

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, January 17, 2008, beginning at 9:30 o'clock a.m.

PRESENT: A.M.S. (Rusty) Morgan, III, President Pro Tem;
Dale Manuel; Greg Corliss; Commissioners

Commissioners Frances B. Morgan and Jim Surkamp were absent.

In re: PLEDGE OF ALLEGIANCE

Commissioner R. Morgan conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Manuel, second by Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, January 10, 2008, and to approve the Minutes as prepared. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Manuel, second by Corliss to approve the following Purchase Orders for the Week of January 22, 2008, totaling \$16,715.38: 44708, 44417, 44390, 44391, 44392, 45203, 45051, 43685, 44941, 44708, 45120, 45122, 45123, 45124, 45241, 45242, 45243, and 45126. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Manuel, second by Corliss to reject the payment to Jackson Kelly - City of Charles Town for reimbursement of legal fees. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$296,813.00 dated January 17, 2008 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

DEPT	NAME	DEPT AMTS
405/BACK	BACKLASH/TRANSFER	\$
424/CTHS	COURT HOUSE	\$16,953.43
425/OB	OTHER BUILDING	\$4,544.71
428/DATAP	DATA PROCESSING	\$2,090.11
430/HLS	HOMELAND SEC	\$808.20
431/ECON DEV	ECON DEV	
433/GIS	GIS/ADDRESSING	\$363.50
439/PZ	PLANNING ZONING	\$649.49
440/ENG.	DEPT OF ENGINEERING	\$444.47
451/ZONING	ZONING DEPT	\$479.55
700/SHRF	SHERIFF DEPT	\$13,796.59
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	\$121,444.00
711/OES	EMERG SVC	\$82.44
712/911	911 COMMUNICATION	\$5,650.12
716/A/C	ANIMAL CONTROL	\$1,918.82
801/MTL HLTH	MENTAL HEALTH TRANS	
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	
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	\$249.00
978/CAP/PA	PROS ATTY/CAPITAL OUTLAY	
979/CAP/TAX	TAX OFFICE/CAPITAL OUTLAY	
980/CAP/SRF	SHERIFF DEPT/CAPITAL OUTLAY	\$24,009.00
983/CLK ELEC	CO CLERK ELECTION/CAP OUTLAY	
986/CAP/COMM	CO. COMM/CAPITAL OUTLAY	\$1,829.00
988/CAP/OB	OTHER BUILDING/CAP OUTLAY	
989/CAP/AGT	AG AGT/CAPITAL OUTLAY	
992/CAP/911	911 COMMUNICATION/CAP OUT	
ALLOC	ALLOCATIONS	\$27,744.77
GRANTS	GRANTS	\$12,156.50
PAYROLL	PAYROLL	\$17,611.00

