

**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, February 7, 2008, beginning at 9:30 o'clock a.m.

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

**In re: PLEDGE OF ALLEGIANCE**  
Commissioner Corliss 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, February 1, 2008, and to approve the Minutes as amended. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**  
Motion by Surkamp, second by Manuel to approve the following Purchase Orders for the Week of February 4, 2008, totaling \$35,740.75: 44419, 44896, 45025, 45037, 45038, 45039, 45159, 45052, 44946, 44947, 45108, 45111, 45154, 45157, 45158, 45160, 45161, 45244, 45245, 45246, 45247, 45152, 45156, 45207, 45208, 45209, 45210, 45211, 45214, 45215, 45217 and 45221. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**  
Motion by Manuel, second by Corliss to approve the list of Accounts Payable totaling \$266,153.53 dated February 7, 2008 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

<b>CK#</b>	<b>Dept</b>	<b>Vendor</b>	<b>PO#</b>	<b>PO Amt</b>	<b>Amt w/o PO</b>	<b>CK Amount</b>
054741	700	ALGERS AUTO RECYCLING	45206	\$45.00	\$0.00	\$45.00
054742	425	ABH SERVICES, INC.		\$0.00	\$7,898.17	\$7,898.17
054743	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
054743	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
054744	425	BATTERY MART	45142	\$19.95	\$0.00	\$19.95
054745	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
054746	425	B-K OFFICE SUPPLY INC	45140	\$328.50	\$0.00	\$328.50
054747	424	BOLAND SERVICES	44725	\$1,867.00	\$0.00	\$1,867.00
054748	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$62.31	\$62.31
054749	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$90.89	\$90.89
054750	PAYROLL	BUREAU F/CHILD SPIRT ENF		\$0.00	\$302.31	\$302.31

054751	716	BLUE RIDGE VETERINARY	45137	\$2,719.37	\$0.00	\$2,719.37
054752	403	CASTO & HARRIS INC	44888	\$826.00	\$0.00	\$826.00
054752	403	CASTO & HARRIS INC	44889	\$236.00	\$0.00	\$236.00
054752	403	CASTO & HARRIS INC	44892	\$1,353.76	\$0.00	\$1,353.76
054753	424	CHARLES TOWN WATER DEPT		\$0.00	\$75.52	\$75.52
054753	425	CHARLES TOWN WATER DEPT		\$0.00	\$677.59	\$677.59
054754	425	OLD CHARLES TOWN LIBRARY		\$0.00	\$1,500.00	\$1,500.00
054755	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$23.07	\$23.07
054756	403	DANKA OFFICE IMAGING	44894	\$1,030.40	\$0.00	\$1,030.40
054757	716	DODSON'S SEPTIC	45144	\$240.00	\$0.00	\$240.00
054758	440	DELL MARKETING LP	44942	\$4,685.58	\$0.00	\$4,685.58
054758	440	DELL MARKETING LP	44943	\$1,808.88	\$0.00	\$1,808.88
054759	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
054760	712	EARTHLINK INC		\$0.00	\$21.95	\$21.95
054761	430	FIFTH THIRD BANK	43684	\$39.21	\$0.00	\$39.21
054761	402	FIFTH THIRD BANK		\$0.00	\$29.95	\$29.95
054761	413	FIFTH THIRD BANK		\$0.00	\$501.54	\$501.54
054761	430	FIFTH THIRD BANK		\$0.00	\$90.50	\$90.50
054761	430	FIFTH THIRD BANK		\$0.00	\$30.20	\$30.20
054761	700	FIFTH THIRD BANK		\$0.00	\$789.30	\$789.30
054761	711	FIFTH THIRD BANK		\$0.00	\$324.13	\$324.13
054761	711	FIFTH THIRD BANK		\$0.00	\$121.43	\$121.43
054761	712	FIFTH THIRD BANK		\$0.00	\$35.14	\$35.14
054761	712	FIFTH THIRD BANK		\$0.00	\$65.37	\$65.37
054762	700	GALLS INCORPORATED	45220	\$56.73	\$0.00	\$56.73
054763	PAYROLL	GUARDIAN		\$0.00	\$126,843.16	\$126,843.16
054763	PAYROLL	GUARDIAN		\$0.00	\$2,271.40	\$2,271.40
054763	PAYROLL	GUARDIAN		\$0.00	\$6,644.70	\$6,644.70
054763	PAYROLL	GUARDIAN		\$0.00	-\$0.26	-\$0.26
054764	425	GRAINGER, INC	45143	\$379.58	\$0.00	\$379.58
054765	716	HILLSIDE VETERINARY HOSP	45135	\$167.15	\$0.00	\$167.15
054766	439	KON OFFICE SOLUTIONS	44929	\$218.23	\$0.00	\$218.23
054766	401	KON OFFICE SOLUTIONS		\$0.00	\$247.50	\$247.50
054767	716	INWOOD ANIMAL CENTER	45139	\$188.43	\$0.00	\$188.43
054768	PAYROLL	ING		\$0.00	\$260.00	\$260.00
054769	700	JEFFERSON CO HEALTH DEPT	45216	\$30.00	\$0.00	\$30.00
054770	439	JEFFERSON PUBLISH CO INC	44935	\$341.67	\$0.00	\$341.67
054770	451	JEFFERSON PUBLISH CO INC	44936	\$126.41	\$0.00	\$126.41
054770	401	JEFFERSON PUBLISH CO INC		\$0.00	\$72.30	\$72.30
054771	425	JEFFERSON COUNTY SOLID	45138	\$9.48	\$0.00	\$9.48
054772	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,773.00	\$4,773.00
054773	PAYROLL	COMPROLLER OF MARYLAND		\$0.00	\$677.20	\$677.20
054774	401	MARRIOTT INTERNATIONAL		\$0.00	\$338.00	\$338.00
054775	700	MCKINNEY'S AUTO REPAIR	45134	\$65.85	\$0.00	\$65.85

