

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, April 26, 2007 beginning at 9:30 o'clock a.m.

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

IN RE: PLEDGE OF ALLEGIANCE
Commissioner R. Morgan conducted the Pledge of Allegiance

IN RE: APPROVAL OF MINUTES
Motion by Manuel, second by Corliss to dispense with the reading of the minutes for the regular meeting held on Thursday, April 19, 2007 and to approve the minutes as amended. Motion carried.

IN RE: APPROVAL OF PURCHASE ORDERS
Motion by R. Morgan, second by Manuel to approve the following Purchase Orders for the week of April 26, 2007 totaling \$20,908.23: 43922, 40712, 43809, 43628, 43925, 43651, 43653, 42927, 43851, 44076, 44079, 43920, 43921, 43924, 43926, 43927, 43539, 43540, 44002 and 43923. Motion carried.

IN RE: APPROVAL OF ACCOUNTS PAYABLE
Motion by Corliss, second by R. Morgan to approve the Accounts Payable for the week of April 26, 2007 totaling: \$202,015.42 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
52215	424	ALLEGHENY POWER			\$940.02	\$940.02
52215	425	ALLEGHENY POWER			\$5,305.31	\$5,305.31
52216	PAYROLL	AFLAC			\$1,786.99	\$1,786.99
52217	712	APCO INTERNATIONAL	44077	\$86.00		\$86.00
52218	425	COMCAST			\$55.94	\$55.94
52219	406	BERKELEY PRINTING AND DESIGN	43892	\$962.40		\$962.40
52220	425	B-K	43908	\$497.15		\$497.15
52220	960	B-K	40711	\$49.95		\$49.95
52221	711	AMERIGAS			\$240.34	\$240.34
52222	716	PAULA AIELLO			\$90.00	\$90.00
52223	402	CASTO & HARRIS	43627	\$90.76		\$90.76
52224	700	COUNTRY ROAD TIRE & AUTO	43911	\$290.52		\$290.52
52225	406	CREAMERS	43912	\$35.35		\$35.35
52225	424	CREAMERS	43913	\$372.38		\$372.38
52225	439	CREAMERS	43914	\$32.50		\$32.50
52225	700	CREAMERS	43915	\$12.00		\$12.00
52226	439	CHARLES TOWN COPYING SRVC			\$623.00	\$623.00
52227	403	DANKA	43816	\$981.33		\$981.33
52228	406	DECISIONONE CORP	42880	\$96.60		\$96.60
52229	712	NANCY DOPSON			\$22.25	\$22.25
52230	716	EASTERN PANHANDLE PRINT& COPY	43907	\$70.00		\$70.00
52231	716	JESSICA EBERSOLE			\$90.00	\$90.00
52232	716	FARM PLAN	43181	\$209.97		\$209.97
52233	424	FRONTIER			\$862.26	\$862.26
52234	415	GENERAL SCHOOL JUSTICE FINE FUND			\$30,658.75	\$30,658.75
52235	425	GRAINGER	43909	\$218.25		\$218.25
52236	700	HILL'S AUTO REPAIR	43910	\$72.48		\$72.48
52237	402	HOMELAND RESPONDER	43800	\$128.95		\$128.95
52238	701	ICOP	43584	\$278.99		\$278.99
52239	GRANT	JEFF. CO AMBULANCE AUTHORITY			\$50,000.00	\$50,000.00
52240	700	JEFFERSON CO HEALTH DEPT	43589	\$190.00		\$190.00
52241	402	JEFF PUBLISHING CO	44044	\$464.22		\$464.22
52242	700	JEFF MEMORIAL HOSPITAL	43588	\$322.00		\$322.00

