

**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, March 27, 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 Surkamp 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, March 20, 2008, and to approve the Minutes as amended. Motion carried. Motion by Manuel, second by R. Morgan to dispense with the reading of the Minutes for the meeting held on Tuesday, March 18, 2008, and to approve the Minutes as prepared. Motion carried. Motion by Manuel, second by R. Morgan to dispense with the reading of the Minutes for the Board of Review and Equalization hearing held on Tuesday, February 26, 2008, and to approve the Minutes as prepared. 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 March 24, 2008, totaling \$14,533.39: 45436, 45189, 44427, 44904, 45389, 44834, 454528, 44149, 45361, 45362, 45363, 45279, 45426, 45429, 45430, 45431, 45175, 45433, 45434, and 45360. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**  
Motion by Manuel, second by Corliss to approve the list of the Accounts Payable dated March 27, as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
055170	424	ALLEGHENY POWER		\$ 0.00	\$ 963.93	\$ 963.93
055170	425	ALLEGHENY POWER		\$ 0.00	\$ 7,227.95	\$ 7,227.95
055171	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ 0.00	\$ 3,582.25	\$ 3,582.25
055172	430	AVMA AMERICAN VETERINARY	45291	\$ 135.00	\$ 0.00	\$ 135.00
055173	700	AMERA-CHEM, INC.	45306	\$ 76.90	\$ 0.00	\$ 76.90
055174	406	BERKELEY PRINTING/DESIGN	44426	\$ 1,762.50	\$ 0.00	\$ 1,762.50
055175	425	B-K OFFICE SUPPLY INC	45419	\$ 821.70	\$ 0.00	\$ 821.70