054775	700	MCKINNEY'S AUTO REPAIR	45155	\$67.10	\$0.00	\$67.10
054776	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
054777	425	NORVAC LOCK TECHNOLOGY	45141	\$108.60	\$0.00	\$108.60
054777	425	NORVAC LOCK TECHNOLOGY	45153	\$91.10	\$0.00	\$91.10
054778	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
054779	716	NORTON EMBROIDERY INC	40242	\$839.70	\$0.00	\$839.70
054780	403	PIFER OFFICE SUPPLY, INC	44891	\$60.48	\$0.00	\$60.48
054780	403	PIFER OFFICE SUPPLY, INC	44895	\$30.11	\$0.00	\$30.11
054780	404	PIFER OFFICE SUPPLY, INC	44519	\$345.19	\$0.00	\$345.19
054781	700	EVELYN J. PARTLOW	45213	\$28.00	\$0.00	\$28.00
054782	700	QUARTER MASTER	45219	\$64.95	\$0.00	\$64.95
054783	424	ROACH OIL COMPANY		\$0.00	\$1,301.21	\$1,301.21
054784	413	RAI GROUP 43, LLC	45030	\$2,025.00	\$0.00	\$2,025.00
054785	402	RECORD MANAGEMENT SOLUT	44469	\$35.00	\$0.00	\$35.00
054786	401	SOFTWARE SYSTEMS, INC		\$0.00	\$4,809.86	\$4,809.86
054786	402	SOFTWARE SYSTEMS, INC		\$0.00	\$1,616.00	\$1,616.00
054786	403	SOFTWARE SYSTEMS, INC		\$0.00	\$427.00	\$427.00
054786	404	SOFTWARE SYSTEMS, INC		\$0.00	\$843.00	\$843.00
054786	439	SOFTWARE SYSTEMS, INC		\$0.00	\$1,126.00	\$1,126.00
054786	712	SOFTWARE SYSTEMS, INC		\$0.00	\$213.50	\$213.50
054787	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$69.34	\$69.34
054787	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$37.20	\$37.20
054787	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8.70	\$8.70
054787	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,158.08	\$8,158.08
054787	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$34,882.58	\$34,882.58
054787	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$296.48	\$296.48
054788	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$31,249.41	\$31,249.41
054788	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$913.36	\$913.36
054788	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$19.81	\$19.81
054789	424	SHANNON BUSINESS SYSTEMS	45136	\$378.26	\$0.00	\$378.26
054790	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
054791	700	SHANNON R. TRAVIS	45212	\$92.00	\$0.00	\$92.00
054792	PAYROLL	TIME INSURANCE CO		\$0.00	\$305.89	\$305.89
054793	402	UNITED SYSTEMS & SOFTWARE		\$0.00	\$184.00	\$184.00
054793	403	UNITED SYSTEMS & SOFTWARE		\$0.00	\$157.00	\$157.00
054794	PAYROLL	CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
054795	716	VALLEY PET CEMETERY		\$0.00	\$148.00	\$148.00
054796	430	WILLIAMS MOTOR PARTS, IN	45110	\$26.02	\$0.00	\$26.02
054797	425	WM OF WEST VIRGINIA, INC		\$0.00	\$195.30	\$195.30
054797	425	WM OF WEST VIRGINIA, INC		\$0.00	\$258.71	\$258.71
054797	716	WM OF WEST VIRGINIA, INC		\$0.00	\$91.61	\$91.61
054798	401	WV ETHICS REPORTER, INC		\$0.00	\$189.00	\$189.00
054799	700	WEST VIRGINIA UNIFORM-52	45218	\$62.75	\$0.00	\$62.75
054800	402	XEROX CORPORATION	44270	\$304.03	\$0.00	\$304.03

