

**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, February 1, 2007 beginning at 9:30 o'clock a.m.

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

**In re: PLEDGE OF ALLEGIANCE**  
Commissioner Surkamp conducted the Pledge of Allegiance

**In re: DISPENSE WITH READING OF MINUTES**  
Motion by R. Morgan, second by Corliss to dispense with the reading of the minutes for the regular meeting held on Thursday, January 25, 2007 and to approve the minutes as amended. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**  
Motion by Manuel, second by R. Morgan to approve the following Purchase Orders for the week of February 1, 2007 totaling \$15,757.99: 42430, 43474, 43470, 42880, 43031, 43036, 43608, 43609, 42508, 43691, 43692, 43481, 43484, 43480, 43482, 43479, 43483, 43519, 43520, 43522, 43523 and 43524. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**  
Motion by Manuel, second by R. Morgan to approve the list of the Accounts Payable dated February 1, 2007 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
51509	716	APPLE TREE ANIMAL CLINIC	43508	\$64.00		\$64.00
51510	439	AMERICAN INTRNTL RECOVERY	43226	\$224.95		\$224.95
51511	402	BCT	43400	\$39.10		\$39.10
51512	425	BK	43471	\$738.25		\$738.25
51513	425	BOLAND	43473	\$593.00		\$593.00
51513	425	BOLAND	42528	\$385.00		\$385.00
51514	425	CITY OF CHARLES TOWN			\$20.00	\$20.00
51515	700	COUNTRY ROADS TIRE & AUTO INC	43475	\$339.46		\$339.46
51516	700	CREAMERS AUTO	43478	\$60.38		\$60.38
51517	425	OLD C.T. LIBRARY			\$1,500.00	\$1,500.00
51518	406	DANKA	42879	\$259.20		\$259.20
51519	425	DAYCON	43472	\$343.09		\$343.09
51520	700	EASTERN PANHANDLE PRINT	43552	\$176.00		\$176.00
51521	712	ESRI	43353	\$1,900.00		\$1,900.00
51522	424	FEDEX			\$20.71	\$20.71
51523	424	FRONTIER COMM			\$1,103.38	\$1,103.38
51524	424	FRONTIER			\$448.63	\$448.63
51525	700	GALLS	43557	\$2,658.09		\$2,658.09

51526	405	STEPHANIE GROVE			\$326.33	\$326.33
51527	439	IKON	43633	\$1,028.13		\$1,028.13
51527	401	IKON			\$225.00	\$225.00
51528	996	JEFF CO. AMBULANCE AUTHORITY			\$60,000.00	\$60,000.00
51529	401	JEFF PUBLISHING CO.			\$273.49	\$273.49
51529	403	JEFF PUBLISHING CO.	43037	\$81.60		\$81.60
51529	405	JEFF PUBLISHING CO.	43521	\$86.40		\$86.40
51530	412	JOURNAL	42412	\$127.40		\$127.40
51531	401	BOYS & GIRLS CLUB			\$5,000.00	\$5,000.00
51532	401	LEWIS CO. CIRCUIT CLERK			\$83.10	\$83.10
51533	998	LDH ELECTRICAL			\$15,409.00	\$15,409.00
51534	700	MATTHEW BENDER	43556	\$278.20		\$278.20
51534	403	MATTHEW BENDER	43033	\$25.80		\$25.80
51535	412	JUDY MATLICK			\$1,398.06	\$1,398.06
51535	412	JUDY MATLICK			\$36.96	\$36.96
51535	412	JUDY MATLICK			\$30.00	\$30.00
51536	712	TERRI MEHLING			\$60.00	\$60.00
51537	900	JEFFERSON COUNTY PARKS & REC			\$61,250.00	\$61,250.00
51538	402	PIFER	43602	\$146.00		\$146.00
51538	403	PIFER	43035	\$43.80		\$43.80
51538	712	PIFER	43355	\$43.50		\$43.50
51539	439	PRINT-O-STAT	42237	\$641.90		\$641.90
51540	700	PSYCHOLOGICAL HEALTH	43551	\$375.00		\$375.00
51541	712	PUBLIC SAFETY TRAINING	42924	\$2,277.00		\$2,277.00
51542	424	ROACH OIL			\$549.60	\$549.60
51542	425	ROACH OIL			\$993.91	\$993.91
51543	700	ROCIC	43550	\$300.00		\$300.00
51544	INVEST	WV DEPUTY SHERIFF RETIREMENT			\$6,874.59	\$6,874.59
51545	INVEST	WV DEPUTY SHERIFF RETIREMENT			\$8,492.15	\$8,492.15
51546	700	STEWART MEN'S WEAR	43554	\$540.00		\$540.00
51547	998	SNYER ENVIRONMENTAL			\$45,138.32	\$45,138.32
51548	701	S. PUBLIC SAFETY EQUIP	43548	\$1,523.10		\$1,523.10
51549	712	DONITA SCOTT			\$60.00	\$60.00
51550	405	BRANDY SIMS			\$340.85	\$340.85
51551	712	VA 2-WAY	43354	\$775.95		\$775.95
51552	INVEST	WV PUBLIC EMPLOYEES RETIRE.			\$18,623.62	\$18,623.62
51553	INVEST	WV PUBLIC EMPLOYEES RETIRE.			\$43,455.15	\$43,455.15
51554	401	WV STATE AUDITOR'S OFFICE			\$2,112.00	\$2,112.00
51555	700	WV UNIFORMS	43555	\$308.90		\$308.90
<b>TOTALS</b>				<b>\$16,383.20</b>	<b>\$273,824.85</b>	<b>\$290,208.05</b>