055176	711	AMERIGAS - RANSON	45288	\$	136.90	\$	0.00	\$	136.90
055177	424	B&B EMBROIDERY/LAIRD BUS	45412	\$	51.00	\$	0.00	\$	51.00
055178	716	PAULA AIELLO		\$	0.00	\$	250.00	\$	250.00
055179	402	CASTO & HARRIS INC	45385	\$	330.54	\$	0.00	\$	330.54
055180	711	*CREAMERS AUTO SERVICE	45423	\$	328.52	\$	0.00	\$	328.52
055180	712	*CREAMERS AUTO SERVICE	45423	\$	35.35	\$	0.00	\$	35.35
055180	716	*CREAMERS AUTO SERVICE	45423	\$	37.74	\$	0.00	\$	37.74
055181	712	JOHN T. CONSIDINE		\$	0.00	\$	120.00	\$	120.00
055182	424	CENTRAL ELEVATOR	45418	\$	140.00	\$	0.00	\$	140.00
055182	425	CENTRAL ELEVATOR	45418	\$	280.00	\$	0.00	\$	280.00
055183	700	CITY OF BETHLEHEM	45316	\$	50.00	\$	0.00	\$	50.00
055184	700	CSI FORENSIC SUPPLY	45309	\$	235.18	\$	0.00	\$	235.18
055185	406	DECISIONONE CORPORATION	44422	\$	118.72	\$	0.00	\$	118.72
055186	425	DEHAVEN SEVEN-UP CORP		\$	0.00	\$	28.50	\$	28.50
055187	424	FEDEX		\$	0.00	\$	93.64	\$	93.64
055188	451	FRED PRYOR SEMINARS	45359	\$	79.00	\$	0.00	\$	79.00
055189	424	FRONTIER COMMUNICATIONS		\$	0.00	\$	1,012.30	\$	1,012.30
055190	424	FRONTIER		\$	0.00	\$	475.40	\$	475.40
055191	700	GALLS INCORPORATED	45314	\$	1,286.69	\$	0.00	\$	1,286.69
055192	425	GRAINGER, INC	45417	\$	244.23	\$	0.00	\$	244.23
055193	424	MYRON GREGORY		\$	0.00	\$	20.00	\$	20.00
055194	700	INTERNATIONAL POLYGRAPH	45313	\$	200.00	\$	0.00	\$	200.00
055195	425	DVILLE, INC	45302	\$	52.25	\$	0.00	\$	52.25
055196	700	JEFF CO DEPUTY SHERIFF'S		\$	0.00	\$	1,990.00	\$	1,990.00
055196	700	JEFF CO DEPUTY SHERIFF'S		\$	0.00	\$	352.15	\$	352.15
055196	700	JEFF CO DEPUTY SHERIFF'S		\$	0.00	\$	312.04	\$	312.04
055196	700	JEFF CO DEPUTY SHERIFF'S		\$	0.00	\$	119.00	\$	119.00
055197	711	JIM'S AUTO REPAIR	45290	\$	102.84	\$	0.00	\$	102.84
055198	712	DR ROBERT JONES		\$	0.00	\$	1,000.00	\$	1,000.00
055199	700	MIDWEST RADAR & EQUIPMEN	45307	\$	84.00	\$	0.00	\$	84.00
055200	700	MCKINNEY'S AUTO REPAIR	45424	\$	1,108.78	\$	0.00	\$	1,108.78
055201	425	RYAN MILBORNE		\$	0.00	\$	5.29	\$	5.29
055202	700	NATIONAL RIFLE ASSOC	45315	\$	1,050.00	\$	0.00	\$	1,050.00
055203	425	NOLAND CO.	45421	\$	1,028.88	\$	0.00	\$	1,028.88
055204	404	PIFER OFFICE SUPPLY, INC	44523	\$	93.12	\$	0.00	\$	93.12
055204	406	PIFER OFFICE SUPPLY, INC	44423	\$	66.23	\$	0.00	\$	66.23
055205	712	LAURA POPE		\$	0.00	\$	120.00	\$	120.00
055206	712	JEFFREY POLCZYNSKI		\$	0.00	\$	150.00	\$	150.00
CHCKNO	DEPT	VENDOR	PONUM		POAMT		NOAMT		CHECK AMOUNT
055207	700	PSYCHOLOGICAL HEALTH ASS	45312	\$	375.00	\$	0.00	\$	375.00
055208	700	PENNSYLVANIA STATE UNIVE	45311	\$	585.00	\$	0.00	\$	585.00
055209	711	ROACH OIL COMPANY	45283	\$	741.89	\$	0.00	\$	741.89
055209	425	ROACH OIL COMPANY		\$	0.00	\$	435.23	\$	435.23
055210	424	SMITH-NADENBOUSCH INS./C		\$	0.00	\$	200.00	\$	200.00
055211	403	SOFTWARE SYSTEMS, INC	44902	\$	829.98	\$	0.00	\$	829.98
055212	704	ST/WV REGIONAL JAIL &	45304	\$	48.50	\$	0.00	\$	48.50
055213	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$	0.00	\$	8,080.43	\$	8,080.43
055214	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$	0.00	\$	9,981.72	\$	9,981.72
055215	700	TASER INTERNATIONAL	45310	\$	450.00	\$	0.00	\$	450.00
055216	405	WEST PAYMENT CENTER	45256	\$	1,084.65	\$	0.00	\$	1,084.65
055217	PAYROLL	WV PUB EMP RETIRE SYS		\$	0.00	\$	20,844.84	\$	20,844.84
055218	PAYROLL	WV PUB EMP RETIRE SYS		\$	0.00	\$	48,637.85	\$	48,637.85
055219	700	WEST VIRGINIA UNIFORM-52	45308	\$	729.60	\$	0.00	\$	729.60
055220	GRANT	WV DEPT OF AGRICULTURE		\$	0.00	\$	3,246.96	\$	3,246.96
TOTALS								\$	124,030.17

