

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, September 6, 2007, beginning at 9:30 o'clock a.m.

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

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

In re: DISPENSE WITH READING OF MINUTES
Motion by Corliss, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, August 23, 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 September 4, 2007, totaling \$45,382.32: 44579, 44406, 44478, 44454, 44466, 44467, 44468, 44578, 44580, 44357, 42501, 44112, 44581, 44582, 44602, 44146, 44636, 44640, 44641, 44642, 44577, 44585, 44586, 44590, 44502, and 44503. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by Manuel, second by Corliss to approve the list of Accounts Payable dated September 6, 2007, as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
053513	439	AMERICAN PLANNING ASSOC	44145	\$ 425.00	\$ 0.00	\$ 425.00
053514	401	ANIMAL WELFARE SOCIETY		\$ 0.00	\$ 13,000.00	\$ 13,000.00
053515	425	ARCH WIRELESS		\$ 0.00	\$ 181.81	\$ 181.81
053515	700	ARCH WIRELESS		\$ 0.00	\$ 362.25	\$ 362.25
053516	425	ABH SERVICES, INC.	44244	\$ 1,180.55	\$ 0.00	\$ 1,180.55
053516	425	ABH SERVICES, INC.		\$ 0.00	\$ 7,075.36	\$ 7,075.36
053517	412	BARDANE PUBLIC HEALTH CT		\$ 0.00	\$ 383.00	\$ 383.00
053517	431	BARDANE PUBLIC HEALTH CT		\$ 0.00	\$ 308.33	\$ 308.33
053518	711	BUSINESS RADIO PRODUCTS	44111	\$ 500.00	\$ 0.00	\$ 500.00

