

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, July 12, 2007, beginning at 9:30 o'clock a.m.

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

In re: PLEDGE OF ALLEGIANCE
Commissioner Corliss conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES
Motion by Manuel, second by R. Morgan to dispense with the reading of the Minutes for the meeting held on Thursday, June 29, 2007, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS
Motion by R. Morgan, second by Corliss to approve the following Purchase Orders for the Week of July 9, 2007, totaling \$49,823.74: 43737, 43977, 44381, 44382, 43370, 44267, 44268, 44269, 44270, 44271, 44272, 43739, 43742, 44296, 44297, 44298, 44299, 44300, 44302, 44306, 44307, 44018, 44019, 44022, 44023, 44025, 44401, 43994, 44308 and 42872. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by R. Morgan, second by Manuel to approve the list of the Accounts Payable dated July 12, 2007 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

Chk #	Dept	Vendor	PO#	Amt w/PO	Amt w/o PO	Total
053021	425	ALLEGHENY POWER		\$0.00	\$831.16	\$831.16
053022	716	APPLE TREE ANIMAL CLINIC	44281	\$137.00	\$0.00	\$137.00
053023	425	COMCAST		\$0.00	\$55.94	\$55.94
053024	424	AT&T		\$0.00	\$0.13	\$0.13
053025	700	ARCH WIRELESS	42918	\$306.33	\$0.00	\$306.33
053025	425	ARCH WIRELESS		\$0.00	\$191.80	\$191.80
053026	425	ABH SERVICES, INC.		\$0.00	\$7,075.36	\$7,075.36
053027	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
053027	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
053028	ALLOC	BOLIVAR/HARPERS FERRY		\$0.00	\$15,000.00	\$15,000.00
053029	405	MYOSHIA BRIGHT		\$0.00	\$332.70	\$332.70
053030	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
053031	425	B-K OFFICE SUPPLY INC	44285	\$171.00	\$0.00	\$171.00
053032	425	BOLAND SERVICES	44283	\$105.00	\$0.00	\$105.00
053033	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$62.31	\$62.31
053034	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$90.89	\$90.89
053035	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$70.68	\$70.68
053036	983	CASTO & HARRIS INC	44263	\$731.89	\$0.00	\$731.89
053037	425	CHARLES TOWN LOCK & KEY	44287	\$245.80	\$0.00	\$245.80
053038	405	LAURENCE R CROFFORD		\$0.00	\$293.53	\$293.53
053039	424	CHARLES TOWN WATER DEPT		\$0.00	\$90.40	\$90.40
053039	425	CHARLES TOWN WATER DEPT		\$0.00	\$1,712.58	\$1,712.58
053040	425	OLD CHARLES TOWN LIBRARY		\$0.00	\$1,500.00	\$1,500.00
053040	ALLOC	OLD CHARLES TOWN LIBRARY		\$0.00	\$15,000.00	\$15,000.00
053041	227	CHILD SUPPORT ENFORCE AG		\$0.00	\$23.07	\$23.07
053042	405	JAMES CASIMIRO III		\$0.00	\$233.53	\$233.53
053043	401	SANDY COLLIER		\$0.00	\$2,000.00	\$2,000.00
053044	403	DANKA OFFICE IMAGING	43841	\$55.95	\$0.00	\$55.95
053045	425	DAYCON	44284	\$366.76	\$0.00	\$366.76
053046	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$21.00	\$21.00
053047	404	EASTERN PANHANDLE PRINT	42869	\$638.00	\$0.00	\$638.00
053047	716	EASTERN PANHANDLE PRINT	44286	\$115.00	\$0.00	\$115.00
053048	INVEST	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00

