

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 16, 2006, beginning at 9:30 o'clock a.m.

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

In re: PLEDGE OF ALLEGIANCE

Commissioner Corliss 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 9, 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 13, 2006, totaling \$31,978.01: 43016, 43019, 43020, 43121, 43384, 43388, 43316, 43359, 42904, 43317, 43319, 43408, 43212, 43090, 43091, 43092, 43250, 43251, 43252, 43254, 43255, 43256, 43257, 43258 and 43320. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Manuel, second by Corliss to approve the list of the Accounts Payable dated November 16, 2006 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

DEPT	Check Number	Vendor Name	PO #	AMT W/ PO#	AMT W/O PO#	Amount
430/HLS	50736	AMERICAN RED CROSS	42492	\$ 45.00		\$ 45.00
405/PA	50737	ACCURATE SYSTEMS	43094	\$ 60.00		\$ 60.00
982/DATA	50738	ACS GOVERNMENT SYSTEM			\$ 11,235.98	\$11,235.98
412/AG	50739	AT&T			\$ 0.78	\$ 0.78
412/AG	50739	AT&T			\$ 3.20	\$ 3.20
425/OB	50740	ADVANCE ALARM TECH	43401	\$ 200.00		\$ 200.00
425/OB	50741	ARCH WIRELESS	42917	\$ 175.90		\$ 175.90
700/SHRF	50741	ARCH WIRELESS	42918	\$ 322.20		\$ 322.20
712/911	50741	ARCH WIRELESS	41997	\$ 362.10		\$ 362.10
425/OB	50742	ABH SERVICES			\$ 6,797.00	\$6,797.00
413/ELEC	50743	ANGELA L. BANKS			\$ 112.00	\$ 112.00

413/ELEC	50744	LOUIS BRUNSWICK			\$ 116.00	\$ 116.00
PAYROLL	50745	BUREAU FOR CHILD SUPPORT			\$ 72.00	\$ 72.00
439/PZ	50746	ICC	43202	\$ 24.00		\$ 24.00
402/CCLK	50747	BK OFFICE	42957	\$ 593.00		\$ 593.00
425/OB	50748	BOLAND SERVICES	42528	\$ 385.00		\$ 385.00
425/OB	50748	BOLAND SERVICES	42024	\$ 593.00		\$ 593.00
PAYROLL	50749	BUREAU/CHILD SUPPORT			\$ 62.31	\$ 62.31
413/ELEC	50750	CHERYL BARKER			\$ 320.00	\$ 320.00
413/ELEC	50751	CASTO & HARRIS	43385	\$ 14.77		\$ 14.77
PAYROLL	50752	CHILD SUPPORT ENFORCE			\$ 23.07	\$ 23.07
403/CIR CLK	50753	DANKA	43014	\$ 981.33		\$ 981.33
439/PZ	50753	DANKA	43207	\$ 138.43		\$ 138.43
412/AG	50754	SHANNA NICODEMUS			\$ 351.20	\$ 351.20
412/AG	50754	SHANNA NICODEMUS			\$ 76.00	\$ 76.00
700/SHRF	50755	EQUITABLE			\$ 15.00	\$ 15.00
413/ELEC	50756	ELECTION SYSTEM/SOFTWARE	43366	\$ 357.14		\$ 357.14
712/911	50757	EARTHLINK			\$ 21.95	\$ 21.95
424/CTHS	50758	EHRlich			\$ 28.00	\$ 28.00
425/OB	50758	EHRlich			\$ 222.00	\$ 222.00
413/ELEC	50759	DAVE EYRE			\$ 112.00	\$ 112.00
413/ELEC	50760	VIVIAN FIELDS			\$ 92.00	\$ 92.00
DEPT	Check Number	Vendor Name	PO #	AMT W/ PO#	AMT W/O PO#	Amount
412/AG	50761	FRONTIER			\$ 360.42	\$ 360.42
415/MAG	50761	FRONTIER			\$ 330.19	\$ 330.19
424/CTHS	50761	FRONTIER			\$ 12,636.03	\$ 12,636.03
712/911	50761	FRONTIER			\$ 3,901.28	\$ 3,901.28
413/ELEC	50762	STEVE GIBSON			\$ 283.36	\$ 283.36
413/ELEC	50763	SALLY GRAN			\$ 76.00	\$ 76.00
712/911	50764	HILLSIDE VETERINARY	43363	\$ 449.00		\$ 449.00
413/ELEC	50765	HOWARD HARDER			\$ 108.00	\$ 108.00
413/ELEC	50766	MARY HARDER			\$ 116.00	\$ 116.00
INVEST	50767	ING			\$ 165.00	\$ 165.00
425/OB	50768	JEFF. CO. PUBLIC SERVICE			\$ 27.09	\$ 27.09
402/CCLK	50769	JEFF. PUBLISH CO. INC	43378	\$ 294.89		\$ 294.89
402/CCLK	50769	JEFF. PUBLISH CO. INC	43376	\$ 228.30		\$ 228.30
425/OB	50770	JEFF UTILITIES INC			\$ 45.00	\$ 45.00
INVEST	50771	JEFFERSON SECURITY BANK			\$ 4,745.00	\$ 4,745.00
413/ELEC	50772	DENNIS JENKINS			\$ 88.00	\$ 88.00
413/ELEC	50773	ANN JENKINS			\$ 64.00	\$ 64.00
O10/GRANT	50774	JUMPIN JAVA			\$ 200.00	\$ 200.00
O10/GRANT	50775	KEEP JEFF. BEAUTIFUL			\$ 110.04	\$ 110.04
975/CAP OTL	50776	KNOLL	42899	\$ 1,868.80		\$ 1,868.80
979/CAP OTL	50776	KNOLL	43186	\$ 4,540.97		\$ 4,540.97
712/911	50777	LANGUAGE LINE SERVICE			\$ 96.55	\$ 96.55