054800	402	XEROX CORPORATION	44466	\$376.45	\$0.00	\$376.45
054800	402	XEROX CORPORATION	44467	\$223.15	\$0.00	\$223.15
<b>Totals</b>				<b>\$21,941.07</b>	<b>\$244,212.46</b>	<b>\$266,153.53</b>

**In re: LEGISLATIVE ISSUES**

Commissioner F. Morgan discussed a Senate Bill regarding assessments.

Commissioner Manuel discussed the status on House Bill 4057.

**In re: BONDING AND ACTIVITY REPORT**

Tony Redman, Director of Planning and Zoning appeared before the Commission to update the Commission on the ordinance amendments. Mr. Redman reported on the redline strikeout draft that will be available for Commission review around the 19<sup>th</sup> of February. Mr. Redman informed the Commission that the Planning Commission will hold a public hearing 2 weeks after the draft is posted on the website.

**In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENT DISCUSSION**

there was no Bonding and Activity report for this week.

**In re: PUBLIC COMMENT**

Ed Burns appeared before the Commission and commented on last week's Executive Session. Mr. Burns also commented on the Zoning Amendment public hearings.

Bradley Gray appeared before the Commission and commented on the Stonewall Heights project.

Herb Yonkers appeared before the Commission and commented on the Stonewall Heights project.

**In re: APPOINTMENTS TO THE WATER ADVISORY COMMITTEE**

No action was taken on this agenda item.

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

Leslie Smith, County Administrator distributed a comparison report with a summary of revenues for December, 2006, 2007 and January, 2008.

**In re: LOCAL DEVELOPMENT ASSISTANT GRANT PROGRAM - BLUE RIDGE ACRES COMMUNITY CLUBHOUSE - GRANT CONTRACT AND RESOLUTION**

Motion by Manuel, second by R. Morgan to approve the Grant Contract, Resolution and Letter of Agreement for the Blue Ridge Acres Community Clubhouse Grant. Motion carried.

Commission F. Morgan left the meeting at 10:00 a.m.

