

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 Jefferson County Courthouse thereof on Thursday, December 7, 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 Morgan 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 regular meeting held on Thursday, November 30, 2006 and to approve the minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS
Motion by Morgan, second by Manuel to approve the following Purchase Orders for the week of December 7, 2006 totaling \$30,773.97: 43049, 42940, 43123, 42499, 40707, 43046, 43214, 43216, 43218, 43427, 43096, 43097, 43098, 43261, 43262, 43263, 43264, 43265, 43266, 43267, 43268, 43269, 43270, 43271 and 43272. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by Manuel, second by Tabb to approve the list of the Accounts Payable dated December 7, 2006 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CHECK	DEPT	Vendor Name	PO #	AMT W/ PO	AMT W/O PO	Amount
51102	INSUR	AFLAC			\$ 2,696.33	\$ 2,696.33
51103	439	APA	43217	\$ 25.00		\$ 25.00
51104	916	BOLIVER/HARPERS FERRY LIB.			\$ 10,000.00	\$ 10,000.00
51105	439	REBECCA BURNS			\$ 42.95	\$ 42.95
51106	425	B-K OFFICE	43411	\$ 1,032.20		\$ 1,032.20
51107	425	B& B EMBROIDERY	43414	\$ 913.00		\$ 913.00
51108	425	C.T. LOCK & KEY	43413	\$ 108.80		\$ 108.80
51109	700	COUNTRY ROAD TIRE&AUTO	43426	\$ 530.96		\$ 530.96
51110	716	CREAMERS AUTO	43421	\$ 584.39		\$ 584.39
51110	700	CREAMERS AUTO	43420	\$ 111.70		\$ 111.70
51111	425	OLD CHARLES TOWN LIBRARY			\$ 1,500.00	\$ 1,500.00
51112	405	JAMES CASIMIRO III			\$ 110.00	\$ 110.00
51113	405	DELL	43095	\$ 61.00		\$ 61.00
51114	425	DAYCON	43417	\$ 326.53		\$ 326.53
51115	716	DAN INJECT N. AMERICA	43416	\$ 321.91		\$ 321.91
51116	425	FIRE SAFETY EQUIP	43418	\$ 672.00		\$ 672.00
51117	428	J& S BUSINESS FORM	43365	\$ 510.52		\$ 510.52
51118	INSUR	GUARDIAN			\$ 6,227.76	\$ 6,227.76
51118	INSUR	GUARDIAN			\$ 103,684.89	\$ 103,684.89
51119	425	GRAINGER	43419	\$ 2,525.44		\$ 2,525.44

51120	401	GB ASSOC			\$ 4,250.00	\$ 4,250.00
51121	401	IKON			\$ 225.00	\$ 225.00
51121	712	IKON	42912	\$ 618.81		\$ 618.81
51122	413	JEFFERSON PUBLISHING CO	43391	\$ 683.96		\$ 683.96
51122	404	JEFFERSON PUBLISHING CO	42850	\$ 256.20		\$ 256.20
51123	O10	LAMDA CHI ALPHA			\$ 840.00	\$ 840.00
51124	712	MSAG			\$ 900.00	\$ 900.00
51125	711	NFPA	42736	\$ 270.00		\$ 270.00
51126	404	PIFER	42849	\$ 168.10		\$ 168.10
51126	402	PIFER	43122	\$ 149.99		\$ 149.99
51126	404	PIFER	42851	\$ 33.00		\$ 33.00
51127	O10	PHI EPSILON KAPPA			\$ 300.00	\$ 300.00
51128	O10	PROGRESSIVE ACTION COMM.			\$ 200.00	\$ 200.00
51129	424	ROACH OIL			\$ 229.93	\$ 229.93
51129	425	ROACH OIL			\$ 565.59	\$ 565.59
51130	425	RANKIN MOBILE HOME	43412	\$ 100.00		\$ 100.00
51131	425	SHADE EQUIPMENT	43909	\$ 2,240.45		\$ 2,240.45
51132	424	SMITH & NADENBOUSCH			\$ 3,936.00	\$ 3,936.00
51133	976	SOFTWARE SYSTEM	43021	\$ 164.21		\$ 164.21
51134	700	SUPERIOR AUTOBODY	43422	\$ 416.20		\$ 416.20
51135	425	SIMPLEXGRINNELL	43415	\$ 274.00		\$ 274.00
51136	RET	WV DEPUTY SHRF RETIREMENT			\$ 11,140.59	\$ 11,140.59
51137	RET	WV DEPUTY SHRF RETIREMENT			\$ 13,761.92	\$ 13,761.92
51138	424	SPRINT			\$ 124.35	\$ 124.35
51139	700	THOMASSEN	43425	\$ 107.50		\$ 107.50
51140	711	US CELLULAR			\$ 147.52	\$ 147.52
51140	439	US CELLULAR			\$ 135.68	\$ 135.68
51141	RET	WV PUBLIC EMPLOY RETIREMENT			\$ 29,153.11	\$ 29,153.11
51142	RET	WV PUBLIC EMPLOY RETIREMENT			\$ 68,024.09	\$ 68,024.09
51143	439	WENDY L. WATSON	43215	\$ 61.50		\$ 61.50
51144	402	XEROX	43383	\$ 223.15		\$ 223.15
51144	402	XEROX	43382	\$ 304.03		\$ 304.03
51145	413	MARIA PAGANO			\$ 16.00	\$ 16.00
TOTALS				\$ 13,794.55	\$ 258,211.71	\$ 272,006.26