712/911	50778	MSAG DATA CONSULTANTS			\$ 896.38	\$ 896.38
425/OB	50779	HOME DEPOT CREDIT SERVICES			\$ 895.45	\$ 895.45
424/CTHS	50780	MCI			\$ 1,101.25	\$1,101.25
413/ELEC	50781	JENNIFER MAGHAN	43386	\$ 28.00		\$ 28.00
413/ELEC	50782	GAIL MAGAHA			\$ 120.00	\$ 120.00
402/CCLK	50783	NACRC MEMBERSHIP	43380	\$ 135.00		\$ 135.00
413/ELEC	50784	PATRICIA NOLAND			\$ 112.00	\$ 112.00
ALL DEPTS	50785	NATIONWIDE RETIREMENT			\$ 788.21	\$ 788.21
413/ELEC	50786	KAREN OLDEN			\$ 506.00	\$ 506.00
439/PZ	50787	PRINT-O-STAT	43211	\$1,848.00		\$1,848.00
DEPT	Check Number	Vendor Name	PO #	AMT W/ PO#	AMT W/O PO#	Amount
413/ELEC	50788	DEBRA PITTINGER			\$ 108.00	\$ 108.00
413/ELEC	50789	WILLIAM POLK			\$ 68.00	\$ 68.00
430/HLS	50790	RED JEANS INK	42496	\$ 30.95		\$ 30.95
439/PZ	50791	SOFTWARE SYSTEMS	43210	\$1,552.60		\$1,552.60
704/WV JAIL	50792	ST/WV REGIONAL JAIL	43403	\$94,332.50		\$94,332.50
ALL DEPTS	50793	SHERIFF OF JEFFERSON CO			\$ 32,683.42	\$32,683.42
ALL DEPTS	50793	SHERIFF OF JEFFERSON CO			\$ 39.68	\$ 39.68
ALL DEPTS	50793	SHERIFF OF JEFFERSON CO			\$ 7,643.70	\$7,643.70
ALL DEPTS	50793	SHERIFF OF JEFFERSON CO			\$ 9.28	\$ 9.28
ALL DEPTS	50794	SHERIFF OF JEFFERSON CO			\$ 29,468.30	\$29,468.30
ALL DEPTS	50794	SHERIFF OF JEFFERSON CO			\$ 1.23	\$ 1.23
406/ASSR	50795	SHEETZ			\$ 192.57	\$ 192.57
424/CTHS	50795	SHEETZ			\$ 990.68	\$ 990.68
430/HLS	50795	SHEETZ			\$ 84.93	\$ 84.93
439/PZ	50795	SHEETZ			\$ 512.86	\$ 512.86
700/SHRF	50795	SHEETZ			\$ 5,813.97	\$5,813.97
711/EMER G	50795	SHEETZ			\$ 101.99	\$ 101.99
712/911	50795	SHEETZ			\$ 331.90	\$ 331.90
716/A/C	50795	SHEETZ			\$ 457.09	\$ 457.09
424/CTHS	50796	SPECTRUM FIRE PROTECTION	42469	\$ 200.00		\$ 200.00
712/911	50797	SPRINT			\$ 178.18	\$ 178.18
413/ELEC	50798	DONITA SCOTT			\$ 116.00	\$ 116.00
425/OB	50799	SHENANDOAH VALLEY WATER			\$ 533.73	\$ 533.73
413/ELEC	50800	J. MIKE SHREWSBERRY			\$ 76.00	\$ 76.00
425/OB	50801	SERVISOFT OF WINCHESTER	43198	\$3,395.00		\$3,395.00
413/ELEC	50802	DANIELLE SLUSHER			\$ 350.00	\$ 350.00

