

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 meeting room thereof on Thursday, November 30, 2006 beginning at 9:30 o'clock a.m.

PRESENT: Gregory A. Corliss, President
James Surkamp; A.M.S. (Rusty) Morgan, III;
Jane Tabb, Dale Manuel; 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 Corliss to dispense with the reading of the Minutes for the Special Session held on Monday, November 27, 2006 and to approve the Minutes as prepared. Motion carried.
Motion by Tabb, second by Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, November 16, 2006, and to approve the Minutes as amended. Motion carried.
Motion by Tabb, second by Surkamp to dispense with the reading of Minutes for the Canvass held on Monday, November 13, 2006 and to approve the Minutes as prepared. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS
Motion by Tabb, second by Manuel to approve the following Purchase Orders for the week of November 30, 2006 totaling \$12,632.84: 43416, 43421, 43021, 43122, 43391, 42736, 43365, 43409, 43411, 43412, 43413, 43414, 43415, 43417, 43418, 43419, 43420, 43422, 43425, 43426, 42849 and 42850. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by Manuel, second by Tabb to approve the list of the Accounts Payable dated November 30, 2006 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

<u>DEPT</u>	<u>Check #</u>	<u>Vendor Name</u>	<u>PO #</u>	<u>AMT W/ PO#</u>	<u>AMT W/O PO#</u>	<u>Amount</u>
425/OB	51001	ALLEGHENY POWER			\$4,070.73	\$4,070.73
425/OB	51001	ALLEGHENY POWER			\$1,054.38	\$1,054.38
425/OB	51002	ADELPHIA			\$52.77	\$52.77
430/HLS	51003	ASSOC OF STATE FLOODPLAING	42498	\$ 90.00		\$90.00
700/SHRF	51004	AUTO ZONE	43424	\$ 76.95		\$76.95
439/PZ	51005	AMSTERDAM	42601		\$35.02	\$35.02
401/COM	51006	AHA/ART & HUMANITIES			\$10,000.00	\$10,000.00
PAYROLL	51007	BUREAU FOR CHILD SUPPORT			\$72.00	\$72.00
425/OB	51008	BK	43317	\$ 616.00		\$616.00
425/OB	51009	BOLAND	43289	\$ 8,500.00		\$8,500.00
PAYROLL	51010	BUREAU/CHILD SUPPORT			\$62.31	\$62.31
424/CTHSE	51011	BRICKSTREET MUTAL INSUR			\$14,883.20	\$14,883.20
413/ELE	51012	CASTO / HARRIS	43388	\$ 3,569.76		\$3,569.76
700/SHRF	51013	CREAMERS	43320	\$ 366.32		\$366.32
712/911	51014	VERIZON			\$150.00	\$150.00
439/PZ	51015	MARY COOK	43212	\$ 182.00		\$182.00
425/OB	51016	CRAWFORD ELECTRONICS	43408	\$ 800.00		\$800.00

