

**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, October 4, 2007 beginning at 9:30 o'clock a.m.

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

**IN RE: PLEDGE OF ALLEGIANCE**

Commissioner Corliss 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 meeting held on Thursday, September 27, 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 October 4, 2007 totaling \$143,833.51: 44668, 44409, 4491, 44458, 44475, 44633, 44087, 44358, 44160, 44161, 44635, 44661, 44663, 44664, 44669, 44806, 44807, 44808, 44159, 44643, 44649, 44650, 44210, 44211, 44212 and 44666. Motion carried.

Leslie D. Smith, County Administrator reported on the grant awarded to the Jefferson County Commission in the amount of \$877,032 from Homeland Security Grant –Mass Migration funds from the West Virginia Department of Military Affairs and Public Safety for interoperable communications and public information Intelligent Transportation System.

**IN RE: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$580,258.58 dated October 4, 2007 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

Commissioner Corliss expressed concerns with expenses incurred for Animal Control for services provided by area Veterinarians.

Ck #	Dept	Vendor	PO#	PO Amt	Amt w/o PO	Ck Amount
053748	439	AIR PHOTOGRAPHICS INC	44158	\$29.00	\$0.00	\$29.00
053749	PAYROLL	AMERICAN FAMILY LIFE ICU		\$0.00	\$3,684.18	\$3,684.18
053750	425	ABH SERVICES, INC.		\$0.00	\$7,898.17	\$7,898.17
053751	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
053751	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
053752	ALLOC	BOLIVAR/HARPERS FERRY		\$0.00	\$15,000.00	\$15,000.00
053753	712	KIMBERLY D BURKE		\$0.00	\$150.00	\$150.00
053754	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
053755	425	B-K OFFICE SUPPLY INC	44629	\$248.25	\$0.00	\$248.25
053756	988	BOLAND SERVICES		\$0.00	\$146,338.00	\$146,338.00
053757	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$62.31	\$62.31
053758	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$90.89	\$90.89
053759	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$70.68	\$70.68
053760	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$302.31	\$302.31
053761	402	CASTO & HARRIS INC	44449	\$438.00	\$0.00	\$438.00
053762	425	OLD CHARLES TOWN LIBRARY		\$0.00	\$1,500.00	\$1,500.00
053762	ALLOC	OLD CHARLES TOWN LIBRARY		\$0.00	\$15,000.00	\$15,000.00
053763	405	CLAYMAN & ASSOCIATES PLL	44647	\$3,250.00	\$0.00	\$3,250.00
053764	425	CHARLES TOWN COPYING SRV	44623	\$102.90	\$0.00	\$102.90
053765	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$23.07	\$23.07
053766	425	DELL MARKETING LP	44624	\$1,104.00	\$0.00	\$1,104.00
053767	425	DAYCON	44626	\$910.25	\$0.00	\$910.25
053768	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
053769	712	EARTHLINK INC		\$0.00	\$21.95	\$21.95
053770	424	ENGINEERED DIGITAL APPL	44651	\$582.33	\$0.00	\$582.33
053771	412	FRONTIER		\$0.00	\$35.00	\$35.00
053772	700	GALLS INCORPORATED	44208	\$1,021.27	\$0.00	\$1,021.27
053773	PAYROLL	GUARDIAN		\$0.00	\$124,360.10	\$124,360.10
053773	PAYROLL	GUARDIAN		\$0.00	\$2,360.10	\$2,360.10
053773	PAYROLL	GUARDIAN		\$0.00	\$6,589.21	\$6,589.21
053774	425	GRAINGER, INC	44656	\$358.81	\$0.00	\$358.81