053049	402	EMBASSY SUITES	44255	\$1,752.00	\$0.00	\$1,752.00
053050	424	J.C.EHRLICH		\$0.00	\$29.00	\$29.00
053050	425	J.C.EHRLICH		\$0.00	\$327.00	\$327.00
053051	401	EASTERN PANHANDLE FREE		\$0.00	\$10,000.00	\$10,000.00
053052	425	ENGINEERED DIGITAL APPL	44282	\$115.00	\$0.00	\$115.00
053053	GRANT	FOCUS		\$0.00	\$3,468.63	\$3,468.63
053054	413	FIFTH THIRD BANK	44043	\$36.50	\$0.00	\$36.50
053054	439	FIFTH THIRD BANK	44128	\$734.95	\$0.00	\$734.95
053054	402	FIFTH THIRD BANK		\$0.00	\$29.95	\$29.95
053054	424	FIFTH THIRD BANK		\$0.00	\$49.21	\$49.21
053054	430	FIFTH THIRD BANK		\$0.00	\$790.22	\$790.22
053054	711	FIFTH THIRD BANK		\$0.00	\$1,429.92	\$1,429.92
053054	712	FIFTH THIRD BANK		\$0.00	\$54.84	\$54.84
053054	712	FIFTH THIRD BANK		\$0.00	\$90.82	\$90.82
053054	712	FIFTH THIRD BANK		\$0.00	\$39.97	\$39.97
053054	712	FIFTH THIRD BANK		\$0.00	\$537.93	\$537.93
053055	712	TODD FAGAN		\$0.00	\$1,108.02	\$1,108.02
053056	PAYROLL	GUARDIAN		\$0.00	\$6,413.30	\$6,413.30
053056	PAYROLL	GUARDIAN		\$0.00	\$121,029.25	\$121,029.25
053056	PAYROLL	GUARDIAN		\$0.00	\$2,296.35	\$2,296.35
053057	425	GRAINGER, INC	44291	\$115.44	\$0.00	\$115.44
053058	405	STEPHANIE GROVE		\$0.00	\$261.02	\$261.02
053059	405	CHARLES B HOWARD		\$0.00	\$900.80	\$900.80
053060	424	HASLER INC.	42643	\$180.00	\$0.00	\$180.00
053061	401	HAMPSHIRE REVIEW	44235	\$33.35	\$0.00	\$33.35
053062	439	IKON OFFICE SOLUTIONS	44138	\$554.59	\$0.00	\$554.59
053062	401	IKON OFFICE SOLUTIONS		\$0.00	\$2,021.89	\$2,021.89
053063	712	INFORMATION SERVICES		\$0.00	\$16.92	\$16.92
053064	INVEST	ING		\$0.00	\$235.00	\$235.00
053065	ALLOC	JEFFERSON CO BD OF HEALTH		\$0.00	\$4,997.00	\$4,997.00
053065	ALLOC	JEFFERSON CO BD OF HEALTH		\$0.00	\$57,503.00	\$57,503.00
053066	700	JEFFERSON CO HEALTH DEPT	43886	\$10.00	\$0.00	\$10.00
053067	401	THE JOURNAL	44234	\$624.31	\$0.00	\$624.31
053068	808	JEFFERSON COUNTY SOLID		\$0.00	\$3,620.82	\$3,620.82
053069	425	JEFFERSON UTILITIES INC		\$0.00	\$63.00	\$63.00
053070	401	JEFF CO COMMUN MINISTERIE		\$0.00	\$3,000.00	\$3,000.00
053071	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,519.00	\$4,519.00
053072	GRANT	JUMPIN JAVA		\$0.00	\$1,000.00	\$1,000.00
053073	439	KENDIG KEAST		\$0.00	\$10,003.95	\$10,003.95
053074	405	RALPH A LORENZETTI JR		\$0.00	\$237.65	\$237.65
053075	712	LANGUAGE LINE SERVICES		\$0.00	\$47.28	\$47.28
053076	425	LOWE'S BUILDING SUPPLY		\$0.00	\$177.90	\$177.90
053077	405	MATTHEW BENDER & CO	44017	\$194.40	\$0.00	\$194.40
053077	401	MATTHEW BENDER & CO		\$0.00	\$534.70	\$534.70
053078	712	MSAG DATA CONSULTANTS IN		\$0.00	\$1,066.67	\$1,066.67
053078	712	MSAG DATA CONSULTANTS IN		\$0.00	\$498.00	\$498.00
053079	PAYROLL	COMPTRROLLER OF MD		\$0.00	\$922.30	\$922.30
053080	700	MCKINNEY'S AUTO REPAIR	44288	\$3,321.82	\$0.00	\$3,321.82
053081	405	GAIL MAYS		\$0.00	\$233.33	\$233.33
053082	424	MCI		\$0.00	\$1,108.15	\$1,108.15
053083	PAYROLL	MD CHILD SUPPORT		\$0.00	\$140.00	\$140.00
053084	401	FRANCES B. MORGAN		\$0.00	\$605.35	\$605.35
053085	401	MORGAN MESSENGER	44237	\$65.00	\$0.00	\$65.00
053086	INVEST	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
053087	712	**NAT'L ACDMY O/EMERGENC	44084	\$45.00	\$0.00	\$45.00
053088	712	NENA	44359	\$75.00	\$0.00	\$75.00
053089	ALLOC	JEFF CO PARKS & REC		\$0.00	\$61,250.00	\$61,250.00
053090	403	PIFER OFFICE SUPPLY, INC	43843	\$6.51	\$0.00	\$6.51
053090	404	PIFER OFFICE SUPPLY, INC	42868	\$104.40	\$0.00	\$104.40
053090	404	PIFER OFFICE SUPPLY, INC	42871	\$65.70	\$0.00	\$65.70