053519	227	BUREAU FOR CHILD SUPPORT		\$ 0.00	\$ 72.00	\$ 72.00
053520	425	BERKELEY GLASS INC	43456	\$ 10,144.00	\$ 0.00	\$ 10,144.00
053521	PAYROLL	BUREAU F/CHILD SUPPORT		\$ 0.00	\$ 62.31	\$ 62.31
053522	716	PAULA AIELLO		\$ 0.00	\$ 19.00	\$ 19.00
053523	PAYROLL	BUREAU FOR CHILD SUPPORT		\$ 0.00	\$ 90.89	\$ 90.89
053524	PAYROLL	BUREAU FOR CHILD SUPPORT		\$ 0.00	\$ 70.68	\$ 70.68
053525	425	CHARLES TOWN LOCK AND KE	44566	\$ 30.50	\$ 0.00	\$ 30.50
053526	700	COUNTRY ROADS TIRE & AUT	44574	\$ 95.89	\$ 0.00	\$ 95.89
053527	406	*CREAMERS AUTO SERVICE	44575	\$ 12.00	\$ 0.00	\$ 12.00
053527	424	*CREAMERS AUTO SERVICE	44572	\$ 284.13	\$ 0.00	\$ 284.13
053527	700	*CREAMERS AUTO SERVICE	44573	\$ 15.00	\$ 0.00	\$ 15.00
053528	424	CHARLES TOWN WATER DEPT		\$ 0.00	\$ 89.17	\$ 89.17
053528	425	CHARLES TOWN WATER DEPT		\$ 0.00	\$ 718.98	\$ 718.98
053529	405	MARY K COOK	44638	\$ 19.25	\$ 0.00	\$ 19.25
053530	425	OLD CHARLES TOWN LIBRARY		\$ 0.00	\$ 1,500.00	\$ 1,500.00
053531	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ 0.00	\$ 23.07	\$ 23.07
053532	716	DODSON'S SEPTIC		\$ 0.00	\$ 225.00	\$ 225.00
053533	425	DEHAVEN SEVEN-UP CORP		\$ 0.00	\$ 21.00	\$ 21.00
053534	403	MONICA DUNCAN		\$ 0.00	\$ 32.98	\$ 32.98
053535	PAYROLL	EQUITABLE THE EQUIVEST		\$ 0.00	\$ 15.00	\$ 15.00
053536	401	EMBASSY SUITES		\$ 0.00	\$ 131.00	\$ 131.00
053537	712	EARTHLINK INC		\$ 0.00	\$ 21.95	\$ 21.95
053538	GRANT	FOCUS		\$ 0.00	\$ 2,674.80	\$ 2,674.80
053539	424	FRONTIER COMMUNICATIONS		\$ 0.00	\$ 882.70	\$ 882.70
053540	412	FRONTIER		\$ 0.00	\$ 35.00	\$ 35.00
053540	424	FRONTIER		\$ 0.00	\$ 1,627.81	\$ 1,627.81
053541	402	FIFTH THIRD BANK		\$ 0.00	\$ 29.95	\$ 29.95
053541	403	FIFTH THIRD BANK		\$ 0.00	\$ 440.52	\$ 440.52
053541	425	FIFTH THIRD BANK		\$ 0.00	\$ 3,700.00	\$ 3,700.00
053541	430	FIFTH THIRD BANK		\$ 0.00	\$ 40.73	\$ 40.73
053541	700	FIFTH THIRD BANK		\$ 0.00	\$ 1,233.00	\$ 1,233.00
053541	700	FIFTH THIRD BANK		\$ 0.00	\$ 13.58	\$ 13.58
053541	712	FIFTH THIRD BANK		\$ 0.00	\$ 60.40	\$ 60.40
053541	712	FIFTH THIRD BANK		\$ 0.00	\$ 15.90	\$ 15.90
053541	712	FIFTH THIRD BANK		\$ 0.00	\$ 2,658.80	\$ 2,658.80
053541	712	FIFTH THIRD BANK		\$ 0.00	\$ 25.51	\$ 25.51
053541	712	FIFTH THIRD BANK		\$ 0.00	\$ 36.00	\$ 36.00
CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
053542	433	TODD FAGAN		\$ 0.00	\$ 36.45	\$ 36.45
053543	PAYROLL	GUARDIAN		\$ 0.00	\$ 2,347.25	\$ 2,347.25
053543	PAYROLL	GUARDIAN		\$ 0.00	\$ 123,708.60	\$ 123,708.60
053543	PAYROLL	GUARDIAN		\$ 0.00	\$ 6,560.85	\$ 6,560.85
053544	405	STEPHANIE GROVE		\$ 0.00	\$ 135.00	\$ 135.00
053545	425	DVILLE, INC	44403	\$ 52.25	\$ 0.00	\$ 52.25
053546	439	KON OFFICE SOLUTIONS	44152	\$ 190.44	\$ 0.00	\$ 190.44
053546	401	KON OFFICE SOLUTIONS		\$ 0.00	\$ 247.50	\$ 247.50
053547	PAYROLL	NG		\$ 0.00	\$ 260.00	\$ 260.00
053548	ALLOC	JEFFERSON CO AMBULANCE		\$ 0.00	\$ 250,000.00	\$ 250,000.00
053549	403	JEFFERSON PUBLISH CO INC	44480	\$ 39.96	\$ 0.00	\$ 39.96

