Agenda for discussion and action next week. Ms. Morgan withdrew her motion.

Ms. Morgan made a motion to adjourn. Mr. Manuel seconded the motion and the meeting was adjourned at 3:00 p.m.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.


 LYN WIDMYER, PRESIDENT

SPECIAL SESSION**JEFFERSON COUNTY COMMISSION****TUESDAY, DECEMBER 7, 2010**

A Special Joint Session between the Jefferson County Commission and the Jefferson County Planning Commission was held on Tuesday, December 7, 2010 at 7:00 p.m. at the Blue Ridge Elementary School Cafeteria on Charles Town Road. The purpose of the meeting was to formally accept the Blue Ridge Mountain Communities Common Vision Document.

Present from the Jefferson County Commission:

Lyn Widmyer, Commission President
Dale Manuel, Commission
Jim Surkamp, Commissioner
Tim Boyde, County Administrator
Debbie Stellato, Administrative Assistant

Present from the Planning Commission:

John Maxey, President
Tom Trumble, Vice President
Morgan Etters
Kelly Baty
Daniel Hayes
Gene Taylor

A Sign-In Sheet was provided for members of the public.

Commissioner Lyn Widmyer opened the meeting at 7:00 p.m. Following her opening statement, members of the Jefferson County Commission, Jefferson County Planning Commission and Jefferson County Planning and Zoning Department introduced themselves.

The President of Friends of the Blue Ridge Mountains presented the "2010 Friend of the Mountain" award to the Jefferson County Planning Commission.

Sera Zegre of Downstream Strategies in Morgantown, West Virginia presented the "Common Vision" document to the Commissions and the public. Ms. Zegre answered questions from the County Commissioners and members of the Planning Commission.

Steve Gergely, RLA of Harbor Engineering in Manheim, Pennsylvania presented the Engineering Report and provided a summary of the contents of the report. Mr. Gergely answered questions from the County Commissioners and members of the Planning Commission.

Upon conclusion of the presentations, Ms. Zegre and Mr. Gergely answered questions from the public.

John Maxey, President of the Jefferson County Planning Commission accepted the Common Vision document on behalf of the Planning Commission. He requested that the document be placed on the Jefferson County Commission's January 6, 2011 agenda for approval.

Commissioner Widmyer spoke of next steps and future goals for the watershed project on the Blue Ridge Mountain.

Jennifer Brockman, Director of the Jefferson County Planning and Zoning Department, provided the closing statement.

The meeting was adjourned at 8:35 p.m.


LYN WIDMYER, PRESIDENT

Jefferson County Commission**Thursday, December 9, 2010**

A meeting of the Jefferson County Commission was held on Thursday, December 9, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this December 9, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE

Following the Pledge of Allegiance the Commissioners, staff and members of the public observed a moment of silence for Terry Marcus, a beloved member of the community who recently passed on.

APPROVAL OF MINUTES

Motion by Mr. Manuel to approve the minutes of the election canvass of November 8, 2010 as amended. Motion seconded by Ms. Noland and unanimously approved. Ms. Morgan abstained from voting as she was not present. (An audio tape of the November 8, 2010 election canvass is available through the Jefferson County Commission Office.)

Motion by Ms. Noland to approve the minutes of the election canvass of November 9, 2010 as amended. Motion seconded by Ms. Morgan and unanimously approved. (An audio tape of the November 9, 2010 election canvass is available through the Jefferson County Commission Office.)

Motion by Mr. Manuel to approve the minutes as presented of the November 12, 2010 ballot certification from the general election held on November 2, 2010. Motion seconded by Ms. Noland and unanimously approved. Ms. Widmyer abstained from voting as she was not present. (An audio tape of the November 12, 2010 ballot certification is available through the Jefferson County Commission Office.)

Motion by Ms. Noland to approve the minutes of the December 2, 2010 meeting as amended. Motion seconded by Ms. Morgan and unanimously approved. (An audio tape of the December 2, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$15,065.01 being purchase order numbers: 49139, 49142, 49091, 48532, 49052, 49172, 49173, 49174, 49175, 49177, 49120, 49121, 49122, 49123, 49125, 49126, 49127, 49176, 48533. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve \$220,117.72 in accounts payable. Motion seconded by Mr. Surkamp and unanimously approved.

PUBLIC COMMENT

David Hammer, Esquire notified the Commission that Thorn Hill, LLC had been administratively dissolved on February 1, 2010.

Richard Deal introduced himself as a candidate for a position on the IT Committee and described his qualifications to the Commission. He advised that his wife, Yocencia, is also applying for a position but could not attend the meeting.

COUNTY ADMINISTRATOR REPORTS**County Administrator Tim Boyde:**

1. Reported that he received a letter from the West Virginia Insurance Commission regarding a Health Insurance Exchange Program which offers a cost savings by pooling employers. Mr. Boyde and Mr. Manuel will attend a meeting on January 6, 2011.
2. Reported that the Commission received correspondence from Janet Bailey regarding a HOA noise ordinance. Mr. Boyde responded to Ms. Bailey and shared both pieces of correspondence with the Commission. He suggested that Sheriff Shirley meet with the Commission to ascertain what action could be taken. The Commissioners suggested that, along with Sheriff Shirley, a representative of the HOA and Ms. Bailey should also be included in the discussion.
3. Reported that he received correspondence regarding the Shepherdstown Battlefield Park from the attorney representing Mr. Blount and that the matter would be discussed in the future.
4. Mr. Boyde reported that intern Justin Degenars received an award from Job Corps. for "Student of the Year." On behalf of the Jefferson County Commission Mr. Boyde presented Mr. Degenars with a Certificate of Appreciation for his exemplary work with the Jefferson County IT Department. Ms. Widmyer directed staff to send a letter to Job Corps. expressing the Commission's appreciation for the good work of the interns.

COUNTY COMMISSION REPORTS**Commissioner Patricia Noland:**

1. Reported on the Extension Service Committee meeting that she attended.
2. Reported on the Legislative Roundtable at The Woods Resort that she attended.