DEPT	NAME	AMOUNTS
010/GRANT	GRANTS	\$ 1,340.00
401/COM	CO. COMMISSION	\$ 4,475.00
402/CCLK	CO. CLERK	\$ 677.17
403/CIR CLK	CIRCUIT CLERK	\$ -
404/TAX	TAX OFFICE	\$ 457.30
405/PA	PROS ATTY	\$ 171.00
406/ASSR	ASSESSORS	\$ -
408/GOV	ST.COMPNET CHG BO GOV UNIT	\$ -
412/AG	AG AGT	\$ -
413/ELE	ELECTION	\$ 699.96
415/	GENERAL SCHOOL/CO TRANSFER	\$ -
418/STK	STOCK ROOM	\$ -

424/CTHS	COURT HOUSE	\$ 4,290.28
425/OB	OTHER BUILDING	\$ 10,258.01
428/DATAP	DATA PROCESSING	\$ 510.52
430/HLS	HOMELAND SEC	\$ -
439/PZ	PLANNING ZONING	\$ 265.13
700/SHRF	SHERIFF DEPT	\$ 1,166.36
704/WV JAIL	ST/WV REGIONAL JAIL	\$ -
711/OES	EMERG SVC	\$ 417.52
712/911	911 COMMUNICATION	\$ 1,518.81
716/A/C	ANIMAL CONTROL	\$ 906.30
916/CAP/LB	LIBRARY / CAPITAL OUTLAY	\$ 10,000.00
960/IMPACT	IMPACT FEES	\$ -
975/CAP OTL	CO. CLERK / CAPITAL OUTLAY	\$ -
976/CAP/CIR	CIRCUIT CLERK/CAP OUTLAY	\$ 164.21
980/CAP/SRF	SHERIFF DEPT/CAP OUTLAY	\$ -
982/DATA	DATA PROCESSING - IMAGING	\$ -
998/PRK/RC	PARKS & REC COMMUNITY CNTR	\$ -
ALL DEPTS	ALL DEPTS	\$ -
CONTRBTN	CONTRIBUTIONS	\$ -
INSURANC	INSURANCE	\$ 112,608.98
INVEST	INVESTMENTS	\$ -
PAYROLL	PAYROLL	\$ -
RET/DPTY	WV DEPUTY SHRF RETIREMENT	\$ 24,902.51
RET/EMP	WV PUBLIC EMPLOY RETIEMENT	\$ 97,177.20
TOTALS		\$ 272,006.26

In re: BONDING & ACTIVITY REPORT

Paul Raco, Director of Planning Zoning and Engineering appeared before the Commission for the weekly Planning, Zoning and Engineering activity report.

