

**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, August 2, 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 F. Morgan conducted the Pledge of Allegiance.

**In re: DISPENSE WITH READING OF MINUTES**

Motion by R. Morgan, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, July 26, 2007 and to approve the Minutes as amended. Motion carried.

Motion by Manuel, second by Corliss to dispense with the reading of the Minutes for the Special Meeting held on Monday, July 30, 2007 and to approve the Minutes as prepared. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Corliss, second by Surkamp to approve the following Purchase Orders for the Week of July 30, 2007, totaling \$3,973.64: 44329, 44363, 44295, 44332, 44142, 44144, 44333, and 42873. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Corliss, second by Surkamp to approve the list of the Accounts Payable dated August 2, 2007 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	\$15,392.75
402/CCLK	CO. CLERK	\$5,844.23
403/CIR CLK	CIRCUIT CLERK	\$4,210.63
404/TAX	TAX OFFICE	\$94.57
405/PA	PROS ATTY	\$8,885.52
406/ASSR	ASSESSORS	\$72.00
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	\$383.00
413/ELE	ELECTION	\$400.00
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
422/IMPACT	IMPACT FEE OPERATIONAL DEPT	
424/CTHS	COURT HOUSE	\$1,266.61
425/OB	OTHER BUILDING	\$2,236.10
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	
431/ECON DEV	ECON DEV	\$308.33
433/GIS	GIS/ADDRESSING	
439/PZ	PLANNING ZONING	
440/ENG.	DEPT OF ENGINEERING	\$39.72
451/ZONING	ZONING DEPT	
700/SHRF	SHERIFF DEPT	\$6,116.96
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	
712/911	911 COMMUNICATION	\$478.16
716/A/C	ANIMAL CONTROL	\$78.95
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	
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	

986/CAP/COMM	CO. COMMISSION/CAPITAL OUTLAY	
988/CAP/OB	OTHER BUILDING/CAPITAL OUTLAY	\$19,500.00
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	\$8,057.00
ALLOC	ALLOCATIONS	\$25,000.00
GRANTS	GRANTS	\$9,250.00
INVEST	INVESTMENTS	
PAYROLL	PAYROLL	
<b>TOTALS</b>		\$107,614.53