In re: APPOINTMENT OF ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS
No action was taken on this item.

In re: APPOINTMENT TO THE HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT
No action was taken on this item.

In re: APPOINTMENT TO THE JEFFERSON COUNTY BUILDING COMMISSION
No action was taken on this item.

In re: APPOINTMENTS TO THE AMBULANCE AUTHORITY
No action was taken on this agenda item.

In re: LEGISLATIVE ISSUES
Commissioner Manuel discussed the proposed Annexation Legislation and ATV Legislation.

In re: KENDIG KEAST UPDATE/ORDINANCE REWRITE DISCUSSION AND DIRECTION
The County Administrator discussed the Kendig Keast update and the Commission agreed to have a teleconference with them at 1:30 p.m. today.

In re: PROPOSED PLANNING COMMISSIONER REMOVAL ORDINANCE
The Commission agreed to place this agenda item on the next meetings agenda.

In re: SHENTEL - AGREEMENT AND RELEASE - E-911 EQUIPMENT INSTALLATION AT CELL SITE
The Commission agreed to place this agenda item on the next meeting agenda.

In re: BONDING
Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Manuel to approve the complete bond release of a cash in escrow account for Flowing Springs LLC - PC File #00-07 in the amount of \$1,000.00. Motion carried.

In re: BONDING
Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Morgan, second by Tabb to approve the complete bond release of a cash in escrow account for Bittinger Associates - PC File #S05-23 in the amount of \$10,381.31. Motion carried.

In re: BONDING

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Morgan to approve the complete bond release of a letter of credit for Country Roads General Store - Donnie Virts - PC File #S03-067 in the amount of \$3,735.00. Motion carried.

In re: BONDING

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Morgan to approve the complete bond release of a letter of credit for AT&T Wireless Services - PC File #S02-18 in the amount of \$18,639.00. Motion carried.

In re: PLANNING COMMISSION ACTIVITY REPORT

Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission to give the weekly Planning Commission Activity Report.

In re: PUBLIC COMMENT

Frances Latterell commented on public comment.

