

**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, April 17, 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 R. Morgan 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 Special Session to Lay the Levy held on Tuesday, April 15, 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 meeting held on Thursday, April 10, 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 Board of Review and Equalization hearings 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 Corliss to approve the following Purchase Orders for the Week of April 14, 2008, totaling \$20,092.12: 45093, 44905, 44909, 45565, 45466, 45468, 45278, 45460, 45461, 45462, 45463, 45323, 45324, 45327, 45465, 45467, and 44526. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**  
Motion by Corliss, second by Manuel to approve the list of the Accounts Payable dated April 17, 2008, as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
055335	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ 0.00	\$ 3,619.00	\$ 3,619.00
055336	439	AMERICAN PLANNING ASSOC	45365	\$ 425.00	\$ 0.00	\$ 425.00
055337	425	COMCAST		\$ 0.00	\$ 55.93	\$ 55.93
055338	424	AT&T		\$ 0.00	\$ 0.17	\$ 0.17
055339	424	AUTOZONE		\$ 0.00	\$ 132.62	\$ 132.62

055339	700	AUTOZONE		\$	0.00	\$	75.37	\$	75.37
055339	711	AUTOZONE		\$	0.00	\$	42.93	\$	42.93
055340	700	AMERICAN INTERNATIONAL	45451	\$	73.57	\$	0.00	\$	73.57
055341	ALLOC	AHA/ART&HUMANITIES ALLNC		\$	0.00	\$	1,956.01	\$	1,956.01
055342	700	BRUCES 24 WRECKER SERVIC	45464	\$	82.50	\$	0.00	\$	82.50
055343	PAYROLL	BUREAU FOR CHILD SUPPORT		\$	0.00	\$	72.00	\$	72.00
055344	425	B-K OFFICE SUPPLY INC	45454	\$	802.55	\$	0.00	\$	802.55
055345	424	BONDED APPLICATORS OF MD	45453	\$	12,950.00	\$	0.00	\$	12,950.00
055346	PAYROLL	BUREAU F/CHILD SUPPORT		\$	0.00	\$	62.31	\$	62.31
055347	716	PAULA AIELLO		\$	0.00	\$	273.37	\$	273.37
055348	PAYROLL	BUREAU F/CHILD SPRT ENF		\$	0.00	\$	241.85	\$	241.85
055349	439	BERKELEY CO. ADULT ED	45378	\$	60.00	\$	0.00	\$	60.00
055350	402	CAT TAIL RUN HAND BKBIND	44452	\$	1,265.00	\$	0.00	\$	1,265.00
055351	403	CASTO & HARRIS INC	44901	\$	2,449.24	\$	0.00	\$	2,449.24
055351	413	CASTO & HARRIS INC	45395	\$	28,221.84	\$	0.00	\$	28,221.84
055351	983	CASTO & HARRIS INC	45564	\$	14,207.50	\$	0.00	\$	14,207.50
055352	700	*CREAMERS AUTO SERVICE	45452	\$	375.79	\$	0.00	\$	375.79
055353	712	VERIZON CABS		\$	0.00	\$	150.00	\$	150.00
055354	425	CHARLES TOWN COPYING SRV	45455	\$	8.00	\$	0.00	\$	8.00
055355	PAYROLL	CHILD SUPPORT ENFORCE AG		\$	0.00	\$	23.07	\$	23.07
055356	430	CREATIVE DESIGN MARKETIN	45285	\$	436.95	\$	0.00	\$	436.95
055357	406	DAYTON LEGAL BLANK	44419	\$	1,044.79	\$	0.00	\$	1,044.79
055358	425	DAYCON	45456	\$	492.75	\$	0.00	\$	492.75
055359	412	SHANNA D. NICODEMUS		\$	0.00	\$	81.09	\$	81.09
055360	422	KIRK DAVIS		\$	0.00	\$	179.51	\$	179.51
055361	700	EASTERN PANHANDLE PRINT	45325	\$	78.50	\$	0.00	\$	78.50
055362	PAYROLL	EQUITABLE THE EQUIVEST		\$	0.00	\$	15.00	\$	15.00
055363	983	ELECTION SYST & SOFTWARE	45563	\$	103,933.00	\$	0.00	\$	103,933.00
055364	401	EMEDCO	45541	\$	494.95	\$	0.00	\$	494.95
055365	424	FEDEX		\$	0.00	\$	61.22	\$	61.22
055366	716	FARM PLAN/SOUTHERN STATE	45185	\$	9.99	\$	0.00	\$	9.99
055367	425	GRAINGER, INC	45458	\$	7.62	\$	0.00	\$	7.62
055368	428	INFOPRINT		\$	0.00	\$	594.00	\$	594.00
055369	439	KON OFFICE SOLUTIONS	45368	\$	830.23	\$	0.00	\$	830.23
055369	440	KON OFFICE SOLUTIONS	45376	\$	498.08	\$	0.00	\$	498.08
055370	PAYROLL	NG		\$	0.00	\$	300.00	\$	300.00
055371	428	BM CORPORATION		\$	0.00	\$	1,275.00	\$	1,275.00
055372	439	JEFFERSON PUBLISH CO INC	45366	\$	145.63	\$	0.00	\$	145.63
055372	451	JEFFERSON PUBLISH CO INC	45367	\$	296.79	\$	0.00	\$	296.79
055374	425	JEFFERSON RENTAL	45457	\$	157.00	\$	0.00	\$	157.00
055375	PAYROLL	JEFFERSON SECURITY BANK		\$	0.00	\$	4,713.00	\$	4,713.00
055376	712	LANGUAGE LINE SERVICES		\$	0.00	\$	199.23	\$	199.23
055377	440	LOUNDOUN GIS FORUM	45377	\$	15.00	\$	0.00	\$	15.00
CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT			
055378	PAYROLL	COMPTRROLLER OF MARYLAND		\$	0.00	\$	649.81	\$	649.81
055379	424	VERIZON BUSINESS		\$	0.00	\$	1,072.39	\$	1,072.39
055380	PAYROLL	MD Child Support Account		\$	0.00	\$	140.00	\$	140.00
055381	406	NATIONAL BAND & TAG CO	44427	\$	924.98	\$	0.00	\$	924.98