053775	405	STEPHANIE GROVE		\$0.00	\$382.53	\$382.53
053776	716	HILLSIDE VETERINARY HOSP	44339	\$464.45	\$0.00	\$464.45
053777	404	TERESA HENDRICKS	44506	\$353.74	\$0.00	\$353.74
053778	401	IKON OFFICE SOLUTIONS		\$0.00	\$247.50	\$247.50
053779	PAYROLL	ING		\$0.00	\$260.00	\$260.00
053780	ALLOC	JEFFERSON CO BD OF HEALT		\$0.00	\$57,503.00	\$57,503.00
053780	ALLOC	JEFFERSON CO BD OF HEALT		\$0.00	\$4,997.00	\$4,997.00
053781	439	JEFFERSON PUBLISH CO INC	44153	\$129.60	\$0.00	\$129.60
053782	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,405.00	\$4,405.00
053783	401	JEFFERSON CO. NAACP		\$0.00	\$3,000.00	\$3,000.00
053784	PAYROLL	COMPTROLLER OF MARYLAND		\$0.00	\$939.22	\$939.22
053785	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
053786	401	NATL ASSN OF COUNTIES		\$0.00	\$839.00	\$839.00
053787	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
053788	430	NFPA	44113	\$290.11	\$0.00	\$290.11
053789	ALLOC	JEFF CO PARKS & REC		\$0.00	\$61,250.00	\$61,250.00
053790	402	PIFER OFFICE SUPPLY, INC	44456	\$245.61	\$0.00	\$245.61
053790	406	PIFER OFFICE SUPPLY, INC	44408	\$114.78	\$0.00	\$114.78
053791	402	RECORD MANAGEMENT	44469	\$30.00	\$0.00	\$30.00
053792	ALLOC	SHEP. PUB LIBRARY		\$0.00	\$15,000.00	\$15,000.00
053793	405	SPECIALTY BUS SUPPLIES	44644	\$586.72	\$0.00	\$586.72
053794	ALLOC	SOUTH JEFFERSON PUBLIC		\$0.00	\$15,000.00	\$15,000.00
053795	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$34,764.42	\$34,764.42
053795	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$37.20	\$37.20
053795	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8.70	\$8.70
053795	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,130.50	\$8,130.50
053796	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$31,540.00	\$31,540.00
053796	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$19.81	\$19.81
053797	425	SHERWIN-WILLIAMS	44591	\$151.68	\$0.00	\$151.68
053798	425	SOUTHERN REFRIGERATION	44627	\$340.47	\$0.00	\$340.47
053799	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
053800	405	TIMOTHY THISTLEHWAITE MD	44648	\$1,575.00	\$0.00	\$1,575.00
053801	PAYROLL	CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
053802	716	VALLEY PET CEMETERY		\$0.00	\$460.00	\$460.00
053803	405	WEST PAYMENT CENTER	44645	\$1,111.03	\$0.00	\$1,111.03
053804	425	WM OF WEST VIRGINIA, INC		\$0.00	\$192.42	\$192.42
053804	425	WM OF WEST VIRGINIA, INC		\$0.00	\$254.86	\$254.86
053804	716	WM OF WEST VIRGINIA, INC		\$0.00	\$90.25	\$90.25
053805	GRANT	PAMELA HOLSTEIN-WALLACE		\$0.00	\$2,068.15	\$2,068.15
<b>Totals</b>				<b>\$13,438.00</b>	<b>\$566,820.58</b>	<b>\$580,258.58</b>

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	<b>\$4,086.50</b>
402/CCLK	CO. CLERK	<b>\$713.61</b>
403/CIR CLK	CIRCUIT CLERK	
404/TAX	TAX OFFICE	<b>\$353.74</b>
405/PA	PROS ATTY	<b>\$6,905.28</b>
406/ASSR	ASSESSORS	<b>\$114.78</b>
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	<b>\$418.00</b>
413/ELE	ELECTION	
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
422/IMPACT	IMPACT FEE OPERATIONAL DEPT	
424/CTHS	COURT HOUSE	<b>\$582.33</b>
425/OB	OTHER BUILDING	<b>\$13,061.81</b>
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	<b>\$290.11</b>
431/ECON DEV	ECON DEV	<b>\$308.33</b>
433/GIS	GIS/ADDRESSING	
439/PZ	PLANNING ZONING	<b>\$158.60</b>
440/ENG.	DEPT OF ENGINEERING	

