

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 24, 2008, 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 Corliss 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 17, 2008, and to approve the Minutes as prepared. Motion carried.

In re: APPROVAL OF PURCHASE ORDER

Motion by R. Morgan, second by Corliss to approve the following Purchase Orders for the Week of January 24, 2008, totaling \$32,476.03: 44892, 44893, 44894, 45033, 45127, 44942, 44943, 44944, 44945, 44765, 44767, 44769, 44770, 44771, 44772, 44774, 45159, and 45133. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Manuel, second by R. Morgan to approve the list of the Accounts Payable dated January 24, 2008, as presented by the County Clerk and reviewed by the County Commission. Motion carried.

Ck #	Dept	Vendor	PO#	PO Amt	Amt w/o PO	Ck Amount
054646	424	ALLEGHENY POWER		\$0.00	\$1,076.18	\$1,076.18
054646	425	ALLEGHENY POWER		\$0.00	\$6,139.75	\$6,139.75
054647	225	AMERICAN FAMILY LIFE		\$0.00	\$3,523.20	\$3,523.20
054648	412	AT&T		\$0.00	\$10.29	\$10.29
054649	700	ACCURATE SYSTEMS INC	44766	\$90.00	\$0.00	\$90.00
054650	424	AUTOZONE		\$0.00	\$33.25	\$33.25
054650	700	AUTOZONE		\$0.00	\$11.16	\$11.16
054651	PAYROLL	CHILD SUPPORT BUREAU		\$0.00	\$72.00	\$72.00
054652	425	B-K OFFICE SUPPLY INC	45120	\$669.00	\$0.00	\$669.00
054652	425	B-K OFFICE SUPPLY INC	45128	\$33.59	\$0.00	\$33.59
054653	711	AMERIGAS - RANSON		\$0.00	\$537.42	\$537.42
054654	PAYROLL	CHILD SUPPORT BUREAU		\$0.00	\$62.31	\$62.31
054655	PAYROLL	CHILD SUPPORT BUREAU		\$0.00	\$90.89	\$90.89
054656	PAYROLL	CHILD SUPPORT BUREAU		\$0.00	\$302.31	\$302.31
054657	403	CASTO & HARRIS INC	44882	\$236.00	\$0.00	\$236.00
054658	700	COUNTRY ROADS TIRE	45130	\$17.50	\$0.00	\$17.50
054659	700	*CREAMERS AUTO SERVICE	45125	\$32.70	\$0.00	\$32.70
054659	700	*CREAMERS AUTO SERVICE	45131	\$15.00	\$0.00	\$15.00
054659	716	*CREAMERS AUTO SERVICE	45132	\$43.52	\$0.00	\$43.52
054660	424	CHARLES TOWN WATER		\$0.00	\$115.20	\$115.20
054660	425	CHARLES TOWN WATER		\$0.00	\$745.36	\$745.36
054661	405	MARY K COOK	45243	\$169.40	\$0.00	\$169.40
054662	PAYROLL	CHILD SUPPORT ENFORCE		\$0.00	\$23.07	\$23.07
054663	406	DANKA OFFICE IMAGING	44417	\$279.94	\$0.00	\$279.94
054664	439	DELL MARKETING LP	44921	\$1,766.00	\$0.00	\$1,766.00
054664	712	DELL MARKETING LP	44828	\$1,910.00	\$0.00	\$1,910.00
054664	986	DELL MARKETING LP	45202	\$5,810.00	\$0.00	\$5,810.00
054664	986	DELL MARKETING LP	45203	\$1,829.00	\$0.00	\$1,829.00
054665	425	DAYCON	45124	\$491.64	\$0.00	\$491.64
054666	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$26.00	\$26.00
054667	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
054668	425	FARM PLAN/SOUTH STATE	44708	\$421.40	\$0.00	\$421.40
054668	716	FARM PLAN/SOUTH STATE	44708	\$842.83	\$0.00	\$842.83
054669	425	GRAINGER, INC	45122	\$561.27	\$0.00	\$561.27
054670	440	ROGER GOODWIN		\$0.00	\$30.72	\$30.72
054671	405	DEBORAH J. GRISSINGER	45242	\$854.70	\$0.00	\$854.70
054672	425	MYRON GREGORY		\$0.00	\$31.42	\$31.42
054673	440	HAGERSTOWN COLLEGE	44940	\$99.00	\$0.00	\$99.00
054673	440	HAGERSTOWN COLLEGE	44941	\$486.00	\$0.00	\$486.00
054674	PAYROLL	ING		\$0.00	\$260.00	\$260.00
054675	413	JEFF CO PUBLIC SER DEPT		\$0.00	\$27.19	\$27.19
054675	425	JEFF CO PUBLIC SER DEPT		\$0.00	\$55.13	\$55.13
054676	425	JEFFERSON COUNTY SOLID	45121	\$61.62	\$0.00	\$61.62
054677	PAYROLL	JEFFERSON SECURITY		\$0.00	\$4,773.00	\$4,773.00
054678	401	LEWIS CO CIRCUIT CLERK		\$0.00	\$85.05	\$85.05
054679	402	LEXIS NEXIS	45034	\$83.11	\$0.00	\$83.11
054679	401	LEXIS NEXIS		\$0.00	\$83.11	\$83.11
054680	433	MSAG DATA CONSULTANTS		\$0.00	\$1,066.67	\$1,066.67
054681	PAYROLL	MD COMPTROLLER		\$0.00	\$640.59	\$640.59
054682	PAYROLL	MD COMPTROLLER		\$0.00	\$136.48	\$136.48