055382	PAYROLL	NATIONWIDE RETIREMENT		\$ 0.00	\$ 765.21	\$ 765.21
055383	ALLOC	JEFF CO PARKS &		\$ 0.00	\$ 9,756.62	\$ 9,756.62
055384	402	PIFER OFFICE SUPPLY, INC	45397	\$ 72.95	\$ 0.00	\$ 72.95
055384	403	PIFER OFFICE SUPPLY, INC	44907	\$ 19.24	\$ 0.00	\$ 19.24
055385	424	ROACH OIL COMPANY		\$ 0.00	\$ 635.34	\$ 635.34
055385	425	ROACH OIL COMPANY		\$ 0.00	\$ 329.16	\$ 329.16
055386	404	SOFTWARE SYSTEMS, INC	44524	\$ 2,700.00	\$ 0.00	\$ 2,700.00
055387	405	SPECIALTY BUS SUPPLIES	45261	\$ 666.53	\$ 0.00	\$ 666.53
055388	PAYROLL	STATE DPT O/TAX & REVENU		\$ 0.00	\$ 22,691.85	\$ 22,691.85
055388	PAYROLL	STATE DPT O/TAX & REVENU		\$ 0.00	\$ 20.40	\$ 20.40
055389	704	ST/WV REGIONAL JAIL &	45562	\$ 124,499.50	\$ 0.00	\$ 124,499.50
055390	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 42.16	\$ 42.16
055390	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 9.86	\$ 9.86
055390	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 34,017.02	\$ 34,017.02
055390	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 7,955.82	\$ 7,955.82
055391	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 23.81	\$ 23.81
055391	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 30,357.15	\$ 30,357.15
055392	425	SHERWIN-WILLIAMS	44706	\$ 11.49	\$ 0.00	\$ 11.49
055393	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ 0.00	\$ 7,712.78	\$ 7,712.78
055394	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ 0.00	\$ 9,527.61	\$ 9,527.61
055395	712	SEN COMMUNICATIONS	45528	\$ 62.77	\$ 0.00	\$ 62.77
055396	425	SHENANDOAH AIR COND/HTNG	45459	\$ 95.00	\$ 0.00	\$ 95.00
055397	716	SHENANDOAH CRIMINAL	45092	\$ 320.00	\$ 0.00	\$ 320.00
055398	PAYROLL	TREASURER OF VIRGINIA		\$ 0.00	\$ 161.51	\$ 161.51
055399	700	UNIVERSITY HEALTH ASSOC.	45326	\$ 30.00	\$ 0.00	\$ 30.00
055400	425	VALLEY HARDWARE COMPANY	45184	\$ 141.21	\$ 0.00	\$ 141.21
055401	ALLOC	JEFFERSON CO CONVENTION		\$ 0.00	\$ 11,712.64	\$ 11,712.64
055402	PAYROLL	VALIC, %CHASE BANK TEXAS		\$ 0.00	\$ 100.00	\$ 100.00
055403	405	WEST PAYMENT CENTER	45260	\$ 496.75	\$ 0.00	\$ 496.75
055404	PAYROLL	WV PUB EMP RETIRE SYS		\$ 0.00	\$ 20,530.20	\$ 20,530.20
055405	PAYROLL	WV PUB EMP RETIRE SYS		\$ 0.00	\$ 47,903.52	\$ 47,903.52
055406	424	WALMART BUSINESS		\$ 0.00	\$ 36.78	\$ 36.78
055406	716	WALMART BUSINESS		\$ 0.00	\$ 27.93	\$ 27.93
055407	PAYROLL	WV CPRB/LOAN DIVISION		\$ 0.00	\$ 166.50	\$ 166.50
055408	401	WORKTECH		\$ 0.00	\$ 100.00	\$ 100.00
055409	412	WORD PROCESSING SERVICES	45390	\$ 250.00	\$ 0.00	\$ 250.00
055410	401	WVNET		\$ 0.00	\$ 16.67	\$ 16.67
055411	402	XEROX COPORATION	44467	\$ 327.46	\$ 0.00	\$ 327.46
055411	402	XEROX COPORATION	45048	\$ 401.35	\$ 0.00	\$ 401.35
055411	402	XEROX COPORATION	45399	\$ 806.58	\$ 0.00	\$ 806.58
TOTALS						\$ 521,774.50
TOTALS				\$ 301,188.08	\$ 220,586.42	\$ 521,774.50

