

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 Courthouse thereof on Thursday, December 14, 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 Surkamp 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 meeting held on Thursday, December 7, 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 December 11, 2006, totaling \$104,041.94: 43368, 43369, 43390, 43392, 43394, 43396, 43404, 43434, 43329, 43333, 42412, 42488, 43428, 43429, 43430, 43431, 43432, 43433, 43439, 43437, 43435 and 43438. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Surkamp, second by Morgan to approve check #51211 in the amount of \$14,644.27 - improperly charged to the Impact Fee Department and to approve check #51211 in the amount of \$14,644.27 - being charged to the correct department - Department of Planning, Zoning and Engineering. Motion passed by a 3-2 vote. Commissioners Tabb and Manuel voted no.

Motion by Manuel, second by Tabb to approve the remaining Accounts Payable dated December 14, 2006 less check #51211 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

Dept	Check #	Vendor Name	PO #	Amt W/ PO	W/O PO#	Amount
425	51149	ALLEGHENY POWER			\$210.34	\$210.34
716	51150	APPLE TREE ANIMAL CLINIC	43180	\$28.00		\$28.00
412	51151	AT&T			\$1.25	\$1.25
412	51151	AT&T			\$6.32	\$6.32
987	51152	ARDEN	43294	\$7,900.00		\$7,900.00
425	51153	ARCH WIRELESS	42917	\$175.90		\$175.90
700	51153	ARCH WIRELESS	42918	\$322.20		\$322.20
425	51154	ABH SERVICES			\$6,797.00	\$6,797.00
431	51155	BARDANE HEALTH CNTR			\$308.33	\$308.33
412	51155	BARDANE HEALTH CNTR			\$383.00	\$383.00
431	51155	BARDANE HEALTH CNTR			\$308.33	\$308.33
412	51155	BARDANE HEALTH CNTR			\$383.00	\$383.00
Payroll	51156	BUREAU/CHILD SUPPORT			\$72.00	\$72.00
711	51157	AMERIGAS	42738	\$94.13		\$94.13
425	51158	BOLAND	42528	\$385.00		\$385.00
425	51158	BOLAND	42024	\$593.00		\$593.00
Payroll	51159	BUREAU/CHILD SUPPORT			\$62.31	\$62.31
406	51160	ELIZABETH BOWERS			\$14.70	\$14.70
424	51161	C.T. WATER DEPT			\$90.35	\$90.35
425	51161	C.T. WATER DEPT			\$731.23	\$731.23
424	51162	LARRY COLLIER			\$10.58	\$10.58
Payroll	51163	CHILD SUPPORT ENFORCE			\$23.07	\$23.07
403	51164	DANKA	43022	\$55.95		\$55.95
443	51165	DELTA SIGMA PI			\$280.00	\$280.00
OTHER	51166	EQUITABLE			\$15.00	\$15.00
712	51167	EARTHLINK			\$21.95	\$21.95
425	51168	EHRlich			\$35.00	\$35.00
712	51169	FRONTIER			\$3,900.03	\$3,900.03
412	51169	FRONTIER			\$360.42	\$360.42
415	51169	FRONTIER			\$330.19	\$330.19
424	51169	FRONTIER			\$12,280.60	\$12,280.60
700	51170	FIFTH THIRD BANK			\$257.34	\$257.34
700	51170	FIFTH THIRD BANK			\$110.95	\$110.95
402	51170	FIFTH THIRD BANK			\$406.49	\$406.49
403	51170	FIFTH THIRD BANK			\$30.99	\$30.99
403	51170	FIFTH THIRD BANK			\$59.98	\$59.98
439	51170	FIFTH THIRD BANK			\$50.39	\$50.39
711	51170	FIFTH THIRD BANK			\$801.30	\$801.30
994	51170	FIFTH THIRD BANK			\$886.85	\$886.85
711	51170	FIFTH THIRD BANK			\$146.06	\$146.06
711	51170	FIFTH THIRD BANK			\$3.90	\$3.90
712	51170	FIFTH THIRD BANK			\$4.71	\$4.71
424	51170	FIFTH THIRD BANK			\$321.00	\$321.00
700	51171	GALLS	43261	\$1,854.37		\$1,854.37