TOTALS			\$ 14,780.69	\$ 109,249.48	\$ 124,030.17
DEPT	NAME				DEPT AMTS
401/COM	CO. COMMISSION				
402/CCLK	CO. CLERK				\$ 330.54
403/CIR CLK	CIRCUIT CLERK				\$ 829.98
404/TAX	TAX OFFICE				\$ 93.12
405/PA	PROS ATTY				\$ 1,084.65
406/ASSR	ASSESSORS				\$ 1,947.45
408/GOV	ST.COMPNET CHG BO GOV UNIT				
412/AG	AG AGT				
413/ELE	ELECTION				
415/MAG CT	MAGISTRATE COURT				
415/	GENERAL SCHOOL/CO TRANSFER				
422/IMPACT	IMPACT FEE OPERATIONAL DEPT				
424/CTHS	COURT HOUSE				\$ 2,956.27
425/OB	OTHER BUILDING				\$ 10,124.03
428/DATAP	DATA PROCESSING				
430/HLS	HOMELAND SEC				\$ 135.00
431/ECON DEV	ECON DEV				
433/GIS	GIS/ADDRESSING				
439/PZ	PLANNING ZONING				
440/ENG.	DEPT OF ENGINEERING				
451/ZONING	ZONING DEPT				\$ 79.00
700/SHRF	SHERIFF DEPT				\$ 9,004.34
701/SHRF	SHERIFF DEPT				
704/WV JAIL	ST/WV REGIONAL JAIL				\$ 48.50
711/OES	EMERG SVC				\$ 1,310.15
712/911	911 COMMUNICATION				\$ 1,425.35
716/A/C	ANIMAL CONTROL				\$ 287.74
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				
988/CAP/OB	OTHER BUILDING/CAPITAL OUTLAY				
989/CAP/AGT	AG AGT/CAPITAL OUTLAY				
992/CAP/911	911 COMMUNICATION/CAP OUTLAY				
ALLOC	ALLOCATIONS				
GRANTS	GRANTS				\$ 3,246.96
PAYROLL	PAYROLL				\$ 91,127.09
TOTALS					\$ 124,030.17

**In re: BONDING AND ACTIVITY REPORT**

There was no bonding or activity report this week.

**In re: PUBLIC COMMENT**

No public comment was given.

**In re: LEGISLATIVE ISSUES**

Commissioner Manuel reported that he was waiting for a call from the Governor about the signing of 224 and 4511.

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

The Commission discussed the Zoning and Subdivision Ordinance amendments.

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

No action was taken on this agenda item.

**In re: APPOINTMENTS OF ALTERNATE MEMBERS TO THE BOARD OF ZONING APPEALS**

No action was taken on this agenda item.

**In re: DISCUSSION OF INCREASE TO E-911 FEES**

The Commission discussed the possibility of increasing the E-911 fee. After discussion, the Commission authorized the County Administrator to begin the process of possibly increasing the E-911 fee.

**In re: PROVISION OF WATER SERVICE TO BURR BUSINESS PARK PHASE 2 (FM)**

Commissioner F. Morgan moved this agenda item to next week.

**In re: FY2009 IMPACT FEE FUNDABLE PROJECTS - SCHOOLS, LAW ENFORCEMENT, AND PARKS AND RECREATION**

After discussion with Mark Schiavone, the Commission agreed to put this matter back on next week's agenda for a decision.

**In re: FY 2009 IMPACT FEE FUNDABLE PROJECTS - FIRE & EMS**

After discussion with Mark Schiavone, the Commission agreed to put this matter back on next week's agenda for a decision.

**In re: ANDREW BLAKE - RANSON PETITION FOR ANNEXATION - TRUSSELL, SHOEMAKER AND CHAPMAN**

Andrew Blake, Attorney for the City of Ranson, appeared before the Commission to present a petition for annexation for property owned by Trussell, Shoemaker and Chapman. Stephanie Grove, Assistant Prosecuting Attorney, was present and informed the Commission that the petition was legally sufficient. After discussion, motion by R. Morgan, second by Manuel to approve the petition for annexation as presented. Motion carried.

**In re: AUTHORIZATION TO FUND MONIES FOR FIVE WELL WATERS "LOGGERS" AT**

**\$300.00 EACH TOTALING \$1,500.00 TO ESTABLISH A WELL WATER MONITORING PROGRAM FOR JEFFERSON COUNTY (GC)**

Motion by Corliss, second by Surkamp to approve the purchase of five well water “Loggers” totaling \$1,500.00 to establish a well water monitoring program for Jefferson County. Motion failed by a 1-4 voted. Commissioners Manuel, F. Morgan, R. Morgan and Surkamp voted no. The Commission agreed they would discuss this purchase during budget deliberations.