Mr. Raco reported on the upcoming Planning Commission meeting on December 12, 2006.

In re: PUBLIC COMMENT

No public comment was given.

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

Leslie D. Smith, County Administrator reported that interviews have been scheduled for applicants to the Board of Zoning Appeals for December 14, 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 Legislative Interim Session scheduled for December 10, 2006.

Commissioner Manuel reported on his conversation with Delegate Locke Wysong regarding volunteer fire service.

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

Leslie D. Smith, County Administrator reported on the meeting with Lane Kendig to include County Departments, Municipalities and various groups.

With regard to an overwhelming meeting schedule and time restraints the Commission advised the Jefferson County Citizens for Economic Preservation that they would be unable to facilitate a meeting with Kendig Keast.

The Commission reported on the workshop held on December 6, 2006 and expressed concerns with current Subdivision and Zoning Ordinance draft in respect to 8A. The Commission agreed by consensus to send copies of the audio CD from the December 6, 2006 workshop to Lane Kendig for conformity and compliance with 8A standards.

Paul Raco, Director of Planning, Zoning and Engineering was present for comments and clarification of 8A standards as applicable to the Subdivision and Zoning rewrite process.

In re: JEFFERSON COUNTY CITIZENS FOR ECONOMIC PRESERVATION – REQUEST TO BE INCLUDED IN THE MEETING SCHEDULE FOR KENDIG KEAST DECEMBER VISIT

This matter was discussed under agenda item, “Kendig Keast Update/Ordinance rewrite discussion and direction”.

In re: JANE PETERS – ADMINISTRATIVE ASSISTANT POSITION

Jane Peters, Development Authority Director appeared before the Commission to report on the upcoming Administrative Assistant position. Ms. Peters reported on the retirement of the current Development Authority Administrative Assistant Dianne Alvarez. Ms. Peters also provided the Commission with the job qualifications for the upcoming Administrative Assistant vacancy.

Motion by Manuel, second by Tabb authorizing Jane Peters, Development Authority Director to place advertisements for the upcoming employment vacancy at the Development Authority. Motion carried.

Motion by Manuel, second by Tabb to adopt a Resolution recognizing the dedication and service provided by Dianne Alvarez to the Jefferson County Development Authority. Motion carried.

In re: MOUNTAIN WATER SYSTEM ENGINEERING STUDY PROPOSAL

The Commission agreed further information needs to be obtained from Dunn Engineering before any action is taken on this agenda item.

Mountain Water System Committee member Scott Tatina appeared before the Commission on behalf of the Committee to express his concern with the Mountain Water System Study Proposal. The Commission agreed to compile a draft of questions and concerns for Dunn Engineering consultants.

In re: GARBAGE DUMPING NEAR RESIDENCES

Leslie D. Smith, County Administrator reported on the efforts of Mason Carter from the Department of Planning, Zoning and Engineering to rectify the disposal of garbage on private property.

Commissioner Morgan reported on his discussions with Ken White, Conservation Officer with the Department of Natural Resources.

The Commission agreed that Planning Zoning and Engineering officials, officials from the Department of Environmental Protection and the Department of Natural Resources could coordinate efforts to enforce sanitation issues and implement adequate measures to ensure proper garbage disposal.

In re: PAUL PRITCHARD – NATIONAL HERITAGE AREA DISCUSSION

Paul Pritchard appeared before the Commission for a presentation and discussion with regard to formation of a National Heritage Committee in Shepherdstown to enhance and promote the National Landmarks and Historic Heritage of Shepherdstown. Mr. Pritchard reported on the goals, strategies and objectives of the Shepherdstown National Heritage Committee.

To assist with the formation of the Shepherdstown National Heritage Committee and to assist with further endorsements, Mr. Pritchard requested Commission support for the Committee and its objectives to enhance and promote National Heritage in Shepherdstown and surrounding areas.

Don Briggs from the National Park Service was present for comments.

Motion by Surkamp, second by Tabb to support the Shepherdstown National Heritage Committee. Motion carried.