52243	700	JEFF URGENT CARE	43586	\$625.00		\$625.00
52244	712	DR. ROBERT JONES			\$1,000.00	\$1,000.00
52245	425	LONG FENCE	43759	\$6,588.00		\$6,588.00
52246	412	JUDY MATLICK			\$391.53	\$391.53
52247	700	MCKINNEY'S AUTO REPAIR	43916	\$2,511.27		\$2,511.27
52248	430	MEDCO	43797	\$259.75		\$259.75
52249	424	MARTINSBURG CONTRACTING	43906	\$962.40		\$962.40
52250	406	NATIONAL BAND & TAG CO	42883	\$925.85		\$925.85
52251	712	NENA	44075	\$645.00		\$645.00
52252	403	PIFER	43815	\$55.39		\$55.39
52253	700	PSYCHOLOGICAL HLTH ASSOC	43587	\$750.00		\$750.00
52254	700	EVELYN PARTLOW	43582	\$160.00		\$160.00
52255	439	PAUL RACO			\$266.26	\$266.26
52256	712	COLLET RODDA			\$210.00	\$210.00
52257	424	SMITH & NADENBOUSCH			\$200.00	\$200.00
52258	712	SOFTWARE SYSTEMS	43854	\$778.00		\$778.00
52259	401	JOHN STEVENS			\$197.31	\$197.31
52260	403	WV ASSOC CIRCUIT CLERKS	43818	\$100.00		\$100.00
52261	INVEST	WV DEPUTY SHERIFF RETIREMENT			\$6,023.02	\$6,023.02
52262	INVEST	WV DEPUTY SHERIFF RETIREMENT			\$7,440.20	\$7,440.20
52263	701	VALLEY 2-WAY	43585	\$247.61		\$247.61
52263	712	VALLEY 2-WAY	43855	\$10,767.00		\$10,767.00
52264	424	NAPA	43776	\$1.38		\$1.38
52265	INVEST	WV PUBLIC EMPLOYEES RETIREMENT			\$18,532.62	\$18,532.62
52266	INVEST	WV PUBLIC EMPLOYEES RETIREMENT			\$43,242.84	\$43,242.84
52267	701	WEST VIRGINIA UNIFORMS	43583	\$359.80		\$359.80
52268	401	WORKTECH			\$200.00	\$200.00
52269	403	WEST VA ASSOC. OF CIRCUIT CLERKS	43819	\$900.00		\$900.00
52269	403	WEST VA ASSOC. OF CIRCUIT CLERKS	43820	\$300.00		\$300.00
52270	439	WILLIAM WALKER III.AICP			\$370.18	\$370.18
52271	402	XEROX	43382	\$535.40		\$535.40
52271	402	XEROX	43383	\$332.95		\$332.95
TOTAL				\$33,266.60	\$168,748.82	\$202,015.42

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	\$397.31
402/CCLK	CO. CLERK	\$1,552.28
403/CIR CLK	CIRCUIT CLERK	\$2,336.72
404/TAX	TAX OFFICE	
405/PA	PROS ATTY	
406/ASSR	ASSESSORS	\$2,020.20
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	\$391.53
413/ELE	ELECTION	
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	\$30,658.75
424/CTHS	COURT HOUSE	\$3,338.44
425/OB	OTHER BUILDING	\$12,664.65
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	\$259.75
431/ECON DEV	ECON DEV	
439/PZ	PLANNING ZONING	\$1,291.94
700/SHRF	SHERIFF DEPT	\$4,933.27
701/SHRF	SHERIFF DEPT	\$886.40
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	\$240.34
712/911	911 COMMUNICATION	\$13,508.25
716/A/C	ANIMAL CONTROL	\$459.97
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTITIE	
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	
900/PARK&REC	JEFFERSON CO. PARKS& REX	
916/LIBRARY	LIBRARY CAPITAL OUTLAY	
960/IMPACT	IMPACT FEES	\$49.95
966/CAP/AA	AMBULANCE AUTH CAP OUTLAY	
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	
982/DATA	DATA PROCESSING - IMAGING	
986/CAP/COMM	CO. COMMISSION/CAPITAL OUTLAY	
989/CAP/AGT	AG AGT/CAPITAL OUTLAY	
992/CAP/911	911 COMMUNICATION/CAP OUTLAY	
998/PRK/REC	PARKS & REC COMMUNITY CENTER	
ALL DEPTS	ALL DEPTS	
ALLOC	ALLOCATIONS	
GRANTS	GRANTS	\$50,000.00
INVEST	INVESTMENTS	\$75,238.68
PAYROLL	PAYROLL	\$1,786.99
TOTALS		\$202,015.42

IN RE: BONDING AND ACTIVITY REPORT

Sherry Kelly, Acting Planning & Zoning Director appeared before the Commission for the weekly Bonding & Activity report. Ms. Kelly reported on the Planning Commission meeting of April 24, 2007.