Commissioner Dale Manuel:

1. Reported on the Blue Ridge Mountain Common Vision meeting that he attended.
2. Reported on his meeting with Fire and Rescue President Fletcher and Department Heads
3. Reminder that the Kiwanas' Toy Reception is this evening at 6:30 p.m. at the Parish House.

Commissioner Frances Morgan:

1. Reported on the Legislative Roundtable at The Woods Resort that she attended.
2. Reported that she walked with the anti-PATH group in the Christmas Parade.
3. Reported on the Farmland Protection Board meeting that she attended.

Commissioner James Surkamp:

1. Reported on the Blue Ridge Mountain Common Vision meeting that he attended.

Mr. Surkamp informed the Commission that after the expiration of his term at the end of this year he plans to work on a Civil War Diary on the internet. He also advised that, in his capacity as a private citizen, he would like to be considered as a candidate for a position on the IT Advisory Committee.

Commissioner Lyn Widmyer:

1. Reported on the Region 9 Full Council Meeting she attended.
2. Reported on the Public Service District meeting that she attended.
3. Reported on the briefing she attended with the State Stormwater Control Coordinator.
4. Reported on the Blue Ridge Mountain Common Vision meeting that she attended.
5. Ms. Widmyer informed the Commission that the Old Standard Quarry, LLC's charter was revoked by the State of West Virginia on November 1, 2010. She directed legal staff to research the implications of the revocation on future Commission decisions.

PRESENTATIONS:

1. Presentation by Commission of honorary plaque and Proclamation in recognition of 50 years of service by the Emergency Communications – 911 Department. Award accepted by Jeffrey Polezynski, Director of Emergency Communications.

Motion by Ms. Noland to approve the Proclamation of Recognition of the Emergency Communications – 911 Department for 50 years of service. Motion seconded by Mr. Surkamp and unanimously approved.

2. **Angela Banks, Assessor** requested approval for the following two exonerations:
 - (a) Charles K. Nicewarner, in the amount of \$387.18, Ticket No. 7665. Real estate was assessed in the wrong owner's name and consequently assessed in the wrong class. Should have been class 2.

Motion by Mr. Manuel to approve exoneration of \$387.18 for Charles K. Nicewarner, Ticket No. 7665. Motion seconded by Ms. Noland and unanimously approved.

Name	District	Type	Ticket #	Amount
Charles K. Nicewarner	CTC	Real Estate	7665	\$387.18

- (b) David D. Hill, in the amount of \$262.16, Ticket No. 311893. 2008 Buick Lucerne was double assessed

Motion by Ms. Morgan to approve exoneration of \$262.16 for David D. Hill, Ticket No. 311893. Motion seconded by Ms. Noland and unanimously approved.

Name	District	Type	Ticket #	Amount
David D. Hill	Middleway	Personal Property	311893	\$262.16

3. **Stephanie Grove, Assistant Prosecuting Attorney** provided an update of pending legal matters.
4. **Lynn Fields, Probate Office**, requested that the Commission appoint Henry W. Morrow, Jr. as Guardian ad Litem of the Estate of Mildred Olga Valentine and to set a date to hear the petition to probate in solemn form the Last Will and Testament of Mildred Olga Valentine.

Motion by Mr. Manuel to appoint Henry W. Morrow, Jr. as Guardian ad Litem for the Estate of Mildred Olga Valentine and to set a date to hear the petition to probate in solemn form the Last Will and Testament of Mildred Olga Valentine. Motion seconded by Ms. Noland and unanimously approved.
5. Request to approve employment for Animal Control Officer at an annual salary of \$29,286.46 starting December 27, 2010. Commission advised that money for the salary is already in the budget.
6. Motion by Ms. Noland to defer this item until the afternoon session pending the Commission's receipt of documentation regarding the proposed employee. Motion seconded by Mr. Manuel and unanimously approved.
7. Request to approve the employment of Brandon Potts as a full-time Safety Dispatcher, Grade III, Step A, for the 911 Center.

Motion by Mr. Manuel to approve the employment of Brandon Potts as a full-time Safety Dispatcher, Grade II, Step A, for the 911 Center. Motion seconded by Mr. Noland and unanimously approved.

8. **West Virginia Association of Counties (WVACO)** requested County Commissions to send letters to legislators opposing Senate Bill 3194, the Public Safety Employer-Employee Cooperation Act. The Commission opted to take no action.
9. **Request by Roger Ritchie, Jr., Esquire** to use the Commission Meeting Room on December 21, 2010 for a free social security seminar. Mr. Ritchie's law firm is not a 501(c) organization and is not sponsoring the seminar on behalf of any charitable organization.

Mr. Boyde recommended advising Mr. Ritchie to direct his request to the Charles Town Library and allow the library to check on the availability of the meeting room and thus eliminate the appearance of sponsorship by the Jefferson County Commission.

Motion by Ms. Widmyer to deny Mr. Ritchie's request but record Mr. Boyde's recommendation. Motion was withdrawn.

Motion to deny Mr. Ritchie's request by Ms. Noland. Motion seconded by Ms. Widmyer and unanimously approved.

10. **Jennifer S. Maghan, County Clerk** requested an Executive Session to discuss a personnel matter.

Motion by Ms. Morgan that the Commission enter into an Executive Session pursuant to Ms. Maghan's request to discuss a personnel matter. Motion seconded by Mr. Manuel and unanimously approved.

The Commission entered into an Executive Session at 11:07 a.m.

The Commission ended the Executive Session at 11:15 a.m. and took a 5-minute break.

11. **IT Advisory Committee Interviews and Appointments**

Applicants for positions on the IT Committee are:

Ed Burns
Richard Deal, Jr.
Yocencia Deal
Neal Nilson
Richard Doty
Jim Surkamp

Mr. Doty's credentials were not available for review and he was not able to appear. He could be considered for a position in the next round.

Ms. Morgan made a motion, seconded by Ms. Noland to appoint:

Jim Surkamp -	3-year term
Neal Nilson -	3 year-term
Mrs. Yocencia Deal -	2-year term
Ed Burns -	2-year term

Mr. Manuel moved to amend the motion to appoint Ed Burns to a 3-year term and add Richard Deal. The motions were withdrawn and the Commission instead utilized a different method of nomination and appointment.