In re: SHERIFF ED BOOBER – FAMILY HEALTH COVER

Mr. Matt Hughes from the Shannondale Safety Committee appeared before the Commission to present Sheriff Ed Boober with a plaque for he and his Deputies from the citizens of Shannondale in recognition of outstanding performance and service provided in the Shannondale and Blue Ridge communities.

Sheriff Ed Boober appeared before the Commission to express concerns with the need for affordable health insurance to County employees and their families. Sheriff Boober requested the Commission schedule a workshop to discuss this matter further.

The Commission agreed by consensus to schedule a workshop with Sheriff Boober to discuss County insurance coverage.

In re: PETER KUBIC – COUNTRY DAY SCHOOL SURETY

Mr. Peter Kubic appeared before the Commission to request an additional extension of the surety bond for Country Day School. Mr. Kubic reported on the current construction schedule for County Day School and discussed work already completed on the project.

Motion by Morgan, second by Manuel to approve the extension of the surety bond for six (6) additional months effective January 1, 2007 for Country Day School as requested by Mr. Kubic. Motion carried.

In re: GREEN INFRASTRUCTURE DISCUSSION

Leslie D. Smith, County Administrator reported that officials from the Freshwater Institute are currently compiling recommendations from the Green Infrastructure Study that will be presented to the Commission by December 31, 2006.

In re: JAIL RENOVATION – BID SCHEDULE

Leslie D. Smith, County Administrator reported on the Jail Renovation bid schedule.

Commissioner Morgan reported on his discussions with Sheriff Ed Boober with regard to building security upon renovation of the old jail.

The Commission took a 5-minute break at 10:55 a.m.

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

Leslie D. Smith, County Administrator reported that the ATV Ordinance from Chapline’s Choice Citizen’s Association, Incorporated is still under legal review by Brandon Sims, Assistant Prosecuting Attorney.

In re: DRAFT MEMORANDUM OF UNDERSTANDING – BLUE RIDGE SUBSTATION

Leslie D. Smith, County Administrator reported that the Blue Ridge Substation Memorandum of Understanding is pending approval by Brandon Sims, Assistant Prosecuting Attorney.

In re: JENNIFER S. MAGHAN – COUNTY CLERK’S REPORT

Jennifer S. Maghan, County Clerk provided no County Clerk’s weekly report.

In re: HUMAN RESOURCES MANAGER/EMPLOYEE HANDBOOK HIRE

Commissioner Surkamp requested the Commission make a commitment to adopting the Employee Handbook drafted by Sheila Birnbach, Management Consultant and consider the hire of a Human Resources Manager.

Motion by Surkamp to authorize the hire of a Human Resources Manager for Jefferson County Commission with the authority to implement the procedures and policies set forth in the Employee Handbook as drafted by Sheila Birnbach.

The Commission expressed their concerns with the employment of a Human Resources Manager.

Commissioner Surkamp withdrew his motion for reconsideration under agenda item, “Sheila Birnbach – Management Consultant – Human Resources Manager”.

In re: PLANNING COMMISSION AND “THE PUBLIC HEALTH SAFETY & WELFARE”

Commissioner Surkamp cited WV Code 8-24-1 as it applies to the Planning Commission.

No action was taken on this agenda item.

In re: HOLIDAY MEETING SCHEDULE

No action was taken on this agenda item.

In re: SCHEDULE MEETING WITH DEPARTMENT OF HIGHWAYS

No action was taken on this agenda item.

In re: CABLE FRANCHISE AGREEMENT EXTENSION

Motion by Surkamp, second by Morgan to draft a letter to Paul Comes from Comcast requesting an extension of the Cable Franchise Agreement until March 31, 2007. Motion carried.

In re: CIRCUIT CLERK – REQUEST FOR RECONSIDERATION OF JAIL BUILDING OFFICE SPACE ALLOCATION

Patsy Noland, Circuit Clerk appeared before the Commission to report on her review of the current jail renovation floor plans and requested the Commission reconsider office space allocation to accommodate adequate space needs and storage capacity for court records.

Jennifer S. Maghan, County Clerk was present for comments with regard to space and storage needs.