439	51172	ROGER GOODWIN			\$84.00	\$84.00
716	51173	HILLSIDE VETERINARY	43049	\$177.00		\$177.00
439	51174	MICHAEL HEATON			\$290.09	\$290.09
700	51175	INTERNATIONAL POLYGRAPH	43262	\$300.00		\$300.00
OTHER	51176	ING			\$175.00	\$175.00
980	51177	ICOP	43271	\$12,145.92		\$12,145.92
439	51178	JEFF. PUBLISH CO	43214	\$1,638.18		\$1,638.18
401	51178	JEFF. PUBLISH CO			\$8.54	\$8.54
700	51179	JERRY'S SPORT CENTER	43265	\$144.90		\$144.90
OTHER	51180	JEFFERSON SECURITY BANK			\$4,805.00	\$4,805.00
439	51181	KENDING KEAST			\$4,289.35	\$4,289.35
712	51182	LANGUAGE LINE SERVICE			\$80.76	\$80.76
405	51183	MATTHEW BENDER	43097	\$634.16		\$634.16
712	51184	MSAG			\$896.38	\$896.38
223	51185	COMPTROLLER OF MD			\$2,744.46	\$2,744.46
700	51186	MCKINNEY'S AUTO REPAIR	43436	\$24.00		\$24.00
424	51187	MCI			\$1,101.25	\$1,101.25
401	51188	FRANCES MORGAN			\$324.99	\$324.99
700	51189	MARKL	43264	\$1,360.70		\$1,360.70
All Dept	51190	NATIONWIDE RETIREMENT			\$788.21	\$788.21
418	51191	PIFER	42940	\$1,503.43		\$1,503.43
404	51191	PIFER	42852	\$59.98		\$59.98
402	51191	PIFER	43123	\$130.75		\$130.75
439	51192	PLANNING COMM JOURNAL	43218	\$319.00		\$319.00
700	51193	EVELYN PARTLOW	25090	\$408.00		\$408.00
425	51194	REIDS	42713	\$196.50		\$196.50
425	51194	REIDS		\$60.50		\$60.50
424	51195	ROACH OIL			\$529.97	\$529.97
425	51195	ROACH OIL			\$1,459.56	\$1,459.56
700	51196	KIMBERLY ROWLAND	43267	\$200.00		\$200.00
424	51197	SMITH & NANENBOUSCH			\$100.00	\$100.00
980	51198	SOFTWARE SYSTEMS	43270	\$948.00		\$948.00
404	51198	SOFTWARE SYSTEMS			\$113.00	\$113.00
404	51198	SOFTWARE SYSTEMS			\$410.00	\$410.00
402	51198	SOFTWARE SYSTEMS			\$374.00	\$374.00
404	51198	SOFTWARE SYSTEMS			\$318.00	\$318.00
403	51198	SOFTWARE SYSTEMS			\$425.00	\$425.00
403	51198	SOFTWARE SYSTEMS			\$50.00	\$50.00
402	51198	SOFTWARE SYSTEMS			\$676.00	\$676.00
428	51198	SOFTWARE SYSTEMS			\$28.00	\$28.00
428	51198	SOFTWARE SYSTEMS			\$71.00	\$71.00
982	51198	SOFTWARE SYSTEMS			\$13,558.03	\$13,558.03
405	51199	SPECIALTY BUS SUPPLIES	43096	\$464.44		\$464.44
223	51200	WV DEPT TAX AND REV			\$30,065.40	\$30,065.40
223	51200	WV DEPT TAX AND REV			\$22.44	\$22.44
916	51201	S. JEFFERSON PUBLIC		\$10,000.00		\$10,000.00
439	51202	SUPERIOR AUTO BODY	43427	\$2,743.85		\$2,743.85
All Dept	51203	SHERIFF OF JEFFERSON CO			\$31,770.58	\$31,770.58
All Dept	51203	SHERIFF OF JEFFERSON CO			\$39.68	\$39.68
All Dept	51203	SHERIFF OF JEFFERSON CO			\$7,430.22	\$7,430.22
All Dept	51203	SHERIFF OF JEFFERSON CO			\$9.28	\$9.28
All Dept	51204	SHERIFF OF JEFFERSON CO			\$28,020.54	\$28,020.54
All Dept	51204	SHERIFF OF JEFFERSON CO			\$1.23	\$1.23
700	51205	SIGARMS	43268	\$640.60		\$640.60
401	51206	STAPLES			\$191.92	\$191.92
402	51206	STAPLES			\$257.88	\$257.88
405	51206	STAPLES			\$36.87	\$36.87
424	51206	STAPLES			\$246.97	\$246.97
439	51206	STAPLES			\$245.06	\$245.06
700	51206	STAPLES			\$515.64	\$515.64
712	51206	STAPLES			\$833.56	\$833.56