054683	700	MCKINNEY'S AUTO REPAIR	45126	\$814.98	\$0.00	\$814.98
054684	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
054685	405	NATL LEGAL RESEARCH	45241	\$1,470.00	\$0.00	\$1,470.00
054686	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
054687	402	PIFER OFFICE SUPPLY, INC	45021	\$70.80	\$0.00	\$70.80
054687	402	PIFER OFFICE SUPPLY, INC	45022	\$61.25	\$0.00	\$61.25
054687	406	PIFER OFFICE SUPPLY, INC	44418	\$39.95	\$0.00	\$39.95
054688	700	EVELYN J. PARTLOW	44768	\$24.00	\$0.00	\$24.00
054689	424	ROACH OIL COMPANY		\$0.00	\$466.47	\$466.47
054690	711	R.D. ZANDE & ASSOCIATES		\$0.00	\$4,162.50	\$4,162.50
054691	712	SOFTWARE SYSTEMS, INC	45051	\$249.00	\$0.00	\$249.00
054692	PAYROLL	STATE TAX & REVENUE		\$0.00	\$24,137.19	\$24,137.19
054692	PAYROLL	STATE TAX & REVENUE		\$0.00	\$18.00	\$18.00
054693	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$34,767.92	\$34,767.92
054693	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,131.42	\$8,131.42
054693	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$37.20	\$37.20
054693	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8.70	\$8.70
054694	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$19.81	\$19.81
054694	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$30,949.05	\$30,949.05
054695	PAYROLL	WV DEPUTY SHERIFF RET.		\$0.00	\$8,606.78	\$8,606.78
054696	PAYROLL	WV DEPUTY SHERIFF RET.		\$0.00	\$10,631.89	\$10,631.89
054697	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
054698	PAYROLL	CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
054699	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$21,045.94	\$21,045.94
054700	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$49,107.04	\$49,107.04
054701	412	WVU		\$0.00	\$10,912.50	\$10,912.50
054702	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$166.50	\$166.50
054703	GRANT	PAM HOLSTEIN-WALLACE		\$0.00	\$2,288.49	\$2,288.49
Totals				\$19,533.20	\$226,596.87	\$246,130.07

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	\$168.16
402/CCLK	CO. CLERK	\$215.16
403/CIR CLK	CIRCUIT CLERK	\$236.00
404/TAX	TAX OFFICE	
405/PA	PROS ATTY	\$2,494.10
406/ASSR	ASSESSORS	\$319.89
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	\$10,922.79
413/ELE	ELECTION	\$27.19
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
422/IMPACT	CAPITAL PLANNING & MANAGEMENT	
424/CTHS	COURT HOUSE	\$1,691.10
425/OB	OTHER BUILDING	\$9,236.18
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	
431/ECON DEV	ECON DEV	
433/GIS	GIS/ADDRESSING	\$1,066.67
439/PZ	PLANNING ZONING	\$1,766.00
440/ENG.	DEPT OF ENGINEERING	\$615.72
451/ZONING	ZONING DEPT	
700/SHRF	SHERIFF DEPT	\$1,005.34
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	\$4,699.92
712/911	911 COMMUNICATION	\$2,159.00
716/A/C	ANIMAL CONTROL	\$886.35
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTITIE	
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	
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	
983/CLK ELEC	CO CLERK ELECTION/CAP OUTLAY	
986/CAP/COMM	CO. COMMISSION/CAPITAL OUTLAY	\$7,639.00
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	
GRANTS	GRANTS	\$2,288.49
PAYROLL	PAYROLL	\$198,693.01
TOTALS		\$246,130.07

In re: LEGISLATIVE ISSUES

Commissioner Manuel updated the Commission on the combined fees for fire and EMS legislation.