IN RE: STREAMLINING COMMERCIAL PERMITTING AND APPROVAL PROCESS AND COMMERCIAL DEVELOPMENT INITIATIVES

Sherry Kelly, Acting Planning and Zoning Director appeared before the Commission to provide a report on streamlining commercial permitting and approval process and commercial development initiatives.

No action was taken on this agenda item.

IN RE: BONDING

Upon the recommendation from County Engineer Roger Goodwin, motion by Manuel, second by Corliss to approve the partial release of a letter of credit in the amount of \$18,469.00 for Word of Faith Tabernacle with the County to retain \$44,080.00. Motion carried.

Upon the recommendation from County Engineer Roger Goodwin, motion by Corliss, second by Manuel to approve the partial release of a letter of credit in the amount of \$92,198.37 for Aggregate Industries Management, Incorporated with the County to retain \$63,200.00. Motion carried.

Upon the recommendation from County Engineer Roger Goodwin, motion by Corliss, second by Manuel to approve the complete release of a letter of credit in the amount of \$5,750.00 for Ruby Tuesday, Incorporated. Motion carried.

Upon the recommendation from County Engineer Roger Goodwin, motion by Manuel, second by R. Morgan to approve the complete release of an Escrow Account in the amount of \$1,246.00 for First Charles Town Group, Incorporated. Motion carried.

Upon the recommendation from County Engineer Roger Goodwin, motion by R. Morgan, second by Manuel to approve the complete release of a letter of credit in the amount of \$170,740.00 for JDM Locust Hill, LLC. Motion carried.

Upon the recommendation from County Engineer Roger Goodwin, motion by R. Morgan, second by Manuel to approve the complete release of a cash in escrow account in the amount of \$38,088.00 for Sol C. Trotter/Charles Town Self Storage. Motion carried.

IN RE: THE VILLAGE AT SAMUEL STREET - REQUEST ASSIGNMENT OF BOND ESTIMATE

Roger Goodwin, County Engineer reported on the reassignment of bond estimate request received from The Village at Samuel Station due to its location with consideration to the March 29, 2007 annexation petition.

James Casimiro, Assistant Prosecuting Attorney discussed the legalities of the request and advised the Commission he would research the matter further.

The Commission agreed to hold this matter over until next week.

IN RE: DISCUSS ACCOUNTING FOR POSSIBLE \$37,000 DISCREPANCY BETWEEN VIDEO LOTTERY REVENUES RECEIVED (ACCORDING TO RECORDS OF WV VIDEO LOTTERY COMMISSION) AND THE PUBLISHED AMOUNT IN VIDEO LOTTERY ACCOUNTS IN ANNUAL PUBLISHED GENERAL FUND FROM FY 1998 THRU JULY 1, 2006

Commissioner Surkamp withdrew this agenda item.

IN RE: DISCUSS ACCOUNTING FOR FUNDS IN ANIMAL CONTROL DEPARTMENT

Commissioner Surkamp withdrew this agenda item.

IN RE: DISCUSS ACCOUNTING FOR FUNDS IN DPZE AS RECOMMENDED BY DPZE TRANSITION TEAM REPORT

Roger Goodwin, County Engineer reported on the status of the Transition team goals and objectives. No action was taken on this agenda item.

IN RE: PUBLIC COMMENT

Amelia Brock appeared before the Commission to express her concerns with fund availability for the Animal Control Department and its officers.

John Piwowarski appeared before the Commission to express his concerns with Michael Thompson's discussions on April 19, 2007.

Dick Latterell appeared before the Commission to express his concerns with County development, growth and land use regulations.

IN RE: DAVID HOGE – WEST VIRGINIA DEPARTMENT OF MILITARY AFFAIRS & PUBLIC SAFETY – REGIONAL MASS EVACUATION PLANNING

David Hoge, from the WV Department of Military Affairs and Public Safety appeared before the Commission along with Edward Holsclaw to discuss the regional mass evacuation planning that the State is undertaking.