TOTALS | \$ **296,813.00**

Ck #	Dept	Vendor	PO #	PO Amt	Amt w/o PO	Ck Amt
054578	405	ACCURATE SYSTEMS INC	44802	\$ 389.99	\$ -	\$ 389.99
054579	428	ACS GOVERNMENT SYS	44849	\$ 221.11	\$ -	\$ 221.11
054580	425	COMCAST		\$ -	\$ 55.93	\$ 55.93
054581	424	AT&T		\$ -	\$ 2.83	\$ 2.83
054582	712	USA MOBILITY WIRELESS		\$ -	\$ 380.22	\$ 380.22
054583	ALLOC	AHA/ART&HUMANITIES		\$ -	\$ 2,316.68	\$ 2,316.68
054584	424	B-K OFFICE SUPPLY INC	45115	\$ 197.10	\$ -	\$ 197.10
054585	424	BOLAND SERVICES	45112	\$ 166.00	\$ -	\$ 166.00
054585	425	BOLAND SERVICES	43758	\$ 385.00	\$ -	\$ 385.00
054585	425	BOLAND SERVICES	45112	\$ 427.00	\$ -	\$ 427.00
054586	PAYROLL	BRICKSTREET MUTUAL		\$ -	\$ 8,431.00	\$ 8,431.00
054587	716	*CREAMERS AUTO	45118	\$ 40.51	\$ -	\$ 40.51
054588	700	CREAMERS FAST LUBE 1	45118	\$ 34.45	\$ -	\$ 34.45
054589	405	MARCIA L. CHANDLER,	44800	\$ 719.95	\$ -	\$ 719.95
054590	712	VERIZON CABS		\$ -	\$ 150.00	\$ 150.00
054591	986	DELL MARKETING LP	45201	\$1,829.00	\$ -	\$ 1,829.00
054592	425	DAYCON	45000	\$ 349.02	\$ -	\$ 349.02
054593	401	DOI-USGS		\$ -	\$12,733.85	\$ 12,733.85
054594	GRANT	DPC	43686	\$3,000.00	\$ -	\$ 3,000.00
054595	401	D I JACOBS CONSULTING		\$ -	\$ 5,547.67	\$ 5,547.67
054596	405	EMBASSY SUITES	44801	\$ 196.00	\$ -	\$ 196.00
054597	980	EMERGENCY EQUIP,LIGHT	44759	\$1,228.00	\$ -	\$ 1,228.00
054598	424	FEDEX		\$ -	\$ 257.61	\$ 257.61
054599	412	FRONTIER		\$ -	\$ 387.48	\$ 387.48
054599	415	FRONTIER		\$ -	\$ 330.17	\$ 330.17
054599	424	FRONTIER		\$ -	\$12,635.05	\$ 12,635.05
054599	712	FRONTIER		\$ -	\$ 3,870.07	\$ 3,870.07
054600	700	GALLS INCORPORATED	44764	\$ 673.68	\$ -	\$ 673.68
054601	415	GENERAL COUNTY FUND		\$ -	\$18,447.00	\$ 18,447.00
054602	403	GREENLINE DATA INC.	44886	\$ 372.15	\$ -	\$ 372.15
054603	716	HILLSIDE VETERINARY HOSP	44710	\$ 30.52	\$ -	\$ 30.52
054604	424	HASLER INC.	44311	\$ 264.00	\$ -	\$ 264.00
054605	428	INFOPRINT		\$ -	\$ 594.00	\$ 594.00
054606	700	INTERNATIONAL	44761	\$1,600.00	\$ -	\$ 1,600.00
054607	428	IBM CORPORATION		\$ -	\$ 1,275.00	\$ 1,275.00
054608	700	JEFFERSON PUBLISH CO	44756	\$ 251.13	\$ -	\$ 251.13
054609	GRANT	BOYS & GIRLS CLUB		\$ -	\$ 9,156.50	\$ 9,156.50
054610	413	JEFFERSON UTILITIES INC		\$ -	\$ 18.00	\$ 18.00
054610	425	JEFFERSON UTILITIES INC		\$ -	\$ 63.00	\$ 63.00
054611	405	DANIEL M. JAMES		\$ -	\$ 135.32	\$ 135.32
054612	712	LANGUAGE LINE SERVICES		\$ -	\$ 67.80	\$ 67.80
054613	413	LORTON DATA	45031	\$ 111.56	\$ -	\$ 111.56
054614	405	MATTHEW BENDER & CO	44805	\$ 448.95	\$ -	\$ 448.95
054615	433	MSAG DATA CONSULTANTS		\$ -	\$ 363.50	\$ 363.50
054616	425	HOME DEPOT CREDIT		\$ -	\$ 456.81	\$ 456.81
054617	700	MCKINNEY'S AUTO REPAIR	45119	\$ 682.44	\$ -	\$ 682.44
054618	424	VERIZON BUSINESS		\$ -	\$ 1,104.35	\$ 1,104.35
054619	ALLOC	JEFF CO PARKS &		\$ -	\$11,555.70	\$ 11,555.70
054620	403	PIFER OFFICE SUPPLY, INC	44887	\$ 120.45	\$ -	\$ 120.45
054620	404	PIFER OFFICE SUPPLY, INC	44518	\$ 59.98	\$ -	\$ 59.98
054621	424	POSTMASTER CHARLES	45117	\$ 175.00	\$ -	\$ 175.00
054622	424	ROACH OIL COMPANY		\$ -	\$ 788.04	\$ 788.04
054622	425	ROACH OIL COMPANY		\$ -	\$ 1,641.94	\$ 1,641.94
054623	413	RAI GROUP 43, LLC	45030	\$2,025.00	\$ -	\$ 2,025.00
054624	976	SOFTWARE SYSTEMS, INC	44890	\$ 249.00	\$ -	\$ 249.00
054625	405	SPECIALTY BUS SUPPLIES	44803	\$ 600.07	\$ -	\$ 600.07
054626	704	ST/WV REGIONAL JAIL &	44815	\$21,444.00	\$ -	\$ 121,444.00
054627	430	STAPLES CREDIT PLAN	43681	\$ 502.46	\$ -	\$ 502.46
054627	430	STAPLES CREDIT PLAN	43682	\$ 305.74	\$ -	\$ 305.74
054627	716	STAPLES CREDIT PLAN	40241	\$1,226.86	\$ -	\$ 1,226.86
054627	402	STAPLES CREDIT PLAN		\$ -	\$ 356.01	\$ 356.01
054627	405	STAPLES CREDIT PLAN		\$ -	\$ 349.35	\$ 349.35
054627	424	STAPLES CREDIT PLAN		\$ -	\$ 183.32	\$ 183.32