451/ZONING	ZONING DEPT	
700/SHRF	SHERIFF DEPT	\$1,021.27
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	
712/911	911 COMMUNICATION	\$171.95
716/A/C	ANIMAL CONTROL	\$1,014.70
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTITIE	
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	
978/CAP/PA	PROS ATTY/CAPITAL OUTLAY	
979/CAP/TAX	TAX OFFICE/CAPITAL OUTLAY	
980/CAP/SRF	SHERIFF DEPT/CAPITAL OUTLAY	
983/CLK ELEC	CO CLERK ELECTION/CAP OUTLAY	
986/CAP/COMM	CO. COMMISSION/CAPITAL OUTLAY	
988/CAP/OB	OTHER BUILDING/CAPITAL OUTLAY	\$146,338.00
989/CAP/AGT	AG AGT/CAPITAL OUTLAY	
992/CAP/911	911 COMMUNICATION/CAP OUTLAY	
998/PRK/REC	PARKS & REC COMMUNITY CENTER	
ALLOC	ALLOCATIONS	\$183,750.00
GRANTS	GRANTS	\$2,068.15
PAYROLL	PAYROLL	\$218,901.42
<b>TOTALS</b>		<b>\$580,258.58</b>

**IN RE: BONDING AND ACTIVITY REPORT**

- Request to Issue a Notice to Proceed to Dunn Engineers - Mountain Water Study
- Spruce Hill Subdivision Bonds - Work Session Meeting Request from Mike Cassell

Upon recommendation from Chief County Engineer Roger Goodwin, motion by R. Morgan, second by Manuel to approve the partial release of an Irrevocable Letter of Credit in the amount of \$83,729.00 for Shepherd's Retreat Subdivision, lots 1-8 with the County to retain \$171,638.60. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Manuel, second by Corliss to approve the partial release of an Irrevocable Letter of Credit in the amount of \$71,168.80 for Greenbrier Investment, LLC with the County to retain \$289,462.00. Motion carried.

Roger Goodwin, Chief County Engineer appeared before the Commission to request approval to issue a Notice to Proceed to Dunn Engineers for the Mountain Water Study. Motion by R. Morgan, second by Manuel authorizing the County Commission President to affix her signature upon the Notice to Proceed to Dunn Engineers for the Mountain Water Study as presented by Mr. Goodwin. Motion carried.

Roger Goodwin, Chief County Engineer appeared before the Commission to report on the meeting scheduled on Tuesday, October 9, 2007 with Department of Engineering officials, Spruce Hill Subdivision Developers and J. Michael Cassell to discuss Spruce Hill Subdivision bonding.

**IN RE: PUBLIC COMMENT**

Mr. Scott Tatina Mountain Water System Committee member appeared before the Commission to express concerns with the water rate increase request from Lee Snyder from Jefferson Utilities with consideration to the pending completion of the Mountain Water System study from Dunn Engineers. Mr. Tatina reported on the goals and objectives of the Mountain Water System Committee and requested the Commission intervene with the water rate increase request by Mr. Snyder. Commissioner Corliss recommended the Commission consider conducting a workshop with Mr. Snyder, the Public Service District and Dunn Engineers to discuss this issue.

John Maxie appeared before the Commission to express his concerns with the timeline of the Mountain Water System study by Dunn Engineers.

Toni Milbourne appeared before the Commission to express concerns with traffic congestion on Route 340 as a result of road construction currently underway.

**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 reported on the Shepherdstown Town meeting he attended.

Commissioners discussed their concerns with County Annexation issues. Tony Redman appeared before the Commission and reported on his discussions with Mayor Dom and the Shepherdstown Planner with regard to Annexations. Mr. Redman suggested a future workshop with local officials to address Annexation concerns. The Commission agreed by consensus to place Annexation matters on next week's agenda.

Commissioner Corliss reported on the Bolivar Town Council meeting he attended.

**IN RE: KENDIG KEAST UPDATE/ORDINANCE REWRITE DISCUSSION**

No action was taken on this agenda item.

**IN RE: JEFF POLCZYNSKI - GIS DEPARTMENT POSITION RECLASSIFICATION & JOB DESCRIPTION**

Jeff Polczynski, Director of Communications appeared before the Commission to request a reclassification for a position from Addressing Specialist to GIS Specialist for the Jefferson County Addressing Department.. Mr. Polczynski provided the Commission with a GIS Specialist position description and reported on the restructuring objectives for the Addressing Office to enhance County mapping and GIS functions.

Motion by Corliss, second by Surkamp to approve the reclassification of the Addressing Specialist to GIS Specialist as presented by Mr. Polczynski. Motion carried.