The Commission agreed by consensus that Jennifer S. Maghan, County Clerk and Patsy Noland, Circuit Clerk conduct a meeting to coordinate appropriate space and storage requirements and report back to the Commission during the week of December 14, 2006 for a recommendations.

In re: AGRICULTURAL TASK FORCE

Mr. William Grantham, Agricultural Task Force President appeared before the Commission for discussion regarding work completed by Kendig Keast on the Subdivision and Zoning rewrite ordinance.

Mr. Grantham requested changes be implemented into the Subdivision and Zoning Ordinance to include more defined agricultural definitions and farmstead definitions. Mr. Grantham presented the Commission with draft copies of a “Right to Farm Ordinance” which details revisions and expansions that the Agricultural Task Force would like to have inserted into the Subdivision and Zoning Ordinance for review and consideration by the County Commission, Planning Commission and Kendig Keast officials.

Mr. Grantham reported on the Agricultural Task Force Green Infrastructure Assessment with specifications of Agricultural districts.

Mr. Grantham requested the Commission consider conducting a workshop with the Agricultural Task Force after their meeting with Lane Kendig.

After discussion, motion by Manuel, second by Tabb to submit Mr. Grantham’s draft document, “Right to Farm” to Brandon Sims, Assistant Prosecuting Attorney for review and consideration of use into the Subdivision and Zoning Ordinance. Motion carried.

In re: KELLIE S. BOLES – FARMLAND PROTECTION BOARD – CONSERVATION EASEMENTS

Kellie S. Boles, Agricultural Development Officer appeared before the Commission to request approval of two Conservation Easements for the Ellis property and the adjacent Pamplin/Mills property contingent upon

review and approval by the Department of Planning, Zoning and Engineering. Ms. Boles presented the Commission with a plat of the two properties.

Motion by Tabb, second by Manuel to approve the adjacent Pamplin/Mills Property Conservation Easement purchase contingent upon review and approval by the Department of Planning, Zoning and Engineering. Motion carried.

In re: SHEILA BIRNBACH – MANAGEMENT CONSULTANT – HUMAN RESOURCES MANAGER

Sheila Birnbach, Management Consultant appeared before the Commission to report on her recommendations for a Jefferson County Human Resources Manager and to discuss the draft Employee Handbook for Jefferson County employees.

Brandon Sims, Assistant Prosecuting Attorney reported that she is still reviewing the Employee Handbook draft. Ms. Sims also provided legal opinion with regard to Ms. Birnbach's Human Resource Manager recommendations and job specifications.

The Commission agreed to table this matter.

Commissioner Surkamp withdrew his original motion under agenda item: "Human Resources Manager/Employee Handbook Hire".

In re: BRANDY SIMS – LEGAL UPDATE & REPORT

Brandon Sims, Assistant Prosecuting Attorney appeared before the Commission for a legal update and report.

Ms. Sims presented the Commission with a draft copy of the Impact Fee Hardship Exemption Ordinance as drafted by she and Mark Schiavone, Impact Fee Coordinator for Commission review and consideration.

The Commission recessed for lunch at 12:15 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 – FINANCIAL STATEMENT REVIEW – PAUL SHROYER

The Commission conducted a workshop with Paul Shroyer, Auditor and Jennifer S. Maghan, County Clerk for review and discussion of the County Financial Statement as compiled by Mr. Shroyer.

In re: COUNTY COMMISSION WORKSHOP – LEGISLATIVE ISSUES

The County Commission conducted a workshop to discuss ongoing legislative issues within Jefferson County.

Upon completion of the County Commission workshops, the Commission reconvened into Regular Session at the Jefferson County Courthouse at 3:00 p.m.

In re: PROPOSED PLANNING COMMISSIONER REMOVAL ORDINANCE

The Commission was presented with two versions of the Planning Commissioner Removal Ordinance, one version drafted by Brandon Sims, Assistant Prosecuting Attorney for Jefferson County, the other version drafted by David Hammer, Esquire.