053549	405	JEFFERSON PUBLISH CO INC	44637	\$ 96.00	\$ 0.00	\$ 96.00
053549	406	JEFFERSON PUBLISH CO INC	44407	\$ 43.20	\$ 0.00	\$ 43.20
053549	424	JEFFERSON PUBLISH CO INC	44569	\$ 180.00	\$ 0.00	\$ 180.00
053550	425	JEFFERSON COUNTY SOLID	44567	\$ 415.75	\$ 0.00	\$ 415.75
053551	PAYROLL	JEFFERSON SECURITY BANK		\$ 0.00	\$ 4,435.00	\$ 4,435.00
053552	401	LEWIS CO CIRCUIT CLERK		\$ 0.00	\$ 85.05	\$ 85.05
053553	405	MATTHEW BENDER & CO	44639	\$ 52.25	\$ 0.00	\$ 52.25
053554	433	MSAG DATA CONSULTANTS IN		\$ 0.00	\$ 1,066.67	\$ 1,066.67
053555	PAYROLL	COMPTROLLER OF MARYLAND		\$ 0.00	\$ 896.97	\$ 896.97
053556	700	MCKINNEY'S AUTO REPAIR	44571	\$ 791.32	\$ 0.00	\$ 791.32
053557	700	MPH INDUSTRIES INC	44195	\$ 161.31	\$ 0.00	\$ 161.31
053558	PAYROLL	MD Child Support Account		\$ 0.00	\$ 140.00	\$ 140.00
053559	401	FRANCES B. MORGAN		\$ 0.00	\$ 314.28	\$ 314.28
053560	403	PATRICIA A NOLAND		\$ 0.00	\$ 473.73	\$ 473.73
053561	227	NATIONWIDE RETIREMENT		\$ 0.00	\$ 765.21	\$ 765.21
053562	403	DEBORAH NAGEL		\$ 0.00	\$ 32.98	\$ 32.98
053563	402	KAREN OLDEN		\$ 0.00	\$ 182.68	\$ 182.68
053564	402	PIFER OFFICE SUPPLY, INC	44453	\$ 77.00	\$ 0.00	\$ 77.00
053565	425	PROPST PLBG & HEATING IN	44568	\$ 9.75	\$ 0.00	\$ 9.75
053566	403	LAURA RATTENNI		\$ 0.00	\$ 49.47	\$ 49.47
053567	425	RCS	44296	\$ 5,250.00	\$ 0.00	\$ 5,250.00
053568	403	DENISE REMALEY		\$ 0.00	\$ 16.49	\$ 16.49
053569	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 27.90	\$ 27.90
053569	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 6.52	\$ 6.52
053569	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 33,884.42	\$ 33,884.42
053569	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 7,924.60	\$ 7,924.60
053570	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 12.31	\$ 12.31
053570	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 30,384.10	\$ 30,384.10
053571	980	SOUTHERN PUB/SAFETY EQUI	44199	\$ 7,619.27	\$ 0.00	\$ 7,619.27
053572	425	VALLEY HARDWARE COMPANY	44292	\$ 248.32	\$ 0.00	\$ 248.32
053573	PAYROLL	VALIC, %CHASE BANK TEXAS		\$ 0.00	\$ 100.00	\$ 100.00
053574	425	WM OF WEST VIRGINIA, INC		\$ 0.00	\$ 192.42	\$ 192.42
053574	425	WM OF WEST VIRGINIA, INC		\$ 0.00	\$ 254.86	\$ 254.86
053574	716	WM OF WEST VIRGINIA, INC		\$ 0.00	\$ 90.25	\$ 90.25
053575	700	WV SHERIFFS ASSOCIATION	44196	\$ 400.00	\$ 0.00	\$ 400.00
CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
053576	700	WEST VIRGINIA UNIFORM-52	44194	\$ 282.35	\$ 0.00	\$ 282.35
053577	401	WVU INST FOR PUBIC AFFAI		\$ 0.00	\$ 175.00	\$ 175.00
053578	401	WVNET		\$ 0.00	\$ 16.67	\$ 16.67
053579	GRANT	PAMELA HOLSTEIN-WALLACE		\$ 0.00	\$ 2,059.25	\$ 2,059.25
053580	403	ALICIA WHITE		\$ 0.00	\$ 16.49	\$ 16.49
053581	402	XEROX COPORATION	44270	\$ 304.03	\$ 0.00	\$ 304.03
TOTALS						\$ 533,696.97
TOTALS				\$ 28,919.52	\$ 504,777.45	\$ 533,696.97
DEPT	NAME			DEPT AMTS		
401/COM	CO. COMMISSION			\$ 13,969.50		
402/CCLK	CO. CLERK			\$ 593.66		