054627	439	STAPLES CREDIT PLAN		\$ -	\$ 649.49	\$ 649.49
054627	451	STAPLES CREDIT PLAN		\$ -	\$ 479.55	\$ 479.55
054627	700	STAPLES CREDIT PLAN		\$ -	\$ 1,168.79	\$ 1,168.79
054627	712	STAPLES CREDIT PLAN		\$ -	\$ 678.05	\$ 678.05
054628	406	SHEETZ FLEET FUELING		\$ -	\$ 352.18	\$ 352.18
054628	424	SHEETZ FLEET FUELING		\$ -	\$ 956.98	\$ 956.98
054628	440	SHEETZ FLEET FUELING		\$ -	\$ 444.47	\$ 444.47
054628	700	SHEETZ FLEET FUELING		\$ -	\$ 8,684.52	\$ 8,684.52
054628	711	SHEETZ FLEET FUELING		\$ -	\$ 82.44	\$ 82.44
054628	712	SHEETZ FLEET FUELING		\$ -	\$ 503.98	\$ 503.98
054628	716	SHEETZ FLEET FUELING		\$ -	\$ 620.93	\$ 620.93
054629	700	SOUTHERN POLICE EQUIP.CO	44758	\$ 251.58	\$ -	\$ 251.58
054630	425	SHENANDOAH VALLEY		\$ -	\$ 493.10	\$ 493.10
054631	424	SHANNON BUSINESS	45113	\$ 119.16	\$ -	\$ 119.16
054632	425	SHENANDOAH AIR	45116	\$ 85.00	\$ -	\$ 85.00
054633	700	S.A.F.E. HOSTAGE OPERATN	44760	\$ 450.00	\$ -	\$ 450.00
054634	980	THOMASSEN FORD	44762	\$ 2,781.00	\$ -	\$ 2,781.00
054635	425	HAGEMEYER NORTH	44974	\$ 467.65	\$ -	\$ 467.65
054636	424	UNITED RENTAL	45114	\$ 98.00	\$ -	\$ 98.00
054637	425	VALLEY HARDWARE	44707	\$ 120.26	\$ -	\$ 120.26
054638	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 13,872.39	\$ 13,872.39
054639	405	WEST PAYMENT CENTER	44804	\$ 270.50	\$ -	\$ 270.50
054640	424	WILLIAMS MOTOR PARTS, IN	44337	\$ 5.99	\$ -	\$ 5.99
054641	PAYROLL	WVPEIA 896046625		\$ -	\$ 9,080.00	\$ 9,080.00
054642	PAYROLL	WORKTECH		\$ -	\$ 100.00	\$ 100.00
054643	401	WVNET		\$ -	\$ 16.67	\$ 16.67
TOTAL				\$ 64,975.26	\$ 131,837.74	\$ 296,813.00

In re: LEGISLATIVE ISSUES

Commissioner Manuel reported on the status of the House Bill in support of Fire & EMS fees. By consensus, the Commission agreed to have Commissioner Manuel continue communications with the legislators regarding HB 4057.

In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENT DISCUSSION

The Commission discussed the Zoning and Subdivision Ordinance workshop held on Tuesday, January 15, 2008.

In re: APPOINTMENTS TO THE WATER ADVISORY COMMITTEE

No action was taken on this agenda item.

In re: LETTER TO GOVERNOR - EMERGENCY EVACUATION/EGRESS - JEFFERSON COUNTY BLUE RIDGE MOUNTAIN AREA

Motion by Corliss, second by Manuel to approve sending the draft letter to the Governor regarding emergency evacuation/egress - Jefferson County Blue Ridge Mountain Area subject to minor changes that were discussed. Motion carried.