In re: SHEILA BIRNBACH - MANAGEMENT CONSULTANT

Sheila Birnbach, Management Consultant, appeared before the Commission concerning the management study. Ms. Birnbach discussed Mission Statements and that the County Commission does not have one. Ms. Birnbach also recommended that the Commission create a Mission Statement and place it on the website. Ms. Birnbach also discussed training for employees at different levels. The Human Resources Officer position was also discussed.

In re: PUBLIC SERVICE DISTRICT APPOINTMENT

Commissioner Surkamp discussed the appointment for the Public Service District that was advertised. Motion by Surkamp, second by Morgan to rescind the appointment for the Public Service District and to recognize that the advertisement was published in error. Motion carried.

In re: REQUEST FOR LEGAL REVIEW OF WEST VIRGINIA CONSTITUTION 9-11 RE COUNTY COMMISSION'S POWERS

Commissioner Surkamp handed out copies of the West Virginia Code. No action was taken on this agenda item

In re: PROVIDING COUNTY COMMISSION WITH RANDOMLY SELECTED DEPARTMENT HEAD EVALUATIONS

Commissioner Surkamp discussed Department Head evaluations. No action was taken on this agenda item.

In re: MARK SCHIAVONE - DISBURSEMENT OF SCHOOL IMPACT FEES

Mark Schiavone, Impact Fee Director appeared before the Commission to discuss how the SBA disburses funds for the new high school project and make specific recommendations regarding how to proceed with the requisition process. After discussion, motion by Corliss, second by Manuel to authorize the Impact Fee Director to work with the School Board and our legal counsel to come up with an agreement between the County Commission and Board of Education so that the County can pay the remaining balance of each invoice until the 3.5 million in impact fees approved for the new high school project has been spent. Motion carried.

In re: MIKE CASSELL - REQUEST TO REZONE THE OLD STANDARD QUARRY PROPERTY

Mike Cassell, Attorney for Old Standard Quarry appeared before the Commission to request the time frame for zoning classification for the Old Standard Quarry be changed to residential/light industrial/commercial as described in Section 5.8 of the Jefferson County Zoning Ordinance. After discussion, with comment received from Paul Raco, Executive Director of the Department of Planning, Zoning, and Engineering the Commission determined that it would take 6 months or more for the process.

In re: LIMITING COMPUTER ACCESS TO COUNTY'S FINANCIAL RECORDS

Commissioner Surkamp removed this item from the agenda.

In re: CONFIRMATION OF RECEIPT OF CERTIFIED LETTER FROM ANIMAL SHELTER STAFF MEMBER

Commissioner Surkamp asked the Commission if they had received a certified letter from Animal Shelter Staff. Commissioners Tabb, Morgan, Corliss and Manuel stated that they had not received a certified letter from the Animal Shelter Staff Member. Commissioner Surkamp handed out a document to each Commissioner. No action was taken on this matter.

In re: HUMAN RESOURCES MANAGER

Commissioner Surkamp discussed the proposed hiring of a Human Resources Manager. He commented that the Management Study was done for consistency and not to lay people off. He said that the Human Resources Manager could help with emergency salary increases, hiring and training of employees. After discussion, the Commission agreed to discuss this at budget time and to work on the Procedures Handbook first.

In re: LONG TERM DISABILITY PROPOSALS

The Commission agreed to gather more information on this agenda item and to invite Mr. Ed Slonaker to discuss the proposal with the Commission.

In re: MOUNTAIN WATER SYSTEM ENGINEERING STUDY PROPOSAL

The County Administrator informed the Commission that she had attended the meeting with Dunn Engineering regarding the Mountain Water System Engineering Study Proposals. She informed the Commission that they are still in negotiations and that a 50 page document was received. The Commission agreed to release the document for review.