700/SHRF	51017	CMI	43257	\$	1,145.00		\$1,145.00
PAYROLL	51018	CHILD SUPPORT ENFORCE				\$23.07	\$23.07
405/PA	51019	DANKA	43090	\$	259.20		\$259.20
413/ELE	51020	DAYTON LEGAL BLANK	43387	\$	90.58		\$90.58
403/CIR	51020	DAYTON LEGAL BLANK	43019	\$	581.00		\$581.00
402/CLK	51020	DAYTON LEGAL BLANK	43121	\$	598.02		\$598.02
425/OB	51021	DODSON PLUMBING	43319	\$	303.60		\$303.60
425/OB	51022	DAYCON	43318	\$	26.03		\$26.03
412/AGT	51023	SHANNA NICODEMUS				\$56.33	\$56.33
425/OB	51024	DEHAVEN 7-UP				\$23.50	\$23.50
.010/GRNT	51025	DELTA SIGMA PI				\$320.00	\$320.00
700/SHRF	51026	EQUITABLE				\$15.00	\$15.00
424/CTHS	51027	ENGINEERED DIGITAL APPL	43316	\$	456.50		\$456.50
424/CTHS	51028	FEDEX				\$102.94	\$102.94
425/OB	51029	FARM PLAN	43358	\$	49.98		\$49.98
424/CTHS	51030	FRONITER				\$962.40	\$962.40
424/CTHS	51031	FRONITER				\$105.00	\$105.00
415/	51032	GENERAL SCHOOL/CO TRANSF				\$32,927.08	\$32,927.08
403/CIR	51033	GREENLINE DATA	43016	\$	446.00		\$446.00
402/CLK	51034	SALLY GRAN				\$91.66	\$91.66
700/SHRF	51035	HILLS AUTO	42406	\$	69.96		\$69.96
425/OB	51036	HALLTOWN PAPERBOARD	43410	\$	35.00		\$35.00
424/CTHS	51037	HASLER	42642	\$	90.00		\$90.00
700/SHRF	51038	INTERNATIONAL POLYGRAPH	43258	\$	600.00		\$600.00
OTHER	51039	ING				\$165.00	\$165.00
700/SHRF	51040	INFORMATION DISPLAY	43252	\$	7,590.00		\$7,590.00
712/911	51041	DR. ROBERT JONES				\$1,000.00	\$1,000.00
OTHER	51042	JEFFERSON SECURITY BANK				\$4,805.00	\$4,805.00
975/CAP	51043	KNOLL	43102			\$100.00	\$100.00
975/CAP	51043	KNOLL	42899			\$100.00	\$100.00
712/911	51044	MOTOROLA	41543	\$	16,000.00		\$16,000.00
712/911	51045	PRIORITY DISPATCH	42904	\$	500.00		\$500.00
700/SHRF	51046	MCKINNEY'S AUTO	43407	\$	30.00		\$30.00
700/SHRF	51046	MCKINNEY'S AUTO	43423	\$	64.10		\$64.10
700/SHRF	51047	MPH	43250	\$	2,283.00		\$2,283.00
711/OES	51048	911-MAGAZINE	42737	\$	62.90		\$62.90
ALL DEPTS	51049	NATIONWIDE RETIREMENT				\$788.21	\$788.21
413/ELE	51050	KAREN OLDEN				\$32.00	\$32.00
418/STCK	51051	PIFER	43359	\$	343.26		\$343.26
405/PA	51052	PEDIATRIC FACT PROGRAM	43093	\$	900.00		\$900.00
425/OB	51053	ROACH OIL				\$1,398.03	\$1,398.03
424/CTHS	51053	ROACH OIL				\$500.07	\$500.07
976/CAPO	51054	SOFTWARE SYSTEMS	43020	\$	549.00		\$549.00
405/PA	51055	SPECIALTY BUSINESS	43091	\$	610.40		\$610.40
700/SHRF	51056	SUN BADGE	43260	\$	76.75		\$76.75
ALL DEPTS	51057	SHERIFF OF JEFFERSON CO				\$43,401.32	\$43,401.32
ALL DEPTS	51058	SHERIFF OF JEFFERSON CO				\$36,067.77	\$36,067.77
425/OB	51059	SHERWIN WILLIAMS	43356	\$	79.25		\$79.25
700/SHRF	51060	WALTER F. STEPHENS	43253	\$	16.00		\$16.00
700/SHRF	51061	STEWARTS	43256	\$	166.00		\$166.00