DEPT	NAME	DEPT AMTS
010/GRANT	GRANTS	
401/COM	CO. COMMISSION	<b>\$7,693.59</b>
402/CCLK	CO. CLERK	<b>\$185.10</b>
403/CIR CLK	CIRCUIT CLERK	<b>\$151.20</b>
404/TAX	TAX OFFICE	<b>\$0.00</b>
405/PA	PROS ATTY	<b>\$753.58</b>
406/ASSR	ASSESSORS	<b>\$259.20</b>

408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	\$1,592.42
413/ELE	ELECTION	
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
418/STK	STOCK ROOM	
424/CTHS	COURT HOUSE	\$2,122.32
425/OB	OTHER BUILDING	\$4,573.25
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	
431/ECON DEV	ECON DEV	
439/PZ	PLANNING ZONING	\$1,894.98
700/SHRF	SHERIFF DEPT	\$5,036.03
701/SHRF	SHERIFF DEPT	\$1,523.10
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	
712/911	911 COMMUNICATION	\$5,116.45
716/A/C	ANIMAL CONTROL	\$64.00
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	
900/PARK&REC	JEFFERSON CO. PARKS& REX	\$61,250.00
916/LIBRARY	LIBRARY CAPITAL OUTLAY	
960/IMPACT	IMPACT FEES	
966/CAP/AA	AMBULANCE AUTH CAP OUTLAY	\$60,000.00
975/CAP OTL	CO. CLERK / CAPITAL OUTLAY	
976/CAP/CIR	CIRCUIT CLERK/CAPITAL OUTLAY	
978/CAP/PA	PROS ATTY/CAPITAL OUTLAY	
979/CAP/TAX	TAX OFFICE/CAPITAL OUTLAY	
980/CAP/SRF	SHERIFF DEPT/CAPITAL OUTLAY	
992/CAP/911	911 COMMUNICATION/CAP OUTLAY	
982/DATA	DATA PROCESSING - IMAGING	
998/PRK/REC	PARKS & REC COMMUNITY CENTER	\$60,547.32
ALLOC	ALLOCATIONS	
ALL DEPTS	ALL DEPTS	
INVEST	INVESTMENTS	\$77,445.51
PAYROLL	PAYROLL	
<b>TOTALS</b>		<b>\$290,208.05</b>

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

No action was taken on this agenda item.

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

No action was taken on this agenda item.

**In re: APPOINTMENT TO THE JEFFERSON COUNTY BUILDING COMMISSION**

No action was taken on this agenda item.

**In re: LEGISLATIVE ISSUES**

Commissioner Manuel reported on the Legislative Public Hearing scheduled for February 1, 2007 to receive comments and concerns regarding table games.

Commissioner Manuel reported on the status of House Bill 2541.

Motion by Surkamp, second by Manuel requesting a letter be sent to Legislators from the Commission in support of House Bill 2541. Motion carried.

Commissioner Manuel discussed the education bill reflected within the Commission agenda packet among legislative material.

**In re: BONDING AND ACTIVITY REPORT**

Paul Raco, Executive Director of Planning, Zoning and Engineering appeared before the Commission for the weekly bonding and activity report. Mr. Raco reported on the upcoming Planning, Zoning and Engineering staff review meeting.

Commissioner Corliss requested that Mr. Raco provide his input to the Commission regarding Lane Kendig's draft Ordinance Articles.

Motion by Manuel that Mr. Raco prepare revisions to draft Ordinance Articles – Procedures and Administration of the Kendig Keast draft in accordance to 8A standards for Commission review, input and consideration. Commissioner Manuel's motion died due to lack of a second.