In re: BONDING AND ACTIVITY REPORT

Upon recommendation from Chief County Engineer Roger Goodwin, motion by R. Morgan, second by Corliss to approve a complete release of an Irrevocable Letter of Credit in the amount of \$17,820.00 for Sol C. Trotter - Charles Town Self Storage, LLC. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Corliss, second by Manuel to approve a partial release of an Irrevocable Letter of Credit in the amount of \$375,506.00 for The William H. Scott Inter Vivos Trust - SPARC Training Center Campus with the County to retain \$579,864.00. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Manuel, second by Corliss to approve a partial release of an Irrevocable Letter of Credit in the amount of \$165,211.51 for The William H. Scott Inter Vivos Trust - Summit Point Tactical Training Center with the County to retain \$696,903.00. Motion carried.

In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENT DISCUSSION - CONTINUED

Tony Redman, Director of Planning and Zoning appeared before the Commission to update the Commission on the ordinance rewrite. Mr. Redman provided the Commission with a revised redline/strikeout draft Subdivision Regulations.

Mr. Redman requested that the Commission enter into an Executive Session. The Commission directed Mr. Redman to discuss this matter with legal counsel and to come back to the Commission with a

request to be placed on the Agenda for Executive Session if recommended by legal counsel.

Commissioner Surkamp arrived at 9:45 a.m.

In re: PUBLIC COMMENT

No public comment was given at this time.

In re: HOME FUNDING RECOMMENDATION FOR FISCAL YEAR 2008

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

In re: GRANT RESOLUTION & CONTRACTUAL AGREEMENT - COMMUNITY PARTICIPATION PROGRAM - SOUTH JEFFERSON PUBLIC LIBRARY

Motion by Manuel, second by Corliss to authorize the President Pro Tem of the Commission to affix his signature to the appropriate documents for the Community Participation Program Resolution for the South Jefferson Library. Motion carried.

RESOLUTION

The Jefferson County Commission met on the 17th day of January, 2008 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes A.M.S. Morgan, III, President Pro Tem of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Community Participation Program. This project is to continue with site plan improvements and collection development for the South Jefferson Public Library.

Dated: January 17, 2008

/s/

A.M.S. MORGAN, III
PRESIDENT PRO TEM
JEFFERSON COUNTY COMMISSION

In re: PHILLIP TOUSIGNAUT - REQUEST FOR CD REPRODUCTION FEE WAIVER

Leslie D. Smith, County Administrator informed the Commission that this matter had been resolved and no action was needed for this agenda item.

In re: APPROVAL OF DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT SUB-GRANT

Motion by Manuel, second by Corliss to approve the Division of Homeland Security and Emergency Management Sub-Grant in the amount of \$11,866.00 and to authorize the President of the Commission to affix her signatures to the appropriate documents. Motion carried.

In re: POTENTIAL INTER-GOVERNMENTAL AGREEMENT FOR 2008 AERIAL PHOTOGRAPHY

Motion by Corliss, second by Manuel to approve the request to start negotiations with Loudoun County to enter into an Inter-Governmental Agreement (IGA) for 2008 Aerial Photography. Motion carried.

In re: PROCUREMENT REQUIREMENT FOR BOND COUNSEL AND BOND FINANCIAL ADVISORY

BONDING FOR CAPITAL PROJECTS REQUIREMENTS

Leslie D. Smith, County Administrator presented a list of approved Bond Counsel and discussed the bond process.

After discussion, Motion by Corliss, second by Manuel to approve Vince Collins, Steptoe and Johnson as Bond Counsel. Motion passed by a 3-1 vote. Commissioner Surkamp voted no.

In re: BOB BURCH - BURCH MANOR SUBDIVISION STORM WATER MANAGEMENT

Bob Burch appeared before the Commission to discuss the Burch Manor Storm Water Management. Stephanie Grove, Legal Counsel was present and reported that the bond had been called and that the request for proposals have been sent to have the work to complete the storm water management for the Burch Manor Subdivision. She reported that the bond was not enough to cover the improvements and that they are looking for lower prices that still meet standards. She informed the Commission that the improvements should be complete this Spring. For the record, Roger Goodwin, Chief County Engineer was present.