Chk#	Dept	Vendor	PO#	PO Amt	Amt w/o PO	Total
053269	403	BANK OF CHARLES TOWN	44477	\$100.00	\$0.00	\$100.00
053270	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
053270	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
053271	GRANT	BLUE RIDGE MTN FIRE CO.		\$0.00	\$8,000.00	\$8,000.00
053271	ALLOC	BLUE RIDGE MTN FIRE CO.		\$0.00	\$25,000.00	\$25,000.00
053272	440	*CREAMERS AUTO SERVICE	44324	\$24.00	\$0.00	\$24.00
053272	700	*CREAMERS AUTO SERVICE	44323	\$75.45	\$0.00	\$75.45
053273	405	CIVIC RESEARCH INSTITUTE	44028	\$169.95	\$0.00	\$169.95
053274	405	MARY K COOK	44027	\$34.65	\$0.00	\$34.65
053275	425	OLD CHARLES TOWN LIBRARY		\$0.00	\$1,500.00	\$1,500.00
053276	440	MASON CARTER		\$0.00	\$15.72	\$15.72
053277	425	APPLE VALLEY TIRE	44318	\$30.00	\$0.00	\$30.00
053278	403	DANKA OFFICE IMAGING	43848	\$1,030.40	\$0.00	\$1,030.40
053279	402	DAYTON LEGAL BLANK	44258	\$396.42	\$0.00	\$396.42
053279	402	DAYTON LEGAL BLANK	44280	\$444.64	\$0.00	\$444.64
053280	700	EAGLE MILITARY OUTFITTER	43890	\$64.00	\$0.00	\$64.00
053280	700	EAGLE MILITARY OUTFITTER	43890	\$70.00	\$0.00	\$70.00
053281	GRANT	FRIENDSHIP FIRE COMPANY		\$0.00	\$1,250.00	\$1,250.00
053282	425	FIDELITY ENGINEERING	44319	\$630.00	\$0.00	\$630.00
053283	424	FRONTIER COMMUNICATIONS		\$0.00	\$1,071.68	\$1,071.68
053284	700	GALLS INCORPORATED	43887	\$1,472.28	\$0.00	\$1,472.28
053284	700	GALLS INCORPORATED	44178	\$533.92	\$0.00	\$533.92
053285	401	COX HOLLIDA LLP		\$0.00	\$5,000.00	\$5,000.00
053286	401	IKON OFFICE SOLUTIONS		\$0.00	\$247.50	\$247.50
053287	404	JEFFERSON PUBLISH CO INC	42875	\$19.22	\$0.00	\$19.22
053288	425	JEFFERSON COUNTY SOLID	44320	\$76.10	\$0.00	\$76.10
053289	700	JEFFERSON MEMORIAL HOSPT	43889	\$161.00	\$0.00	\$161.00
053290	700	JEFFERSON URGENT CARE	44182	\$300.00	\$0.00	\$300.00
053291	405	MATTHEW BENDER & CO	44032	\$2,410.02	\$0.00	\$2,410.02
053292	700	MCKINNEY'S AUTO REPAIR	44325	\$1,045.04	\$0.00	\$1,045.04
053293	406	NADA ANALYTICAL SERVICES	43900	\$72.00	\$0.00	\$72.00
053294	402	PIFER OFFICE SUPPLY, INC	44278	\$98.95	\$0.00	\$98.95
053294	402	PIFER OFFICE SUPPLY, INC	44447	\$12.99	\$0.00	\$12.99
053294	403	PIFER OFFICE SUPPLY, INC	43849	\$80.23	\$0.00	\$80.23
053294	404	PIFER OFFICE SUPPLY, INC	42874	\$75.35	\$0.00	\$75.35
053295	401	POSTMASTER CHARLES TOWN	44242	\$104.00	\$0.00	\$104.00
053296	402	PFC PRODUCT, INC	44259	\$633.90	\$0.00	\$633.90
053297	405	SPECIALTY BUS SUPPLIES	44029	\$271.79	\$0.00	\$271.79
053298	402	STAPLES CREDIT PLAN		\$0.00	\$108.15	\$108.15
053298	424	STAPLES CREDIT PLAN		\$0.00	\$194.93	\$194.93
053298	700	STAPLES CREDIT PLAN		\$0.00	\$981.29	\$981.29
053298	712	STAPLES CREDIT PLAN		\$0.00	\$478.16	\$478.16
053299	401	SHEPHERDSTOWN DAY CARE		\$0.00	\$10,000.00	\$10,000.00
053300	700	SOUTHERN PUB/SAFETY EQUI	44177	\$40.00	\$0.00	\$40.00
053301	401	BRANDON C.H. SIMS		\$0.00	\$41.25	\$41.25
053302	405	STONEWALL RESORT	44030	\$3,367.34	\$0.00	\$3,367.34
053303	716	THOMASSEN FORD MERCURY	44322	\$78.95	\$0.00	\$78.95
053304	402	UNITED SYSTEMS & SOFTWARE		\$0.00	\$3,600.00	\$3,600.00
053304	403	UNITED SYSTEMS & SOFTWARE		\$0.00	\$3,000.00	\$3,000.00

053305	988	UNITED RENTAL AERIAL EQP	44321	\$19,500.00	\$0.00	\$19,500.00
053306	700	VALLEY TWO-WAY, INC	44179	\$404.39	\$0.00	\$404.39
053307	402	VITAL SIGNS	44446	\$12.00	\$0.00	\$12.00
053308	700	WAHL BUSINESS SOLUTIONS	43888	\$154.24	\$0.00	\$154.24
053309	405	WEST PAYMENT CENTER	44031	\$2,631.77	\$0.00	\$2,631.77
053310	All Dept	WV PEIA		\$0.00	\$8,057.00	\$8,057.00
053311	700	WV UNIFORM-52	44180	\$815.35	\$0.00	\$815.35
053312	402	XEROX COPORATION	43383	\$233.15	\$0.00	\$233.15
053312	402	XEROX COPORATION	44270	\$304.03	\$0.00	\$304.03
053313	413	GERALDINE WILLINGHAM	44277	\$200.00	\$0.00	\$200.00
053314	413	REVA MICKEY	44277	\$200.00	\$0.00	\$200.00
<b>TOTAL</b>				\$38,377.52	\$69,237.01	\$107,614.53

**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 BOARD OF HEALTH**  
No action was taken on this agenda item.

**In re: LEGISLATIVE ISSUES**

Commissioner Manuel discussed legislative issues that were discussed at the Legislative Summit in Berkeley County. The County Administrator informed the Commission that a letter of appreciation was sent to Berkeley County for hosting the Legislative Summit.