712/911	51062	SPRINT			\$561.86	\$561.86
413/ELE	51063	Danielle Slusher			\$10.68	\$10.68
700/SHRF	51064	SELVA MICK	43259	\$ 44.00		\$44.00
980/CAP/SHRF	51065	VALLEY 2-WAY	43251	\$ 5,881.76		\$5,881.76
402/CLK	51066	VITAL	43367	\$ 12.00		\$12.00
439/PZ	51067	VALIC			\$100.00	\$100.00
700/SHRF	51068	WAHL	43254	\$ 1,363.85		\$1,363.85
405/PA	51069	WEST PAYMENT	43092	\$ 409.00		\$409.00
425/OB	51070	NAPA	43360	\$ 12.40		\$12.40
425/OB	51071	WM WASTE MANAGEMENT			\$169.69	\$169.69
716/AC	51071	WM WASTE MANAGEMENT			\$79.58	\$79.58
425/OB	51071	WM WASTE MANAGEMENT			\$231.35	\$231.35
424/CTHSE	51072	WV BD O/RISK-INS MGT 319			\$80,987.00	\$80,987.00
424/CTHSE	51073	WVPEIA			\$5,537.00	\$5,537.00
700/SHRF	51074	WEST VA UNIFORMS	43255	\$ 1,026.00		\$1,026.00
PAYROLL	51075	WV CPRB			\$168.02	\$168.02
700/SHRF	51076	WV TAX DEPUTIES ASSOC	42848	\$ 35.00		\$35.00
413/ELE	51077	Freida Kidwell			\$7.12	\$7.12
413/ELE	51078	Tara Morgan			\$12.46	\$12.46
413/ELE	51079	Charles Henry			\$2.23	\$2.23
413/ELE	51080	Nancy Jo Upright			\$12.46	\$12.46
413/ELE	51081	Rosalie Ring			\$13.35	\$13.35
413/ELE	51082	Paul Wilt			\$9.79	\$9.79
413/ELE	51083	Harriet Miller			\$1.78	\$1.78
413/ELE	51084	Connor Newlon			\$2.23	\$2.23
413/ELE	51085	Vivian Henry			\$3.12	\$3.12
413/ELE	51086	Cathryn Jackson			\$1.78	\$1.78
413/ELE	51087	Rosanna Graf			\$6.23	\$6.23
413/ELE	51088	Patricia Blevins			\$15.58	\$15.58
413/ELE	51089	William Munday			\$14.24	\$14.24
413/ELE	51090	Virginia Keeney			\$13.35	\$13.35
413/ELE	51091	Anita Fleshman			\$13.35	\$13.35
413/ELE	51092	Todd Baldau			\$15.13	\$15.13
413/ELE	51093	Daniel Dopson			\$22.25	\$22.25
413/ELE	51094	Florence Vickers			\$8.90	\$8.90
413/ELE	51095	Robert Graf			\$10.68	\$10.68
413/ELE	51096	Elizabeth Coyle			\$17.80	\$17.80
413/ELE	51097	Melinda Maye			\$5.34	\$5.34
413/ELE	51098	Alicia White			\$6.68	\$6.68
413/ELE	51099	Patricia Sherwood			\$3.56	\$3.56
TOTALS					57,006.57	241,429.38
						\$298,435.95

IN RE: COMPLETE BOND RELEASE –LETTER OF CREDIT – JDM LOCUST HILL, LLC

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Manuel to approve the complete release of a letter of credit in the amount of \$148,668.00 to JDM Locust Hill, LLC. Motion carried.

In re: BONDING AND ACTIVITY REPORT

Mr. Paul Raco, Director of Planning Zoning and Engineering appeared before the Commission for a Bonding and Activity weekly report.

Mr. Raco discussed the status of the Long Rang Planner vacancy and recommended the Commission proceed with the Long Range Planner interviews for the applicants chosen.

With regard to Rose Hill Subdivision, Mr. Raco requested Commission direction as to how to proceed with this matter. The Commission agreed to consult with the Prosecuting Attorney's Office further and discuss this matter at a later date.

Commissioner Corliss discussed details of the November 28, 2006 Planning Commission meeting he attended and reported on the special meeting of the Planning Commission and County Commission scheduled for December 19, 2006 at 7:00 p.m.

In re: PUBLIC COMMENT

John Maxey appeared before the Commission to discuss his concerns with the Blue Ridge Mountain Water System committee objectives.

In re: JAMES B. CRAWFORD - CITY OF CHARLES TOWN ANNEXATION - HAYES PROPERTY

James B. Crawford, Esquire appeared before the Commission on behalf of the City of Charles Town to request approval of an annexation for the Hayes property consisting of 268.8668 acres. Mr. Crawford reported on the specifics of the Hayes property and presented the Commission with copies of the Hayes property tax map further detailing property location and description.