Motion by Surkamp, second by Manuel authorizing Stephanie Grove, Assistant Prosecuting Attorney, James Casimiro, Assistant Prosecuting Attorney and Paul Raco review draft Ordinance Articles 1, 2, 4 and 5 as received by Lane Kendig for revisions in accordance to 8A standards for Commission review and input.

After further discussion, Commissioner Manuel withdrew his second to Commissioner Surkamp's original motion. Commissioner Corliss provided a second to Commissioner Surkamp's original motion.

Motion by Manuel to postpone this matter for further discussion and consideration later on today's agenda. Motion died due to lack of a second.

Motion by Manuel, second by F. Morgan to postpone deliberation of Commissioner Surkamp's original motion pending a telephone conference with Lane Kendig and legal counsel. Motion carried by a 3 to 2 vote; Commissioners Surkamp and Corliss voted no.

**In re: PUBLIC COMMENT**

Fred Wells appeared before the Commission to express his support to the Commission on their personnel decisions.

Ed Dunleavy appeared before the Commission to provide his comments regarding management of County growth.

Joel Garner appeared before the Commission to express his concerns regarding Jefferson County Governmental procedures and policies.

Daniel Lutz appeared before the Commission to express his concerns with the recent increase in property assessment values and taxes.

Frances Latteral appeared before the Commission to express her concerns with Jefferson County procedures regarding County development and Planning Commission policies. Ms. Latteral provided the Commission with a written copy of her concerns.

Kay Moore appeared before the Commission to provide an up-to-date report for the Mountain Water System Committee.

Ed Moore appeared before the Commission to comment on an editorial from the Washington Post Newspaper and to express his concerns as it applies to Jefferson County Government procedures and policies.

Dick Latteral appeared before the Commission to express his concerns with Jefferson County Government procedures and policies. Mr. Latteral provided the Commission with a written copy of his concerns.

**In re: JANE PETERS – JEFFERSON COUNTY DEVELOPMENT AUTHORITY ANNUAL REPORT PRESENTATION**

Jane Peters, Executive Director of the Development Authority appeared before the Commission for a presentation of the Development Authority Annual report. Ms. Peters provided a detailed summary on the contents of the annual report.

Ms. Peters reported on the various business expansions and acquisitions within Jefferson County and marketing strategies.

Ms. Peters requested the Commission schedule a workshop to discuss future programs to be implemented by the Development Authority.

**In re: JOHN G. SKOGLIN, INDUSTRIAL PROPERTIES VICE PRESIDENT – STATUS OF KODAK FACILITY**

Mr. John G. Skoglin, Industrial Property Vice President appeared before the Commission to provide an update and status report on the Kodak facility. Mr. Skoglin reported that various organizations have expressed interest in acquiring the facility.

**In re: BILL DRENNAN – JAIL ADVISORY COMMITTEE REPORT**

Mr. William Drennan appeared before the Commission for a presentation and report from the Jail Advisory Committee. Mr. Drennan provided the Commission with a report detailing Committee input and recommendations for the adaptive re-use of the Jefferson County Jail.

The Commission took a 10-minute recess at 10:40 a.m.

**In re: JEFFERSON COUNTY CITIZENS FOR ECONOMIC PRESERVATION – CLARIFICATION OF STANDARDS AND POLICY ADOPTED BY PLANNING COMMISSION**

Mr. Fred Blackmer appeared before the Commission on behalf of Jefferson County Citizens for Economic Preservation to request clarification of standards and policies previously adopted by the Jefferson County Planning Commission on January 23, 2007.

Commissioner F. Morgan expressed concerns regarding comments and clarification of Planning Commission activity during County Commission session. Stephanie Grove, Assistant Prosecuting Attorney was present for comments.

The Commission agreed by consensus to refer this matter to the legal department for clarification.

Mr. Mark Dyck appeared before the Commission to express concerns with design and review procedures adopted by the Planning Commission. Mr. Dyck presented the Commission with a written statement expressing his concerns with Planning Commission policies and procedures.

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

No County Clerk’s report was given for the week of February 1, 2007.

**In re: PROCLAMATION – BE AN INFORMED CONSUMER**

Motion by R. Morgan, second by Manuel to adopt the “Be an Informed Consumer” Proclamation for Jefferson County as amended. Motion carried.