053091	700	POSTMASTER CHARLES TOWN	43885	\$68.00	\$0.00	\$68.00
053092	425	REID'S ELEVATOR SERVICE	42713	\$200.50	\$0.00	\$200.50
053093	405	LECTOR DENISE RIDEOUTT		\$0.00	\$288.14	\$288.14
053094	712	COLLET RODDA		\$0.00	\$150.00	\$150.00
053095	401	ROBERT R. RODECKER		\$0.00	\$1,997.50	\$1,997.50
053096	ALLOC	SHEPHERDSTOWN PUB LIBRARY		\$0.00	\$15,000.00	\$15,000.00
053097	424	SMITH-NADENBOUSCH INS./C		\$0.00	\$100.00	\$100.00
053098	712	SOFTWARE SYSTEMS, INC	43339	\$628.00	\$0.00	\$628.00
053099	ALLOC	SOUTH JEFFERSON PUBLIC		\$0.00	\$15,000.00	\$15,000.00
053100	ALL DEPT	SHERIFF OF JEFFERSON CO		\$0.00	\$33,758.02	\$33,758.02
053100	ALL DEPT	SHERIFF OF JEFFERSON CO		\$0.00	\$31.62	\$31.62
053100	ALL DEPT	SHERIFF OF JEFFERSON CO		\$0.00	\$7.40	\$7.40
053100	ALL DEPT	SHERIFF OF JEFFERSON CO		\$0.00	\$7,895.02	\$7,895.02
053101	ALL DEPT	SHERIFF OF JEFFERSON CO		\$0.00	\$30,721.44	\$30,721.44
053101	ALL DEPT	SHERIFF OF JEFFERSON CO		\$0.00	\$15.31	\$15.31
053102	406	SHEETZ FLEET FUELING		\$0.00	\$543.94	\$543.94
053102	424	SHEETZ FLEET FUELING		\$0.00	\$1,639.74	\$1,639.74
053102	430	SHEETZ FLEET FUELING		\$0.00	\$129.11	\$129.11
053102	440	SHEETZ FLEET FUELING		\$0.00	\$545.85	\$545.85
053102	700	SHEETZ FLEET FUELING		\$0.00	\$8,270.04	\$8,270.04
053102	711	SHEETZ FLEET FUELING		\$0.00	\$44.03	\$44.03
053102	712	SHEETZ FLEET FUELING		\$0.00	\$645.77	\$645.77
053102	716	SHEETZ FLEET FUELING		\$0.00	\$683.50	\$683.50
053103	700	STEWARTS MEN'S WEAR	43883	\$40.50	\$0.00	\$40.50
053104	712	SEN COMMUNICATIONS	42773	\$726.00	\$0.00	\$726.00
053105	712	SPRINT PCS		\$0.00	\$249.48	\$249.48
053106	405	BRANDON C.H. SIMS		\$0.00	\$356.82	\$356.82
053107	425	SHALLOW CREEK ELECTRICAL	43927	\$3,900.00	\$0.00	\$3,900.00
053108	GRANT	SBPA/SHENANDOAH		\$0.00	\$400.00	\$400.00
053109	405	TERESA TRITELLI		\$0.00	\$213.40	\$213.40
053110	433	URBAN REG INFO SYS ASSOC	42435	\$187.50	\$0.00	\$187.50
053111	424	UPS		\$0.00	\$14.35	\$14.35
053112	403	VITAL SIGNS	43832	\$400.00	\$0.00	\$400.00
053113	INVEST	CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
053114	716	VALLEY PET CEMETERY		\$0.00	\$250.00	\$250.00
053115	405	WEST PAYMENT CENTER	44016	\$1,973.50	\$0.00	\$1,973.50
053116	425	WM OF WEST VIRGINIA, INC		\$0.00	\$254.86	\$254.86
053117	425	WM OF WEST VIRGINIA, INC		\$0.00	\$192.42	\$192.42
053118	716	WM OF WEST VIRGINIA, INC		\$0.00	\$90.25	\$90.25
053119	401	WORKTECH		\$0.00	\$100.00	\$100.00
053120	424	WV BUREAU OF EMPLOYMENT		\$0.00	\$19.82	\$19.82
053121	405	DEBRA A. YOUNG		\$0.00	\$297.68	\$297.68
TOTAL				\$19,030.70	\$468,792.27	\$487,822.97