After discussion, motion by Morgan, second by Tabb to approve the Hayes Property Annexation as presented by James B. Crawford, Esquire. Motion carried by a 4-1 vote, Commissioner Surkamp voted no.

Brandon Sims, Esquire, Assistant Prosecuting Attorney appeared before the Commission for comments with regard to the Langlet Annexation request presented by Mr. Crawford on November 2, 2006.

Upon the recommendation by Brandon Sims, Assistant Prosecuting Attorney, the Commission agreed by consensus to authorize the Commission President to affix his signature upon the Langlet Annexation as presented.

ANNEXATION ORDER

A certificate of the governing body of the City of Charles Town was this day filed showing that an annexation has been made, in the manner required by law, to the corporate limits thereof, and that by such annexation the said corporate limits are expanded as follows:

It is therefore ORDERED that such annexation to said corporate limits of Charles Town be, and the same is hereby APPROVED and CONFIRMED, and the Clerk of this Court is directed to deliver to the said Council of the City of Charles Town a certified copy of this Order, as soon as practicable after the entry of the same.

COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

BY: _____
GREGORY A. CORLISS, COMMISSION PRESIDENT

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

Leslie D. Smith, County Administrator reported that interviews for Board of Zoning Appeals applicants have been scheduled for the week of December 7, 2006.

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: LEGISLATIVE ISSUES

Commissioner Manuel reported on the approval of an increase on the gas tax.

Commissioner Manuel reported on the status of the ATV bill. The Commission agreed to schedule a workshop to further discuss legislative issues.

In re: AMBULANCE AUTHORITY INTERVIEWS

Ms. Candice Davidson appeared before the Commission for an interview as an interested candidate for the Ambulance Authority vacancy.

Michael T. Mills appeared before the Commission for an interview as an interested candidate for the Ambulance Authority vacancy.

In re: APPOINTMENTS TO THE AMBULANCE AUTHORITY

Motion by Manuel, second by Tabb to nominate and appoint Candice Davidson and Michael T. Mills to the Ambulance Authority for 3-year terms ending November 30, 2009. Motion carried.

In re: ED DUNLEAVY - TRANSPORTATION ENHANCEMENT GRANT

Ed Dunleavy appeared before the Commission to report on the process of obtaining a Transportation Enhancement Grant for Jefferson County. Mr. Dunleavy requested preliminary approval and sponsorship by the Commission for submittal of a Transportation Enhancement Grant in the amount of \$250,000.00.

Motion by Manuel, second by Morgan to approve the Transportation Enhancement Grant as presented by Mr. Ed Dunleavy. Motion carried.

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

Leslie D. Smith, County Administrator reported that Lane Kendig would be visiting Jefferson County on December 12 and 13, 2006 to further discuss updates to the Subdivision and Zoning Ordinance.

After discussion, motion by Manuel, second by Surkamp to conduct a public hearing on December 12, 2006 at 7:00 p.m. with Lane Kendig for further discussion and public input with regard to the current Subdivision and Zoning Ordinance rewrite process. Motion carried.

The Commission agreed to schedule a workshop on December 6, 2006 at 10:00 a.m. with Planning, Zoning and Engineering Director Paul Raco to discuss subdivision ordinance procedures subject to public input.

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

Leslie D. Smith, County Administrator reported that the Shentel Agreement for E-911 Installation at cell site is currently under review by Assistant Prosecuting Attorney, Brandon Sims, Esquire.

Motion by Tabb, second by Morgan authorizing Gregory Corliss to affix his signature upon the Shentel Agreement and Release for E-911 Equipment Installation at cell site for approval contingent upon Assistant Prosecuting Attorney's review and approval. Motion carried.

In re: MOUNTAIN WATER SYSTEM ENGINEERING STUDY PROPOSAL

Leslie D. Smith, County Administrator reported that the Mountain Water System Engineering Study proposal is currently under review.

In re: ROBERTS RULES: ABSTENTIONS DON'T COUNT AS "NO" VOTES

No action was taken on this agenda item.