**In re: EXONERATION**

Upon recommendation from the Assessor, motion by R. Morgan, second by Manuel to approve the following exoneration as presented for August 2, 2007. Motion carried.

NAME	DISTRICT	TYPE	TICKET#	AMOUNT
Lawrence Kiernan	Shepherdstown	Real Estate	315390	\$247.22
Sammy F. Grizzel, Jr.	Middleway	Real Estate	21406	\$765.14

**In re: BONDING AND ACTIVITY REPORT**

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Manuel, second by R. Morgan to approve the complete release of Cash in Escrow Account for PNGI Charles Town Gaming, LLC - File #S05-01 in the amount of \$5,378.55. Motion carried.

Sherry Kelly, Deputy Director of Planning and Zoning appeared before the Commission and reported on the Planning Commission meeting and commercial applications.

**In re: SPRUCE HILL HOA - CORRESPONDENCE RECEIVED**

Roger Goodwin, County Chief Engineer informed the Commission that he received information and he recommends that the work be done in the timeline already in place and if not completed when the bond expires then to call the bond.

**In re: PUBLIC COMMENT**

Karen Olden, County Clerk Probate Office appeared before the Commission to discuss the parking issues in the county parking lot.

Mike Cassell, Attorney for Spruce Hill appeared before the Commission to request that he be included in correspondence regarding Spruce Hill.

John F. Piwowski appeared before the Commission and made comments.

Julene Myers appeared before the Commission and commented on the spelling on a road sign. The County Administrator informed Ms. Myers that a letter was mailed to her regarding this matter.

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

The Commission discussed that Tony Redman is working with staff and Kendig Keast. The Commission would like to have a work session the 3<sup>rd</sup> week in August.

**In re: BRANDON SIMS - LEGAL UPDATE AND REPORT**

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

Ms. Sims reported on the following:

- Barking Dog Ordinance
- Charitable Organization Solicitation Ordinance
- EMS/Fire Ordinance

Upon recommendation of Brandon Sims, motion by Manuel, second by Corliss to enter into Executive Session to discuss litigation matters for Jefferson County vs. Ranson and other current litigation. Motion carried.

Motion by R. Morgan, second by Manuel to return to Regular Session. Motion carried. No action was taken during or after executive session.

Ms. Sims handed out a partial draft Employee Guideline for the Commission to review.

**In re: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT**  
**- ADOPTION OF FINANCIAL INTERNAL CONTROLS**  
**- REVENUES AND EXPENDITURES REPORT**  
**- EXECUTIVE SESSION - PERSONNEL MATTERS**

Jennifer S. Maghan, County Clerk appeared before the Commission with the weekly County Clerk's report.

Ms. Maghan discussed the revenues and expenditures report. Leslie Smith, County Administrator handed out documents to the Commission that were requested from last week.

Ms. Maghan deferred the Executive Session - Personnel Matters for further review.

Ms. Maghan also deferred the adoption of the Financial Internal Controls until next week.

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

Sheriff Boober appeared before the Commission to discuss information item #4 - Memorandum received from County Clerk Jennifer Maghan concerning depository bonds. Upon request from Sheriff Boober, the Commission agreed to place this item on next week's agenda.

**In re: REQUEST FROM SILVERTON VOLUNTEER FIRE & RESCUE, INC. TO HELP IN CONTACTING LEGISLATORS TO REINSTATE THE 1% SURCHARGE OF FIRE AND CASUALTY INSURANCE TO GO TO FIRE DEPARTMENTS**

Commissioner Manuel discussed the 1% insurance surcharge and the County's that are not using BRIM as a pool. The Commission directed that staff send a letter of support to Jefferson County Legislators regarding the request from Silverton Volunteer Fire and Rescue, Inc. to reallocate and additional ½% of fire and casualty insurance to go to fire departments.

**In re: DRAFT AUDIT REPORT - FISCAL YEAR ENDED JUNE 30, 2006**

Motion by Manuel, second by Corliss to provide a letter of acknowledgement to CoxHollidaPrice, LLC regarding the audit of the financial statements of Jefferson County, West Virginia as of June 30, 2006. Motion carried.