Mr. Hoge requested the Commission consider serving as a fiscal agent for a regional planner to assist with the Regional Mass Evacuation Plan for Region 3 that includes Jefferson, Berkeley, Morgan, Mineral, Hampshire, Grant and Hardy counties.

Edward Holsclaw reported on grant requirements as set forth by the WV Department of Military Affairs and Public Safety Homeland Security State Administrative Agency (SAA).

Barbara Miller, Jefferson County Office of Homeland Security Coordinator was present and recommended the Commission host the program as presented by Mr. Hoge.

The Commission agreed by consensus to move forward with the Region 3 Regional Mass Evacuation Plan as outlined by Mr. Hoge and Mr. Holsclaw.

IN RE: ROGER GOODWIN – MAY 2, 2007 BOND EXPIRATIONS

Upon the recommendation of Roger Goodwin, County Engineer, motion by Manuel, second by Surkamp that all May 2, 2007 bond expirations as outlined on the report provided by the Engineering Department be extended for 6 months. Motion carried.

IN RE: SHERRY KELLY – ADVERTISING AND HIRING OF PLANNER

Sherry Kelly, Acting Planning & Zoning Director appeared before the Commission to request authorization to move forward with advertising and hiring of a Planner.

The Commission agreed by unanimous consent to authorize Sherry Kelly, Acting Planning & Zoning Director to move forward with advertising and hiring of a Planner for the Department of Planning.

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 JEFFERSON COUNTY BUILDING COMMISSION

No action was taken on this agenda item.

IN RE: APPOINTMENT TO THE PROPERTY SAFETY ENFORCEMENT AGENCY

No action was taken on this agenda item.

IN RE: LEGISLATIVE ISSUES

Commissioner Manuel reported there were no Legislative issues for the week of April 26, 2007.

IN RE: KENDING KEAST UPDATE/ORDINANCE REWRITE DISCUSSION

- **REVISED BUDGET**
- **MAJOR POLICY ISSUES**
- **REVIEW OF PAUL BURKE PROPOSAL**
- **REVIEW OF DRAFT MAP**

Leslie D. Smith, County Administrator reported on the synopsis received from Sherry Kelly, Acting Planning & Zoning Director as directed by the Commission last week. Ms. Smith suggested the synopsis be forwarded to Lane Kending for review and input.

The Commission discussed coordinating a future meeting between Lane Kendig and Tony Redman.

In order to review and consider Ms. Kelly's synopsis further, the Commission agreed to defer this matter until the afternoon session.

IN RE: SHEPHERDSTOWN BATTLEFIELD TRANSPORTATION ENHANCEMENT GRANT

James Casimiro, Assistant Prosecuting Attorney reported that the Shepherdstown Battlefield Transportation Enhancement Grant MOU with the Department of Highways is still under review.

No Action was taken on this agenda item.

IN RE: APPOINTMENTS TO THE DEVELOPMENT AUTHORITY

Susan Kennison and Charles Ross appeared before the Commission for Development Authority interviews. Gregory Corliss expressed interest in serving another term on the Jefferson County Development Authority. William Chesley was present for comments.

Nomination by Surkamp to reappoint Gregory Corliss to the Jefferson County Development Authority for one 3 year term ending April 5, 2010.

Nomination by R. Morgan to reappoint Donald Mickey to the Jefferson County Development Authority for one 3 year term ending April 5, 2010.

Nomination by R. Morgan to appoint Steven Nichols to the Jefferson County Development Authority for one 3 year term ending April 5, 2010.

Nomination by Manuel to appoint Charles Ross to the Jefferson County Development Authority for one 3 year term ending April 5, 2010.

Nomination by F. Morgan to appoint Susan Kennison to the Jefferson County Development Authority for one 3 year term ending April 5, 2010.