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	\$ 611.62
402/CCLK	CO. CLERK	\$ 2,873.34
403/CIR CLK	CIRCUIT CLERK	\$ 2,468.48
404/TAX	TAX OFFICE	\$ 2,700.00
405/PA	PROS ATTY	\$ 1,163.28
406/ASSR	ASSESSORS	\$ 1,969.77
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	\$ 331.09
413/ELE	ELECTION	\$ 28,221.84
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
422/IMPACT	IMPACT FEE OPERATIONAL DEPT	\$ 179.51
424/CTHS	COURT HOUSE	\$ 14,888.52
425/OB	OTHER BUILDING	\$ 2,100.71
428/DATAP	DATA PROCESSING	\$ 1,869.00
430/HLS	HOMELAND SEC	\$ 436.95
431/ECON DEV	ECON DEV	
433/GIS	GIS/ADDRESSING	
439/PZ	PLANNING ZONING	\$ 1,460.86
440/ENG.	DEPT OF ENGINEERING	\$ 513.08
451/ZONING	ZONING DEPT	\$ 296.79
700/SHRF	SHERIFF DEPT	\$ 715.73
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	\$ 124,499.50
711/OES	EMERG SVC	\$ 42.93
712/911	911 COMMUNICATION	\$ 412.00
716/A/C	ANIMAL CONTROL	\$ 631.29
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTITIE	
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	\$ 118,140.50
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	\$ 23,425.27
GRANTS	GRANTS	
PAYROLL	PAYROLL	\$ 191,821.44
TOTALS		\$ 521,774.50

In re: LEGISLATIVE ISSUES

Commissioner Manuel informed the Commission that there would be a ceremonial signing of SB224 by Governor Manchin on Friday, April 25, 2008, at Independent Fire Company.

**In re: BONDING AND ACTIVITY REPORT**

Roger Goodwin, Chief County Engineer, appeared before the Commission for bonding. Mr. Goodwin informed the Commission that he had no bonding matters this week. Mr. Goodwin requested a salary increase for Haines Kimble due to the completion of certification requirements, as agreed upon when Mr. Kimble was hired. After discussion, motion by Corliss, second by R. Morgan to approve a \$2,000 salary increase for Mr. Haines Kimble, as requested. Motion carried.