424	51207	SHEETZ			\$647.40	\$647.40
700	51207	SHEETZ			\$4,841.55	\$4,841.55
716	51207	SHEETZ			\$413.82	\$413.82
712	51207	SHEETZ			\$348.23	\$348.23
439	51207	SHEETZ			\$508.93	\$508.93
406	51207	SHEETZ			\$278.83	\$278.83
711	51207	SHEETZ			\$130.00	\$130.00
430	51207	SHEETZ			\$38.59	\$38.59
700	51208	SOUTHERN POLICE EQUIP	43269	\$558.35		\$558.35
700	51209	STEWARTS MEN'S WEAR	43263	\$118.00		\$118.00
425	51210	SHEN VALLEY WATER			\$488.92	\$488.92
960	51211	HAMMER,FERRETTI,SCHIAVONI			\$14,644.27	\$14,644.27
O10	51212	SISTERS ORGANIZATION			\$200.00	\$200.00
425	51213	HAGEMEYER	43046	\$1,001.67		\$1,001.67
982	51214	UNITED SYSTEM & SOFTWARE			\$321.00	\$321.00
425	51215	VALLEY HARDWARE	42764	\$71.43		\$71.43
712	51216	VITAL SIGNS	42767	\$35.00		\$35.00
700	51216	VITAL SIGNS	43272	\$250.00		\$250.00
980	51216	VITAL SIGNS	43272	\$250.00		\$250.00
OTHER	51217	VALIC			\$100.00	\$100.00
405	51218	WEST PAYMENT CENTER	43098	\$2,004.00		\$2,004.00
425	51219	WILLIAMS MOTOR PARTS	42945	\$1.69		\$1.69
Totals				\$49,798.60	\$186,054.36	\$235,852.96