DEPT TOTALS

SEPT 6, 2007

403/CIR CLK	CIRCUIT CLERK	\$	1,102.62
404/TAX	TAX OFFICE		
405/PA	PROS ATTY	\$	302.50
406/ASSR	ASSESSORS	\$	55.20
408/GOV	ST.COMPNET CHG BO GOV UNIT		
412/AG	AG AGT	\$	418.00
413/ELE	ELECTION		
415/MAG CT	MAGISTRATE COURT		
415/	GENERAL SCHOOL/CO TRANSFER		
422/IMPACT	IMPACT FEE OPERATIONAL DEPT		
424/CTHS	COURT HOUSE	\$	3,063.81
425/OB	OTHER BUILDING	\$	30,975.55
428/DATAP	DATA PROCESSING		
430/HLS	HOMELAND SEC	\$	40.73
431/ECON DEV	ECON DEV	\$	308.33
433/GIS	GIS/ADDRESSING	\$	1,103.12
439/PZ	PLANNING ZONING	\$	615.44
440/ENG.	DEPT OF ENGINEERING		
451/ZONING	ZONING DEPT		
700/SHRF	SHERIFF DEPT	\$	3,354.70
701/SHRF	SHERIFF DEPT		
704/WV JAIL	ST/WV REGIONAL JAIL		
711/OES	EMERG SVC	\$	500.00
712/911	911 COMMUNICATION	\$	2,818.56
716/A/C	ANIMAL CONTROL	\$	334.25
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		
979/CAP/TAX	TAX OFFICE/CAPITAL OUTLAY		
980/CAP/SRF	SHERIFF DEPT/CAPITAL OUTLAY	\$	7,619.27
983/CLK ELEC	CO CLERK ELECTION/CAP OUTLAY		
986/CAP/COMM	CO. COMMISSION/CAPITAL OUTLAY		
988/CAP/OB	OTHER BUILDING/CAPITAL OUTLAY		
989/CAP/AGT	AG AGT/CAPITAL OUTLAY		
992/CAP/911	911 COMMUNICATION/CAP OUTLAY		
998/PRK/REC	PARKS & REC COMMUNITY CENTER		
ALLOC	ALLOCATIONS	\$	250,000.00
GRANTS	GRANTS	\$	4,734.05
PAYROLL	PAYROLL	\$	211,787.68
TOTALS		\$	533,696.97

In re: 9/11 REMEMBRANCE - INDEPENDENT FIRE COMPANY

President F. Morgan announced that a 9/11 Remembrance Ceremony would be held at Independent Fire Company on Tuesday, September 11, 2007.

In re: REMOVAL OF AGENDA ITEMS

At this time, Commissioner Corliss called a point of order concerning agenda items that he felt were inappropriate. Motion by Corliss, second by R. Morgan to remove Old Business Agenda items numbered 6 through 11. Motion by Surkamp to table these agenda items until next week. Motion failed due to a lack of a second. The Commission voted on the motion to remove Old Business Agenda items 6 through 11. Motion passed by a 3-2 vote. Commissioners Surkamp and F. Morgan voted no.

In re: BONDING AND ACTIVITY REPORT

Sherry Kelly, Deputy Director of Planning, appeared before the Commission to introduce the new Planner, Tom Hall.

-PLANNING COMMISSION PRESIDENT - SUBDIVISION VARIANCE REGULATIONS

The Commission discussed the request from Planning Commission President, John Sidor, concerning public notice requirements for variances from the subdivision regulations. Brandy Sims, Assistant Prosecuting Attorney, commented on the matter. John Sidor was present and also made comments. After discussion, motion by Corliss, second by Surkamp to approve the request from the Planning Commission President for County staff to post public notices for variance on the property and also to charge \$100 fee for each posting. Motion carried.