In re: RAYMOND J. FUNKHOUSER - HBPA PRESENTATION OF ECONOMIC IMPACT STUDY ON AREA THOROUGHBRED HORSE INDUSTRY

Raymond J. Funkhouser, Charles Town HBPA President appeared before the Commission with a presentation and report on the Economic Impact Study on Area Thoroughbred Horse Industry. With regard to the Economic Impact Study, Mr. Funkhouser reported on the community impact and effects to area horse farms and breeders.

Mr. Clarence Martin, Esquire, Counsel for the Charles Town HBPA and Richard Thalheimer also appeared for the Commission for presentation and discussions.

Mr. Funkhouser reported on the luncheon scheduled at noon at Avanti's Restaurant to further discuss the Economic Impact Study with Mr. Richard Thalheimer, author of the study.

Additional Charles Town HBPA members appeared before the Commission to express their gratitude to the Commission for their continued support and assistance to the Charles Town HBPA.

The Commission expressed their concerns with the results of the Economic Impact Study, table games and legislative referendums.

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

Jennifer S. Maghan, County Clerk reported on the upcoming workshop scheduled for December 7, 2006 with Auditor Paul Shroyer to discuss the County financial statements.

In re: AGRICULTURAL ADVISORY COMMITTEE

This agenda item was cancelled.

The Commission took a 5-minute break at 11:15 a.m.

In re: COMPETITIVE BIDDING: TWO DOCUMENTS

Commissioner Surkamp withdrew this agenda item.

In re: LETTER RE ATLANTIC TECHNOLOGIES WITHDRAWAL FROM CONTRACT

Commissioner James Surkamp presented and read aloud his draft letter to the West Virginia Licensing Board with regard to Atlantic Technologies withdrawal from contract.

Commissioner Surkamp requested Commission support and approval for submittal of his letter to the West Virginia Licensing Board for reconsideration of their previous ruling concerning Atlantic Technologies.

The Commission discussed having E-911 Communications Director Jeff Polczynski, Assistant Prosecuting Attorney Brandon Sims and the County Commission meet to discuss this matter further before taking any action.

Motion by Corliss, second by Manuel authorizing Leslie D. Smith, County Administrator to review Commissioner Surkamp's letter for modification with Jeff Polczynski and Brandon Sims. Motion carried.

In re: KATHY WENG & SANDRA CROUSE - GARBAGE DUMPING NEAR RESIDENCES

Kathy Weng and Sandra Crouse appeared before the Commission to express their concerns with garbage dumping and accumulation on and around their residential property.

Ms. Weng and Ms. Crouse reported on their discussions with Mason Carter from the Department of Planning, Zoning and Engineering, Jason Chambers and Kenneth White in attempts to rectify the problems with inadequate garage disposal and accumulation on and around their property and expressed their concerns with public health issues and sanitation.

The Commission agreed to consult with Mason Carter from the Department of Planning, Zoning and Engineering. Commissioner Morgan agreed to follow up with Kenneth White. Commissioner Manuel agreed to consult with the Department of Environment Protection.

The Commission agreed to place this matter on the agenda the week of December 7, 2006 for further discussion and action.

In re: BRANDON SIMS - LEGAL UPDATE & REPORT

With regard to the proposed Planning Commissioner Removal Ordinance Commissioner Corliss expressed his concerns to Brandon Sims, Assistant Prosecuting Attorney.

Motion by Manuel, second by Tabb to approve the Planning Commissioner Removal Ordinance as proposed.

The Commission discussed their concerns with the legalities and County responsibilities of the proposed Planning Commissioner Removal Ordinance. Brandon Sims, Assistant Prosecuting Attorney was present for comments.

Motion by Manuel, second by Surkamp to lay Commissioner Manuel's original motion on the table until next week to allow for further consideration and potential revisions to the current Planning Commissioner Removal Ordinance as recommended by Assistant Prosecuting Attorney Brandon Sims. Motion carried by a 3-2 vote. Commissioners Morgan and Corliss voted no.

Brandon Sims, Assistant Prosecuting Attorney appeared before the Commission to express her legal opinion with regard to requirements and duties regarding payment of legal fees and expenses incurred from David Hammer, Esquire in defense of Planning Commissioner Todd Baldau.