DEPT		NAME	DEPT AMTS
010/GRANT		GRANTS	\$480.00
401/COM		CO. COMMISSION	\$525.45
402/CCLK		CO. CLERK	\$1,845.12
403/CIR CLK		CIRCUIT CLERK	\$621.92
404/TAX		TAX OFFICE	\$900.98
405/PA		PROS ATTY	\$3,139.47
406/ASSR		ASSESSORS	\$293.53
408/GOV		ST.COMPNET CHG BO GOV UNIT	\$0.00
412/AG		AG AGT	\$1,133.99
413/ELE		ELECTION	\$0.00
415/		MAG CT TELEPHONE	\$330.19
418/STK		STOCK ROOM	\$1,503.43
424/CTHS		COURT HOUSE	\$15,328.12
425/OB		OTHER BUILDING	\$12,207.74
428/DATAP		DATA PROCESSING	\$99.00
430/HLS		HOMELAND SEC	\$38.59
431/ECON		ECON DEV	\$616.66
439/PZ		PLANNING ZONING	\$10,168.85
700/SHRF		SHERIFF DEPT	\$11,906.60
704/WV JAIL		ST/WV REGIONAL JAIL	\$0.00
711/OES		EMERG SVC	\$1,175.39
712/911		911 COMMUNICATION	\$6,120.62
716/A/C		ANIMAL CONTROL	\$618.82
916/CAP/LB		LIBRARY / CAPITAL OUTLAY	\$10,000.00
960/IMPACT		IMPACT FEES	\$14,644.27
975/CAP OTL		CO. CLERK / CAPITAL OUTLAY	\$0.00
976/CAP/CIR		CIRCUIT CLERK/CAPITAL OUTLAY	\$0.00
980/CAP/SRF		SHERIFF DEPT/CAPITAL OUTLAY	\$1,198.00
982/DATA		DATA PROCESSING - IMAGING	\$26,024.95
987/CAPCRT		COURT HOUSE/ CAPITAL OUTLAY	\$7,900.00
994/CAPEMG		EMERG SVC/CAPITAL OUTLAY	\$886.85
998/PRK/RC		PARKS & REC COMMUNITY CENTER	\$0.00
ALL DEPTS		ALL DEPTS	\$100,892.04
CONTRBTN		CONTRIBUTIONS	
INSURANC		INSURANCE	
INVEST		INVESTMENTS	\$5,095.00
PAYROLL		PAYROLL	\$157.38
RET/DPTY		WV DEPUTY SHRF RETIREMENT	
RET/EMP		WV PUBLIC EMPLOY RETIEMENT	
TOTALS			\$235,852.96

In re: HOLIDAY MEETING SCHEDULE

Motion by Manuel, second by Morgan to cancel the County Commission meeting on December 28, 2006. Motion carried.

In re: PARTIAL BOND RELEASE - CAMERON RUN, LLC PC FILE #04-17

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Morgan, second by Surkamp to approve the complete bond release of a letter of credit for Cameron Run, LLC PC File #04-17 in the amount of \$163,704.00. Motion carried.

In re: PARTIAL BOND RELEASE - BEALLAIR SUBDIVISION, PHASE I, LOTS 1-49 & RESIDUE A-E PC FILE #02-36

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Manuel to approve the complete bond release of an Irrevocable Letter of Credit for Beallair Subdivision, Phase I, Lots 1-49 & Residue A-E PC File#02-36 in the amount of \$230,992.00 with the County to retain \$844,008.00. Motion carried.

In re: COMPLETE BOND RELEASE - EACKLES-SPENCER FUNERAL HOME PC FILE#S04-06

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Morgan to approve the complete bond release of an Irrevocable Letter of Credit for Eackles-Spencer Funeral Home PC File #S04-06 in the amount of \$45,448.00. Motion carried.

In re: COMPLETE BOND RELEASE - RAI GROUP 40, LLC PC FILE #S04-13

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Morgan, second by Tabb to approve the complete bond release of an Irrevocable Letter of Credit for RAI Group 40, LLC/Burr Industrial Park Lot 40 PC File #S04-13 in the amount of \$124,212.00. Motion carried.

In re: COMPLETE BOND RELEASE - RAI PROPERTIES, LLC PC FILE #S04-15

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Manuel to approve the complete bond release of an Irrevocable Letter of Credit for RAI Properties, LLC/Burr Industrial Park Lot 44 PC File #S04-15 in the amount of \$167,567.37. Motion carried.

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 bond for Cedar Meadows Subdivision and he reported that the work has not been completed.

Motion by Surkamp, second by Morgan to foreclose the bond for Cedar Meadows Subdivision.