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

No action was taken on this agenda item.

In re: LEGISLATIVE ISSUES

The Commission discussed the upcoming meeting on July 24, 2007 in Berkeley County. The Commission agreed to discuss this next week in a work session.

In re: KENDIG KEAST UPDATE/ORDINANCE REWRITE DISCUSSION

The Commission discussed the safety issues, stormwater management and other issues on the mountain.

In re: BONDING AND ACTIVITY REPORT

Chief County Engineer Roger Goodwin introduced Damien Davis, newly hired County Engineer, to the Commission.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by R. Morgan, second by Manuel to approve the complete release of an Irrevocable Letter of Credit in the amount of \$15,299.60 for Premier Bank - Temporary Trailer at Maddex Square. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by R. Morgan, second by Manuel to approve the complete release of an Irrevocable Letter of Credit in the amount of \$32,563.17 for Premier Bank at Maddex Square. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Surkamp, second by Manuel to approve the complete release of an Irrevocable Letter of Credit in the amount of \$20,630.00 for Dan Ryan Builders, Inc. - Meadow Brook Subdivision, Lots 1-45. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by R. Morgan, second by Corliss to approve the complete release of an Irrevocable Letter of Credit in the amount of \$219,000.00 for Dan Ryan Builders, Inc. - Gap View Subdivision, Phase III, Lots 94-178. Motion carried.

Rebecca Burns, Bonding Administrator discussed the surety that is expiring on July 15, 2007. The Commission agreed to extend this until the end of the business today.

In re: REQUEST FOR EXTENSION - CONSTRUCTION BOND FOR SHERIDAN, LLC

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Corliss, second by Manuel to approve the request for extension for the construction bond for Sheridan, LLC for 2 years. Motion passed by a 4-1 vote. Commissioner F. Morgan voted no. For the record, Mike Cassell and Herb Yonkers were present and made comments.

Sherry Kelly, Acting Chief Planner/Zoning Administrator reported on the Planning Commission meeting that was held on Tuesday.

Commissioner Surkamp discussed commercial permits and the report of approved and denied commercial permits.

Tony Redman, Long Range Planner commented on the file room that was in shambles when he first started working and that Sherry Cole, Becky Burns and other staff members reorganized the file room and reported that it looks great now.

Mr. Redman commented that Todd Fagan has been a big help and he appreciates his support.

Mr. Redman reported that he would like to use the Fresh Water Institute to help him with his follow-up work. The Commission agreed to have Mr. Redman and Leslie Smith coordinate with the Fresh Water Institute to draft a contract.

Mr. Redman discussed the proposed schedule for completion of Jefferson County Zoning Ordinances and Subdivision Regulations.

Mr. Redman discussed the work items to complete on the Zoning Ordinances and Subdivision Regulations.

In re: PUBLIC COMMENT

Chuck Ellison commented on the Old Standard Quarry rezone request and that he supports the rezone.

In re: BOLIVAR & HARPERS FERRY TOWN COUNCILS - OLD STANDARD QUARRY

Robert Hardy, Mayor Pro Tem for Bolivar appeared before the Commission to comment on his opposition of the re-zone for the Old Standard Quarry.

Jim Addy, Mayor of Harpers Ferry appeared before the Commission to comment on his opposition of the re-zone for the Old Standard Quarry.

Ron Moltere, Councilman for Bolivar appeared before the Commission and commented on the re-zone of the Old Standard Quarry.