*Proclamation*  
*“Be an Informed Consumer”*

*Whereas, consumers who know their own credit information are better able to protect themselves from identity theft and credit reported errors, and*

*Whereas, consumers who are informed can better protect themselves against scams and distinguish legitimate offers from scams, and*

*Whereas, there is a wealth of information available to consumers through the West Virginia Attorney General's Office and public and private agencies such as the Federal Trade Commission, The Consumer Product Safety Commission and Consumer Union.*

***Therefore, The County Commission of Jefferson County does hereby proclaim **Reach Up and Reach Out; Be an Informed Consumer** in Jefferson County.***

/s/  
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*Frances B. Morgan, President*

/s/  
\_\_\_\_\_  
*Dale Manuel, Commissioner*

/s/  
\_\_\_\_\_  
*A.M.S. Morgan, III, Commissioner*

/s/  
\_\_\_\_\_  
*Gregory A. Corliss, Commissioner*

/s/  
\_\_\_\_\_  
*James T. Surkamp, Commissioner*

**In re: TIMING OF ANY DESIRED REVISION TO COMPREHENSIVE PLAN OF 2004**  
Commissioner F. Morgan withdrew this agenda item.

**In re: REQUEST WRITTEN RECOMMENDATIONS TO COUNTY COMMISSION FROM DPZE PRIOR TO KENDIG KEAST VIST THAT INCLUDE STORM WATER MANAGEMENT RECOMMENDATIONS IN DRAFT OF SUBDIVISION ORDINANCES - CLARIFICATION AND DIRECTION**  
This matter was discussed under agenda item "Bonding and Activity report"

**In re: DISCUSS RETENTION OF OUTSIDE CIVIL COUNSEL FROM TIME TO TIME AS NEED ARISES AND IN LIEU OF BURDENING THE PROSECUTING ATTORNEY'S OFFICE. ADVERTISE AND CONSIDER PROPOSALS.**  
Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission to request that the Commission consider consulting with Michael Thompson, Prosecuting Attorney prior to any action being taken on this matter.

Motion by Surkamp that the Commission advertise and consider proposals from qualified Attorneys. Motion died due to the lack of a second.

Motion by Manuel, second by F. Morgan to discuss this matter with legal counsel later on the agenda. Motion carried.

**In re: HIRING INDEPENDENT COUNSEL SPECIALIZING IN PERSONNEL MATTERS**  
This matter was discussed under agenda item, "Discuss retention of outside Counsel from time to time as need arises and in lieu of burdening the Prosecuting Attorney's Office. Advertise and Consider Proposals".

**In re: ADVERTISE FOR POSITION TO REPLACE KAYE THOMPSON – RETIRING FEBRUARY 28, 2007**  
Leslie D. Smith, County Administrator reported on the retirement of Lorna Kaye Thompson on February 28, 2007 after 20 years of service to Jefferson County.

Motion by Manuel, second by R. Morgan authorizing Ms. Smith to draft a letter of commendation to Ms. Thompson expressing the Commission's appreciation for Ms. Thompson service and dedication to Jefferson County. Motion carried.

Leslie D. Smith, County Administrator reported on the administrative responsibilities of Ms. Thompson's position and requested the Commission authorize advertisement for the position. The

Commission requested that Ms. Smith provide a detailed summary of the Administrative Assistant position and agreed by consensus to place this matter on the agenda for the week of February 8, 2007.

**In re: DISCUSSION OF PLANNING COMMISSION MOTION: “THE PLANNING COMMISSION DIRECTS DPZE STAFF TO MEET WITH APPLICANTS OR PROVIDE FEEDBACK OR COMMENTS ON SUBDIVISION APPLICATIONS ONLY DURING THOSE INSTANCES EXPRESSLY SPECIFIED IN THE SUBDIVISION ORDINANCE: 6.1A. 4; 6.1.A. 7; 6.1.A.12; 6.1.A.13; 6.1.A.16.**

At the request of Commissioner Corliss for clarification of this agenda item, Leslie D. Smith, County Administrator reported that Paul Raco, Executive Director of Planning, Zoning and Engineering placed this item on the agenda.

The Commission agreed to defer this agenda item pending further discussion with legal counsel. Planning Commission President Paul Burke was present for comments.

**In re: MATTHEW GROVE – JAIL ARCHITECT**

Mr. Matthew Grove appeared before the Commission to report on the bids received from Architects and to request Commission direction on how to proceed.

Motion by Manuel, second by Corliss to move into negotiations with the two lowest bidders. Motion carried.

**In re: DISCUSSION ON CONDUCTING A PUBLIC HEARING ON ANNUALLY INCREASING IMPACT FEES BASED ON INFLATION**

Commission members expressed an interest in conducting a public hearing to receive comments regarding annual increases to Jefferson County Impact Fees.