-BONDING

Upon recommendation from County Engineer Damien Davis, motion by Manuel, second by Corliss to approve the complete release of a bond for Summit Point Automotive Research Center in the amount of \$30,609.55. Motion carried.

In re: PUBLIC COMMENT

Philip Snyder commented on regulations for home-based businesses.

Doug Horrocks, from the Mountain Water Committee, informed the Commission that they would be sending correspondence concerning the point of contact with the County.

In re: MIKE THOMPSON - PROSECUTING ATTORNEY - INTRODUCTION OF NEW EMPLOYEE - MODIFICATION OF SPACE FOR NEW CLERICAL POSITION

Upon request from Mike Thompson, Prosecuting Attorney, motion by Manuel, second by R. Morgan to approve the employment of Jonelle E. May in the Prosecuting Attorney's office. Motion carried. The Commission then discussed with Mr. Thompson his request for office space modification in order to accommodate the new position. After discussion and comments from Kirk Davis, motion by Corliss, second by Manuel to approve the Prosecuting Attorney's request for the room that is located on the 3rd floor adjacent to the Magistrate courtroom for office space for his department and for the redesign of the 3rd floor waiting area in order to provide for more office space for the Prosecuting Attorney contingent upon staff contacting the Chief Judge and the Chief Magistrate for concurrence. Motion carried.

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
The Commission discussed the upcoming legislative interims to be held in Martinsburg. Assistant Prosecuting Attorney Brandy Sims commented on the matter.

In re: CHARLOTTE PORTER - BOOKS FOR BABIES
Charlotte Porter appeared before the Commission to discuss a new program called Books for Babies. After discussion, motion by Manuel, second by R. Morgan to allocate \$1,000 to the Books for Babies program. Motion carried.

In re: KENDIG KEAST/ORDINANCE REWRITE DISCUSSION
No action was taken on this agenda item.

In re: REQUEST FOR COUNTY COMMISSION INVOLVEMENT IN THE BAKERTON FIRE DEPARTMENT TEFRA HEARING AND PROPOSAL
Assistant Prosecuting Attorney Brandy Sims informed the Commission that she was still reviewing this matter.

In re: KIRK E. DAVIS - APPROVAL OF LOW BIDDER FOR SHERIFF'S OFFICE CONSTRUCTION
Upon recommendation from Kirk E. Davis, motion by Corliss, second by R. Morgan to approve Minghini's Construction as the low bidder for the Sheriff's office construction. Motion carried.

The Commission took at 10 minute break at 10:35 a.m.

In re: KELLIE BOLES - INFORMATION ON THE HAREWOOD EASEMENT
Kellie Boles appeared before the Commission to inform the Commission that legislators would be touring the Harewood easement property on Monday, September 10, 2007.

In re: DAY FILE (OLD BUSINESS #12 AND NEW BUSINESS #8)
The Commission discussed reconsidering the motion to provide a day file with outgoing and incoming correspondence. After discussion and comments from Prosecuting Attorney Mike Thompson, motion by R. Morgan, second by Corliss to implement a day a day file of incoming and outgoing correspondence from Department Heads excluding any correspondence considered attorney/client communications or any correspondence considered privileged information. Motion passed by a 3-2 vote. Commissioners Manuel and F. Morgan voted no.

Motion by Surkamp, second by Corliss to implement an email day file to include any email correspondence of interest to the Commission and excluding any correspondence considered attorney/client communications or any correspondence considered privileged information. Motion passed by a 4-1 vote. Commissioner Manuel voted no.

**In re: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT
-REQUEST FOR APPROVAL OF BUDGET REVISION IN THE AMOUNT OF \$202.01
FROM GENERAL COUNTY TO ELECTIONS**

Jennifer S. Maghan, County Clerk, appeared before the Commission for the County Clerk's report. Ms. Maghan requested the Commission approve a budget revision in the amount of \$202.01 from the General County Fund to the Election's line item. The County Administrator informed the Commission that this revision could be included with the next budget revision that would go to the State. The Commission agreed to include the County Clerk's requested budget revision with the next revision to be sent to the State.