Motion by Ms. Widmyer to appoint **Jim Surkamp to a 3-year term**. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Mr. Manuel to appoint **Ed Burns to a 3-year term**. Motion seconded by Ms. Widmyer and unanimously approved.

Motion by Mr. Surkamp to appoint **Mrs. Yocencia Deal to a 2-year term**. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Widmyer to appoint **Neal Nilson to a 3-year term**. Motion seconded by Mr. Manuel and unanimously approved.

Ms. Widmyer directed that the remaining positions, one 2-year term and two 1-year terms, be advertised and applicants reviewed in January 2011.

- 12. Ralph Lorenzetti, Prosecuting Attorney** advised the Commission that in the future attorney Steve Groh would be spending 90 – 95% of his time working along with attorney Stephanie Grove on County civil matters.

Mr. Lorenzetti requested that the Commission approve the employment of Michael Nicholas as a paralegal in the Prosecuting Attorney's Office for a 90-day period at a salary of \$10,000.00 for the 90 days.

Motion by Ms. Morgan to approve the employment of Michael Nicholas as a paralegal in the Prosecuting Attorney's Office under the terms presented. Motion seconded by Mr. Manuel and approved 4 – 1. Ms. Noland voted "no" because the position is not in the approved budget.

Mr. Lorenzetti reported that plans are continuing for a satellite Day Report Center in downtown Charles Town.

- 13. Approval of Contract – FEMA Demolition Project** was tabled until an asbestos study has been completed and submitted to FEMA.

- 14. Roger Goodwin, Chief Engineer – Tolling of Construction Bond Agreement for Thorn Hill Subdivision, Lots 1-179**

Stephanie Grove advised the Commission of the results of her research regarding the tax sale of the Thorn Hill lots. She will research the dissolution of the LLC. Ms. Widmyer requested that Ms. Grove also research the issue of the Commission's obligation to start construction of a subdivision.

Motion by Ms. Morgan to table discussion and action on tolling of the Construction Bond Agreement for the Thorn Hill lots until January 20, 2011 at the earliest. Motion seconded by Mr. Surkamp and approved 3 -2. Mr. Manuel and Ms. Noland voted "no."

- 15. Commissioner Noland's Proposed Scoring Policy for Agencies that Request Funding from the County Commission**

Revisions that were suggested at the December 2, 2010 meeting were made.

Ms. Morgan made a motion to accept the draft "Fiscal Year 2011 Request for Funding" consisting of four pages with the amendments recommended this date. Motion was seconded by Mr. Manuel and unanimously approved.

- 16. FEMA Contract – Demolition Project (revisited)**

Kirk Davis reported that the asbestos inspection was done, but that FEMA wants samples and other items. The contractor will provide the items. Mr. Davis requested that the Commission approve the low bidder, Rockwell Construction Company, Inc. as the demolition contractor on the FEMA project and approve Rockwell's proposed demolition contract.

Motion by Ms. Morgan to approve Rockwell Construction Company, Inc. as the demolition contractor on the FEMA project and approve Rockwell's proposed demolition contract. Motion seconded by Mr. Manuel and unanimously approved.

The Commission broke for lunch at 12:38 p.m.

The Commission reconvened at 1:34 p.m.

17. **WVU County Extension Service** – Power Point Presentation by Craig Yohn, Agriculture and Natural Resources Agent, Judy Matlick, Families and Health Program Agent and Jeremy Hovat, 4H and Youth Development Agent. WVU Jefferson County programs were reviewed.

18. **Approval of Employment of Daniel Coontz as Animal Control Officer (revisited)**

Motion by Ms. Morgan to approve the employment of Daniel Coontz as an Animal Control Officer at a salary of \$29,286.46 annually. Motion seconded by Mr. Manuel and unanimously approved.


19. **Budget Format Work Session with Mark Schiavone, Director of Capital Planning and Management**

General discussion of the upcoming budget review.

20. **Review of the Procurement Card Procedures Draft Policy proposed by Mr. Boyde was deferred until 2011.**

Motion by Mr. Manuel to adjourn. Motion seconded by Ms. Noland and meeting adjourned at 3:00 p.m.

Upon rising the Commission recessed until Thursday morning next beginning at 9:30 o'clock a.m.


LYN WIDMYER, PRESIDENT

Jefferson County Commission

Thursday, December 16, 2010

A meeting of the Jefferson County Commission was held on Thursday, December 16, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Dale Manuel, Jim Surkamp and Frances Morgan; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this December 16, 2010 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the minutes of the Special Session of November 8, 2010 as amended. Motion seconded by Mr. Manuel and unanimously approved. (An audio tape of the November 8, 2010 Special Session is available through the Jefferson County Commission Office.)

Motion by Mr. Manuel to approve the minutes of the Special Session of December 7, 2010 regarding the Blue Ridge Mountain Common Vision Document as presented. Motion seconded by Mr. Surkamp and approved 3 – 2. Ms. Morgan and Ms. Noland abstained from voting as they were not present at the meeting. (An audio tape of the December 7, 2010 meeting is available through the Jefferson County Planning & Zoning Department.)

Motion by Ms. Morgan to approve the minutes of the December 9, 2010 meeting as amended. Motion seconded by Ms. Noland and unanimously approved. (An audio tape of the December 9, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$43,831.77 being purchase order numbers: 48299, 48658, 49144, 49145, 49330, 49212, 48897, 49092, 49094, 48106, 49178, 49179, 49180, 49181, 49182, 49183, 49210, 48932, 49184 and 48936. Motion seconded by Mr. Manuel. Commissioners questioned the \$3,065.25 charge from Downstream Strategies, Purchase Order Number 48932. Voting on motion was postponed until the afternoon meeting session.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Mr. Manuel to approve \$356,795.71 in accounts payable minus \$3,149.00 for Smith Nadenbousch. Motion seconded by Ms. Noland and unanimously approved. Ms. Noland noted that \$239,866.29 of the total amount paid was for distributions of allocations to various agencies.