Motion by Surkamp, second by Corliss to render payment of legal fees to David Hammer, Esquire in defense of Planning Commissioner Todd Baldau.

Motion by Manuel, second by Tabb to table this matter for one week. Motion failed by a 2-3 vote. Commissioners Morgan, Surkamp and Corliss voted no.

The Commission agreed to defer vote of Commissioner Surkamp's original motion pending executive session with legal counsel.

Motion by Manuel, second by Tabb to enter into Executive Session to discuss current litigation. Motion carried.

Motion by Manuel, second by Tabb to return to Regular Session. Motion carried.

After obtaining legal opinion and direction, Commissioner Surkamp withdrew his motion to render payment of legal fees to David Hammer, Esquire. The Commission agreed to defer this matter until a later date.

Brandon Sims, Assistant Prosecuting Attorney reported on an economic hardship exemption request submitted to the Department of Impact Fees. Mark Schiavone, Impact Fee Coordinator was present for comments.

Mr. Schiavone requested the Commission consider adopting an economic hardship exemption modification into the current Impact Fee Ordinance.

The Commission agreed by consensus to authorize Mark Schiavone, Impact Fee Coordinator to research for a proposed implementation of an economic hardship exemption into the current Impact Fee Ordinance for Commission review and consideration.

In re: PROPOSED PLANNING COMMISSIONER REMOVAL ORDINANCE

This matter was discussed under agenda item "Brandon Sims – Legal update and report".

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

This matter was discussed under agenda item "Brandon Sims – Legal update and report".

In re: MARK SCHIAVONE - IMPACT FEE - ECONOMIC HARDSHIP EXEMPTION PROCESS

This matter was discussed under agenda item, "Brandon Sims – Legal update and report".

The Commission recessed for lunch at 1:00 p.m.

The Commission reconvened at 1:30 p.m. in the Hunter House meeting room to conduct the County Commission workshop.

In re: COUNTY COMMISSION WORKSHOP – SHEILA BIRNBACH MANAGEMENT CONSULTANT – REVIEW OF EMPLOYEE HANDBOOK

The Commission and Assistant Prosecuting Attorney, Brandon Sims met with Management Consultant Sheila Birnbach during a County Commission workshop to discuss and review the Jefferson County Employee Handbook.

No action was taken during the work session.

Upon completion of the County Commission workshop, the Commission reconvened into Regular Session in the Old Charles Town Library meeting room at 3:00 p.m.

In re: HUMAN RESOURCES MANAGER

The Commission agreed to hold over this agenda item until next week.

In re: REQUEST FOR MODIFICATIONS TO THE CIRCUIT CLERK'S OFFICE

Motion by Morgan, second by Corliss to approve the request for modifications to the Circuit Clerk's office as requested by Circuit Clerk Patsy Noland the previous week. Motion carried.

In re: GREEN INFRASTRUCTURE DISCUSSION

Leslie D. Smith, County Administrator presented the Commission with copies of the Green Infrastructure proposal. Ms. Smith reported on the contents of the Green Infrastructure proposal to include recommendations to the County.

The Commission requested more information and recommendations be compiled from the Green Infrastructure proposal.

In re: FOUR-DAY NCTC GREEN INFRASTRUCTURE PLANNING/FINANCING SEMINAR, JANUARY 2007

Commissioner Surkamp expressed an interest in attending the four-day NCTC Green Infrastructure Planning/Financial Seminar scheduled for January 8-12, 2007. Commissioner Surkamp reported he would video tape the seminar if permitted.

Motion by Manuel, second by Corliss authorizing Leslie D. Smith, County Administrator to make two reservations for a County Commissioner and one member from Department of Planning, Zoning and Engineering to attend the NCTC Green Infrastructure Planning/Financing Seminar and to check for the availability of audio of the event scheduled January 8-12, 2007. Motion carried.

In re: MEMORANDUM OF UNDERSTANDING - WVNET - RACK SPACE/BANDWIDTH FOR WEB MEETING BROADCASTS

Ms. Smith presented the Commission with the WVNET Memorandum of Understanding for rack space/bandwidth for web meeting broadcasts for review and consideration.