**In re: SECRETARIAL SUPPORT FOR THE WATER ADVISORY COMMITTEE (WAC) WITH RESPECT TO WRITING MINUTES OF MONTHLY MEETINGS INFO CAPTURED ON AUDIO TAPE (GC)**

Motion by Corliss, second by R. Morgan to have the County Administrator provide secretarial support by providing minutes and audio recordings of the monthly meetings of the Water Advisory Committee. Motion carried.

**In re: ONE FILING CABINET FOR STORAGE OF REPORTS AND REPOSITORY OF DOCUMENTS, IN HUNTER HOUSE, IMPORTANT TO THE FUNCTIONING OF THE WAC AND LOAN OF ONE LAP TOP AS REQUIRED FOR WATER TABLE MONITORING PROGRAM IF AUTHORIZED BY THE CC (GC)**

The Commission unanimously agreed to provide a file cabinet in the Hunter House for use by the Water Advisory Committee.

**In re: ROBERT RICHARD - CHARLES TOWN/RANSON LITTLE LEAGUE - UPDATE ON FIELDS AT SAM MICHAELS**

Robert Richard, from the Charles Town/Ranson Little League, appeared before the Commission concerning funding for upgrades to the baseball fields at Sam Michaels Park. The Commission recommended that Mr. Richard first meet with the Parks and Recreation Commission concerning funding options.

**In re: POTOMAC HEADWATERS RC&D PRESENTATION**

Rebecca MacLeod, from the Potomac Headwaters RC&D, appeared before the Commission to give their annual report and request budget funds for Fiscal year 2009.

**In re: PAUL ROSA - TECHNICAL NAME CHANGE FOR JEFFERSON COUNTY AMBULANCE AUTHORITY**

Paul Rosa, from the Jefferson County Ambulance Authority, appeared before the Commission to request the approval of a resolution for a technical name change for the Jefferson County Ambulance Authority. After discussion, motion by R. Morgan, second by Manuel to approve the technical name change resolution for the Jefferson County

**Ambulance Authority pending legal review. Motion carried.**

**The Commission took a 10 minute break at 10:53 a.m.**

**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 updated the Commission on election information.**

**In re: JEREMY CAMP - CITY OF CHARLES TOWN HOUSING OPPORTUNITY BOARD - REQUEST FOR IMPACT FEE HARDSHIP EXEMPTION**

**Jeremy Camp, from the City of Charles Town Housing Opportunity Board, appeared before the Commission to request the approval of an impact fee hardship exemption. After discussion and comments from Mark Schiavone, motion by Manuel, second by R. Morgan to approve the impact fee hardship exemption. Motion carried.**

**In re: IN LIGHT OF CURRENT BUDGET CRISIS, I MOVE THAT ALL EXPENDITURES BOTH CURRENT AND FUTURE ON THE JUDICIAL BUILDING BE IMMEDIATELY SUSPENDED (DM)**

**The Commission discussed this agenda item to suspend all current and future expenditures on the proposed judicial building. After discussion, motion by Surkamp, second by Manuel to table this matter for one week. Motion passed by a 4-1 vote. Commissioner Corliss voted no.**

**In re: MOTION TO PLACE THE ZONING AMENDMENT ON THE NOVEMBER BALLOT FOR A VOTE OF THE PEOPLE (DM)**

**Motion by Manuel, second by Surkamp to place the zoning amendment on the November General Election ballot. Motion failed by a 2-3 vote. Commissioners F. Morgan, Corliss and Surkamp voted no.**

**In re: KIRK DAVIS - PARKING PROPOSAL**

**Motion by Corliss, second by Surkamp to enter into Executive Session to discuss pending negotiations. Motion carried.**

**Motion by Corliss, second by Surkamp to return to Regular Session. Motion carried. No decisions were made during Executive Session.**

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

**Elizabeth Blake appeared before the Commission to inform the Commission that the Elk Run Study Group recommended the appointment of Dan Riss to the Water Advisory Committee. The Commission agreed to take up this matter next week.**

**In re: APPROVAL OF LEVY ESTIMATE FOR FISCAL YEAR 2009**

The Commission agreed to defer this matter to the budget workshop scheduled for today at 1:30 p.m.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Surkamp reported on the Planning Commission meeting.