The Commission discussed House Bill 4119. After discussion, motion by Corliss, second by Surkamp to approve a resolution opposing House Bill 4119. The Commission agreed to take the motion back up later in the meeting in order to review the Bill further.

In re: BONDING AND ACTIVITY REPORT

Rebecca Burns appeared before the Commission on behalf of the Chief County Engineer to present bonding. Motion by Manuel, second by Corliss to approve the partial release of a letter of credit in the amount of \$119,797 for Home Hill Corporation - North Hills at Cress Creek Subdivision, with the County to retain \$379,551. Motion carried.

In re: REQUEST FROM THOMAS VETTER - REFUND OF BUILDING PERMIT FEE

Upon recommendation from the Engineering Department, motion by Manuel, second by Corliss to approve a refund of a building permit fee in the amount of \$100. Motion carried.

In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENT DISCUSSION

Tony Redman, Director of Planning and Zoning, appeared before the Commission to update the Commission on the ordinance amendments. Mr. Redman informed the Commission that the Planning Commission would be meeting on Tuesday at 5:00 p.m. to discuss the draft subdivision regulations.

Mr. Redman also discussed topography for the mountain area.

In re: PUBLIC COMMENT

Lyn Widmyer commented on the proposed zoning and subdivision amendments.

In re: APPOINTMENT TO THE WATER ADVISORY COMMITTEE

No action was taken on this agenda item.

In re: HOME FUNDING RECOMMENDATION FOR FISCAL YEAR 2008

The Commission agreed to hold this matter over until next week.

In re: REQUEST BY KIT MCGINNIS AND CURT MASON FOR COUNTY COMMISSION TO SEND A LETTER TO SENATOR BYRD OFFICIALLY REQUESTING THAT HE INTRODUCE STUDY LEGISLATION FOR THE WASHINGTON FAMILY LEGACY

Motion by R. Morgan, second by Manuel to send a letter of support to Senator Byrd requesting that he introduce study legislation for the Washington Family Legacy. Motion carried.

In re: COUNTY COMMISSION OF BERKELEY COUNTY - REGIONAL JAIL OFFSET LEGISLATION

After discussion, the Commission unanimously consented to direct the County Administrator to draft a letter to the legislature in support of regional jail offset legislation.

In re: MARK SCHIAVONE - FISCAL YEAR 2009 CAPITAL IMPROVEMENT PLAN

Mark Schiavone appeared before the Commission to present the Fiscal Year 2009 Capital Improvement Plan.

In re: PARKS AND RECREATION INTERVIEWS

No one was present for Parks and Recreation interviews.

In re: APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION

The Commission agreed to hold over the appointments to the Parks and Recreation Commission for

another week.

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

In re: LEGISLATIVE ISSUES - CONTINUED

The Commission brought back before them the following motion previously made concerning House Bill 4119: Motion by Corliss, second by Surkamp to approve a resolution opposing House Bill 4119. After discussion, the motion was approved by a 4-1 vote. Commissioner Manuel voted no.

Resolution

The Jefferson County Commission strongly resolves to take exception and oppose HB 4119 on zoning changes introduced by Delegate Jonathan Miller and supported by Delegate Bob Tabb and Delegate Locke Wysong.

HB 4119 as currently written, inappropriately interferes with locally elected county officials and government procedures. Further, it is not in compliance with the intent of the Local Powers Act with respect to the execution of local authority.

Accordingly, the Jefferson County Commission resolves to oppose the zoning changes proposed by HB 4119 and requests that the legislators take action to withdraw HB 4119 from legislative consideration.

Date: January 24th, 2008

/s/

Frances B. Morgan, President
Jefferson County Commission

Commissioner F. Morgan excused herself from the meeting at 10:40 a.m.

Commissioner R. Morgan took over as President Pro Tem.