Mary Rutherford, Councilwoman for Harpers Ferry commented on her opposition of the re-zone for the Old Standard Quarry.

In re: MARK SCHIAVONE

- APPROVAL OF FY 2008 CAPITAL IMPROVEMENTS PLAN FOR COUNTY BUILDINGS

Motion by Corliss, second by Manuel to approve the FY008 County Capital Improvement Plan. Motion carried.

- DISCUSSION CONCERNING PROCEEDING WITH AIA PHASE FOR JUDICIAL CENTER AND INDOOR SWIMMING POOL

Motion by Corliss, second by Manuel to authorize the funds for AIA Phase for the Judicial Center. Motion carried.

Motion by Corliss, second by Manuel to authorize the funds for the AIA Phase for the indoor swimming pool. Motion carried.

- SCOPE OF WORK FOR IT SUPPORT SPECIALIST

Mark Schiavone, Capital Management and Planning Director appeared before the Commission to discuss the scope of work for the IT Support Specialist.

In re: JANE PETERS - BURR BUSINESS PARK MARKETING MATERIALS AND LABOR FORCE PROJECT

Jane Peters, Economic Development Director appeared before the Commission to discuss the Burr Business Park marketing materials and the labor force project.

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

Jennifer S. Maghan, County Clerk appeared before the Commission to give the June 2007 monthly report.

- APPROVAL OF NEW HIRE WENDY KIRBY

Motion by Surkamp, second by R. Morgan to approve the employment of Wendy Kirby in the County Clerk's Office. Motion carried.

- PROMISSORY NOTE FOR ELECTIONS EQUIPMENT FOR WVSOS

This agenda item was discussed under New Business - West Virginia State Election Commission - Approval of President's Signature Loan Documents.

- PARKING

Ms. Maghan discussed the parking issues regarding the renovation of the Old Jail. Kirk Davis, Construction Manager informed the Commission that about 20 parking places have been lost due to the construction. The Commission agreed to review this matter and discuss it with the City of Charles Town.

- BUDGET REVISION

Motion by R. Morgan, second by Corliss to approve the process for a budget revision to transfer \$1,000 from the General Account to the Election Account. Motion carried.

In re: FROM SHERIFF BOOBER - REQUEST FOR EMERGENCY EXIT MARKING

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

In re: WEST VIRGINIA STATE ELECTION COMMISSION - APPROVAL OF PRESIDENT'S SIGNATURE ON LOAN DOCUMENTS

Motion by Manuel, second by Corliss to authorize the President to affix her signature to the loan documents after legal counsel reviews the documents for the loan for election equipment and supplies. Motion carried.

In re: QUARTERLY FIDUCIARY REVIEW

Jennifer S. Maghan, County Clerk presented the Fiduciary Accounts for review by the Commission. The time of the Commission was taken up this day with examination of sundry fiduciary accounts. Motion by Manuel, second by R. Morgan to accept the release of Ralph Lorenzetti, Fiduciary Commissioner for the estate of James M. Moler and to replace Mr. Lorenzetti with Ms. Carmela Cesare as Fiduciary Commissioner. Motion carried.

The County Commission took a 10 minute break at 11:15 a.m.

In re: QUARTERLY FIDUCIARY REVIEW - CONTINUED

The Commission agreed to accept all fiduciary accounts as presented and to authorize the President of the Commission to affix her signatures to all related documents. Motion carried.

In re: LEGAL UPDATE & REPORT

James Casimiro, Legal Counsel appeared before the Commission to give the legal update and report.

In re: THE VILLAGE AT SAMUEL STREET - REQUEST ASSIGNMENT OF BOND ESTIMATE

James Casimiro, Legal Counsel informed the Commission that a letter needed to be prepared to transfer the bond to the City of Charles Town. Motion by R. Morgan, second by Corliss to authorize the President of the Commission to affix her signature to the letter to transfer the bond to the City of Charles Town for The Village At Samuel Street. Motion carried.

In re: PA REPORT ON STANDARD QUARRY WATER SALES TO VIRGINIA

James Casimiro, Legal Counsel informed the Commission that he did not have a report at this time for the Standard Quarry water sales to Virginia. He informed the Commission that he is working with Mike Cassell on this matter.