**The Commission took a 10-minute break at 10:20 a.m.**

**IN RE: REQUEST RESOLUTION FROM THE COUNTY COMMISSION (CERTIFICATE OF APPRECIATION) FOR MR. JAMES TOLBERT, SR., TO BE PRESENTED AT A BANQUET IN HIS HONOR ON OCTOBER 6<sup>TH</sup>, 2007 AT HILLTOP HOUSE (FM)**

Commissioner Manuel presented the Commission with the draft Resolution for Mr. James Tolbert, Sr., to be presented at a Banquet in his honor on October 6, 2007 at Hilltop House for review and approval.

Motion by Surkamp to approve the draft Resolution for Mr. Tolbert, Sr. as amended.

The Commission agreed to take up additional agenda items and take up this matter later in the afternoon.

**IN RE: TOLBERT RESOLUTION (JS)**

This agenda item was discussed under agenda item: "Request Resolution from the County Commission (Certificate of Appreciation) for Mr. James Tolbert, Sr., to be presented at a Banquet in his Honor on October 6<sup>th</sup>, 2007 at Hilltop House (FM)".

**IN RE: DRAFT OF IT SUPPORT CENTRALIZATION POLICY**

Mark Schiavone, Capital Planning and Management Director appeared before the Commission to request approval of the IT Support Centralization Policy strictly for County Commission offices. Mr. Schiavone presented the Commission with the IT Support Centralization Policy for review and reported on its contents.

Motion by Manuel to table this matter for one week to permit all department heads review and consideration of the policy. Motion died due to lack of a second.

Motion by Corliss, second by Surkamp to approve the IT Support Centralization Policy as presented by Mr. Schiavone. Motion carried by a 4-1 vote, Commissioner Manuel voted no.

At the request of Commissioner R. Morgan, Mr. Schiavone reported on the status of his Transportation Impact Fee research.

**IN RE: REPORT FROM THE HISTORIC LANDMARKS COMMISSION - ROAD NAMES**

Motion by R. Morgan, second by Surkamp to accept road names changes as outlined in the report received from the Historic Landmarks Commission. Motion carried.

Commissioner R. Morgan expressed concerns with proper road signs for entrances to Sam Michael's Park and authorized Leslie D. Smith, County Administrator to discuss the matter with Jeff Polczynski.

**IN RE: UPDATE ON VIABILITY OF FUNDING CAPITAL IMPROVEMENTS PROGRAM THROUGH USE OF BONDS (RM)**

Leslie D. Smith, County Administrator presented the Commission with West Virginia Building Commission statutes with regard to use of bonds.

The Commission discussed receiving comments from the Building Commission regarding the Jefferson County Building Program.

Mark Schiavone, Capital Planning and Management Director recommended the Commission schedule a meeting with Building Commission members.

**IN RE: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT**

Jennifer S. Maghan, County Clerk appeared before the Commission to request the President's signature on a probate document. Motion by Manuel, second by Corliss authorizing the County Commission President to affix her signature upon the probate document as presented. Motion carried.

Ms. Maghan further requested the Commission schedule a workshop to discuss the Data Processing Fund. Motion by Surkamp to schedule a workshop with Ms. Maghan to discuss the Data Processing Imaging Fund. Motion died due to lack of a second.

Leslie D. Smith, County Administrator reported on computer system expenditures for imaging services and previous funds designated specifically for data imaging and preservation. Patsy Noland, Circuit Clerk was present for comments.

Motion by F. Morgan, second by Corliss authorizing Leslie D. Smith, County Administrator to research IT, Data Imaging and Preservation expenditures and report her recommendations to the Commission on October 11, 2007. Motion carried.

**IN RE: BRANDON SIMS - LEGAL UPDATE AND REPORT**

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

Ms. Sims advised Commissioner's Corliss and R. Morgan of their scheduled deposition with Tammy DeFazio, Esquire on October 12, 2007 regarding the County Commission vs. Henry case.

Ms. Sims provided the Commission with the Bakerton Fire Department TEFRA public hearing conducted earlier today and read aloud the certificate in support of TEFRA. Jeff Smell, from Information Comvest was present for comment.

Upon the recommendation of legal counsel, motion by Manuel, second by Corliss to approve the TEFRA agreement and authorize the County Commission President to affix her signature upon the agreement. Motion carried.