	<u>Corliss</u>	<u>Manuel</u>	<u>F. Morgan</u>	<u>R. Morgan</u>	<u>Surkamp</u>
G. Corliss	✓		✓	✓	✓
D. Mickey	✓	✓		✓	
S. Nichols		✓		✓	
C. Ross		✓	✓		✓
S. Kennison	✓		✓		✓

Gregory Corliss was reappointed to the Jefferson County Development Authority for one 3-year term ending April 5, 2010.

	<u>Corliss</u>	<u>Manuel</u>	<u>F. Morgan</u>	<u>R. Morgan</u>	<u>Surkamp</u>
S. Nichols	✓				
S. Kennison			✓		✓
C. Ross		✓	✓	✓	✓
D. Mickey	✓	✓		✓	

Donald Mickey was reappointed to the Jefferson County Development Authority for one 3-year term ending April 5, 2010.

Charles Ross was appointed to the Jefferson County Development Authority for one 3-year term ending April 5, 2010.

The Commission took a moment to recognize various County Clerk employee's children that were present in observation of "Take Your Child to Work Day".

IN RE: MARK SCHIAVONE

- **APPROVE BOE FY 2008 IMPACT FEE FUNDING REQUEST FOR SOUTH COUNTY HIGH SCHOOL**
- **BANKING PROPOSALS**
- **CAPITAL PROJECTS MANAGEMENT & CAPITAL PROJECTS COORDINATING COMMITTEE**
- **BUILDING PROJECTS TO BE INCORPORATED INTO FY 2008 JEFFERSON COUNTY CAPITAL IMPROVEMENT PLAN**
- **EXPANSION OF SMOOT BUILDING FOR NEW STAFF**
- **TRANSPORTATION IMPACT FEE**

Upon the recommendation from Mark Schiavone, Impact Fee Coordinator, motion by Manuel, second by R. Morgan to approve the Board of Education FY 2008 Impact Fee Funding request and to accept the Memorandum of Understanding as amended by the Board of Education. Motion carried.

Dr. Schiavone reported on the banking proposals received from Bank of Charles Town and United Bank. After review and consideration, motion by R. Morgan, second by Corliss to accept the banking proposal from Bank of Charles Town as presented. Motion carried. Dr. Schiavone agreed to contact Bank of Charles Town officials, Teresa Hendricks and Sheriff Boober to begin banking services with Bank of Charles Town.

Dr. Schiavone presented the Commission with a draft Resolution outlining a proposed Capital Projects Management and Coordinating Committee. Dr. Schiavone reported on the proposed strategies and goals of the Capital Projects Management and Coordinating Committee with consideration to county building projects. Dr. Schiavone recommended that Committee members include himself, Kirk Davis, Leslie D. Smith, Sheriff Boober and/or a Tax Deputy and other members the Commission may deem appropriate.

Motion by R. Morgan, second by Manuel to adopt the Resolution presented by Dr. Mark Schiavone for the creation of a Jefferson County Capital Projects Coordinating Committee. Motion carried.

RESOLUTION

WHEREAS, the Jefferson County Commission has embarked on an extensive building program which includes renovation of existing buildings and construction of new buildings for public purposes, and

WHEREAS, the projected costs of completion of this current building program is approximated at \$20 million dollars, to be expended over a period of the next few years, and

WHEREAS, the County maintains funds for capital outlay in several accounts which are under the supervision of the Sheriff of Jefferson County and some of these accounts, in the interest of achieving favorable rates of return are invested in Certificates of Deposit which varying dates of maturity, and

WHEREAS, the County has engaged a Project Manager to oversee and coordinate most aspects of this capital building program, and

WHEREAS, the County has expanded the Department of Impact Fees and renamed said department to the Department of Capital Planning and Management, and

WHEREAS, it is determined that a Capital Projects Coordinating Committee, charges with the responsibility of meeting quarterly with the purpose of (1) reporting to the County Commission with project summaries for all active and planned county building projects, and (2) coordinating with the Sheriff's Department to ensure that funds from the various capital outlay accounts are available to meet projected funding needs would ensure good management practices of the County building program,

THEREFORE BE IT RESOLVED that by an act of the County Commission of Jefferson County, a Capital Projects Coordinating Committee be created with responsibilities as stated above and staffed by the following individuals: The Sheriff of Jefferson County and/or the Chief Tax Deputy, the Director of the Department of Capital Planning and Management, the County Project Manger, the County Administrator and any or all of the members of the County Commission, as directed by the County Commission. The Director of the Department of Capital Planning and Management shall serve as the committee chair and shall direct the agenda, keep the minutes of these meetings, and coordinate the quarterly building project reports to the County Commission. By majority vote the County Commission may dissolve this committee at any point without cause, otherwise this committee shall meet quarterly for the purposes as stated above.