In re: WHETHER TO INTERVENE IN MD. PSC CASE NO. 8997

The Commission discussed the power plant for the Catoctin case. Mr. Casimiro informed the Commission that he still needs to look at this case. Herb Yonkers, upon request from the Commission, discussed the agreement with Old Standard Quarry and he explained the Catoctin Agreement. Commissioner Corliss asked for a list of conditions for the petition for the re-zone. After further discussion, no action was taken on this agenda item.

In re: JEFFERSON COUNTY PARKS AND RECREATION COMMISSION INTERVIEWS

The Commission conducted interviews for interested applicants to the Jefferson County Parks and Recreation Commission. Those present were Bobby Shirley, Matthew Knott and Shawna Molina.

In re: APPOINTMENTS TO THE JEFFERSON COUNTY PARKS AND RECREATION COMMISSION

	F. Morgan	Corliss	Manuel	R. Morgan	Surkamp
Thomas Diehl		✓		✓	
Matthew Knott					✓

Shawna Molina	✓		✓	✓	✓
Robert Richard					
Bobby Shirley		✓	✓		
Cheryl D.L. Roberts	✓			✓	✓
Charles Cheezum		✓	✓	✓	
Paul Pritchard	✓	✓			
Fred Blackmer			✓		
Paul Marshall	✓				✓
R. Fred Collins					
Della Swope-Collins					

Shawna Molina was appointed to the Jefferson County Parks and Recreation Commission for a three year term ending June 30, 2010.

Cheryl D. L. Roberts was appointed to the Jefferson County Parks and Recreation Commission for a three year term ending June 30, 2010.

Charles Cheezum was reappointed to the Jefferson County Parks and Recreation Commission for a three year term ending June 30, 2010.

Tie - Runoff

	F. Morgan	Corliss	Manuel	R. Morgan	Surkamp
Thomas Diehl				✓	
Bobby Shirley			✓		
Paul Pritchard		✓			
Paul Marshall	✓				✓

Paul Marshall was appointed to the Jefferson County Parks and Recreation Commission for a three year term ending June 30, 2010.

The Commission recessed for lunch at 12:00 noon. The Commission reconvened at 1:00 p.m.

In re: DECISION ON PLANNING AND ZONING DEPARTMENTS AND DIRECTOR APPOINTMENT DIRECTOR OF PLANNING AND ZONING EXECUTIVE SESSION - PERSONNEL ISSUES

Motion by R. Morgan, second by Surkamp to enter into Executive Session to discuss personnel matters as provided by State Code. Motion passed by a 4-1 vote. Commissioner Manuel voted no.

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

No action was taken during or after Executive Session.

In re: HR DIRECTOR HIRING PROCEDURES

The Commission agreed to review the resumes' received from interested applicants for the HR Director position and agreed to turn in a list of 10 favorites for consideration of hire and to send this list to Leslie Smith, County Administrator. After all lists are compiled, Ms. Smith will send compiled list to each Commissioner for review and to consider which candidates to interview.

In re: LETTER TO SENATOR BYRD AND US FOREST SERVICE RE GYPSY MOTH INFESTATION ON THE BLUE RIDGE AND COST-SHARE

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

In re: REPAIR AND MAINTENANCE ISSUES

The Commission agreed to remove this item from the agenda.

In re: COAL SEVERANCE BUDGET REVISION

Motion by Manuel, second by Corliss to approve the following Coal Severance Budget Revision: Motion carried. Commissioner Surkamp was absent for the vote.

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 12th day of July, 2007, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following

resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number 1, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by Manuel, and duly seconded by Corliss, the vote was as follows:

Frances B. Morgan	<u>YES</u>
A.M.S. Rusty Morgan	<u>YES</u>
Gregory A. Corliss	<u>YES</u>
Dale Manuel	<u>YES</u>
James T. Surkamp	<u>ABSENT</u>

Whereupon, Commissioner F. Morgan declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Frances B. Morgan, President of the Jefferson County Commission, is authorized to affix her signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

/s/ _____
Frances B. Morgan, President
Jefferson County Commission

**In re: RESCHEDULE OLD STANDARD QUARRY REZONING DECISION
DETERMINING FURTHER PROCEEDINGS ON OLD STANDARD RE-ZONING
PETITION; SCHEDULING & VOTE**

Commissioner Corliss discussed setting up a workshop as per the minutes of June 28, 2007 to review all aspects of the rezoning petition and to study the issue further. After discussion, motion by Surkamp, second by R. Morgan to deny the rezone petition for the Old Standard Quarry and all rezone petitions until the zoning ordinances are complete. Commissioner Manuel called a point of order. James Casimiro, Assistant Prosecuting Attorney said that the meeting agenda showed that the Commission intended to reschedule the vote or to determine further proceedings in the quarry matter and that he did not believe they could vote on the issue because none of the agenda items talked about a possible vote on the matter.