Commissioner Manuel inquired into the status of the audit on the last general election. Ms. Maghan informed the Commission that the draft audit was being reviewed and that the final report should be available soon.

In re: CORPORATION OF SHEPHERDSTOWN - INVITATION TO HOLD AN OPEN FORUM

The Commission discussed the invitation from the Corporation of Shepherdstown to hold an open forum. The Commission agreed to have the County Administrator send correspondence to Shepherdstown suggesting October 3, 2007 as the date to hold the open forum and to also request from Shepherdstown a list of discussion issues.

**In re: RENEWAL OF MAINTENANCE CONTRACTS WITH SSI - SHERIFF AND CIRCUIT
CLERK**

After discussion and comments from Circuit Clerk Patsy Noland and Sheriff Boober, motion by Manuel, second by R. Morgan to approve the renewal of the maintenance contracts with SSI for the Sheriff's Office and for the Circuit Clerk's office. Motion passed by a 4-1 vote. Commissioner Surkamp voted no.

**In re: MIKE THOMPSON, GINGER BORDIER, PATSY NOLAND, ED BOOBER -
COMPENSATION REQUEST**

Elected Officials Mike Thompson, Ginger Bordier, Patsy Noland, and Ed Boober appeared before the Commission to request additional compensation for their employees due to the Commission's previous approval of a salary increase for an individual employee in the Department of Capital Planning and Management. After discussion, motion by Manuel, second by F. Morgan that the 2007-2008 budget be amended to provide that every individual employee receive a minimum pay raise of six and one-half percent and further, said motion has no impact on previously approved pay increases greater than the six and one-half percent minimum. The Commission agreed to table the motion for one week to gather more information.

In re: DAVID HAMMER - BALDAU DECISION

David Hammer, Attorney for Todd Baldau, appeared before the Commission to discuss the decision on the case and his billing. Assistant Prosecuting Attorney Brandy Sims was present and commented on the matter. Further discussion in Executive Session on this matter was required and the Commission agreed to take up the matter in Executive Session later on in today's meeting.

In re: WALLACE C. ECKLES - APPLICATION FOR FARM USE VALUATION FORM

Wallace C. Eckles appeared before the Commission to discuss the form for Farm Use Valuation. Mr. Eckles informed the Commission that he felt that there should be more notification of the form to the public. No action was taken on this matter.

In re: DAVID HAMMER - BALDAU DECISION - EXECUTIVE SESSION

Motion by Corliss, second by Manuel to enter into executive session with David Hammer and Assistant Prosecuting Attorney Brandy Sims as provided by Peters vs. Wood County. Motion carried.

Motion by Corliss, second by Manuel to return to regular session. Motion carried.

The Commission recessed for lunch until 1:30 p.m.

In re: BRANDON SIMS - LEGAL UPDATE AND REPORT

Brandon Sims, Assistant Prosecuting Attorney, appeared before the Commission for a legal update and report. Ms. Sims reported on the following issues:

- County Commission vs. Ranson suit
- The resolution for federal legislation for the expansion of Harpers Ferry National Historical Park.
- The billing from David Hammer in the Baldau case.
- Fire/EMS Board
- Insurance overpayment reconciliation progress.

MUTUAL AID AGREEMENT

Ms. Sims discussed implementing a Mutual Aid Agreement between Jefferson County and the Washington County Sheriff's Office. Sheriff Boober was present and commented on the matter. After discussion, motion by Surkamp, second by Manuel to approve a Mutual Aid Agreement with the Washington County Sheriff's Department pending legal review. Motion carried.

In re: INAPPROPRIATE AND HOSTILE TREATMENT OF COMMISSIONER, EMPLOYEES AND APPOINTEES BY ASSISTANT PROSECUTING ATTORNEY

Commissioner Surkamp withdrew this agenda item.