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

Tony Redman, Director of Planning and Zoning, appeared before the Commission to discuss Zoning and Subdivision ordinance amendments. Mr. Redman provided the Commission with the new draft zoning ordinance and informed the Commission that the draft would be made available online and copies would be available in his office.

**In re: PUBLIC COMMENT**

Scott Tatina commented on a proposed rate increase by Jefferson Utilities.

**In re: NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES**

Upon presentation by the Assessor office, motion by F. Morgan, second by Manuel to approve the Notice of Apportionment of Jointly Owned Motor Vehicles filed by a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, for the following:

<b>NAME:</b>	<b>VEHICLE:</b>	<b>ASSESSED VALUE</b>	<b>TAXES DUE</b>
David A. Huegel	2003 F-250	\$10,300	\$230.43
David A. Huegel	2004 Harley	\$6,300	\$140.95
David A. Huegel	2001 Utility Trailer	\$100	\$2.24
Tammy J. Huegel	1966 Ford Mustang	\$4,000	\$89.49
Tammy J. Huegel	1999 Cougar	\$2,400	\$53.69

**In re: PLANNING COMMISSION INTERVIEWS**

The Commissioner conducted interviews for Planning Commission appointments. Scott Smiley and Steven DeBerry were present for interviews.

**In re: APPOINTMENTS TO THE PLANNING COMMISSION**

Nomination by Surkamp to reappoint John Sidor to the Planning Commission.  
Nomination by R. Morgan to reappoint Thomas Kane to the Planning Commission.  
Nomination by Corliss to appoint John Maxey to the Planning Commission. At this time, the Commission closed nominations. John Sidor, Thomas Kane, and John Maxey were appointed to the Jefferson County Planning Commission for three year terms ending March 31, 2011. Mr. Sidor, Mr. Kane and Mr. Maxey received 5 votes each.

In re: GAIL BANFIELD - DESTINATION IMAGINATION - REQUEST FOR FINANCIAL ASSISTANCE FOR GLOBAL COMPETITION

Joe Widmyer and Gail Banfield appeared before the Commission to request financial assistance in the amount of \$3,240 for Destination Imagination students to attend the global competition. By consensus, the Commission agreed to deny the funding request.

In re: WATER ADVISORY COMMITTEE

No action was taken on this agenda item.

In re: APPOINTMENTS OF ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS

No action was taken on this agenda item.

In re: GENERAL FUND BUDGET REVISION

Motion by Corliss, second by Manuel to approve Budget Revision #3 for Fiscal Year 2008 and to approve the following resolution: Motion carried.

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**RESOLUTION**

At a regular session of the Jefferson County Commission, held on the 17<sup>th</sup> day of April, 2008, the following Order was made and entered:

**SUBJECT:** The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

**RESOLVED:** That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number 3, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by Corliss, and duly seconded by Manuel, the vote was as follows:

Frances B. Morgan	<u>Yes</u>
A.M.S. Rusty Morgan	<u>Yes</u>
Gregory A. Corliss	<u>Yes</u>
Dale Manuel	<u>Yes</u>
James T. Surkamp	<u>Yes</u>

Whereupon, Commissioner Morgan declared said Resolution duly adopted, and it is

therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Frances B. Morgan, President of the Jefferson County Commission, is authorized to affix her signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

/s/  
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Frances B. Morgan, President  
Jefferson County Commission

**In re: APPROVAL OF CHANGE ORDER #008 - OLD JAIL COURT HOUSE ANNEX**

Kirk Davis, Capital Projects Manager, appeared before the Commission to request the approval of Change Order #008 for the Old Jail Court House Annex. After discussion, motion by Corliss, second by R. Morgan to approve Change Order #008 for the Old Jail Court House Annex. Motion carried. The Commission also requested Mr. Davis to provide a space update and report as soon as possible.

The Commission took a 10 minute break at 10:45 a.m.

**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 reported on the Berkeley County Assessor's lawsuit. Ms. Grove reported on that the decision had been received from the Supreme Court case for Faraway Farms. Ms. Grove reported on the lease agreement for the Hamilton Building for the County Clerk.

**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 the upcoming primary election.

Ms. Maghan provided the Commission with the Results of the Public Pre-Test of Election Devices for Early Voting, which was conducted on Wednesday, April 16, 2008.

**In re: BUDGET MODIFICATION FOR DEPARTMENT OF CAPITAL PLANNING AND MANAGEMENT**

Motion by Surkamp, second by R. Morgan to approve the request to transfer funds within the Department of Capital Planning and Management in order to provide for additional IT support. Motion carried.