Motion by Manuel, second by Surkamp authorizing the County Administrator to schedule a public hearing to receive comments concerning annual inflation increases to County Impact Fees. Motion carried by a 4-1 vote; Commissioner Corliss voted no.

**In re: STAFF RECOMMENDATION FOR AERIAL IMAGERY ACQUISITION**

Leslie D. Smith, County Administrator reported on the recommendations received from Todd Fagan, GIS Specialist for acquisition of Aerial Imagery services.

Motion by Surkamp, second by Manuel to accept option 1 in the amount of \$10,300.00 for acquisition of Aerial Imagery services as recommended by Todd Fagan, GIS Specialist. Motion carried.

**In re: JOHN ALLEN JR. – HISTORIC LANDMARKS COMMISSION**

➤ **SECURITY BOLLARDS**

➤ **NATIONAL TRUST FOR HISTORIC PRESERVATION PROGRAM AT SHEPHERD UNIVERSITY**

John Allen, Jr. Historic Landmarks Commission Chairman appeared before the Commission to request financial support for the Historical Preservation Program at Shepherd University. Mr. Allen provided a detailed report of the program’s strategies and benefits to Jefferson County.

Motion by R. Morgan, second by Manuel to provide \$2,500.00 of financial support to the Jefferson County Historic Landmarks Commission for the Historic Preservation Program at Shepherd University. Motion carried.

The Commission discussed the letter received from Mr. Allen regarding placement of bollards in front of the courthouse. Mr. Allen recommended the Commission consult with the WV Historic Preservation office regarding the placement of security bollards. Paul Rosa was present for comments regarding the placement of security bollards.

**In re: PETER VILA – WATER QUANTITY MONITORING PROPOSAL USGS**

Mr. Joe Hankins of the Water Advisory Committee appeared before the Commission to report on the objectives and strategies of the Water Advisory Committee including the USGS Water Quantity Monitoring proposal.

Mr. Hankins discussed the benefits of a water quantity monitoring program for Jefferson County and requested that the Commission review and consider the proposal.

**In re: RECORDS MANAGEMENT AND PRESERVATION BOARD – COUNTY RECORDS GRANT APPLICATION**

Patsy Noland, Circuit Clerk appeared before the Commission for approval of the County Records Grant Application presented to the Records Management and Preservation Board. Ms. Noland reported on the acquisition of the grant and its objectives.

Motion by Manuel, second by R. Morgan to approve the County Records Grant Application as presented by Patsy Noland, Circuit Clerk. Motion carried.

**In re: DISCUSS RETENTION OF OUTSIDE CIVIL COUNSEL FROM TIME TO TIME AS NEED ARISES AND IN LIEU OF BURDENING THE PROSECUTING ATTORNEY’S OFFICE. ADVERTISE AND CONSIDER PROPOSALS. – CONTINUED**

Mike Thompson, Prosecuting Attorney appeared before the Commission to discuss concerns with the acquisition of independent legal counsel for Jefferson County, Mr. Thompson referenced the Attorney General’s opinion with regard to hiring independent legal counsel. Mr. Thompson reported on previous hiring procedures and policies of the Jefferson County Prosecuting Attorney’s office to ensure adequate legal support to Jefferson County Government.

Stephanie Grove, Assistant Prosecuting Attorney was present for comments. Ms. Grove provided the Commission with the Attorney General’s opinion and reported on WV statutes detailing the legalities of hiring outside legal counsel.

The Commission agreed to discuss this matter further in the agenda.

**In re: BRANDON SIMS – LEGAL UPDATE AND REPORT – EXECUTIVE SESSION**

Upon the recommendation of Mike Thompson, Prosecuting Attorney and Stephanie Grove, Assistant Prosecuting Attorney, motion by Manuel, second by Corliss to enter into Executive Session to discuss current litigation and legal matters. Motion carried.

Motion by Manuel, second by Corliss to return to Regular Session. Motion carried. No action was taken during Executive Session.

The Commission recessed for lunch at 12:50 p.m.

The Commission reconvened at 1:30 p.m.

**In re: PUBLIC HEARING – AMENDMENTS TO THE JEFFERSON COUNTY SCHOOL IMPACT FEE ORDINANCE**

Mark Schiavone, Impact Fee Coordinator appeared before the Commission to request that the Public Hearing to discuss Amendment to the Jefferson County School Impact Fee Ordinance be rescheduled due to an administrative error.

Motion by Manuel, second by R. Morgan to reset the Amendments to the Jefferson County School Impact Fee Ordinance Public Hearing subject to action as the Commission may deem necessary. Motion carried. The Commission authorized Leslie D. Smith, County Administrator to coordinate a new date for the public hearing and advertise as required.