Kevin Dennis, President for the Home Owner's Association for Cedar Meadows Subdivision appeared before the Commission and reported on the reason for the work not being complete. Mr. Dennis requests that the Commission issue an extension on the bond.

Motion by Surkamp, second by Manuel to extend the bond for Cedar Meadows Subdivision until March 15, 2007. Motion carried.

In re: PUBLIC COMMENT

No public comment was given.

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 ATV Legislative issues. Commissioner Manuel also discussed Kendig Keast and future legislative issues with the changes to the Subdivision and Zoning Ordinance re-write.

In re: NEAL NILSEN - IT COMMITTEE UPDATE

Neal Nilsen appeared before the Commission to discuss the IT Committee updates. Mr. Nilsen discussed the GIS employee and commended Jeff Polczynski for his hard work on the GIS project.

Mr. Nilsen reported on the County Clerk software upgrade and the cable franchise agreement.

In re: BOARD OF ZONING APPEALS ALTERNATE INTERVIEWS

Mary Sue Jedele appeared before the Commission for the Board of Zoning Appeals Alternate appointment.

Motion by Surkamp, second by Manuel to appoint Mary Sue Jedele to the Board of Zoning Appeals as an alternate for an unexpired term ending January 1, 2009. Motion carried.

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

Leslie Smith, County Administrator reported that Kendig Keast will be returning on January 16th and 17th 2007.

The Commission discussed the next round of documents with changes. The Commission agreed to have the County Administrator send correspondence to Kendig Keast and asked that the changes be submitted before their visit in January.

Commissioner Corliss commented and said he wants to know how the model fits under 8A and requests a work session with the Commission before the Kendig Keast visit.

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

No action was taken on this agenda item.

In re: MARK SCHIAVONE - PROPOSED IMPACT FEE PROCEDURES ORDINANCE AMENDMENTS

Mark Schiavone, Impact Fee Coordinator appeared before the Commission to discuss the proposed Ordinance changes to 2003-1: Impact Fee Procedures Ordinance.

The Commission agreed that a work session is needed and to have Counsel review the proposed changes to 2003-1: Impact Fee Procedures Ordinance.

In re: JANE PETERS - DEVELOPMENT AUTHORITY

Jane Peters, Economic Development Authority Executive Director appeared before the Commission to request the Commission support a Resolution for the retirement of Dianne Alvarez. Motion by Morgan, second by Manuel to approve the following Resolution: Motion carried. Commissioner Corliss read the Resolution:

RESOLUTION

Whereas, Dianne R. Alvarez has served the Jefferson County Development Authority since 1988, and

Whereas, she has, in total, served various departments of Jefferson County Government for thirty years, and

Whereas, she has acted in all capacities with diligence, loyalty, and a sense of humor, and

Whereas, such qualities and length of service are rare and much appreciated,

Therefore, upon her retirement, be it resolved that the Jefferson County Commission commends her for her years of service and wishes her well for the future.

December 14, 2006

/s/

Gregory Corliss, Commission President

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

Steve Gibson, Chief Deputy Finance Clerk appeared before the Commission to give the County Clerk's report.

Mr. Gibson reported on the Notice to Public and County offices will close at 5:00 p.m. on Friday, December 22, 2006. Mr. Gibson also read out loud a letter written by Jennifer S. Maghan, County Clerk regarding Old Jail renovation space needs.

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

In re: ESTATE OF ROSE E. PETRUCCI AND ESTATES OF MARGUERITE PETRUCCI - PETITION FOR ORDER TO LIQUIDATE ACCOUNTS

No action was taken on this agenda item.

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

Patsy Noland, Circuit Clerk appeared before the Commission to discuss her request for reconsideration of Jail Building office space allocation. After discussion, the Commission agreed that a work session is needed with Patsy Noland, Circuit Clerk and Jennifer S. Maghan, County Clerk to review the Jail Building office space needs.