RESOLUTIONS/RECOGNITIONS

Commissioner Widmyer presented former WV Delegate Terry Walker with a Resolution on behalf of the County Commission honoring his service to Jefferson County and the State of West Virginia.

Mr. Boyde presented Certificates of Recognition for Job Corps. interns Matt Conley and Derrick Shinault acknowledging their excellent work for Jefferson County. Mr. Conley and Mr. Shinault were not able to be present to accept their Certificates.

PUBLIC COMMENT

Debbie Royalty commented that the Public Service Commission staff filed a motion recommending the PATH case either be dismissed or asking PATH, LLC to toll on their application. Ms. Royalty inquired if the Commission would be supporting the PSC staff. The Commissioners, by unanimous consent, opted to discuss this matter during the legal update portion of today's meeting.

Heidi Parker thanked the Commission and Ralph Lorenzetti for appointing and allowing James Casimiro, Esquire to assist Jefferson County residents in their efforts to stop Jefferson Utilities, Inc. proposed rate increase.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

1. Met with Matt Ward from the Ferguson Group to look at whether or not the Commission would be interested in pursuing Federal grants and Federal earmarks either independently or in conjunction with the City of Ranson. Ms. Widmyer requested Mr. Boyde to put something together for the Commission as an agenda item in January 2011 at his discretion.
2. Requested that the agenda be amended to allow for committee appointments for the Criminal Justice Board of Jefferson-Berkeley Counties to be placed at the end of today's agenda. All four individuals' terms expire on 12/31/2010 and they are willing to serve again. Permission granted to amend the agenda.
3. Reported that he prepared two draft policies regarding workers' compensation and overtime pay and forwarded them to the Commissioners via email for review.
4. Reported that he will meet with representatives of the WV Risk Pool regarding employee safety committees and employee assistance programs.

COUNTY COMMISSION REPORTS**Commissioner Frances Morgan:**

1. Reported that she attended a Planning Commission meeting.

Commissioner Dale Manuel:

1. Reported that he attended a meeting of the Emergency Services Agency.
2. Reported that he attended a Parks & Recreation Commission meeting.
3. Reported that he would like to put on the agenda for next year a request for allocation of capital to the Parks & Recreation Department to obtain a new copier and maintenance lease for the copier.

Commissioner Lyn Widmyer:

1. Reported that she attended a meeting of the Jefferson County Partnership which meets under the guidance of the Development Authority.

Commissioner Patsy Noland:

1. Reported that she attended a meeting of the Jefferson County Council on Aging. She noted that the JCCOA still has not received the \$50,000.00 that was allocated to it. Mr. Boyde stated that the funds will be released next week.

PRESENTATIONS:

1. **Richard L. Doty** presented his qualifications for appointment to the IT Advisory Committee.

Motion by Mr. Surkamp to appoint Richard Doty to a two-year term on the IT Advisory Committee. Motion seconded by Mr. Manuel and unanimously approved.

Commissioner Surkamp suggested that a liaison be appointed from the Jefferson County Commission to the IT Advisory Committee and that the item be placed on the January 6, 2011 agenda.

2. **Public Hearing and Resolution – Eastern Panhandle Home Consortium**

Commissioner Widmyer called the public hearing to session at 11:00 a.m. The focus of the hearing was (1) the Eastern Panhandle Home Consortium FY 2011 Home Program and, (2) to request that the Commission approve a Resolution renewing its participation in the EPHC for FY 2011 – FY 2012.

Patricia McMillan, the HOME Administrator for the City of Martinsburg, provided an overview of the HOME Program and program outcomes for the Eastern Panhandle HOME Consortium for the last four years. She requested that members of the public offer comments and suggestions on the use of FY 2011 HOME funds in Jefferson County.

Annette G. van Hilst, Secretary of the Partnership for Affordable Housing reported on the Partnership's accomplishments and goals for the future.

Comments were given by Marie Galozzi, the part-time Program coordinator and Katie See, City Planner for Charles Town who offered support for the Program.

(Commissioner Surkamp left the meeting at 11:05 a.m. due to inclement weather.)

Ms. Widmyer closed the hearing at 11:15 a.m.

Motion by Ms. Morgan to approve the Resolution of the County Commission of Jefferson County, West Virginia Authorizing Participation in the Eastern Panhandle HOME Consortium of West Virginia for the Period of July 1, 2011 to June 30, 2012. Motion seconded by Mr. Manuel and unanimously approved.

RESOLUTION

A RESOLUTION OF THE County Commission of Jefferson County, West Virginia AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM OF WEST VIRGINIA FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2012

WHEREAS, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as "HOME"); and

WHEREAS, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and

WHEREAS, there is a need throughout the Eastern Panhandle of West Virginia to provide affordable housing for the low and moderate income residents; and

WHEREAS, the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, City of Charles Town, City of Ranson, City of Shepherdstown, County of Morgan, Town of Paw Paw, West Virginia, have formed a Consortium that has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to seek annual funding; and

WHEREAS, the Jefferson County Commission entered into a three (3) year Housing Consortium Cooperation Agreement with an annual renewal clause for participation in the HOME Consortium for the Eastern Panhandle; and

WHEREAS, the U.S. Department of Housing and Urban Development is expected to award the HOME Consortium of the Eastern Panhandle a HOME grant upon request and consideration for Fiscal Year 2010-2011; and

WHEREAS, the Jefferson County Commission recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY THAT:

1. Jefferson County will cooperate with the City of Martinsburg, Town of Hedgesville, County of Berkeley, City of Charles Town, City of Ranson, City of Shepherdstown, County of Morgan, Town of Paw Paw, West Virginia, in a Consortium for participation in the HOME Program; and
2. The President of the Jefferson County Commission is hereby authorized to enter into a one-year Cooperation Agreement for the period of July 1, 2011 to June 30, 2012 with the other members which form the Eastern Panhandle HOME Consortium of West Virginia; and

3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve funding of the Eastern Panhandle HOME Consortium of West Virginia for the above Fiscal Year 2011 HOME Investment Partnership Program.