Motion by Tabb, second by Manuel to approve the WVNET Memorandum of Understanding for rack space/bandwidth for web meeting broadcasts after review by Brandon Sims, Assistant Prosecuting Attorney. Motion carried.

In re: JAIL RENOVATION - BID SCHEDULE

The Commission discussed the tentative Jail Renovation bid schedule.

Motion by Tabb, second by Morgan to approve the Jail Renovation Bid Schedule contingent upon further review by Commissioners Manuel and Morgan. Motion carried.

In re: CHAPLINE'S CHOICE CITIZEN'S ASSOCIATION, INC'S - ATV ORDINANCE

The Commission agreed to place this matter on the agenda next week.

In re: APPROVAL OF CERTIFICATE OF SUBSTANTIAL COMPLETION - COMMUNITY CENTER

Motion by Morgan, second by Manuel authorizing Gregory A. Corliss, Commission President to affix his signature upon the Certificate of Substantial Completion for the Community Center for approval as presented by Kirk Davis from the Department of Planning, Zoning and Engineering. Motion carried.

In re: CONTRACTING ASSESSOR SERVICES FOR DIGITIZED "SHAPE FILE" TAX MAPS

Commissioner Surkamp agreed to withdraw this agenda item.

In re: RFP FOR SPECIALIZED LAWYER TO NEGOTIATE CABLE FRANCHISE AGREEMENT

Leslie D. Smith, County Administrator reported that the Cable Franchise agreement with Adelphia Cable will soon expire and recommended that the Commission consider an extension.

Commissioner Surkamp agreed to withdraw this agenda item until further notice.

In re: LAND/ASSETS/WATER RIGHTS ACQUISITION

Commissioner Surkamp agreed to withdraw this agenda item.

In re: APPROVAL OF PRESS RELEASE - EMAIL SUBSCRIPTION SERVICE

Motion by Morgan, second by Manuel to approve the Email Subscription Service Press Release as presented. Motion carried.

In re: APPROVAL OF PRESS RELEASE - WEBSITE INPUT

The Commission agreed by consensus to approve the Website Input Press Release as prepared.

In re: DRAFT MEMORANDUM OF UNDERSTANDING - BLUE RIDGE SUBSTATION

Leslie D. Smith, County Administrator reported that Sheriff Ed Boober presented a draft Memorandum of Understanding with Blue Ridge Substation for Commission review and approval. The Commission agreed to place this matter on the agenda on December 7, 2006 for approval.

In re: APPROVAL OF PART-TIME EMPLOYMENT - GEORGE MICHAEL MANNINGS - BAILIFF & TRIP/TRANSPORTATION OFFICER

Motion by Morgan, second by Manuel to approve the part-time employment of George Michael Mannings with the Jefferson County Sheriff's Office as a bailiff/transportation officer. Motion carried.

In re: APPROVAL OF FIDUCIARY ACCOUNTINGS

The time of the Commission was taken up this day with examination of fiduciary accounts.

Motion by Morgan, second by Manuel to accept and acknowledge all the fiduciary accounts as presented and authorize Gregory A. Corliss to affix his signature upon all fiduciary accounts for approval. Motion carried.

In re: PERMISSION TO ATTEND COMMITTEE MEETING AT CENTRAL LOCATION IN STATE TO DISCUSS LEGISLATIVE ISSUES IMPORTANT TO JEFFERSON COUNTY

Commissioner Morgan reported on his intent in attending the Committee meeting being scheduled at a central location in State to discuss legislative issues important to Jefferson County. Commissioner Morgan expressed his intent on discussing annexation issues.

Motion by Corliss, second by Tabb authorizing Commissioner Rusty Morgan to represent Jefferson County at the State Legislative Committee meeting. Motion carried.

In re: PUBLIC COMMENT

Fred Blackmer appeared before the Commission to inquire as to the status of the jail injunction with regard to the Jail Renovation Bid Schedule.

In re: EMPLOYMENT APPROVAL – GIS SPECIALIST

At the request of Jeff Polczynski Communications Director, motion by Surkamp, second by Morgan to approve the full-time employment of Todd Fagan as a GIS Specialist for Jefferson County. Motion carried.