In re: FISCAL YEAR ENDED 2006 AUDIT PROPOSALS SCORE SHEET

Motion by Manuel, second by Surkamp to approve Cox Holidá's proposal for the Fiscal Year Ended 2006 Audit with the largest points received and to send the information to the State for approval. Motion carried.

In re: APPROVAL OF THREE REPRESENTATIVES TO THE HOME CONSORTIUM COUNCIL

Commissioner Manuel reminded the Commission that he was appointed to the HOME Consortium Council at a previous meeting. After discussion, motion by Manuel, second by Morgan to appoint Jeremy Camp and Terry Marcus to the HOME Consortium Council. 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. The General Election Canvassing was discussed.

In re: SET COUNTY COMMISSION MEETING WITH PLANNING COMMISSION PRESIDENT AND OTHER PLANNING COMMISSION MEMBERS AS AVAILABLE TO DISCUSS PLANNING COMMISSION MISSION, TRAINING, AND LEGAL SUPPORT

Commissioner Corliss requested that the Commission set a date for a meeting with the Planning Commission President and other Planning Members as available to discuss Planning Commission Mission, training, and legal support. The Commission agreed to set a date in December to meet.

In re: COURT HOUSE SECURITY

Commissioner Corliss discussed the Courthouse security. Bollards were discussed in the past and he asked the status of that. The Commission agreed to have the County Administrator and Commissioner Morgan look into the matter of possibly getting removable large planters or bollards to protect the Courthouse.

In re: JEFFERSON COUNTY ELECTION REGISTRATION

Commissioner Corliss discussed the Jefferson County election registration current problem. He reported that there are currently 150 problems which includes DMV issues, problems with the 57th and 58th Delegate District, problems with the technician on election night, more training and sending more information to polling places to help with registered voters. After discussion the Commission agreed to send a letter to the Secretary of State and ask for assistance of the issues discussed. Motion carried.

In re: JEFFERSON COUNTY SINGLE POINT OF CONTACT FOR COORDINATION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT INFORMATION

The Commission discussed the Jefferson County single point of contact for coordination of Homeland Security and Emergency Management information. The Commission suggested that all communication sent to the Emergency Management office be also sent to Barbara Miller, Homeland Security.

In re: COUNTY COMMISSION AUTHORITY

Commissioner Corliss discussed the County Commission's authority and working together as a committee and setting work sessions. Commissioner Manuel commented that Commission has authority as a body only and not to direct employees individually and keep that in mind not directing anything specific without the chain of command.

In re: SCHEDULING OF 16 NOVEMBER WORK SESSION TO CONTINUE COUNTY COMMISSION REVIEW OF HUMAN RESOURCES HANDBOOK

This item will be discussed at the afternoon workshop with Sheila Birnbach - Management Consultant.

In re: REQUEST FOR PAYMENT OF LEGAL FEES AND EXPENSES INCURRED FROM DAVID HAMMER IN THE DEFENSE OF PLANNING COMMISSIONER TODD BALDAU

The Commission discussed the request for payment of legal fees and expenses incurred from David Hammer in the defense of Planning Commissioner Todd Baldau. The Commission agreed to keep this item on the next agenda. For the record, David Hammer, Attorney was present and made comments.

In re: COMPETITIVE BIDDING

Commissioner Surkamp discussed competitive bidding and the purchase of web cameras. The Commission agreed to gather more information on this matter and discuss at a later date.

In re: APPROVAL OF EMPLOYMENT - MS. CHRISTINE MILLER - PUBLIC SAFETY DISPATCHER

Motion by Morgan, second by Manuel to approve the employment of Christine Miller as a Public Safety Dispatcher. Motion carried.

In re: APPROVAL OF EMPLOYMENT - MS. VICKIE O'NEILL - PUBLIC SAFETY DISPATCHER

Motion by Morgan second by Tabb to approve the employment of Vickie O'Neill as a Public Safety Dispatcher. Motion carried.

