

REGULAR TERM:

State of West Virginia, County of Jefferson, to-wit:

At a Regular Term of the County Commission of said County and State continued and held at the Old Charles Town Library ground floor meeting room thereof on Thursday, November 9, 2006, beginning at 9:30 o'clock a.m.

PRESENT: Gregory Corliss, President;
James Surkamp; A.M.S. (Rusty) Morgan, III;
Dale Manuel; Jane M. Tabb; Commissioners

In re: PLEDGE OF ALLEGIANCE

Commissioner Manuel conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Manuel, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, November 2, 2006, and to approve the Minutes as prepared. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Manuel, second by Tabb to approve the following Purchase Orders for the Week of November 6, 2006, totaling \$107,434.16: 43014, 43380, 43383, 43382, 43403, 42938, 43401, 43402, 43207, 43210 and 43211. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Surkamp, second by Manuel to approve the list of the Accounts Payable dated November 9, 2006 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

DEPT	Check Number	Vendor Name	PO #	AMT W/O PO#	AMT W/O PO#	Amount
425/OB	50700	ALLEGHENY POWER			\$ 99.16	\$ 99.16
712/911	50701	APCO INTERNATIONAL	43328	\$ 1,174.00		\$ 1,174.00
425/OB	50702	C.T. LOCK & KEY	41063	\$ 26.00		\$ 26.00
700/SHRF	50703	CREAMERS AUTO	41068	\$ 2,298.08		\$ 2,298.08
711/EMERG	50703	CREAMERS AUTO	43315	\$ 381.24		\$ 381.24
424/CTHS	50704	C.T. WATER DEPT			\$ 108.95	\$ 108.95
425/OB	50704	C.T. WATER DEPT			\$ 1,456.15	\$ 1,456.15
425/OB	50705	DAYCON	41065	\$ 349.83		\$ 349.83
439/PZ	50706	KIRK DAVIS			\$ 204.92	\$ 204.92
VOIDED	50707	VOIDED CHECK			\$ 0.00	\$ 0.00
700/LAW	50708	FIFTH THIRD BANK			\$ 39.95	\$ 39.95
401/COM	50708	FIFTH THIRD BANK			\$ 179.40	\$ 179.40
402/CLK	50708	FIFTH THIRD BANK			\$ 225.01	\$ 225.01
402/CLK	50708	FIFTH THIRD BANK			\$ 19.95	\$ 19.95
403/CIR CLK	50708	FIFTH THIRD BANK			\$ 68.00	\$ 68.00
403/CIR CLK	50708	FIFTH THIRD BANK			\$ 170.00	\$ 170.00
439/PZ	50708	FIFTH THIRD BANK			\$ 239.00	\$ 239.00
711/EMERG	50708	FIFTH THIRD BANK			\$ 476.97	\$ 476.97

No public comment was given at this time.

In re: APPOINTMENT OF ALTERNATE MEMBER OF THE BOARD OF ZONING APPEALS

No action was taken on this agenda item.

In re: APPOINTMENT TO THE HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT

No action was taken on this agenda item.

In re: APPOINTMENT TO THE JEFFERSON COUNTY BUILDING COMMISSION

No action was taken on this agenda item.

In re: APPOINTMENTS TO THE AMBULANCE AUTHORITY

No action was taken on this agenda item.

In re: LEGISLATIVE ISSUES

Commissioner Manuel informed the Commission that the Legislative Special Session was starting today.

In re: KENDIG KEAST UPDATE/ORDINANCE REWRITE DISCUSSION AND DIRECTION

The Commission discussed the progress of the ordinance rewrite by Kendig Keast.

In re: SHEILA BIRNBACH - MANAGEMENT CONSULTANT

Sheila Birnbach, Management Consultant, appeared before the Commission concerning the management study. Ms. Birnbach requested approval to distribute her draft of the employee guidelines to department heads. The Commission agreed that they did not want the draft employee guidelines distributed until legal counsel and the Commission had finished reviewing the draft. Ms. Birnbach also recommended that the Commission consider hiring a Human Resources Manager.

In re: BARBARA MILLER - REPORT ON DISASTER PRIORITIES - CACAPON MEETING

Barbara Miller, from the Jefferson County Office of Homeland Security, appeared before the Commission to report on a meeting at Cacapon concerning disaster priorities. Sheriff Boober was present and also commented on the meeting. After discussion, the Commission agreed to discuss the assignment of responsibilities on next week's agenda.

In re: LYNNE DEMING - PLANNING COMMISSION CONCERNS

Lynne Deming, Planning Commissioner, appeared before the Commission to discuss her concerns regarding the Planning Commission. The Commission agreed to discuss the scope of responsibilities of the Planning Commission on next week's agenda.

In re: INCOMPLETE FINANCIAL AUDIT OF COUNTY

The Commission agreed to remove this item from the agenda.

In re: RESOLUTION FOR HAPPY RETREAT

Motion by Morgan, second by Manuel to approve the following Resolution of Support for the Friends of Happy Retreat. Motion carried.