By act of the County Commission on, April 26, 2007

/s/

Attest

/s/

President of the County Commission

Dr. Schiavone reported he is still in the process of completing the Capital Improvement Plan.

Dr. Schiavone requested Commission authorization to proceed with the renovations to the Smoot Building in order to accommodate staff. Dr. Schiavone gave a detailed report of scheduled renovations and expansions to the Smoot Building to include relocation of elections equipment. Motion by R. Morgan, second by Corliss to authorize Dr. Mark Schiavone to proceed with necessary renovations and expansions to the Smoot Building as necessary to accommodate staff. Motion carried.

Dr. Schiavone reported on the research he has conducted thus far with regard to Transportation Impact Fees. James Casimiro, Assistant Prosecuting Attorney was present with comments regarding the legalities of implementing Transportation Impact Fees in Jefferson County.

Dr. Mark Schiavone reported continued studies on this issue are ongoing.

IN RE: CAPITAL MANAGEMENT COMMITTEE

This matter was discussed under agenda item: "Mark Schiavone – 'Capital projects management & Capital Projects Coordinating Committee'".

IN RE: JENNIFER S. MAGHAN – COUNTY CLERK'S REPORT

- **RESOLUTION FOR HAVA LOAN**
- **HEALTH INSURANCE PRESENTATION & Q & A WORKSHOP FOR COUNTY**
- **ELECTIONS UPDATE**

Jennifer S. Maghan appeared before the Commission for the County Clerk's report. Ms. Maghan reported on the County Clerk employees children participating in "Take Your Child to Work Day". Ms. Maghan provided a report of all activities coordinated for County Clerk employees in recognition of "Administrative Week" and expressed gratitude to County Clerk employees for their service and dedication.

Ms. Maghan requested Commission approval for a budget revision to the Elections Capital Outlay account to accommodate the financial requirements of the HAVA loan. Motion by F. Morgan, second by Surkamp to approve a \$7,000.00 budget revision of the Elections Capital Outlay account by July 30, 2007 in order to meet HAVA loan requirements. The Commission by consensus authorized Jennifer S. Maghan, County Clerk to present the HAVA resolution to the Commission for approval during the afternoon session.

Ms. Maghan reported on the procedural audit conducted by officials from the Secretary of State's Office on April 25, 2007. A report will be forthcoming in May 2007.

Ms. Maghan reported on the Health Insurance Presentation and Questions/Answers workshop she has coordinated for the County Commission and employees on May 7, 2007. Ms. Maghan provided the Commission with a proposed agenda for the workshop.

IN RE: KELLIE BOLES – REQUEST FOR APPROVAL OF SUMMER INTERN – AG DEVELOPMENT OFFICE/FARMLAND PROTECTION BOARD COST SHARE

Kellie Boles, Agricultural Development Officer appeared before the Commission to request approval for a summer intern for the Ag Development Office. Ms. Boles reported that the Ag Development Office and Farmland Protection Board would accept financial responsibility for the intern.

Motion by Surkamp, second by Manuel to agree in principle and authorize the part-time employment of a summer intern to the Ag Development Office for the summer of 2007. Motion carried.

IN RE: LEGAL UPDATE AND REPORT

Upon the recommendation of legal counsel, motion by R. Morgan, second by Manuel to enter into Executive Session. Motion carried.

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

The Commission recessed at 12:15 p.m. The Commission reconvened at 1:15 p.m.

F. Morgan, Commission President took a moment to recognize her niece, Grace Morgan who was present in observation of "Take Your Child to Work Day".