Adopted this _____ day of _____, 2010.

BY:

Name and Title

ATTEST:

Name and Title

ENTERED this 16th day of December, 2010.

Lyn Williams

President of the _____



Prepared by:

David A. Camilletti

David A. Camilletti, Esquire
WV State Bar Id No. 599
Counsel for Petitioners

JEFFERSON COUNTY COMMISSION

Jennifer S. Weston
JEFFERSON County 10:22:17 AM
Instrument No 2010025255
Date Recorded 12/22/2010
Document Type ORD
Book-Page 1000-40

The Commission took a five minute break at 11:17 a.m.

3. David Camilletti, Esquire presented the Petition of Martin and Brenda Lookingbill for Closing Unused Roads, Streets, and Travel Ways located between their various properties and to schedule a date for a hearing on the matter before the Commission.
4. Motion by Ms. Morgan to approve the Petition and set the matter for hearing before the County Commission on January 20, 2011 at 11:00 a.m. Motion seconded by Ms. Noland and u
5. Tom Moslener, Panhandle Pedalers Cycling Club of Charles Town WV request to approve a Resolution pledging the County Commission's support for the placement of "Share the Road" signs on specific roads within Jefferson County

Motion by Mr. Manuel to approve with amendments the Resolution supporting placing "Share the Road" signs on the roads mentioned by Mr. Moslener of the Panhandle Pedalers Cycling Club of Charles Town WV. Motion seconded by Ms. Morgan and unanimously approved.

RESOLUTION

WHEREAS, bicycling offers residents and tourists alike a chance to enjoy the beauty of Jefferson County; and

WHEREAS, the safety and well being of all bicyclists are of high importance to our citizens; and

WHEREAS, recent traffic incidents within the county have created an urgent need to have "Share the Road" cycling signs installed within the county;

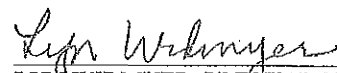
WHEREAS, members of the Panhandle Pedalers Cycling Club of Charles Town WV (PPCC) have identified essential and frequently traveled bicycling routes where the volume of vehicle traffic is a high concern for the safety of cyclists.

NOW, THEREFORE, be it resolved that the Jefferson County Commission endorses the installation of "Share the Road" signs within the county by the West Virginia Department of Highways along the following roads recommended by the Panhandle Pedalers Cycling Club:

Bakerton Road
Summit Point Road
Kabletown Road
Old Leetown Pike
Leetown Road
Ridge Road
Darke Lane
Earle Road
Lloyd Road
Withers Larue Road

These signs should be installed in as timely a manner as possible; all costs for the purchase, installation and maintenance of signs are to be borne by the West Virginia Department of Highways; the roads listed above should be viewed as the beginning of a cycling network where "Share the Road" signs are to be installed; and the Panhandle Pedalers Cycling Club should be considered a valuable resource in terms of recommending roads that should be evaluated for "Share the Road" signs.

BE IT FINALLY RESOLVED, that the Jefferson County Commission requests the West Virginia Department of Highways to purchase, install and maintain "Share the Road" signs within Jefferson County.


LYNN WIDMYER, PRESIDENT
JEFFERSON COUNTY COMMISSION

6. Roger Goodwin, Department of Engineering, Chief Engineer:

- a. Request to authorize a partial release of the Construction Bond security for County Green, LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue (File #07-22) in the amount of \$28,361.00 – Letter of Credit #9570254380 00004 with BB&T, Martinsburg, WV.

Motion by Ms. Noland to approve the partial release of the Construction Bond security for County Green, LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue (File #07-22) in the amount of \$28,361.00 – Letter of Credit #9570254380 00004 with BB&T, Martinsburg, WV. Motion seconded by Mr. Manuel and unanimously approved.

- b. Request to approve the complete release of the remaining \$216,477.00 construction bond amount for James P. Phillips – Apple Valley Waste Services, Inc. (File #S08-02) – Letter of Credit with City National Bank of Martinsburg, WV.

Motion by Ms. Noland to approve the complete release of the remaining \$216,477.00 construction bond amount for James P. Phillips – Apple Valley Waste Services, Inc. (File #S08-02) – Letter of Credit with City National Bank of Martinsburg, WV. Motion seconded by Mr. Manuel and unanimously approved.

- c. Michael R. Shveda request to authorize a partial release of \$337,030.00 from the construction bond amount for Shepherdstown Estates Subdivision, Lots 1-9 & Residue (File #07-24) – Letter of Credit with Jefferson Security Bank, Shepherdstown, WV. Staff recommendation to reduce construction bond to \$54,000.00 pursuant to the bonding policy.

Motion by Ms. Morgan to reduce the construction bond amount for Michael R. Shveda – Shepherdstown Estates Subdivision, , Lots 1-9 & Residue (File #07-24) – Letter of Credit with Jefferson Security Bank, Shepherdstown, WV to \$54,000.00 as recommended by staff pursuant to the bonding policy. Motion seconded by Mr. Manuel and unanimously approved.

7. Stephanie Grove, Assistant Prosecuting Attorney, requested that the Commission enter into an Executive Session with regard to PATH pending litigation citing WV Code § 6-9A-4, Peters v. Wood.

Motion by Ms. Morgan to enter into an Executive Session concerning the PATH pending litigation by authority of WV Code § 6-9A-4. Motion seconded by Mr. Manuel and unanimously approved.

Commission entered into Executive Session at 12:03 p.m.

Motion by Ms. Morgan to end Executive Session, seconded by Mr. Manuel and unanimously approved. Executive Session ended at 12:12 p.m.

The Public Service Commission staff filed a motion recommending the PATH case either be dismissed or asking PATH, LLC to toll on their application.

Motion by Ms. Noland that the Commission take no action on the PSC staff's motion. Ms. Noland's motion seconded by Mr. Manuel. Friendly amendment by Ms. Morgan to include the words "at this time" at the end of Ms. Noland's motion. Amendment seconded by Ms. Noland and amended motion unanimously approved.