**In re: COUNTY COMMISSION REPORTS**

The County Administrator discussed the Council of Governments meeting. The Commission agreed to wait until next month to hold the next Council of Governments meeting.

The County Administrator reported to the Commission on a call received from the Public Service Commission concerning emailing correspondence to the Harpers Ferry/Bolivar Public Service District.

The County Administrator reported on the upcoming Planning Commission appointments. The Commission agreed to conduct interviews for the appointments next week.

The County Administrator provided the Commission with budget information.

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

Stephanie Grove, Assistant Prosecuting Attorney, appeared before the Commission for the legal update and report. Ms. Grove discussed the questions on the draft zoning ordinance.

The Commission recessed until 1:30 p.m.

**In re: BUDGET WORKSHOP**

The Commission met for the purpose of deliberating on the Fiscal Year 2009 budget. Tony Redman, Director of Planning and Zoning, was present and made comment. Paul Marshall, Tim Barr and Shawna Molina, from Parks and Recreation, were also present and commented. Motion by Manuel to eliminate the Impact Fee Department. Motion failed due to a lack of a second. After further discussion, motion by Corliss, second by Manuel to reconvene on Monday, March 31, 2008 for budget deliberations and to request the elected officials and department heads to come in to report on operating their departments on a reduced budget. Motion passed by a 4-1 vote. Commissioner F. Morgan voted no.

The Commission took a 10 minute break at 2:35 p.m.

**In re: BUDGET WORKSHOP - CONTINUED**

**Motion by Corliss, second by Manuel to ask the County Administrator to provide a projected budget for revenues and expenditures for Fiscal Year 2010, as soon as practical. Motion carried. Motion by Corliss, second by Surkamp that the Commission consider a county department reorganization as follows, that the County Administrator be assigned additional new responsibilities as the county human resource manager, that the Capital Planning Director be assigned new additional duties as county fiscal officer, that the commission create a public works department headed by current Capital Projects Manager and that these effected departments provide comments and recommendations regarding this proposal early next week. Before voting, motion by Manuel, second by R. Morgan to adjourn. Motion passed by a 3-2 vote. Commissioners Surkamp and Corliss voted no.**

**The Commission received the following information:**

**Appointments to be made to the Planning Commission on April 3, 2008.**

**Notice of County Commission Work Sessions on April 7, 2008, April 8, 2008 and April 14, 2008, at 10:00 a.m. to review the proposed zoning ordinance and proposed zoning map.**

**Memorandum received from Tony Redman concerning the proposed draft zoning ordinance questions from the County Commission workshops and two outstanding requests.**

**Correspondence received from Robert Rodecker concerning the cable franchise agreement.**

**Press Release received from the Jefferson County Historical Society concerning a meeting on April 5, 2008 featuring a lecture on Washington Family Legacy Park Initiative.**

**Notice received of the Spring 2008 Local Government Leadership Academy on April 12-13, 2008.**

**Correspondence received from Senator Robert C. Byrd concerning the Washington properties.**

**Correspondence received from the West Virginia Division of Culture and History concerning the National Register of Historic Places.**

Correspondence received from Senator Robert C. Byrd concerning gypsy moths.

Correspondence received from the Public Service District concerning the new county radios.

Meeting minutes received from the Eastern Panhandle Transit Authority.

E-911 fees received from ACN Communications Services, Inc.

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

#### **CORRESPONDENCE**

Correspondence received from James G. Gibson concerning a zoning map clarification.

Correspondence received from Meg-Welley Farm concerning the proposed zoning classification.

Correspondence received from Lyle C. "Cam" Tabb, III concerning language dealing with the Ag Task Force in the proposed zoning ordinance.

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

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**PRESIDENT**