Motion by Manuel, second by Surkamp to table the matter until next week. Motion carried by a 4-1 vote. Commissioner Corliss voted no.

Motion by Surkamp, second by F. Morgan to place the rezoning decision on next week's agenda. Motion passed by a 3-2 vote. Commissioners Corliss and Manuel voted no.

In re: APPOINTMENT TO THE SUMMIT POINT LIBRARY COMMITTEE

Motion by R. Morgan, second by Manuel to reappoint Donato Ranelli to the Summit Point Library for a 5 year term ending June 30, 2012. Motion carried.

**In re: APPOINTMENT TO THE EASTERN PANHANDLE REGIONAL PLANNING AND
DEVELOPMENT COUNCIL**

No action was taken on this agenda item.

In re: APPOINTMENT TO THE JEFFERSON COUNTY BOARD OF HEALTH

Motion by Surkamp, second by Manuel to reappoint Robert Johnson to the Jefferson County Board of Health for a 5 year term ending June 30, 2012. Motion carried.

In re: REAPPOINTMENT TO THE POTOMAC HEADWATERS RC&D COUNCIL

Motion by R. Morgan, second by Manuel to reappoint Marian Buckner to the Potomac Headwaters RCD&D Council for a 1 year term ending July 1, 2008. Motion carried.

In re: APPROVAL OF EMPLOYMENT - WILLIAM MORAN - PUBLIC SAFETY DISPATCHER

Motion by Surkamp, second by R. Morgan to approve the employment of William Moran as a Public Safety Dispatcher. Motion carried.

In re: APPROVAL OF EMPLOYMENT - ALBERT SMITH HOCKMAN - DEPUTY SHERIFF

Motion by Manuel, second by R. Morgan to approve the employment of Albert Smith Hockman as a Deputy Sheriff. Motion carried.

In re: FROM LANTY MULLENS - REQUEST FOR REFUND OF BUILDING PERMIT FEE

Motion by R. Morgan, second by Surkamp to approve the request for refund of building permit fee from Lanty Mullens in the amount of \$61.55. Motion carried.

**In re: GOVERNOR'S LOCAL ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM -
CITIZENS FIRE COMPANY - APPROVAL OF GRANT AGREEMENT, RESOLUTION**

AND CONTRACT

Motion by Manuel, second by Corliss to approve the Governor's Local Economic Development Assistant Program Grant Agreement, Resolution and Contract for the Citizens Fire Company in the amount of \$8,000.00. Motion carried.

RESOLUTION

WHEREAS, The Jefferson County Commission has agreed to assist in the objective to purchase new self-contained breathing apparatus units for the Citizens Fire Company with funds partially through and made available through the Governor's Local Economic Development Assistance Program and the West Virginia Development Office.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission does hereby accept the conditions of the contract between the West Virginia Development Office and the Jefferson County Commission and does hereby authorize the signatures of the President of the Commission.

/s/
FRANCES B. MORGAN, PRESIDENT
JEFFERSON COUNTY COMMISSION

DATED: July 12, 2007

In re: APPROVAL OF FISCAL YEAR 2008 FIRE COMPANY CONTRACTS

Motion by Manuel, second by R. Morgan to approve the Fire Company Contracts for Fiscal Year 2008 for Friendship Fire Company, Citizens Fire Company, Blue Ridge Mountain Fire Company, Independent Fire Company, Bakerton Fire Company and Shepherdstown Fire Company in the amount of \$25,000.00. Motion carried.

In re: WORKERS COMPENSATION/BRICKSTREET - COUNTY COMMISSION OPT OUT OPTION

By consensus, the Commission agreed to opt out for the Workers Compensation/Brickstreet for County Commissioners.

In re: FROM REBECCA F. BURNS - REQUEST FOR OUTSIDE EMPLOYMENT

By consensus, the Commission acknowledged the outside employment for Rebecca F. Burns.