**In re: TRANSPORTATION IMPACT FEE**

Commissioner Corliss expressed an interest in implementing a Transportation Impact Fee or proffer for Jefferson County.

Mark Schiavone, Impact Fee Coordinator appeared before the Commission to report on the policies and procedures of adopting County Impact Fees.

Commissioner Corliss expressed concerns in transportation growth and safety concerns within Jefferson County.

Motion by Corliss, second by R. Morgan that Mark Schiavone, Impact Fee Coordinator conduct research regarding adoption of a Transportation Impact Fee or proffer and to report his findings to the Commission. Motion carried.

**In re: REQUEST TO POST LINK TO JEFFERSON COUNTY VIRTUAL TOUR ON WEBSITE**

No action was taken on this agenda item.

**In re: REQUEST TO HAVE JEFFERSON COUNTY LEGAL NOTICES POSTED ON WEBSITE**

In addition to public notices of legal advertisement, Commissioner Surkamp requested that all legal notices be posted on the Jefferson County website.

Toni Milbourne from the Spirit of Jefferson appeared before the Commission to report that legal notices from Jefferson County are posted online at [www.spiritofjefferson.com](http://www.spiritofjefferson.com).

The Commission agreed that current County policies in addition to the Spirit's online legal notices are adequate at this time.

**In re: JEFFERSON COUNTY BOARD OF EDUCATION – REQUEST TO SET UP MEETING TIME**

The Commission authorized Leslie D. Smith, County Administrator to coordinate a meeting time with the Jefferson County Board of Education for the first week in April.

**In re: REQUEST FOR APPROVAL OF EMPLOYMENT – CHAD ALRIDGE – PART TIME PUBLIC SAFETY DISPATCHER**

Motion by R. Morgan, second by Corliss to approve the part-time employment of Chad Alridge as public safety dispatcher. Motion carried.

**In re: MARSHA H. YOUNG – REQUEST FOR NEW APPRAISAL OF ASSESSED VALUE ON PROPERTY**

Leslie D. Smith, County Administrator reported on the letter received from Marsha H. Young requesting a new appraisal of assessed value on her property. Ms. Smith discussed the policy and procedures of the Board of Review and Equalization and reported that the Assessor has scheduled a time for Ms. Young to appear.

The Commission agreed by consensus that the County Administrator send correspondence to Ms. Young with an explanation of Board of Review and Equalization procedures.

**In re: AGREEMENT FOR THE SHEPHERDSTOWN BATTLEFIELD TRANSPORTATION ENHANCEMENT PROJECT**

Leslie D. Smith, County Administrator reported that the Assistant Prosecuting Attorney advised that the Commission table this matter to allow for further legal review. Ms. Smith reported on specifications within the Shepherdstown Battlefield Transportation Enhancement agreement.

Motion by F. Morgan to table this matter for two weeks to allow for further legal review. Motion died due to lack of a second.

Motion by Morgan, second by Manuel to table this matter indefinitely. Motion failed by a 2 to 3 vote; Commissioners Corliss, F. Morgan and Surkamp voted no.

Motion by Corliss, second by Surkamp to table this matter for one month. Motion carried.

**In re: JEFFERSON COUNTY OFFICE OF HOMELAND SECURITY/CITIZENS CORP/CERT – FUNDS AWARD FROM THE WEST VIRGINIA COMMISSION FOR NATIONAL AND COMMUNITY SERVICE**

Motion by Manuel, second by Corliss authorizing Commission President Frances Morgan to affix her signature upon the West Virginia Commission for National and Community Services funds award as presented. Motion carried.

**In re: EMPLOYEE FAMILY HEALTH BENEFIT**

The Commission agreed by consensus to discuss this matter further during upcoming budget deliberations.

**In re: APPROVE CHARLES TOWN’S MUTLI GOVERNMENT (RANSON/CHARLES TOWN) PROPOSAL**

Commissioner Corliss referenced the proposal received from Jeremy Camp, City of Charles Town Planner several weeks ago that included a primary draft outline for the formation of a Multi Jurisdictional Planning Commission between Jefferson County Planning officials, Ranson Planning officials and Charles Town Planning officials. Commissioner Corliss recommended that the Commission send a letter to Charles Town requesting a meeting with officials to discuss the Multi Jurisdictional Planning Agreement draft further prior to implementation of a Multi Jurisdictional Planning Commission.

The agreement suggests three members to include two voting members from each jurisdiction to include Jefferson County, Ranson and Charles Town. Commissioner Manuel recommended an amendment be made to the Multi Jurisdictional Planning Agreement with the following language: “each municipal member of the MPA shall appoint two individuals to serve as jurisdictional representatives of the MPA for any period of time they choose and further each County Commissioner of the MPA shall appoint four individuals to serve as jurisdictional representatives of the MPA for any period of time they chose”.