In re: APPROVAL OF 2007 HOLIDAY SCHEDULE

Motion by Tabb, second by Corliss to approve the 2007 Holiday Schedule. Motion carried.

JEFFERSON COUNTY COMMISSION HOLIDAY SCHEDULE 2007

NEW YEAR'S DAY	MONDAY, JANUARY 1, 2007
MARTIN LUTHER KING'S BIRTHDAY	MONDAY, JANUARY 15, 2007
PRESIDENT'S DAY	MONDAY, FEBRUARY 19, 2007
MEMORIAL DAY	MONDAY, MAY 28, 2007
WEST VIRGINIA DAY	WEDNESDAY, JUNE 20, 2007
INDEPENDENCE DAY	WEDNESDAY, JULY 4, 2007
LABOR DAY	MONDAY, SEPTEMBER 3, 2007
COLUMBUS DAY	MONDAY, OCTOBER 8, 2007
VETERAN'S DAY	MONDAY, NOVEMBER 12, 2007
THANKSGIVING	THURSDAY, NOVEMBER 22, 2007 FRIDAY, NOVEMBER 23, 2007
CHRISTMAS	MONDAY, DECEMBER 24, 2007 - CLOSE AT NOON TUESDAY, DECEMBER 25, 2007
NEW YEAR'S EVE	MONDAY, DECEMBER 31, 2007 - CLOSE AT NOON

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: _____

/s/ _____
GREGORY A. CORLISS, PRESIDENT
JEFFERSON COUNTY COMMISSION

In re: APPOINT COMMITTEE TO REVIEW SWIMMING POOL ARCHITECT/ENGINEER PROPOSALS

Commissioner Manuel discussed the review of swimming pool architect/engineer proposals. The Commission agreed to appoint the following to the Committee: Dale Manuel, County Commissioner, Rusty Morgan, County Commissioner, two people to represent the Parks and Recreation Commission, Kirk Davis, and Bill Polk, Director of Maintenance. For the record, seven (7) proposals were received.

In re: SET PUBLIC HEARING FOR PLANNING COMMISSIONER REMOVAL ORDINANCE

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

In re: CITY OF CHARLES TOWN - REQUEST FOR COMMISSION TO PAY FOR FIRE HYDRANTS AT ROBELEI ESTATES

Motion by Manuel, second by Tabb to approve the request received from the City of Charles Ton to pay for fire hydrants at Robelei Estates in the amount of \$216.00 annually. Motion carried.

In re: SET PUBLIC HEARING FOR HOME CONSORTIUM AGREEMENT

The Commission agreed to set a Public Hearing for the Home Consortium Agreement for Thursday, January 18, 2007 and to confirm that date with the Municipalities.

In re: REQUESTING MUNICIPAL GOVERNMENT PARTICIPATE IN FUNDING THE AMBULANCE AUTHORITY - SENDING LETTER PRIOR TO THE ANNUAL BUDGET PROCESS OF APPROPRIATE SHARES

Motion by Manuel, second by Surkamp to send a letter to all Municipalities asking that all contribute their appropriate share to the Jefferson County Ambulance Authority with a breakdown for the estimated increase of the Jefferson County Ambulance Authority budget for the upcoming fiscal year and to include the appropriate percentage of the overage for each city. Motion carried.

In re: BRANDON SIMS - LEGAL UPDATE AND REVIEW

Brandon Sims, Assistant Prosecuting Attorney appeared before the Commission to give legal updates and review. Ms. Sims discussed the following:

- Planning Commission Removal Ordinance
- Shentel Agreement
- Atlantic Technologies Contract
- WVNet Agreement
- Employee Guidelines

In re: EXECUTIVE SESSION - PENDING LITIGATION

Motion by Morgan, second by Manuel to enter into Executive Session to discuss pending litigation. Motion carried.