In re: NICHOLS & SKINNER, L.C. - POTENTIAL EMPLOYMENT AVAILABILITY OF OUTSIDE COUNSEL IN PERSONNEL MATTER P.A. CIVIL IS NOT HANDLING

The Commission acknowledged the availability of outside counsel for possible upcoming personnel matters if the Prosecuting Attorney Civil Department does not handle them. No action was taken at this time.

In re: HIRING DIRECTOR OF EMERGENCY SERVICES

Commissioner Surkamp discussed the hiring of a Director of Emergency Services. After discussion, no action was taken on this agenda item.

In re: STUDY ADDITION OF NEW ZONING CATEGORY CALLED GREEN BUSINESS OFFICE PARK/WORKFORCE HOUSING

Commissioner Surkamp discussed the possibility of a study for addition of a new zoning category called Green Business Office Park/Echo Park. After discussion, no action was taken on this agenda item.

In re: REQUEST FROM HAM RADIO GROUP THAT HAS BEEN WORKING WITH EMERGENCY OFFICE

No action was taken in this agenda item.

In re: REQUEST FOR FOCUS GROUP DISCUSSION WITH LIZ WHEELER RE USES OF FUNDING FOR THE ARTS

No action was taken on this agenda item.

In re: REVIEW DRAFT OF COMMENDATION LETTER FOR CURT BURY FOR LEPC CHAIR TO SEND TO GOVERNOR

The Commission discussed sending a commendation letter for Curt Bury for LEPC Chairman to the Governor. After discussion, by consensus the Commission agreed that Commissioner Manuel will work with the County Administrator to prepare a special recognition letter commending Curt Bury.

In re: COUNTY COMMISSION REPORTS

Commissioner R. Morgan discussed the Map of the State of Wisconsin brochure and that he would like for West Virginia to have a brochure like that.

Commissioner R. Morgan discussed the gypsy moth program.

In re: EXECUTIVE SESSION

Motion by Manuel, second by Corliss to enter into Executive Session to discuss personnel matters as provided by State Code. Motion carried.

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

The Commission received the following information:

Appointment to be made to the Board of Health on July 26, 2007.

Acceptance of Bond for North Hills at Cress Creek Subdivision in the amount of \$786,303.

Information received from Tony Redman concerning Old Standard.

Memorandum received from the Department of Engineering concerning a letter of credit for Penn National Gaming, Inc.

Correspondence received from Circuit Clerk Patricia Noland concerning insurance.

Impact Fee Status Report received for June 2007.

Memorandums received from the Department of Capital Planning and Management concerning transfers of funds.

Correspondence received from the Secretary of State's office concerning 2007 Election Seminar.

Senate Bill 1633 received concerning Shepherdstown Battlefield.

Correspondence received from Mayor James Addy concerning the petition to rezone Old Standard.

Correspondence received from the Planning and Zoning Commission concerning James Casimiro.

Letter of resignation received from Darrell G. Penwell.

Copy of the Jefferson County Public Service District's revised budget for Fiscal Year 2008 received.

Correspondence received from the Spruce Hill Homeowners Association concerning bonding issues.

Correspondence received from the Department of Agriculture concerning planning and zoning ordinances.

Notice received from Lucinda Potter concerning the Fall 2007 Local Government Leadership Academy.

Correspondence received from the Department of Administration concerning proposed legislative rules.

Annual Report and Financial Statements received from the Jefferson County CVB.

Franchise Extension Agreement received.

Thank you note received from the Evergreen 4-H Club.

2006 Annual Report received from The Conservation Fund.

Information received from the County Commissioners' Association concerning the annual meeting.

Updates received from the County Commissioners' Association.

Meeting minutes received from the Jefferson County Public Service District.

Notice of a public hearing on July 16, 2007 received from Loudoun County.

Correspondence received from Kit McGinnis concerning Claymont Society's grant request to the State Historic Preservation Rehabilitation Grant Program.

Oath of Office received from Barbara J. Miller as Acting Director of the Office of Emergency Management.

Harpers Ferry National Historical Park Community Bulletin received.

E-911 fees received from IDT Corporation, Level 3 Communications LLC, Comtel Telcom Assets LP, CTC of West Virginia, and AT&T Communications of West Virginia.

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

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

FRANCES B. MORGAN, COMMISSION PRESIDENT