**In re: APPROVAL OF RESOLUTION - EASTERN PANHANDLE HOME CONSORTIUM**  
**Motion by Corliss, second by Manuel to approve the Resolution for the Eastern**  
**Panhandle HOME Consortium. Motion carried.**

**RESOLUTION**

**A RESOLUTION OF THE COUNTY COMMISSION OF THE JEFFERSON COUNTY AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM OF WEST VIRGINIA FOR THE PERIOD OF JULY 1, 2008 TO JUNE 30, 2009.**

**WHEREAS, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as HOME); and**

**WHEREAS, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and**

**WHEREAS, there is a need throughout the Eastern Panhandle of West Virginia to provide affordable housing for the low and moderate income residents; and**

**WHEREAS, the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, City of Charles Town, City of Ranson, City of Shepherdstown, County of Morgan, Town of Paw Paw, West Virginia, have formed a Consortium that has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to seek annual funding; and**

**WHEREAS, the County Commission of Jefferson County entered into a three (3) year Housing Consortium Cooperation Agreement with an annual renewal clause for participation in the HOME Consortium for the Eastern Panhandle; and**

**WHEREAS, the U.S. Department of Housing and Urban Development is expected to award the HOME Consortium of the Eastern Panhandle a HOME grant upon request and consideration for Fiscal Year 2008-2009; and**

**WHEREAS, the County Commission of Jefferson County recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY THAT:**

- 1. The County Commission of Jefferson County will cooperate with the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, City of Charles Town, , City of Ranson, City of Shepherdstown, County of Morgan, Town of Paw Paw, West Virginia, in a Consortium for participation in the HOME Program; and**
- 2. The President of the County Commission of Jefferson County is hereby authorized to enter into a one-year Cooperation Agreement for the period of July 1, 2008 to June 30, 2009. renewable**

in one year increments through June 30, 2010, with the other members which form the Eastern Panhandle HOME Consortium of West Virginia; and

3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve funding of the Eastern Panhandle HOME Consortium of West Virginia for the above Fiscal Year 2007 HOME Investment Partnership Program.

Adopted this   7th   day of  February , 2008.

BY:

ATTEST:

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A.M.S. Morgan, III President Pro Tem  
County Commission of Jefferson County

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Jennifer S. Maghan, County Clerk

In re: **APPROVAL OF CHANGE ORDER #007 - OLD JAIL COURT HOUSE ANNEX**  
Motion by Corliss, second by Surkamp to approve Change Order #007 for the Old Jail Court House Annex. Motion carried.

In re: **PROPOSAL TO IMPLEMENT A "LEARNING LUNCH" COMPUTER TECHNOLOGY SERIES**

Mark Schiavone, Director of Capital Planning and Management appeared before the Commission to discuss the proposed "Learning Lunch" Computer Technology Series. Mr. Schiavone informed the Commission that the seminars would be during lunch hour and at no cost to the County. After discussion, the Commission agreed to move forward with the "Learning Lunch" Computer Technology Seminars and that Mr. Schiavone will send out an email to notify employees of the upcoming "Learning Lunch".

In re: **LEGAL COUNSEL JUI RATE CASE HEARING FEBRUARY 29, 2008 (JS)**  
The Commission agreed to discuss this matter with legal counsel.

In re: **ANIMAL WELFARE SOCIETY BUDGET PRESENTATION**

Jeff Bresee, Animal Welfare Society appeared before the commission to request financial assistance for the FY2008-2009 budget. Mr. Bresee also discussed the possibility of the Animal Welfare Society and the Jefferson County Animal Control Department working together to enhance the ability to meet the needs of county animals and county residents. After discussion, the Commission recommended that Donald Longerbeam, Animal Control Officer review the information and report back to the Commission during budget deliberations. The Commission also agreed to discuss the request for financial assistance during budget deliberations.

**In re: LIZ WHEELER - ARTS AND HUMANITIES ALLIANCE JEFFERSON COUNTY CULTURAL PLAN**

Elizabeth Wheeler appeared before the Commission to present a summary of the Cultural Plan for Jefferson County. Ms. Wheeler distributed a copy of the report to the Commission for review. For the record, Pam Parziale and Peter Corum were present and made comments.