Motion by Manuel, second by Tabb to explore the November 15, 2006 Planning Commissioner Removal Ordinance draft by Brandon Sims, Assistant Prosecuting Attorney for revisions and to schedule a public hearing for consideration of adopting the Planning Commissioner Removal Ordinance as proposed by Brandon Sims, Assistant Prosecuting Attorney. Motion failed by a 2 to 3 vote. Commissioners Corliss, Morgan and Surkamp voted no.

Motion by Corliss, second by Morgan to explore Planning Commissioner Removal Ordinance draft by David Hammer, Esquire for revisions and to schedule a public hearing for consideration of adopting the Planning Commissioner Removal Ordinance as proposed by David Hammer, Esquire. Motion carried by a 3 to 2 vote. Commissioners Tabb and Manuel voted no.

Motion by Manuel, second by Tabb to omit all "Whereas" clauses from David Hammer's Planning Commissioner Removal Procedures Ordinance with the exception of paragraph one. Motion failed by a 2 to 3 vote. Commissioners Corliss, Surkamp and Morgan voted no.

Motion by Morgan, second by Corliss to omit "Whereas, The County Commission is potentially liable for attorney's fees and costs incurred by planning commissioners who must defend claims filed against them by third parties pursuant to West Virginia Code 6-6-7" from page 3 of the Commissioner Removal Procedures Ordinance. Motion carried.

Motion by Morgan, second by Corliss to insert Section 2 of Brandon Sims version into Section 3 of David Hammer's version. Motion carried.

Motion by Manuel, second by Tabb to amend Commissioner Morgan's motion to include reiteration for Right of Counsel to Planning Commissioners in Section 3 of the Commissioner Removal Procedures Ordinance. Motion carried.

Motion by Manuel, second by Surkamp to insert "not exceed" into Section 2, Part (B) between the words "shall" and "twenty thousand". Motion carried.

Motion by Tabb, second by Manuel to omit "exclusive" from Section 1, Part (A), Number (4) between the words "the" and "procedure". Motion failed by a 2 to 3 vote. Commissioners Corliss, Morgan and Surkamp voted no.

Motion by Manuel, second by Tabb to have Brandon Sims, Assistant Prosecuting Attorney research the "forty-five (45) days after service" clause written in Section 2, Part (E) of the Commissioner Removal Procedures Ordinance for viable declaration and clarity. Motion carried by a 4 to 1 vote. Commissioner Corliss voted no.

Motion by Morgan, second by Surkamp to approve the Commissioner Removal Procedures Ordinance draft by David Hammer, Esquire to include all amendments voted upon and executed herein and schedule a public hearing for approval and adoption. Motion carried by a 3 to 2 vote. Commissioners Tabb and Manuel voted no.

The Commission agreed by consensus to place this matter on the agenda for the week of December 14, 2006 for review and consideration of all amendments.

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

Motion by Surkamp, second by Tabb to authorize payment of all legal fees to David Hammer for expenses incurred in the defense of Mr. Baldau. Motion carried by a 3 to 2 vote. Commissioners Tabb and Manuel voted no.

Commissioner Tabb seconded Commissioner Surkamp's motion for discussion purpose.

Commissioner Tabb expressed her opposition to the payment of legal fees with regard to legalities and County liability.

In re: R.D. ZANDE & ASSOCIATES, INC. – CONTINUITY OF OPERATIONS PLAN COST ESTIMATE

Motion by Tabb, second by Manuel to approve the Continuity of Operations Plan cost estimate as provided by R.D. Zande and Associates, Incorporated as presented by Barbara Miller, Jefferson County Office of Homeland Security Director. Motion carried.

In re: LEADERSHIP JEFFERSON – LOCAL GOVERNMENT MODULE PARTICIPATION

The Commission agreed by consensus to participate in Leadership Jefferson's Local Government Module program in 2007.

In re: JEFFERSON COUNTY PLANNING COMMISSION – REQUEST FOR SPACE ON THE COUNTY WEB SITE FOR THE POSTING OF ELECTRONIC COPIES OF COMMUNITY IMPACT STATEMENTS

The Commission agreed by consensus to approve space on the County web site for the posting of electronic copies of the Community Impact Statements as provided by the Department of Planning, Zoning and Engineering.