IN RE: DISCUSS & REVIEW NEED FOR IMPROVEMENT TO THE ANNUAL BUDGET PROCESS AND SELECTION OF A STUDY TEAM TO PROVIDE RECOMMENDATIONS TO COUNTY COMMISSION ASAP

Commissioner R. Morgan expressed an interest in conducting budget workshops with Department heads in order to become more familiar with budgeting practices and procedures.

The Commission discussed coordinating a budget workshop with Leslie Smith, County Administrator and Mark Schiavone, Impact Fee Coordinator to discuss the budget process further in order to recognize insufficient practices to better improve budget deliberations.

Commissioner R. Morgan reported on his discussions with Dr. Schiavone with regard to scheduling a budget training session with Ora Ash from the State Auditor's office.

The Commission agreed by consensus to authorize Mark Schiavone to coordinate a training session with Ora Ash from the State Auditors office in mid May or early June.

IN RE: REVIEW AND IMPROVE BUDGET PROCESS WORKSESSION

This matter was discussed under agenda item: "Discuss & review need for improvement to the annual budget process and selection of a study team to provide recommendations to County Commission ASAP".

IN RE: EXECUTIVE SESSION - PERSONNEL MATTERS

Commissioner F. Morgan requested the presence of William Polk, Maintenance Director in order to enter into Executive Session to discuss personnel matters.

Leslie D. Smith, County Administrator advised Commissioner F. Morgan that Mr. Polk was unavailable. The Commission agreed to table this matter until next week.

IN RE: LOCATION OF REDMAN'S OFFICE

The Commission inquired on the status of office space availability for new staff member, Tony Redman as Long-Range Planner.

Leslie D. Smith, County Administrator recommended the Commission consider approving the office space previously occupied by Paul Raco. Kirk Davis reported on the efforts of Planning and Zoning personnel to coordinate additional office space adequate for the Long-Range Planner.

The Commission agreed to defer this matter until next week.

IN RE: ACCEPTANCE AND RELEASE OF PUBLIC OFFICIAL BONDS FOR ANIMAL CONTROL OFFICERS

Motion by Manuel, Second by R. Morgan to approve the acceptance and release of Public Officials Bonds for Jefferson County Animal Control Officers. Motion carried.

IN RE: HOTEL OCCUPANCY TAX

The Commission discussed implementing a rate increase to the hotel occupancy tax for Jefferson County. Commissioner Surkamp cited the Hotel Occupancy Tax ordinance with regard to increasing the hotel occupancy tax.

The Commission agreed that Leslie D. Smith, County Administrator would research the procedures and requirements necessary to execute a hotel occupancy tax increase and report her findings to the Commission.

IN RE: PETITION FOR REZONING - OLD STANDARD, LLC

Commissioners Manuel and Corliss reported on the proposal sent to the Development Authority detailing plans for the Old Standard Quarry property.

James Casimiro, Assistant Prosecuting Attorney reported on the legal requirements of a rezoning petition to include proper scheduling for a public hearing within a specific time frame. Mr. Casimiro cited state code 8A-7-9 with regard to contract zoning.

Motion by Manuel, second by F. Morgan to forward the rezoning petition to the Planning Commission for review and consideration. Motion carried by a 4-1 vote, Commissioner Corliss voted no.

Motion by Surkamp, second by R. Morgan to request that the Jefferson County Planning Commission set a public hearing on the old quarry rezoning petition either on or before June 12, 2007. Motion carried.

IN RE: KIRK DAVIS - DISCUSSION AND ACCEPTANCE OF BID - JC604 EMERGENCY CALL CENTER

Kirk Davis, Capital Projects Manager appeared before the Commission to discuss bids received from the Emergency Call Center. Mr. Davis reported on his discussions with Jeff Polczynski and with officials at the State Fire Marshall's office.

Mr. Davis discussed construction requirements and reported that the two top bidders are Minghini's General Contractors and Rockwell Construction. Mr. Davis requested Commission's approval to enter into negotiations with Rockwell Construction.

Motion by Manuel, second by R. Morgan authorizing Kirk Davis, Capital Projects Manager to enter into negotiations with Rockwell Construction and report back to the Commission. Motion carried.