**COUNTY OF JEFFERSON
OFFICE OF THE COUNTY COMMISSION**

RESOLUTION

WHEREAS, Happy Retreat, the home of Charles Washington, younger brother of George Washington and founder of the town of Charles Town, is one of the most important historic landmarks in Jefferson County; and

WHEREAS, the Friends of Happy Retreat, a non-profit corporation, has organized for the purpose of acquiring, restoring and managing Happy Retreat for the benefit of the public; and

WHEREAS, all the citizens of Jefferson County will benefit by the success of this effort;

THEREFORE, BE IT RESOLVED, that the County Commission of Jefferson County recognizes and endorses the Friends of Happy Retreat and their effort to make Happy Retreat a national center for history and culture for the benefit of the citizens of Jefferson County and the general public.

Dated: November 9, 2006 /s/ _____ PRESIDENT
JEFFERSON COUNTY COMMISSION

In re: DISCUSSION OF PROPERTY PURCHASE

The Commission agreed to remove this item from the agenda.

In re: PROPOSED PLANNING COMMISSIONER REMOVAL ORDINANCE

Brandon Sims, Assistant Prosecuting Attorney, appeared before the Commission to review the draft Planning Commissioner Removal Ordinance with the Commission. After discussion, Ms. Sims informed the Commission that further discussion on the draft ordinance would need to be done in Executive Session. The Commission agreed to continue with the rest of the agenda before entering into Executive Session.

The Commission took a 5 minute break at 11:20 a.m.

In re: PETITION FOR APPOINTMENT OF COMMITTEE FOR RICKY LEE CAREY

Vincent Todd Secatello appeared before the Commission to request the approval of a Petition for Appointment of Mr. Secatello as Committee for Ricky Lee Carey. Brandon Sims, Assistant Prosecuting Attorney, suggested a few slight changes to the Petition. Mr. Secatello informed the Commission that the name was incorrect on the petition and should actually be Ricky Eugene Carey. After discussion, motion by Tabb, second by Manuel to approve the Petition for Appointment of Vincent Todd Secatello as Committee for Ricky Eugene Carey with the minor changes in the petition suggested by Ms. Sims. Motion carried.

In re: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT

Jennifer S. Maghan, County Clerk, appeared before the Commission to give the County Clerk's report. Ms. Maghan discussed the General Election with the Commission. Ms. Maghan reported on problems with voter registrations that were done through the Division of Motor Vehicles. Ms. Maghan also reported on issues with delegate districts. The Commission discussed New Business #2 (Gary L. Kavanagh - DMV Voter Registration - Request to County Provisional Ballot) with the County Clerk. Ms. Maghan informed the Commission that the DMV voter registrations that were not in the poll books on election day, voted using a provisional ballot.

**In re: SHENTEL - AGREEMENT AND RELEASE - E-911 EQUIPMENT
INSTALLATION AT CELL SITE**

No action was taken on this agenda item.

**In re: GARY L. KAVANAGH - DMV VOTER REGISTRATION - REQUEST TO
COUNTY PROVISIONAL BALLOT**

This agenda item was discussed under the County Clerk's Report.

**In re: APPROVAL OF EMPLOYMENT - LORI BRANER - E-911 PUBLIC SAFETY
DISPATCHER**

Motion by Tabb, second by Manuel to approve the employment of Lori Braner as an E-911 Public Safety Dispatcher. Motion carried.

**In re: PROPOSED PLANNING COMMISSIONER REMOVAL ORDINANCE -
EXECUTIVE SESSION**

Motion by Morgan, second by Manuel to enter into Executive Session with Legal Counsel, Brandon Sims, to discuss the Proposed Planning Commissioner Removal Ordinance. Motion carried.

The Commission received the following information:

Reminder Courthouse is Closed on Friday, November 10, 2006 - Veteran's Day.

Reminder the County Commission will not meet the week of November 20, 2006.

Reminder the General Election Canvass begins Monday, November 13, 2006.

Appointment to be made to the Jefferson County Public Service District on December 7, 2006.

Correspondence received from the Public Service Commission concerning a request from Commissioner Surkamp for legal review of a Verizon franchise.

Impact Fee Status Report received for October 2006.

Memorandums received from the Department of Impact Fee concerning fund transfers.

Correspondence received from the City of Charles Town concerning Christmas lights.

Notice received of a Ribbon Cutting for City National Bank at Potomac Marketplace on November 10, 2006.

Correspondence received from the West Virginia Division of Homeland Security concerning the US EPA Region III CEPPO Conference on December 3-6, 2006.

Correspondence received James B. Crawford concerning annexation of the Hayes property.

Notice received of a retirement dinner for Chief Jesse Jones and Lt. Bobby Shirley on November 18, 2006, at 6:30 p.m.

Correspondence received from the State Fire Marshall's Office concerning adoption of state building codes.

E-911 remittance received from Fibernet.

Community Bulletin received from Harpers Ferry National Historical Park.

Copies of emails sent from the Historic Landmarks Commission to Kendig Keast received.

Notice received from the County Commissioners' Association of the passing of Commissioner Jim Waybright's brother.

Information received from the Association of Counties concerning tax proposals.

Copy of a newspaper article received from the County Commissioners' Association concerning the report to the Governor on Tax Modernization.

Information received from the Association of Counties concerning election night coverage.

Notice received from the United States Bankruptcy Court concerning Adelpia.

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

PRESIDENT