Commissioner Manuel pointed out that his recommended amendment equalizes the number of votes by both municipal and county government, hopefully creating an equal emphasis on both parties to reach compromise. Further, he reiterated his motion retains the at-large representative in hopes that he or she can help the parties reach agreement on the issues before them. Commissioner Corliss expressed his opposition to Commissioner Manuel’s motion.

Motion by Manuel, second by F. Morgan to amend the MPA draft document by omitting the following language: “Each member jurisdiction of the MPA shall appoint two individuals to serve as jurisdictional representatives of the MPA for any period to time they choose” and replace it with the following language: “Each municipal member of the MPA shall appoint two individuals to serve as jurisdictional representatives of the MPA for any period of time they choose and further each County Commissioner of the MPA shall appoint four individuals to serve as jurisdictional representatives of the MPA for any period of time they choose” and to Motion carried by a 4-1 vote; Commissioners Corliss voted no.

Motion by Manuel, second by R. Morgan to send a letter and recommended amendments with original draft for review and consideration by Charles Town and Ranson officials. Motion carried.

**In re: DISCUSSION OF A SINGLE JOB RECLASSIFICATION AND RELATED SALARY LEVEL**

Commissioner Surkamp withdrew this agenda item.

**In re: COURTHOUSE SECURITY – INCLUDING BOLLARDS**

The Commission discussed courthouse security policy.  
No action was taken on this agenda item at this time.

**In re: E & O INSURANCE FOR INDIVIDUAL COMMISSIONERS**

Motion by Corliss, second by Morgan authorizing the Prosecuting Attorney's office to research personal reimbursement of additional insurance expenses for County Commissioners, law enforcement officials, elected officials and Planning Commissioners. Motion carried.

**In re: PROCEDURAL MOTION**

Motion by Manuel, second by F. Morgan to recess from Regular Session to convene as a Board of Review and Equalization as scheduled at 2:30 p.m. Motion carried.

**REGULAR TERM: (Board of Review and Equalization)**

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

At a session of the Board of Review and Equalization, continued and held at the Jefferson County Courthouse thereof on Thursday, February 1, 2007 beginning at 2:30 o'clock p.m.

**PRESENT:** Frances B. Morgan, President  
Gregory A. Corliss; Dale C. Manuel;  
A.M.S. (Rusty) Morgan, III; James Surkamp, Commissioners

Ginger Bordier, Assessor appeared before the Commission and reported there are no applications for the Board of Review and Equalization for February 1, 2007.

The Commission agreed to approve additional dates and publish the following notice of set times and dates for Board of Review and Equalization.

**NOTICE**

*On Thursday, February 1, 2007, the County Commission of Jefferson County agreed to add the following dates to the schedule of the Board of Review and Equalization: Tuesday, February 6, 2007 10:00 a.m.; Wednesday, February 7, 2007 10:00 a.m.; Friday, February 9, 2007 10:00 a.m. and Tuesday, February 13, 2007 10:00 a.m.*

*Persons wishing to appear before the Commission must apply to the Jefferson County Assessor no later than Friday, February 9, 2007, at noon, in order to complete the proper forms and to schedule a hearing date prior to the final date of Thursday, February 15, 2007.*

*Given under my hand this 2 day of February, 2007*

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*FRANCES B. MORGAN, PRESIDENT  
JEFFERSON COUNTY COMMISSION*

There being no applications presented the Board of Review and Equalization adjourned to meet again on Tuesday, February 6, 2007 at 10:00 a.m.

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*FRANCES B. MORGAN, PRESIDENT  
JEFFERSON COUNTY COMMISSION*

**In re: PROCEDURAL MOTION**

Motion by Manuel, second by F. Morgan to recess as the Board of Review and Equalization and reconvene into Regular Session at 2:50 p.m. Motion carried.

The Commission took a 10-minute break at 2:50 p.m.

The Commission reconvened at 3:00 p.m.

**In re: EXECUTIVE SESSION TO DISCUSS THE POSSIBLE PURCHASE OF PROPERTY AND ASSOCIATED LEGAL AND CONTRACTUAL MATTERS**

No action was taken on this agenda item.

**In re: PUBLIC HEARING - HOME INVESTMENT PARTNERSHIP PROGRAM**

Patricia McMillan appeared before the Commission to give an explanation of the Home Investment Partnership Program. Ms. McMillan discussed the requirements and standards of the Home Consortium as they apply to the Home Investment Partnership Program.