In re: EXPLANATION AS TO WHY PA'S OFFICE DID NOT FOLLOW UP ON COMPLAINTS DIRECTED TO IT LAST FALL CONCERNING AN EMPLOYEE REPEATEDLY AND DAILY THREATENING NUMEROUS OTHER EMPLOYEES TO VOTE ONE WAY IN NOVEMBER ELECTIONS IN VIOLATION OF CRIMINAL STATE LAW

Commissioner Surkamp withdrew this agenda item.

In re: THAT MR. CASIMIRO, AS COUNSEL TO THE COUNTY COMMISSION, SHALL MAKE PLANNING ANNEXATION HIS TOP PRIORITY CONCERNS AT ALL TIMES. THAT OTHER ASSISTANT PROSECUTING ATTORNEYS ARE FORBIDDEN FROM INTERFERING WITH HIS DUTIES AS OUR ATTORNEY EITHER IN VERBAL ABUSE OR INSISTING ON REWRITING HIS LEGAL OPINIONS. ATTORNEYS GROVE, SIMS AND CASIMIRO REPORT EACH DIRECTLY TO THE COUNTY COMMISSION, EACH IS EXPECTED TO BE PRESENT AT OUR THURSDAY MEETINGS WHEN NEEDED BY THE COMMISSION. THEY WILL BE TASKED ONLY BY A MAJORITY VOTE OF THE COUNTY COMMISSION EITHER USING OR NOT USING RECOMMENDATION OF LEGAL STAFF.

Mike Thompson, Prosecuting Attorney, and Brandy Sims, Assistant Prosecuting Attorney, were present for this discussion. After discussion, Ms. Sims requested an executive session with the Commission to further discuss this agenda matter. The Commission agreed to hold an executive session with Ms. Sims after the IT Workshop.

In re: COUNTY COMMISSION WORKSHOP - IT

The County Commission held a workshop to discuss IT issues. Brandy Sims, Mark Schiavone, Kevin Sowders, Ginger Bordier, Patsy Noland, Sheriff Boober, and Mike Manley from SSI were present and participated in the workshop. No action was taken during the workshop.

In re: EXECUTIVE SESSION

Motion by Manuel, second by R. Morgan to enter into Executive Session with Brandy Sims and Mike Thomson. Motion carried.

In re: POSTPONEMENT OF AGENDA ITEMS UNTIL NEXT WEEK

The Commission agreed to postpone until next week New Business Agenda items 9, 15, 16 and 17. Commissioner F. Morgan requested that Commissioner Surkamp re-word his agenda items 15, 16, and 17.

In re: COUNTY COMMISSION WORKSHOP - LEGISLATIVE ISSUES

The County Commission held a workshop with Assistant Prosecuting Attorney Brandy Sims to discuss legislative issues. No action was taken during the workshop.

In re: SHENANDOAH VALLEY SCIENCE SYMPOSIUM - OCTOBER 15-16, 2007

Commissioner R. Morgan and Corliss agreed to attend the Shenandoah Valley Science Symposium on October 15-16, 2007.

In re: GRANT RESOLUTION AND CONTRACT - GOVERNOR'S COMMUNITY PARTICIPATION PROGRAM - GOOD SHEPHERD INTERFAITH VOLUNTEER CAREGIVERS - \$5,000

Motion by Manuel, second by Corliss to approve the grant resolution and contract for the Governor's Community Participation Program for Good Shepherd Interfaith Volunteer Caregivers in the amount of \$5,000. Motion carried.

In re: GRANT RESOLUTION AND CONTRACT - GOVERNOR'S COMMUNITY PARTICIPATION PROGRAM - GOOD SHEPHERD INTERFAITH VOLUNTEER CAREGIVERS - \$2,000
Motion by Manuel, second by Corliss to approve the grant resolution and contract for the Governor's Community Participation Program for Good Shepherd Interfaith Volunteer Caregivers in the amount of \$2,000. Motion carried.