IN RE: COUNTY COMMISSION REPORTS

Commissioner Manuel reported on the Parks and Recreation meeting he attended.

Commissioner Surkamp reported on the Homeland Security tabletop exercise seminar he attended.

Commissioner Surkamp reported on the meeting he attended with regard to possible acquisition of CREO plant.

Commissioner Morgan expressed recognition to Keep Jefferson Beautiful for their hard work and dedication to Jefferson County.

Commissioner Morgan expressed concerns with traffic control and highway safety within Jefferson County and expressed an interest in the Department of Highways conducting several traffic studies to improve traffic control and highway safety.

Commissioner Corliss reported on the Metropolitan Planning Organization meeting he attended.

The Commission received the following information:

Draft Article 4 - Proposed Subdivision Ordinance, Draft Article 5 - Proposed Zoning Ordinance, and Draft Article 6 - Proposed Zoning Ordinance received from Kendig Keast.

Press Release received from the Jefferson County Planning Commission concerning an amendment to their Community Impact Statement Policy.

Notice received from Patricia McMillan of two public hearings on housing needs on December 12, 2006, at 7:00 p.m. and December 8, 2006, at 1:30 p.m.

Letters of Retirement received from Chief Deputy Jesse W. Jones and Lieutenant Robert E. Shirley.

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, December 1, 2006.

Notice of Authority to Use Grant Funds received from the U.S. Department of Housing and Urban Development for the Burr Business Park.

Correspondence received from the West Virginia Division of Homeland Security and Emergency Management concerning the hazard mitigation plan.

Notice received of the approval of the 2006 Supplemental SERC Grant.

Correspondence received concerning the West Virginia Floodplain Management Program offering the Emergency Management Institute training course "Managing Floodplain Development through the National Flood Insurance Program" on January 29 - February 1, 2007.

Invitation received from the 167th Airlift Wing to attend the arrival ceremony of their 1st C-5 Galaxy on Sunday, December 10, 2006, at 1:00 p.m.

Correspondence received from Louis B. Athey concerning the petition for removal of a Planning Commissioner.

Correspondence received from Kevin Nelson concerning Courthouse security.

Correspondence received from the Division of Highways concerning the Shepherdstown Battlefield Project.

Correspondence received from Brickstreet Insurance concerning the new preferred provider organization.

Correspondence received from Comcast concerning upcoming changes.

Copies of correspondence from the Public Service District received concerning the pump station at the corner of Flowing Springs Road.

Supplemental Environmental Assessment received for the Department of Homeland Security, U.S. Customs and Border Protection Advanced Training Center.

Correspondence received from the West Virginia Development Office concerning FY2007 Land and Water Conservation Fund Notice.

Correspondence received from the Division of Forestry concerning West Virginia Forests.

Correspondence received from the Natural Resources Conservation Service concerning the Soil Survey Program.

Correspondence received from Pendleton County Commission concerning Project Lifesaver.

Notice received from the Law Office of Kirk H. Bottner concerning a Guardianship hearing on December 14, 2006.

Information received from the Association of Counties concerning the 2007 Legislature.

Notice received from the Association of Counties of the New County Officials Prep School training on December 7, 2006.

Copy of newspaper article received from the County Commissioners' Association concerning jail costs.

Copy of newspaper article received from the County Commissioners' Association concerning the Governor's Tax Plan.

Copy of newspaper article received from the County Commissioners' Association concerning the House of Delegates speaker position.

Correspondence received from the County Commissioners' Association concerning Basic Training on January 10-12, 2006.

Stage Whispers Newsletter received from the Old Opera House.

Community Bulletin received from the Harpers Ferry National Historical Park.

E-911 fees received from IDT Corporation and AT&T Communications.

Harpers Ferry/Bolivar PSD meeting minutes received.

Oath of Office received from Philip Cox as a member of the Farmland Protection Board.

Weekly Settlement Report for the Charles Town Races received from the West Virginia Lottery.

Miscellaneous

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

GREGORY A. CORLISS, COMMISSION PRESIDENT