**In re: USGS WATER MONITORING PROPOSAL**  
**IN VIEW OF AUTHORIZED WATER STUDY FUNDING, REQUEST USGS BRIEFING FOR JEFFERSON COUNTY ON PROPOSED WATER RECHARGE STUDY PRIOR TO SIGNING CONTRACT**

The Commission agreed to hold a work session next week regarding the USGS water monitoring proposal

**In re: APPROVAL OF PART-TIME EMPLOYMENT - SAMUEL RAY SMITH - COURT BAILIFF AND TRIP/TRANSPORT DEPUTY**

Motion by Manuel, second by R. Morgan to approve the part-time employment of Samuel Ray Smith - Court Bailiff and Trip/Transportation Deputy. Motion carried.

**In re: APPROVAL OF PART-TIME EMPLOYMENT - AMY SHIRLEY SYDNOR - PROCESS SERVER & TRIP/TRANSPORT DEPUTY**

Motion by R. Morgan, second by Manuel to approve the part-time employment of Amy Shirley Sydnor - Process Server & Trip/Transport Deputy. Motion carried.

**In re: ESTABLISH A PERFORMANCE REVIEW SYSTEM FOR JEFFERSON COUNTY EMPLOYEES**

Commissioner Corliss discussed the performance review system for Jefferson County Employees. The Commission discussed uniform evaluation documents and possible quarterly reviews.

For the record, Sheriff Boober and Patsy Noland, Circuit Clerk were present and made comments.

The Commission directed the County Administrator to place this item on the agenda in 3 weeks and to bring back a proposal for a performance review for Jefferson County Employees .

**In re: EXECUTIVE SESSION - PERSONNEL MATTERS**

Commissioner F. Morgan withdrew this agenda item.

**In re: VOTE TO DEFER SWIMMING POOL ARCHITECT CONTRACT FOR ONE YEAR**

Commissioner Corliss requested to vote to defer the swimming pool architect contract for one year. After discussion, the Commission agreed to place this agenda item on next week's agenda and to include Kirk Davis, Capital Projects Manager with comments and discussion.

**In re: ABSENCE OF CHAIR ON AUGUST 30**

Motion by Corliss, second by Manuel to cancel the County Commission meeting on August 30, 2007. Motion carried.

**In re: MAINTENANCE AND REPAIR ISSUES**

Commissioner F. Morgan asked about the status on the railings at the Judicial Building. Leslie Smith, County Administrator informed the Commission that the work had been completed a few weeks ago, but they still need to be painted.

Commissioner Manuel commented on the sound system for the County Commission meeting room. The County Administrator said she will have maintenance look into this matter.

**In re: DUNN ENGINEERING - STATUS**

This agenda item is still under review with legal counsel and the Commission agreed to place this matter on next week's agenda.

**In re: GYPSY MOTH SUPPRESSION - LETTER REQUESTING ASSISTANCE**

The Commission agreed to defer this agenda item until after lunch.

**In re: ANNOUNCEMENT OF COMMUNITY MEETING ON AUGUST 6<sup>TH</sup>**

Commissioner F. Morgan informed the Commission of a Town Hall Meeting for Shared Prosperity on Monday, August 6, 2007 from 7:00 to 8:30pm at Citizen Fire Hall, 200 Citizens Way off Route 340.

**In re: BUDGET**

The County Administrator informed the Commission that the Budget Revision had been taken care of. Commissioner Corliss commented and stated that he would like to have a workshop before next year's budget cycles. There was further discussion regarding preparing for the budget before the budget cycle begins next year. No action was taken on this matter at this time.

Leslie Smith, County Administrator discussed last week's Executive Session and that the Commission did not take any action regarding a past employee.

Motion by Manuel, second by Corliss to use the calculations discussed and to make the payment to the individual.

Motion by Manuel to table this matter. Commissioner Manuel withdrew his motion to table.

Original motion by Manuel, second by Corliss to use the calculations discussed and to make the payment to the individual. Motion carried.

Ms. Smith also discussed the allocation for the Affordable Housing in the amount of \$60,000. The Commission discussed \$30,000 could be paid at this time.

Ms. Smith reminded the Commission that there will be a meeting with representatives from Guardian Insurance on Wednesday, August 8, 2007, beginning at 9:00 a.m. in the Library Meeting Room.