In re: SPRUCE HILL BONDING - REQUEST FOR SPECIAL ACCOMMODATION AS TO TIMING
The Commission agreed that when this matter came before them at the next meeting that they would table the matter for an additional week.

In re: COUNTY ADMINISTRATOR REPORTS
The County Administrator provided the Commission with draft copies of a employee evaluation form.
The County Administrator reported on the progress of the wage study.

The Commission received the following information:

Notice received of a Subdivision Work Session on September 7, 2007 from the Department of Planning.

Memorandum received from the Department of Capital Planning and Management concerning School Impact Fee Monies.

Acceptance of bond for SPARC Training Campus in the amount of \$955,370.

Information received from Barbara Miller concerning the availability of agriculture disaster loans due to drought conditions.

Signed copies of legislative issues from Jefferson, Berkeley and Morgan Counties.

Memorandum received from Roger Goodwin, Chief County Engineer, concerning training and vacation leave.

Correspondence received from the Fire and Rescue Association concerning a proposed Middleway Volunteer Fire Company.

Correspondence received from the Fire and Rescue Association concerning funds budgeted.

Correspondence received from the Berkeley County Commission concerning drought conditions.

Correspondence received from Senator Byrd concerning the proposed electric transmission line.

Correspondence received from Senator Byrd concerning gypsy moth.

Correspondence received from Senator Byrd concerning the Old Standard Quarry.

Information received from Paul Rosa concerning an aquatic facility.

Correspondence received from Comcast concerning an update on Comcast's progress.

Correspondence received from the Eastern Panhandle Free Clinic concerning the Robert Wood Johnson Final Narrative Report.

Press Release received concerning the Wilson Web Art Exhibit at South Jefferson Public Library.

Correspondence received from the Department of Environmental Protection concerning local water quality.

Correspondence received from West Virginia Division of Homeland Security and Emergency Management concerning FY 2008 Hazard Mitigation Funding Notice of Intent.

Correspondence received from Governor Joe Manchin concerning correspondence received from the Commission.

Correspondence received from the Division of Highways concerning the grant application for the Shepherdstown Battlefield.

Invitation received from the Berkeley County Commission to attend a presentation by Senator Brooks McCabe on the topic of Joint Government on Tuesday, September 11, 2007, at 7:00 p.m.

Notice received of the Dining for Dollars Fundraiser for the Jefferson County 4-H Leaders Association.

Invitation received to attend the Charles C. Marcus Field Dedication and Opening Day Festivities on September 9, 2007, at 9:30 a.m.

Invitation received to attend the Anna Mae Reedy Senior Center Senior Picnic on September 14, 2007.

Invitation to attend a groundbreaking ceremony for the new Summit Point Training Campus on September 26, 2007, at 3:00 p.m.

Audit report received from the Jefferson County Development Authority for the fiscal year ending June 30, 2006.

West Virginia Legislature Interim Committee Schedule received.

Notice received from the County Commissioners' Association of the Fall Board and Legislative Committee Meeting on September 23-25, 2007.

Weekly update received from the County Commissioners' Association.

Copy of a newspaper article received from the Association of Counties concerning annexation.

Copy of a newspaper article received from the Association of Counties concerning automatic vote recount.

The County Legislative Line received from the Association of Counties.

Stage Whispers newsletter received from the Old Opera House.

Community Bulletin received from the Harpers Ferry National Historical Park.

Public Hearing Notices received from Loudoun County.

West Virginia Ethics Reporter received.

E-911 fees received.

Weekly settlement reports received from the West Virginia Lottery for the Charles Town Races and Slots.

Impact Fee Status Report for August 2007 received.

CORRESPONDENCE

Correspondence received from Maral P. Strathearn concerning the proposal to expand the boundaries of Harpers Ferry National Historical Park.

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

PRESIDENT