Ms. Grove reported that she received bond documents for the Affordable Housing scattered projects and requested that Commission President Widmyer execute the documents on behalf of the Commission.

Motion by Ms. Morgan that the Commission authorize Commission President Widmyer to execute the bond documents on behalf of the Commission. Motion seconded by Mr. Manuel and unanimously approved.

8. Barbara Miller, Director of Homeland Security and Emergency Management presentation and request for approval of 2010 Jefferson County Emergency Operations Plan and 2010 Jefferson County Government Continuity of Operations Plan.

Motion by Ms. Morgan to approve the 2010 Jefferson County Emergency Operations Plan and 2010 Jefferson County Government Continuity of Operations Plan as presented. Motion seconded by Ms. Noland and unanimously approved.

9. **Jeffrey A. Polczynski, ENP, Director of Communications** request for approval of the employment of Mark Prangle as a full-time Public Safety Dispatcher II at Grade III, Step A, in the Emergency Communications Center with exact date of employment to be determined by the Director of Communications

Motion by Ms. Noland to approve the employment of Mark Prangle as a full-time Public Safety Dispatcher II at Grade III, Step A, in the Emergency Communications Center with a January 17, 2011 start date. Motion seconded by Mr. Manuel and unanimously approved.

10. **Jennifer Brockman, Planning Department Director** request that the County Commission schedule a public hearing on a date certain to consider Urban Growth Boundaries proposed by the Towns of Harpers Ferry and Bolivar for inclusion on the County Zoning Map.

By unanimous consent of the Commissioners a public hearing to consider the Urban Growth Boundaries as proposed by the Towns of Harpers Ferry and Bolivar for inclusion on the County Zoning Map was scheduled for January 27, 2011 at 7:00 p.m.

11. **Purchase Orders Revisited**

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$43,831.77 being purchase order numbers: 48299, 48658, 49144, 49145, 49330, 49212, 48897, 49092, 49094, 48106, 49178, 49179, 49180, 49181, 49182, 49183, 49210, 48932, 49184 and 48936. Motion seconded by Ms. Noland and unanimously approved.

12. **Request by Ms. Widmyer** to establish a date in February 2011 to hold the First Annual Economic Outlook for Jefferson County in the form of a roundtable discussion with the Development Authority to take the lead in arranging the meeting and presentations. Mr. Manuel suggested that someone should first meet with the Development Authority and volunteered to do so. Mr. Manuel's offer was unanimously accepted by the Commissioners.

13. **Mr. Boyde explained** that the letter received by the Commission from attorney Edwin Brown on behalf of Mr. Blunt and the Shepherdstown Battlefield Park (Cement Mill Property) discussed land values and Mr. Boyde reported that Mr. Blunt will seek a new appraisal of the property.

14. **Closing of the Millville Post Office Revisited**

Mr. Manuel suggested that the Commission obtain additional information regarding the proposed closing of the Millville Post Office and subsequently prepare a Resolution that would support the continued operation of the Post Office. Mr. Manuel's suggestion was unanimously agreed upon by the Commissioners.

15. **Tim Boyde, County Administrator, Review of Procurement Card Procedures Draft Policy**

Mr. Boyde recommended that the ceiling for P-Card purchases before administrative approval is required be raised from \$100.00 to \$250.00. Depending on the individual or circumstances the ceiling could be raised above \$250.00 if warranted.

Motion by Ms. Morgan to approve a ceiling of \$250.00 on P-Card purchases before administrative approval is required. Motion seconded by Ms. Noland and unanimously approved.

16. **Mike Mood, President/Chief of the Middleway Fire Company** request for approval of complete waiver from the minor subdivision, site plan and building permit fees of \$2,000.00.

Motion by Ms. Noland to approve the complete waiver of the minor subdivision, site plan and building permit fees in the amount of \$2,000.00 for the Middleway Fire Company. Motion seconded by Ms. Morgan and unanimously approved.

17. **Mark Schiavone, Director of Capital Planning and Management** request to approve Budget Revision 005 to the General Fund (Special Election Reimbursement).

Motion by Mr. Manuel to approve Budget Revision 005 to the General Fund (Special Election Reimbursement). Motion seconded by Ms. Noland and unanimously approved.

Mark Schiavone request to approve Budget Revision 006 to the General Fund (2nd Round Salary Adjustments).

Motion by Ms. Morgan to approve Budget Revision 006 to the General Fund (2nd Round Salary Adjustments). Motion seconded by Mr. Manuel and unanimously approved.

18. Appointments to Criminal Justice Board Revisited

Mr. Boyde requested that the following individuals be reappointed to the Criminal Justice Board of Jefferson-Berkeley Counties upon the expiration of their terms on 12/31/2010:

Ralph Lorenzetti, Esquire,
 Sheriff Robert Shirley
 Hal Slaughter, Psychologist
 Dr. Sheri Hoff, Board of Education

Motion by Ms. Morgan to reappoint Ralph Lorenzetti, Esquire, Sheriff Robert Shirley, Hal Slaughter, Psychologist and Dr. Sheri Hoff of the Board of Education to the Criminal Justice Board of Jefferson-Berkeley Counties upon the expiration of their terms on 12/31/2010. Motion seconded by Mr. Manuel and unanimously approved.

- 19. Ms. Widmyer** noted that the Commission had planned to recognize Commissioner Jim Surkamp with a plaque for his years of excellent service to Jefferson County. Due to inclement weather Mr. Surkamp was not present to receive his award. Mr. Manuel suggested that Mr. Surkamp be invited to the January 6, 2011 meeting to be honored at that time. The Commissioners unanimously agreed.

Ms. Noland made a motion to adjourn the meeting. Motion was seconded by Mr. Manuel and the meeting was adjourned at 12:50 p.m.

Upon rising the Commission recessed until Thursday morning, January 6, 2011 beginning at 9:30 o'clock a.m.