The Commission received public comments and input was from Al Means, Annette VanHilst, Patricia McMillan, Carol Crabtree and Jeremy Camp.

No decisions were made during the Public Hearing.

**In re: DISCUSS RETENTION OF OUTSIDE CIVIL COUNSEL FROM TIME TO TIME AS NEED ARISES AND IN LIEU OF BURDENING THE PROSECUTING ATTORNEY'S OFFICE. ADVERTISE AND CONSIDER PROPOSALS. – CONTINUED**

Commissioner F. Morgan reported on the discussions with Stephanie Grove, Assistant Prosecuting Attorney regarding legal counsel roles and responsibilities of the attorney's presently employed by the Jefferson County Prosecuting Attorney's office.

Commissioner F. Morgan requested Commission support to draft a public letter of inquiry in the interest of the County Commission seeking outside counsel.

The Commission agreed by consensus to deal with the matter of acquisition of private legal counsel as the need arises.

**In re: KENDIG KEAST UPDATE/ORDINANCE REWRITE DISCUSSION**

Commissioner Corliss expressed his concerns with the draft ordinance; articles 1, 2, 4 and 5 received from Kendig Keast Collaborative with regard to 8A compliancy. Commissioner Corliss requested that the Commission schedule a workshop to review the draft of articles 1, 2, 4 and 5.

Commissioner Manuel suggested legal counsel review draft articles 1, 2, 4 and 5 and provide legal opinion to the Commission with regard to 8A compliancy.

Commission members discussed legalities and requirements of their contract with Kendig Keast Collaborative with consideration to 8A standards within the current drafts received.

The Commission agreed to conduct a workshop on Monday, February 5, 2007 at 1:00 p.m. to include Paul Raco, Executive Director of Planning, Zoning and Engineering with a possible conference call with Lane Kendig.

Commissioner Surkamp left the Commission meeting at 4:25 due to other obligations.

**In re: COUNTY COMMISSION REPORTS**

Commissioner R. Morgan reported on his discussions with Leslie D. Smith, County Administrator regarding the order of the Commission's agenda packet.

Commissioner R. Morgan reported on the various citizen complaints he has received regarding Summit Point Raceway.

Commissioner R. Morgan requested that Commission members reconsider the offer of free software use. The Commission agreed to place this matter on the February 8, 2007 agenda for further consideration.

**In re: COUNTY ADMINISTRATOR REPORTS**

Leslie D. Smith, County Administrator advised the Commission of their upcoming meeting schedule to include public hearings and workshops.

Leslie D. Smith, County Administrator reported on the bid process for the Public Service Center in Bardane. Ms. Smith also reported on the status of Sheriff Boober's relocating to the Bardane facility.

**The Commission received the following information:**

Notice of Public Meeting - February 8, 2007, 7:00 p.m. - Adaptive Reuse of Jail.

Press Release - Email subscription service.

Appointments to be made on February 8, 2007, to the: Property Safety Enforcement Agency and Water Advisory Committee

Appointment to be made on February 15, 2007 to the Enhanced 911 Board.

Reminder of Jefferson County Inclement Weather Policy.

Mid year report of services and expenses received from the Ambulance Authority.

Correspondence received concerning ramp options on the jail building.

Correspondence received from the Boys and Girls Club concerning funds allocation.

Notice of new Website for the Jefferson County Historical Society at [www.jeffersonhistoricalwv.org](http://www.jeffersonhistoricalwv.org) received.

Notice received of Homeland Security Regional Planning Workshop on February 28, 2007.

Correspondence received from the Division of Culture and History concerning a facility plan for upgrades to the wastewater treatment plant for the Corporation of Shepherdstown.

Legislative information received from the Association of Counties and the County Commissioners' Association.

Newspaper articles of interest received from the County Commissioners' Association and the Association of Counties.

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, February 2, 2007

Meeting minutes received from the Eastern Panhandle Transit Authority.

Press release received from Comcast.

E-911 disbursement received from IDT Corporation.

Notice of Comprehensive Plan Amendment Public Hearing on February 13, 2007 received from Loudoun County.

Notice received from the Association of Counties of the 2007 Annual Meeting on February 11-13, 2007.

Correspondence received from Carol Gallant concerning the jail building.

Correspondence received from Luther and Donna Coulter concerning property tax assessment.

Correspondence received from Lawrence A. D'Hoostelaere - concerning property tax assessment.

Information received from Marilyn Patricia Lyles and Brenda Prescott concerning sewer backup problems in their home.

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

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FRANCES B. MORGAN, COMMISSION PRESIDENT