In re: JEFFERSON COUNTY PLANNING COMMISSION – REQUEST FOR INFORMATION ON THE STATUS OF THE COUNTY’S EFFORTS TO FIND A LOCATION AND ADDITIONAL STAFF FOR THE DEPARTMENT OF PLANNING, ZONING AND ENGINEERING

Commissioner Corliss informed the Commission that he would discuss this matter with the Planning Commission.

In re: BACK POWER GENERATION FOR WATER & SEWER PUMPING SYSTEMS

Commissioner Surkamp expressed his concerns with lack of back up generators for water and sewer pumping systems within Jefferson County.

The Commission agreed by consensus to pursue this matter further at a later date.

In re: COUNTY COMMISSION/PLANNING MEETING DECEMBER 19, 2006 MEETING AGENDA

Commissioner Corliss reported on the proposed agenda for the joint County Commission/Planning Commission meeting scheduled for December 19, 2006. Agenda items include: Department of Planning, Zoning and Engineering review/update and discussion of Kendig Keast proposal regarding subdivision ordinance procedures; discussion of Planning Commission removal ordinance; utilization of Ethics Commission and discussion of Planning Commission mission, scope of authority and training.

In re: SECRETARY OF STATE VOTING CONSIDERATION

The Commission agreed by consensus to express their concerns to Betty Ireland, Secretary of State for her review, consideration and opinion on matters that include concerns with services provided by the machine vendor, DMV voter registration inadequacies and early voting calculation timelines.

IN RE: COUNTY COMMISSION REPORTS

Commissioner Morgan reported on the Affordable Housing Committee meeting he attended.

Commissioner Morgan reported on his discussions with Solid Waste Authority President Jim McGowen with regard to paving and upgrades at the Jefferson County Transfer Station.

In re: EXECUTIVE SESSIONS - COUNTY PROPERTY PURCHASE DISCUSSION

Motion by Morgan, second by Tabb to enter into Executive Session to discuss county property purchase. Motion carried.

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

In re: EXECUTIVE SESSION – PERSONNEL MANAGEMENT LIABILITY ISSUES

Motion by Morgan, second by Surkamp to enter into Executive Session to discuss personnel management liability issues. Motion carried.

Motion by Morgan, second by Surkamp to return to Regular Session. Motion carried.

The Commission received the following information:

Appointment to the Board of Zoning Appeals to be made on Thursday, January 4, 2007.

Acceptance of bond for THZ Enterprises, LLC/Maddex Subdivision in the amount of \$547,990.58.

Notice received of a Historic Landmarks Commission public hearing on January 18, 2007, 7:00 p.m. for consideration of proposed changes to rules defining historic landmarks & establishing criteria for designation of historic landmarks.

Notice of 2006 Jefferson County Holiday Party on Wednesday, December 20, 2006, 12:00- 2:00 p.m.

Status Report of County Construction Projects received from the Department of Planning, Zoning and Engineering.

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

Correspondence received from Ellen May concerning a cumulative data report.

November 2006 Manager's Report received from the Jefferson County Public Service District.

November 2006 Operations Manager's Report received from Jefferson County Public Service District.

Impact Fee Status Report for November 2006 received.

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

Reminder of County Commission Association Regional Meeting on Thursday, December 14, 2006, 3:00 p.m. at the Berkeley County Judicial Center.

Annual CIP update received from Jefferson County Schools.

Correspondence received from J. Michael Cassell, Esq. concerning the request for payment of attorney's fees of Todd Baldau.

Franchise fee received from Comcast.

Invitation received from the Arts and Humanities Alliance of Jefferson County to attend a Holiday Open House on Sunday, December 17, 2006, at 5:00 p.m.

Pan Tran Board meeting minutes received.

Thank you note received from the Eastern Panhandle Free Clinic.

Correspondence received from Loudoun County concerning the Countywide Transportation Plan Update.

Annual Report received from the Association of Counties.

Ethics Reporter received for November 2006.

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

GREGORY A. CORLISS, COMMISSION PRESIDENT