 LYN WIDMYER, PRESIDENT

THIS PAGE LEFT

BLANK INTENTIONALLY



Jefferson County Commission

Thursday, January 6, 2010

A meeting of the Jefferson County Commission was held on Thursday, January 6, 2011 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Lyn Widmyer, Patsy Noland, Dale Manuel, Frances Morgan and Walter Pellish; Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this January 6, 2011 meeting is available through the Jefferson County Commission Office.)

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

PLEDGE OF ALLEGIANCE

Following the Pledge of Allegiance Lyn Widmyer, on behalf of the Commission, presented former Commissioner Jim Surkamp with a plaque honoring his excellent service while on the Commission and his dedication to the residents of Jefferson County.

COUNTY COMMISSION ORGANIZATION 2011

a. Selection of President -

Mr. Manuel nominated Patricia Noland for President of the Jefferson County Commission to serve during the 2011 calendar year. By unanimous consent of the Commissioners, Ms. Noland was selected as President.

b. Selection of Vice President -

Ms. Widmyer nominated Frances Morgan for Vice President of the Jefferson County Commission to serve during the 2011 calendar year. Ms. Noland nominated Dale Manuel for Vice President. By a vote of 3 -2 Mr. Manuel was selected as Vice President. Ms. Widmyer and Ms. Morgan voted "no."

c. Committee Assignments - See Next Page

Assignment to Boards, Commissions & Organizations Calendar Year 2011	
Organization	Commissioner
Affordable Housing	Noland/Manuel
Air Quality Control Board	Widmyer
Approval of Bills	Morgan/Pellish
Board of Health	Morgan
Building Repair	Manuel
Community Corrections Committee	Morgan/Manuel
Court House Committee	Noland
Development Authority	Pellish
E-911 Council	Manuel
Extension Service	Noland
Farmers Market Committee	Noland/Manuel

Farmland Preservation Board	Morgan/Pellish (Alt.)
Jefferson County Convention & Visitors Bureau	Noland/Pellish (Alt.)
Jefferson County Emergency Services Agency	Manuel
Historic Landmarks Commission	Morgan
Homeland Security	Manuel
Legislative Liaison	Noland/Manuel
Local Emergency Planning Committee	Manuel
Mental Health Center	Prosecuting Attorney
MPO Interstate Council	Widmyer
Parks and Recreation	Manuel/Widmyer
Planning Commission	Pellish
Public Service District Liaison	Widmyer/Noland
Region 9	Widmyer
Solid Waste Authority	Widmyer
Water Advisory Committee	Widmyer/Manuel
Workforce Investment Act Liaison	Morgan

APPROVAL OF PURCHASE ORDERS:

Motion by Ms. Morgan to approve Purchase Orders in the amended amount of \$187,992.41 (which amount includes \$56,202.00 to Hagerstown Ford for two police vehicles not on this Purchase Order List) being purchase order numbers: 49171, 48300, 48664, 48665, 48668, 49146, 49147, 49301, 47687, 49332, 49220; 48893, 49093, 49170, 49213, 49216, 49217, 49218, 49221, 49222, 49223, 48944, 48911, 48912, 48913, 49214, 48915, 48606, 49215. Motion seconded by Ms. Morgan and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve the December 23, 2010 accounts payable in the amount of \$211,075.47. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the January 6, 2011 accounts payable in the amount of \$936,742.82. Motion seconded by Mr. Manuel and unanimously approved.

PUBLIC COMMENT

Laura Rattenni, Circuit Clerk, reported that she hired a temporary, part-time bookkeeper to assist in the Circuit Clerk's Office and asked for the Commission's approval. Motion was made by Ms. Widmyer to approve the hire by the Circuit Clerk of a temporary, part-time bookkeeper. Motion was seconded by Mr. Manuel and unanimously approved.

Ed Burns of the IT Advisory Committee suggested that the Commission post on the Jefferson County Commission website a list of all the County committees and committee members for the convenience of the public.

PRESENTATIONS:

1. Stephanie Grove, Assistant County Prosecutor, presented an update on legal work in progress and completed for the County since the last Commission meeting on December 16, 2010.

Ms. Grove introduced Kimberly D. Crockett, Assistant Prosecuting Attorney, as a new hire in the Prosecuting Attorney's Office and requested the Commission's approval.

Motion by Mr. Manuel to approve the hiring of Kimberly D. Crockett as an Assistant Prosecuting Attorney in the Prosecuting Attorney's Office. Motion seconded by Ms. Widmyer and unanimously approved.

2. **Jennifer Brockman, Director of Planning and Zoning**, requested that the Commission approve the Final Draft Zoning Map Update Process Policy and Draft Zoning Map recently completed in conjunction with the GIS/Addressing Department. Ms. Brockman also requested that the Commission authorize the Commission President to sign and certify the December 2010 Final Draft Zoning Map for recordation at the County Clerk's Office pursuant to WV Code §8A.

Motion by Ms. Widmyer to approve the Final Draft Zoning Map Update Process Policy as recommended by the Jefferson County Planning Commission on December 21, 2010. Motion seconded by Mr. Manuel and unanimously approved...

Motion by Ms. Morgan to authorize the President of the Jefferson County Commission to sign and certify the December 2010 Final Draft Zoning Map for recordation at the County Clerk's office per WV Code §8A. Motion seconded by Mr. Manuel and unanimously approved.

3. **Pete Kelley, President of the Jefferson County Emergency Services Agency** requested additional funding for the organization's daily operations in 2011. **Ms. Marty Freeman** presented a financial analysis of the JCESA and explained its need for additional funding. Mr. Boyde reported that the actual amount needed by JCESA is \$107,649.00 and that the allocation could be achieved by deducting \$60,749.00 from the Jefferson County unencumbered fund and the remainder from the County's Coal Severance Fund.

Motion by Mr. Manuel to approve the \$107,649.00 allocation to the JSESA and to follow Mr. Boyde's recommendation to take \$60,749.00 from the Jefferson County unencumbered fund and the remainder from the County's Coal Severance Fund. Motion seconded by Ms. Widmyer and unanimously approved.

4. **Roger Goodwin, Chief County Engineer**, made several requests:

- Requested the Commission authorize the complete release of the remaining \$93,064.00 construction bond amount for Kevin L. Steeley – DALB, Inc. (File #S09-05).