In re: PUBLIC COMMENTS

Patsy Noland, Circuit Clerk appeared before the Commission to request permission to divide her office into 2 spaces separating the Domestic and Civil Departments and permission to install a window to do the separation. The Commission agreed to place this item on the next agenda.

In re: COUNTY ADMINISTRATOR REPORTS

The County Administrator reminded the Commission that the Courthouse would be closed on Thursday and Friday next week. She also discussed the information item regarding the monthly progress report for the Jefferson County Green Infrastructure Assessment.

In re: COUNTY COMMISSION REPORTS

Commissioner Morgan reported on the Litter Control road Clean up.

Commissioner Morgan requested that the County Commission set some time aside to meet with the Agricultural Advisory Committee.

Commissioner Morgan commented on the water system at Creo Manufacturing in Middleway.

Commissioner Morgan reported on the Green Infrastructure meeting he attended. Commissioner Morgan requested that this matter placed on the next agenda to discuss the raw data received from the Green Infrastructure and to put this data to use and make available to our consultants Kendig Keast.

Commissioner Tabb reported on the Farmland Protection Board and that she attended another easement closing.

Commissioner Tabb reported on the New Teacher's Banquet she attended.

Commissioner Manuel reported on the Green Infrastructure meeting.

Commissioner Corliss reported on the Planning Commission meeting he attended.

In re: EXECUTIVE SESSION - PERSONNEL MATTERS

Motion by Morgan, second by Manuel to enter into Executive Session to discuss Personnel Matters. Motion carried.

Motion by Morgan, second by Manuel to return to Regular Session. Motion carried. For the record, no action was taken after Executive Session on this matter.

In re: KENDIG KEAST TELECONFERENCE

The Commission held a teleconference with Kendig Keast at 1:30 p.m.

In re: COUNTY COMMISSION WORKSHOP - SHEILA BIRNBACH - MANAGEMENT CONSULTANT

The Commission held a workshop with Sheila Birnbach - Management Consultant.

The Commission received the following information:

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

Reminder Courthouse is closed Thursday and Friday, November 23 and 24, 2006.

Correspondence received from the Honorable Robert C. Byrd, United States Senator regarding Experimental Outdoor Education Center.

Correspondence received from Trish Sanderson regarding information on accessory dwelling units be added to the new ordinance and allowed throughout the entire county.

Correspondence received from the Department of Revenue regarding that Mary R. "Ginger" Bordier, Assessor of Jefferson County, has substantially complied with the "assessor's additional duties" as delineated in West Virginia Code § 7-7-6a.

Correspondence received from the County Commission of Berkeley County regarding the County Commission Association Regional Meeting.

Correspondence received from the Charles Town Races & Slots regarding the Executive Summary of a survey conducted by Fabrizio McLaughlin & Associates, Inc. On behalf of the West Virginia Racing Association, the industry association comprised of the four race tracks in West Virginia.

Monthly progress report for the Jefferson County Green Infrastructure Assessment received.

Commission Order issued by the Public Service Commission of West Virginia received.

Correspondence received from the Department of Health and Human Resources regarding Notice of Funds Availability - Planning Grants - Community Coalition for Development of Community-Based Twenty-Four Hour Behavioral Health Triage and Emergency Services Centers.

Correspondence received from the West Virginia Association of Counties regarding unofficial results of County Commission election.

Correspondence received from the West Virginia Association of Counties regarding Governor's tax proposals for the Special Session.

Correspondence received from the West Virginia Association of Counties regarding important information from Brickstreet Workers Compensation Insurance.

Correspondence received from the County Commissioners' Association of West Virginia regarding Governor's Agenda for the Special Session.

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, November 17, 2006.

Weekly settlement for Charles Town Races and Slots from the West Virginia Lottery.

Sanitarian's Monthly Activity Report received for the month of September, 2006.

E-911 remittance received from Telecommunication Company.

Newsletter received from the County Commissioners' Association of West Virginia.

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

PRESIDENT