In re: JEFFERSON COUNTY MAGISTRATES - ST. MARGARET'S BUILDING SPACE

Magistrates Gail Boober, Mary Paul Rissler, Bill Senseney and Bonnie Seal Magistrate Clerk appeared before the Commission to discuss the space in St. Margaret's Building and requested that the

Circuit Clerk's space be allocated for the Magistrate office. After discussion, the Magistrates agreed to meet with Kirk Davis and to report back to the Commission with recommendations.

In re: PARKS & RECREATION COMMISSION INTERVIEWS

Jennifer Baltzell and Matthew Knott appeared before the Commission for the Parks and Recreation Commission interviews.

Commissioner Surkamp excused himself at 10:45 a.m. due to inclement weather.

In re: APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION

The Commission agreed to place this item on next week's agenda and to hold interviews next week for the applicants.

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

Jennifer S. Maghan, County Clerk appeared before the Commission and asked if the Commission would be closing the Courthouse early due to inclement weather.

In re: AUTHORIZATION FOR A LETTER TO DOH IN BURLINGTON CONCERNING PARKING SIGNS NEAR POST OFFICE IN SHEPHERDSTOWN, SIGNS WERE INSTALLED LAST YEAR IN THE WRONG PLACE (RM)

Motion by R. Morgan, second by Corliss to send a letter to the Department of Highways in Burlington regarding the parking signs near the Post Office in Shepherdstown, and to inform Mr. Amtower that the signs were installed in the wrong place. Motion carried.

In re: COUNTY COMMISSION REPORTS

Commissioner Corliss reported on the Development Authority meeting he attended.

Commissioner Manuel reported on the Parks and Recreation Commission meeting.

Commissioner R. Morgan discussed the upcoming County Commissioners' Association of West Virginia meeting and the Commission agreed to send Commissioner R. Morgan to that meeting.

Commissioner Manuel informed the Commission that he may be making a trip to Charleston, WV soon to support HB 4057.

In re: COUNTY ADMINISTRATOR REPORTS

Leslie D. Smith, County Administrator reported on the following:

- Toys for Children - Kiwani's
- Alarm for the Charles Town Library meeting room
- Distributed the table of contents for the notebook that was presented by Mr. Redman earlier today.

In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission and informed the Commission that she will take any questions from the Commission concerning the Ordinance amendments and that she will include the questions received in her report.

In re: DON JACOBS - CLASSIFICATION AND COMPENSATION CONSULTANT

Don Jacobs, Jacobs Consulting appeared before the Commission to report on the Classification and Compensation/Wage Study. For the record, no action was taken on this agenda item.

In re: INCLEMENT WEATHER REPORT

Barbara Miller, Director of Homeland Security and Emergency Management, Sheriff Boober and Bill Polk, Maintenance Director appeared before the Commission to report on the inclement weather. Ms. Miller informed the Commission that the Committee had made a decision to close the County offices at 3:00 p.m. due to inclement weather. Motion by Manuel, second by R. Morgan to approve the recommendation received to close the County offices at 3:00 p.m. Motion carried.

In re: PUBLIC COMMENT

Ed Burns appeared before the Commission and discussed the classification and compensation/wage study.

The Commission received the following information:

Reminder the Courthouse is closed on Monday, January 21, 2008, Martin Luther King's Birthday.

Notice of Board of Review and Equalization for February 2008.

Notice received of a Subdivision Work Session on Friday, January 18, 2008.

Copy of correspondence sent to the Public Service Commission from the Mountain Water Systems Fair Water Rate Committee received.

Correspondence received from Walter Washington declining reappointment to the Historic Landmarks Commission upon expiration of his current term.

Notice received of Tourism Day at the Legislature on February 8, 2008.

Legislative information received from the County Commissioners' Association.

The County Legislative Line received from the Association of Counties.

Copy of a newspaper article concerning jail fees received from the County Commissioners' Association.

Correspondence received from Accurate Systems, Inc. concerning their computer services.

Notice received from Loudoun County of a Comprehensive Plan Amendment public hearing on January 28, 2008.

Meeting minutes received from the Jefferson County Public Service District.

Meeting minutes received from the Harpers Ferry/Bolivar Public Service District.

E-911 fees received from Citizens Communications.

Weekly settlement report for the Charles Town Races received.

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

A.M.S. (Rusty) Morgan, III, President Pro Tem