Ms. Sims provided the Commission with an update of the Silling Architects contract for construction of the Judicial Center Courthouse Annex.

Kirk Davis, Capital Projects Manager was present and reported on contract negotiations with Silling Architects. Commissioner Corliss inquired as to the status of the space utilization report for the Courthouse Annex as requested by the Commission on September 27, 2007. Ms. Sims reported on the Judicial Center Courthouse Annex specifications thus far. Patsy Noland, Circuit Clerk was present to express her concerns with designated storage space availability in the Courthouse Annex.

Ms. Sims reported on the status of the contract with Minghini Construction for work in the new Sheriff's Building in Bardane.

At the request of legal counsel, Motion by R. Morgan, second by Manuel to enter into Executive Session to discuss litigation. Motion carried.

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

**IN RE: JEFF SMELL - BAKERTON FIRE DEPARTMENT TEFRA HEARING REPORT**

This agenda item was discussed under agenda item, "Brandon Sims – Legal Update and Report".

**IN RE: REQUEST APPROVAL OF A CHANGE ORDER - JAIL ANNEX**

Motion by Surkamp, second by R. Morgan to approve the Change Order for the Jail Annex as requested by Kirk Davis, Capital Projects Manager. Motion carried.

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

**IN RE: PSC CASES 07-1883-W-CN AND 07-1887-W-42T (JS)**

Commissioner Surkamp reported on various water rate increase requests submitted to the Public Service Commission by Jefferson Utilities and requested the Commission intervene and request denial of the increase with consideration to the Mountain Water System study currently underway with Dunn Engineers.

Brandon Sims, Assistant Prosecuting Attorney was present for comments and reported she would research options available to the Commission to formally intervene.

John Maxey and Bill Gillette were present for comments.

**IN RE: UPDATE ON BUDGET PLANS (RM)**

The Commission agreed to conduct a budget workshop on Tuesday, October 16, 2007 at 10:00 a.m. to discuss the County Budget. The Commission requested Leslie D. Smith, County Administrator provide reports detailing current revenue and expenditures for Fiscal Year 2007 and estimated revenues for Fiscal Year 2008.

**IN RE: REQUEST RESOLUTION FROM THE COUNTY COMMISSION (CERTIFICATE OF APPRECIATION) FOR MR. JAMES TOLBERT, SR., TO BE PRESENTED AT A BANQUET IN HIS HONOR ON OCTOBER 6<sup>TH</sup>, 2007 AT HILLTOP HOUSE (FM) – CONTINUED**

Motion by Manuel, second by R. Morgan to approve the Resolution in appreciation of Mr. James Tolbert, Sr. as amended, to be presented at a banquet in his honor on October 6, 2007. Motion carried.

# County Commission of Jefferson County

## Charles Town, West Virginia

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### James Tolbert Resolution

Whereas, James Tolbert a lifelong resident of Jefferson County and a product of our local school system has provided decades of leadership as a local and state President of the NAACP and;

Whereas, during his tenure in these offices James Tolbert has served as a steadfast and uncompromising advocate voice for equal treatment for all our community and State's Citizens and;

Whereas, James Tolbert has championed legislation aimed at protecting all our citizens from discrimination and unequal treatment in matters of law and;

Whereas, James Tolbert has sought after and captured funding for the preservation of buildings and the erection of monuments that interpret the African American heritage and;

Whereas, James Tolbert occupied a leadership role in the creation and continuous funding of an annual celebration of our county, state, and nation's African American heritage held in our community and;

Whereas, James Tolbert has served as a beacon to light the way toward racial harmony for our elected leaders and our State's citizens.

Therefore be it resolved that the Jefferson County Commission wishes to honor and congratulate Mr. James Tolbert upon his retirement for his tireless efforts to make our community and State a better place in which to live. Further that the Commission recognizes the determination and resolve exhibited by Mr. James Tolbert as he worked toward the goal of "equality for all".