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

In re: MANAGEMENT REORGANIZATION OF THE DEPARTMENT OF PLANNING, ZONING AND ENGINEERING (DPZE)

Commissioner Corliss discussed the rewrite of the Zoning and Subdivision Ordinances and because of growth the Commission should consider the reorganization of the Department of Planning, Zoning and Engineering. Motion by Corliss, second by Morgan to terminate the employment of Paul Raco effective immediately with 30 day pay and benefits and secondly, if Mr. Raco also signs a Severance Agreement, prepared by the County Administrator, waiving any claims against Jefferson County, he will further be provided an additional five month's of full pay and benefits. Motion by Manuel, second by Tabb to enter into Executive Session to discuss this matter. Motion failed by a 2-3 vote. Commissioners Corliss, Morgan, and Surkamp voted no. The Commission discussed this issue and comments were made by Brandon Sims, Assistant Prosecuting Attorney requesting that the Commission enter into Executive Session to discuss the liability of the Commission. Commissioner Surkamp stated that with §6-6-8 the County Commission has authority to dismiss employees who are appointed by the Commission and can be dismissed without cause. Commissioner Tabb objected and stood up to and called a point of order that the issue was not put on the agenda for consideration.

Motion by Manuel, second by Tabb to receive and adhere to Commissioner Tabb's point of order. Motion failed by a 2-3 vote.

Commissioner Surkamp called the question for the original motion to terminate the employment of Paul Raco effective immediately with 30 day pay and benefits and secondly, if Mr. Raco also signs a Severance Agreement, prepared by the County Administrator, waiving any claims against Jefferson County, he will further be provided an additional five month's of full pay and benefits.

Motion by Manuel, second by Tabb to enter into Executive Session to discuss this matter and to receive legal counsel. Motion carried by a 4-1 vote. Commissioner Surkamp voted no.

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

Motion by Corliss, second by Morgan to withdraw the original motion. Motion carried.

In re: PUBLIC COMMENT

Becky Burns, county employee commented on the Commission request to terminate Paul Raco.

Sherry Cole, county employee commented on the Commission request to terminate Paul Raco.

Christine Chalmers, county employee commented on the Commission request to terminate Paul Raco.

Tom Trumble commented on the appointments to Boards and Commissions and requested that the liability be reduced for volunteers. Mr. Trumble also commented on the Board of Zoning Appeals past meetings and the web video cameras.

In re: COUNTY COMMISSION REPORTS

No County Commission reports were given.

In re: LEGISLATIVE MEETING IN BERKELEY COUNTY

The County Commission met in Berkeley County to discuss Legislative issues.

The Commission received the following information:

Notice of a Special Session Joint Meeting of the County Commission and the Planning Commission on Tuesday, December 19, 2006, at 7:00 p.m.

Acceptance of bond for Harvest Hills Subdivision in the amount of \$1,752,605.

Correspondence received from Judge Steptoe concerning the Circuit Clerk's request for reconsideration of the jail building office space allocation.

Correspondence received from the Finance Department concerning a visit from AFLAC on December 20, 2006 and County payroll.

Invitation received from CASA of the Eastern Panhandle to attend the graduation of the newest Volunteer Advocates on December 19th at 6:30 p.m. at the Berkeley County Judicial Center.

Notice received from Sheriff Boober of a promotion ceremony for Law Enforcement on January 8, 2007, at 3:00 p.m.

Correspondence received from Region 9 concerning the cancellation of the Homeland Security Steering Committee meeting scheduled for December 20, 2006.

Records Management and Preservation Grants Presentations Schedule received from the Director of Archives and History.

Information received from the County Commissioners' Association concerning annexation issues.

Copy of a newspaper article received from the County Commissioners' Association concerning the next Speaker for the House of Delegates.

Copy of a newspaper article received from the County Commissioners' Association and the Association of Counties concerning ATV licenses.

Meeting minutes received from the Harpers Ferry/Bolivar Public Service District.

Meeting minutes received from the Jefferson County Public Service District.

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