**The Commission recessed for lunch at 12:15 p.m. The Commission reconvened at 1:30 p.m.**

**In re: RECOMMENDED RESTRUCTURING FOR JEFFERSON COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT**

Barbara Miller, Acting Director of the Office of Emergency Management, Coordinator Jefferson County Office of Homeland Security appeared before the Commission to discuss and recommend the restructuring for Jefferson County Office of Homeland Security and Emergency Management. After discussion and recommendations from Ms. Miller, the following motions were made:

Motion by Manuel, second by Corliss to change the name of the Department to Jefferson County Office of Homeland Security and Emergency Management and to appoint Barbara Miller as the Director of the new department at the rate of \$60,000. Motion carried.

Motion by Manuel, second by Corliss to post the positions of the Program Manager/Planner - Deputy Director at the rate of \$32,000 and the position of Administrative Assistant/Volunteer Coordinator/Public Information Officer at the rate of \$24,000. Motion carried.

Motion by Manuel, second by Corliss to approve Deputy Ronald Fletcher as the back-up Public Information Officer for OEM as a volunteer position. Motion carried.

Motion by Manuel, second by R. Morgan to use the \$45,000 that will be received as a reimbursement from the EMPG Grant and to use \$35,000 for updating and making NIMS compliant, the Jefferson County Emergency Operations Plan, Developing a Resource Guide, updating the County's all Hazards Risk Assessment and Mitigation Plan and finalizing the COOP Plan and to use \$10,000 for maintenance of the department vehicles. Motion carried.

The Commission agreed to hold a workshop to discuss use of JCOHS&EM Volunteers and to discuss NIMS and NIMSCAST the week after Labor Day.

**In re: GYPSY MOTH SUPPRESSION - LETTER REQUESTING ASSISTANCE**

Motion by F. Morgan, second by Corliss to send a letter to U.S. Congress, U.S. Senators, Jefferson County Legislative Delegations, U.S. Park Service and the Department of Agriculture requesting assistance for Gypsy Moth Suppression, to protect existing funding and to ask for an increase in funding. Motion carried.

**In re: COUNTY COMMISSION REPORTS**

Commissioner R. Morgan commented on the population of deer in Jefferson County.  
Commissioner R. Morgan commented on the current drought situation.

**The Commission received the following information:**

Notice of Meeting With Representatives from Guardian Insurance on Wednesday, August 8, 2007, beginning at 9:00 a.m. in the Library Meeting Room.

Appointment to be made to the Development Authority on August 9, 2007.

Copy of correspondence received from Circuit Clerk Patricia A. Noland concerning the ending balance for all accounts maintained by the Circuit Clerk's office for Fiscal Year 2007.

Memorandum received from County Clerk Jennifer Maghan concerning depository bonding.

Correspondence received from Governor Joe Manchin, III concerning the recommendation to appoint Commissioner Rusty Morgan to the West Virginia Affordable Housing Trust Fund Board of Directors.

Notice received from Sherry Kelly, Deputy Director of Planning, of a Subdivision Work Session on Friday, August 3, 2007.

Notice received from Sherry Kelly, Deputy Director of Planning, of a Site Plan Review for the Jefferson County Temporary Sheriff's Office on Friday, August 3, 2007.

4<sup>th</sup> Quarter and FY2007 Report of Services and Expenses received from the Jefferson County Ambulance Authority.

Correspondence received from the Department of Energy concerning the draft Mid-Atlantic Area National Interest Electric Transmission Corridor designation.

Memorandum received from the Eastern Panhandle Conservation District concerning the Annual Plan of Work Meeting.

Information received concerning the legislative summit held at The Woods Resort received from JCCEP.

Correspondence received from the Charles Town Chaplaincy Services concerning their budget allocation for Fiscal Year 2008.

Reminder of the County Commissioners Association Annual Training and In-Service Seminar August 4-7, 2007.

Correspondence received from the Association of Counties concerning election reform.

Stage Whispers newsletter received from the Old Opera House.

E-911 remittance report received from Comtel Telcom Asset LP.

NACo Legislative Bulleting received.

Board Meeting minutes received from the Eastern Panhandle Transit Authority.

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

**CORRESPONDENCE**

Correspondence received from Steven Tempelman concerning the Danley horses.

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