Commissioner F. Morgan returned at 10:45 a.m.

The Commission took a 10 minute break at 10:55 a.m. The Commission reconvened at 11:05 a.m.

**In re: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT  
- APPOINT BALLOT COMMISSIONERS FROM THE EXECUTIVE COMMITTEE  
- §3-1-19 PRIMARY ELECTION 2008 TIME-LINE**

Jennifer Maghan, County Clerk appeared before the Commission to inform the Commission of the appointment of following Ballot Commissioners from the Executive Committee for a two year term:

- Gary L. Dungan - Republican Party
- Reva Mickey - Democratic Party

Ms. Maghan also discussed the election timeline.

**In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT**

Brandy Sims, Assistant Prosecuting Attorney appeared before the Commission to give a legal update on the conversation she had with Vince Collins, Bond Counsel regarding a possible conflict. After discussion, the Commission agreed that they do not see a conflict and Ms. Sims will contact Mr. Collins and advise him of the position of the Commission.

Stephanie Grove, Assistant Prosecuting Attorney discussed the following:

- Sale of the Cavaland-Glen Haven water system
- Comments regarding the Executive Session of the previous week

**In re: LEGAL COUNSEL JUI RATE CASE HEARING FEBRUARY 29, 2008 - CONTINUED**

Brandy Sims, Assistant Prosecuting Attorney discussed the JUI rate case hearing scheduled for February 29, 2008.

**In re: DON JACOBS - CLASSIFICATION AND COMPENSATION PLAN CONSULTANT**

Don Jacobs, Consultant appeared before the Commission to give an update on the Classification and Compensation Plan. After discussion, the Commission requested that Leslie Smith, County Administrator provide comments. The Commission agreed to forward any comments they have to Ms. Smith and then she will compile all the comments and forward them to Mr. Jacobs. The Commission agreed to make decisions at the next meeting and forward recommendations to Mr. Jacobs.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Surkamp reported on the presentation on the County's radio system that was held on Tuesday evening.

Commissioner Corliss reported on an upcoming air quality meeting with Region 9. The Commission discussed the proposed area code changes.

**The Commission received the following information:**

Correspondence received from Jeffrey Polczynski concerning animal control radio traffic.

Correspondence received from the Development Authority concerning future broadband improvement.

Impact Fee status report for January 2008 received.

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

Correspondence received from the Jefferson County Health Department concerning the Clean Indoor Air Regulation.

Correspondence received from the Jefferson County Health Department concerning a government cable TV channel.

Correspondence received from the Division of Highways concerning receipt of the Transportation Enhancement Program application for the Shepherdstown Battlefield.

Correspondence received from Governor Manchin concerning receipt of the correspondence concerning emergency egress in the mountain area.

Invitation received from the City of Ranson to attend a reception to welcome the Shenandoah Valley Tigers Semi-Pro Football Team to Ranson and Jefferson County.

Correspondence received from McNeary concerning the Virginia Association of Counties Group Self Insurance Risk Pool.

Information received from the Association of Counties concerning the annual meeting.

Information received from the Association of Counties concerning election filings.

Legislative information received from the Association of Counties.

Legislative information received from the County Commissioners' Association.

Fiscal year 2007 Annual Report received from the USDA.

Jefferson County Jail progress meeting minutes received from Grove & Dall'Olio.

Correspondence received from the West Virginia Division of Homeland Security and Emergency Management concerning the Hazard Mitigation Plan.

Harpers Ferry National Historical Park Community Bulletin received.

Information received from the USDA concerning Rural Development Utility Programs.

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

#### Miscellaneous

The Commission received the following correspondence:

Correspondence received from Patricia J. Fowler concerning property tax assessment.

Correspondence received from Sandra Walker concerning property tax assessment.

Upon rising, the Commission recessed until Thursday afternoon beginning at 1:30 o'clock p.m. sitting as a Board of Review and Equalization.

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Frances B. Morgan, Commission President