October 4, 2007

County Commission of Jefferson County:

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Frances B. Morgan, Commission President

#### **IN RE: SCHEDULE COUNTY COMMISSION ASSOCIATION REGIONAL LEGISLATIVE MEETING (FM)**

Commissioner F. Morgan reported on the County Commission Association Regional Legislative meeting scheduled for Friday, November 9, 2007 at 10:00 a.m. and authorized Leslie D. Smith, County Administrator to formally invite Berkeley and Morgan County Commissioners to attend on behalf of Jefferson County.

#### **IN RE: ZANDE ASSOCIATES EOP CONTRACT**

Leslie D. Smith, County Administrator reported on legal counsel's review and recommendations of the Zande Associates Emergency Operations Plan contract. Upon recommendation of legal counsel, motion by R. Morgan, second by Manuel to approve the Zande Associates EOP contract as presented. Motion carried.

#### **IN RE: COUNTY ADMINISTRATOR REPORTS**

Leslie D. Smith, County Administrator provided the Commission with copies of the RFP drafted for a Wage Study Consultant.

The Commission agreed by unanimous consent to approve the RFP as presented and authorized Ms. Smith to move forward with advertising for a Wage Study Consultant.

#### **IN RE: BRANDON SIMS – LEGAL UPDATE AND REPORT – CONTINUED**

Brandon Sims, Assistant Prosecuting Attorney presented the Commission with her report detailing the status and scope of services with Silling Architects for construction of the Judicial Center Courthouse Annex. Ms. Sims recommended Commission's approval of the contract. Motion by Manuel, second by R. Morgan to approve the Judicial Center Architectural contract with Silling Architects. Motion carried by a 4-1 vote; Commissioner Corliss voted no.

Ms. Sims reported on the draft letter requesting a meeting with Legislators to discuss Annexation issues further. At the Commission's request, Ms. Sims agreed to draft legislative fixes to the annexation problem.

#### **IN RE: COUNTY COMMISSION WORKSHOP - NUISANCE ORDINANCES - BARKING DOGS, SOLICITATION OF CONTRIBUTIONS ON PUBLIC HIGHWAYS**

The Commission conducted a workshop with Brandon Sims, Assistant Prosecuting Attorney to discuss the status of the Nuisance, Barking Dogs and Solicitation of Contributions on Public Highways Ordinances drafts. Ms. Sims provided the Commission with ordinance determination checklists for their review and consideration, the Commission went through the checklists and provided Ms. Sims the

appropriate responses for approval. Ms. Sims reported on the legalities, exceptions and proper languages within the ordinances.

Sherry Nielsen and Rachael Douglas were present for comments.

**IN RE: COUNTY ADMINISTRATOR REPORTS – CONTINUED**

Leslie D. Smith, County Administrator provided the Commission with copies of the merger for the Bardane deed for their review and consideration.

Leslie D. Smith, County Administrator provided the Commission with copies of the Shepherdstown Battlefield hearing notice for their review and consideration.

**IN RE: COUNTY COMMISSION REPORTS**

Commissioner Surkamp reported on his meeting with Bill Zaleski from the Jefferson County Health Department regarding County water and sewer concerns.

**The Commission received the following information:**

Reminder that County offices will be closed on Monday, October 8, 2007 for Columbus Day.

Acceptance of bond for Seneca Crossing South Subdivision in the amount of \$821,713.

Appointments to be made to the Ambulance Authority on November 8, 2007.

Report received of persons entering the Courthouse and Judicial Complex for the month of September.

Correspondence received from the Historic Landmarks Commission concerning designated Jefferson County Historic Landmarks.

Correspondence received from the Berkeley County Commission concerning legislative issues.

Copy of the letter sent to the Commerce Secretary received concerning the Local Government Flexibility Act.

Project report received from the West Virginia Department of Transportation.

Weekly report received from the County Commissioners' Association.

2008 Statewide Transportation Improvement Program received.

Impact Fee Status Report received for September 2007.

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

Invitation received from The Land Trust of the Eastern Panhandle to visit the Harewood Property on Wednesday, October 19, 2007, at 5:00 p.m.

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

Keep Jefferson Beautiful Fall 2007 Newsletter received.

Notice received from the Potomac Headwaters RC&D of an Executive committee Meeting on October 9, 2007.

Local Government Leadership Academy information received.

Notice received from the Jefferson County Health Department of a Septic Installers Meeting on Wednesday, October 3, 2007, 1:00 p.m. - 3:00 p.m.

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