IN RE: JENNIFER S. MAGHAN – COUNTY CLERK’S REPORT – CONTINUED

➤ **RESOLUTION FOR HAVA LOAN**

Motion by Manuel, second by F. Morgan to authorize the Commission President to affix her signature upon the HAVA Resolution as presented by Jennifer S. Maghan, County Clerk. Motion carried.

RESOLUTION

Authorizing Jefferson County to Purchase Election Equipment

WHEREAS, the County Commission authorizes the purchase of election equipment, software and/or services and to enter into the West Virginia Secretary of State's five year, no interests loan agreement.

WHEREAS, we further affirm and swear that Jefferson County has obtained matching funds representing at least fifty percent of the related cost for the equipment, software and/or services listed below:

36 M100 ballot tabulating equipment	\$207,576.00
<u>31 portable storage carts</u>	<u>56,000.00</u>
Total Cost	\$263,576.00
Loan Amount	\$131,788.00
County Commission 50% match	131,788.00

Therefor be it resolved,

/s/

Frances B. Morgan, President

/s/

A.M.S. Morgan, III, Vice-President

/s/

Gregory Corliss, Commissioner

/s/

C. Dale Manuel, Commissioner

/s/

James Surkamp, Commissioner

IN RE: KENDING KEAST UPDATE/ORDINANCE REWRITE DISCUSSION – CONTINUED

After further review and consideration, Motion by Manuel, second by F. Morgan to forward Sherry Kelly's synopsis to Lane Kending contingent upon legal counsel review and input. Motion carried.

IN RE: DISCUSSION - SETTING UP SEARCH COMMITTEE FOR HR DIRECTOR HIRE

The Commission agreed to defer this matter until next week.

IN RE: COUNTY COMMISSION REPORTS

No County Commission reports were offered for the week of April 26, 2007.

IN RE: TAMMY DEFazio – COUNSEL FOR HENRY V. JEFFERSON COUNTY COMMISSION – EXECUTIVE SESSION

Motion by F. Morgan, second by R. Morgan to enter into Executive Session with Tammy DeFazio, Esquire to discuss litigation for Henry v. Jefferson County Commission. Motion carried.

Motion by F. Morgan, second by R. Morgan to return to Regular Session.

The Commission received the following information:

Acceptance of bond for the Inn at Charles Town in the amount of \$867,076.00.

Press Release received concerning grant funds received for the Jefferson County Emergency Communications Center and the Jefferson County Sheriff's Office for the purchase of radio equipment.

Letter of resignation received from Aaron Stewart.

Correspondence received from Keep Jefferson Beautiful, Inc. concerning the Bottle Bill and the Adopt-A-Highway program.

Requests for copies of minutes and audio/web cam recordings received from the City of Charles Town.

Correspondence received from Sheriff Boober concerning the County Commission meeting on April 12, 2007.

Correspondence received from the National Parks Conservation Association concerning the petition to rezone the Old Standard Quarry.

Correspondence received from Robert D. Aitcheson concerning the proposed Luckstone Quarry in Clarke County.

Correspondence received from the Office of the Attorney General concerning document preservation.

Correspondence received from Fish and Wildlife Service concerning funds payment.

Summary of 2007 legislation received from the Association of Counties.

Invitation received to attend an Open House of Senator Byrd's Martinsburg Office on Saturday, May 5th, 2007, beginning at 2:00 p.m.

Correspondence received from the Division of Culture and History concerning the Duffields Depot.

Invitation received from the Journal to attend an Open House Celebration for their 100th anniversary on Monday, May 7th, 2007.

Eastern Panhandle Free Clinic newsletter received.

Legislative Lineup received from the County Commissioners' Association.

Eastern Panhandle Transit Authority meeting minutes received.

Weekly settlement report for the Charles Town Races received from the West Virginia Lottery.

E-911 fees received from AT&T Communications, Level 3 Communications, Comtel Telcom Assets, and IDT Corporation.

Miscellaneous

The Commission received the following correspondences

Correspondence received from Jami M. Hadden concerning scheduling a meeting with the Commission

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

FRANCES B. MORGAN, COMMISSION PRESIDENT