Motion by Mr. Manuel to approve the complete release of the remaining \$93,064.00 construction bond amount for Kevin L. Steeley – DALB, Inc. (File #S09-05). Motion seconded by Mr. Pellish and unanimously approved.

- Requested the Commission and Staff to accept and execute the Tolling of Bonding Agreement with the developer of the Harvest Hills Subdivision, Section 1, Phase 1, Lots A, B & Lots 28-50 & Residue. (File #01-42).

Motion by Mr. Manuel to approve and authorize the President of the Jefferson County Commission to execute the Tolling of Bonding Agreement tolling the \$1,752,605.00 Harvest Hills bond and require the developer to submit a surety in the amount of \$10,000.00 as per the terms of the Agreement. Motion seconded by Mr. Pellish and approved 4-1. Ms. Morgan voted "no."

- Requested authorization to prepare the necessary documents to call the Irrevocable Letters of Credit which have not been received from various banks by the County by January 10, 2011.

Motion by Ms. Morgan to authorize Staff to prepare the necessary documents and call all of the banks listed in the Engineering Department's Memorandum to the Commission with the exception of Pleasant Hills Subdivision, BB&T Bank, by the January 15, 2011 expiration date. Motion seconded by Mr. Manuel and unanimously approved.

- Requested a complete release of \$40,050.00 from the construction bond amount for County Green, LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue. (File #07-22). Motion by Ms. Morgan to approve the complete release of \$40,050.00 from the construction bond amount for County Green, LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue. (File #07-22). Motion seconded by Ms. Widmyer and unanimously approved.

- Request by Mike Cassell, Esquire, to reduce the construction bond from \$40,050.00 down to \$7,360.00, plus a 15% contingency amount of the grass portion of the bond.

Motion by Mr. Manuel to deny the reduction of the construction bond from \$40,050.00 to \$7,360.00 with a 15% contingency amount of the grass portion of the bond pursuant to Staff's recommendation. Motion seconded by Ms. Morgan and unanimously approved.

The Commission took at 10-minute break at 11:17 a.m.

The Commission reconvened at 11:26 a.m.

5. **Barbara Miller, Director of Homeland Security and Emergency Management** requested:
- (1) That the Commission approve the Memorandum of Understanding with Hollywood Casino at Charles Town Races;
 - (2) That the Commission approve the following persons to serve on the Jefferson County Homeland Security and Emergency Management Steering Committee for a period of 2 years: Pamela Holstein-Wallace (representing WV Region 3 Homeland Security); Holly Morgan-Frye (representing Education-Shepherd University); Jefferson County Sheriff, Bobby Shirley (representing Law Enforcement); Mason Carter (representing Engineering/Zoning); Kelly Parsons (representing Private Industry); and Amy Jones (representing Health);
 - (3) Requested an Executive Session with regard to sensitive information.
 - (4) Ms. Miller offered a presentation on a preparedness campaign developed by FEMA called "Don't Drop the Ball, Resolve to Be Ready in 2011."

Motion by Ms. Morgan to approve the Memorandum of Understanding with the Hollywood Casino at Charles Town Races. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve individuals to serve on the Jefferson County Homeland Security and Emergency Management Steering Committee for a period of 2 years as recommended by Ms. Miller. Motion seconded by Ms. Widmyer and unanimously approved.

6. **Sheriff Bobby Shirley** requested that the Commission approve the appointments of Stacey Michelle Morgan and Monica Lynn Megonigal to the Jefferson County Deputy Reserve Program.

Motion by Ms. Morgan to approve the appointments of Stacey Michelle Morgan and Monica Lynn Megonigal to the Jefferson County Deputy Reserve Program. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to enter into an Executive Session pursuant to the request of Barbara Miller and by authority of WV Code §6-9A-4. Motion seconded by Mr. Manuel and unanimously approved. The Commission entered into an Executive Session at 11:38 a.m.

Motion by Ms. Morgan to resume the Commission's regular session. Motion seconded by Mr. Manuel and unanimously approved. The Commission resumed its regular session at 11:47 a.m.

7. Request to approve the Resolutions, Agreements and Contracts of the Community Participation Grant Program as follows:
- Jefferson County Coalition on Substance Abuse - \$6,500.00.
 - Jefferson County Coalition on Substance Abuse - \$2,000.00
 - Literacy Volunteers of the Eastern Panhandle - \$1,500.00

Motion by Mr. Manuel to approve all three (3) of the Resolutions, Agreements and Contracts of the Community Participation Grant Program and to authorize the President of the Jefferson County Commission to sign same on behalf of the Commission. Motion seconded by Mr. Pellish and unanimously approved.

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV *RESOLUTION*

The County Commission of Jefferson County, met on January 6, 2011 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the Jefferson County Coalition on Substance Abuse to enclose a covered carport adjacent to the Boys and Girls Club with funds made available through the Governor's Community Participation Grant program in the amount of \$6,500.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed:

COUNTY CLERK
10LEDA0590

**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV
RESOLUTION**

The County Commission of Jefferson County, met on January 6, 2011 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the Jefferson County Coalition on Substance Abuse to enclose a covered carport adjacent to the Boys and Girls Club with funds made available through the Governor's Community Participation Grant program in the amount of \$2,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed: _____
COUNTY CLERK
10LEDA0505

**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV
RESOLUTION**

The County Commission of Jefferson County, met on January 6, 2011 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the Jefferson County Literacy Volunteers of the Eastern Panhandle to purchase educational materials with funds made available through the Governor's Community Participation Grant program in the amount of \$1,500.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes the President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Signed: _____
COUNTY CLERK
10LEDA0621

8. Request to approve Board of Review and Equalization Notice listing the dates of BORE hearings in February 2011.

Motion by Mr. Manuel to approve the Board of Review and Equalization Notice and the dates listed for public hearings. Motion seconded by Ms. Morgan and unanimously approved.

**NOTICE
Board of Review and Equalization**

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County on Tuesday, February 1, 2011, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the year 2011.