In re: DON ORSER - PROPOSED MOUNTAIN NEIGHBORHOOD CONSERVATION DISTRICT ZONING

Don Orser appeared before the Commission to discuss the proposed Mountain Neighborhood Conservation District Zoning. No action was taken.

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

Jennifer S. Maghan, County Clerk, appeared before the Commission to give the County Clerk's report. Ms. Maghan reported on the deadline for candidate filing.

In re: FOCUS COALITION - REQUEST FOR FUNDING FOR YOUTH PROGRAMS - \$1,500

The Commission agreed to consider this funding request during budget deliberations.

In re: LEAGUE OF WOMEN VOTERS - REQUEST FOR THE COUNTY COMMISSION TO PARTICIPATE IN A PUBLIC FORUM CONCERNING ANNEXATION

The Commission discussed correspondence received from the League of Women Voters inviting the Commission to participate in a public forum concerning annexation. After discussion, the Commission directed the County Administrator to contact the League of Women Voters to request a date and time for the forum.

In re: REQUEST FROM THE SHENANDOAH-POTOMAC GARDEN COUNCIL TO USE THE COUNTY MEETING ROOM

Motion by Corliss, second by Manuel to approve the use of the County meeting room by the Shenandoah-Potomac Garden Council. Motion carried.

In re: UPDATE ON COMPLETION OF TWO ROAD NAME CHANGES, RECOMMENDED BY HISTORIC LANDMARKS AND VOTED BY COUNTY COMMISSION (JOHNSONTOWN ROAD FOR PART OF HITE ROAD, MYERTOWN FOR MEYERTOWN ROAD) (JS)

The Commission agreed to have Jeffrey Polczynski come in and update the Commission on the status of these road name changes. The County Administrator brought up another addressing matter concerning a request made to have the Courthouse E-911 addressed. The Commission agreed that finding the Courthouse was not an issue for emergency personnel and that it was not necessary to have the Courthouse E-911 addressed.

In re: BUDGET; REPORT/FORECAST/ANALYSIS OF FY09 RECEIPTS WITH ALL APPLICABLE RISK FACTORS THOROUGHLY CONSIDERED (FM)

The Commission agreed to put this matter back on the agenda for next week.

In re: DISCUSS SCHEDULING ANOTHER WORKSHOP ON THE FIRST 100 PAGES OF THE ZONING AMENDMENT DOCUMENT

Motion by Manuel to schedule a workshop on the first 100 pages of the zoning amendment document.

Motion failed due to a lack of a second.

In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT

Stephanie Grove, Assistant Prosecuting Attorney, appeared before the Commission to give a legal update and report. Ms. Grove provided an opinion to the Commission concerning appointing Matthew Knott to the Parks and Recreation Commission. The Commission agreed to have Ms. Grove also contact the Ethics Commission. Ms. Grove also provided the Commission with her response to Ranson's questions to the Supreme Court.

In re: COUNTY ADMINISTRATOR REPORTS

The County Administrator discussed the Council of Governments meeting with the Commission. The Commission agreed on Parks and Recreation and Community Planning as topics for the meeting.

The County Administrator discussed correspondence received concerning property tax assessments.

In re: COUNTY COMMISSION REPORTS

Commissioner Surkamp reported on a Planning Commission meeting.

Commissioner Corliss reported on a MPO meeting.

In re: PUBLIC COMMENT

No public comment was given at this time.

The Commission received the following information:

Notice of Board of Review and Equalization for February 2008.

Correspondence received from Lt. T. H. Hansen concerning a visit from the State Fire Marshal where it was noted that a vehicle was blocking an emergency egress in the county parking lot.

Correspondence received from the State Tax Department concerning Board of Review and Equalization.

Correspondence received from Michael T. Mood concerning the Middleway Volunteer Fire Company.

Correspondence received concerning the Shenandoah Valley Water Resources Strategic Plan.

Tentative agenda received from the County Commissioners' Association for the Educational Training Series on January 29th, 2008.

Legislative information received from the County Commissioners' Association.

Legislative information received from the Association of Counties.

Notice received from Loudoun County of a comprehensive plan amendment public hearing on February 11, 2008.

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

The Commission received the following correspondence:

Correspondence received from James D. Clark concerning property tax assessment.

Correspondence received from Helen P. Jones concerning property tax assessment.

Correspondence received from David A. Piper concerning property tax assessment.

Correspondence received from Robert W. & Margaret E. Lang concerning property tax assessment

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

PRESIDENT, COUNTY COMMISSION