**In re: PUBLIC EMPLOYEES INSURANCE AGENCY - WEB CONTRIBUTION COORDINATOR DESIGNATION**

Motion by R. Morgan, second by Manuel to approve the designation of Sally Gran as

Web Contribution Coordinator for the Public Employees Insurance Agency. Motion carried.

**In re: APPROVAL OF RESOLUTION AND GRANT CONTRACT - COMMUNITY PARTICIPATION PROGRAM - SHERIFF'S DEPARTMENT**

Motion by Manuel, second by Corliss to approve the resolution and grant contract for the Community Participation Program for the purchase of laser units for the Sheriff's department. Motion carried.

**In re: APPROVAL OF RESOLUTION AND GRANT CONTRACT - COMMUNITY PARTICIPATION PROGRAM - ELMWOOD CEMETERY ASSOCIATION, INC.**

Motion by R. Morgan, second by Manuel to approve the resolution and grant contract for the Community Participation Program for the Elmwood Cemetery Association, Inc. Motion carried.

**In re: DISCUSSION ON STUDY OF OIL & GAS PURCHASES TO DETERMINE BEST POLICIES FOR FUTURE NEEDS (RM)**

The Commission discussed studying the County's oil and gas purchases. The Commission agreed to have staff report to the Commission on the matter.

**In re: DECISION ON COUNCIL OF GOVERNMENTS MEETING**

The Commission agreed to hold a Council of Governments meeting on April 30, 2008, at 5:00 p.m.

**In re: COUNTY ADMINISTRATOR REPORTS**

The County Administrator reported on setting up a meeting with Mr. Rodecker, the cable franchise agreement attorney.

The County Administrator provided the Commission with an expenditure report to date.

The County Administrator requested an Executive Session to discuss a property acquisition matter and a personnel issue. The Commission agreed to go into Executive Session after the County Commission reports.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Corliss reported on a Development Authority meeting.

Commissioner Manuel reported on a Parks and Recreation Commission meeting.

**In re: EXECUTIVE SESSION**

Motion by Manuel, second by F. Morgan to enter into Executive Session to discuss a property acquisition matter and a personnel matter. Motion carried.

Motion by Manuel, second by R. Morgan to return Regular Session. Motion carried.

The Commission recessed until 1:30 p.m.

**In re: CONSIDERATION OF ZONING FOR SELECTED PANELS**

Tony Redman, Director of Planning and Zoning, and Tom Hall, Planner, appeared before the Commission to present selected panels on the draft zoning map for the Commission's consideration of zoning. The Commission considered and made decisions on the following panels from the draft zoning map:

The Commission agreed to allow 2 minute statements to be given by any property owner of the selected panels that were present and wished to speak.

#1050 - Ken Darnell, property owner, was present and made comment. Motion by Corliss, second by Surkamp to retain the staff's recommendation of agricultural zoning. Motion passed by a 3-2 vote. Commissioners Manuel and Surkamp voted no.

#1053 - Robert Murto, property owner, was present and made comment. Motion by F. Morgan, second by Manuel to accept the owners's recommendation of agricultural zoning. Motion passed by a 4-1 vote. Commissioner R. Morgan voted no.

#1072 - Motion by Corliss, second by F. Morgan to retain the staff's recommendation of agricultural zoning. Motion carried.

#1264 & #1082 - Mike Shepp, representative of the property owner, was present and made comment. Motion by Corliss, second by F. Morgan to retain the staff's recommendation of estate zoning. Motion carried.

#1106 - Jerry Connely, from BC Partners, was present and made comment. Motion by Corliss, second by Manuel to designate the property as residential zoning. Motion passed by a 4-1 vote. Commissioner F. Morgan voted no.

#1253 - Scott Smiley was present and made comment. Motion by F. Morgan, second by R. Morgan to override staff recommendation of residential zoning and retain Neighborhood Conservation District Mountain zoning. Motion failed by a 2-3 vote. Commissioners Surkamp, Manuel and Corliss voted no. Motion by Surkamp, second by Corliss to accept the property owners' recommendations of estate zoning. Motion passed by a 4-1 vote. Commissioner F. Morgan voted no.

#1133 - Motion by Corliss, second by F. Morgan to retain the staff's recommendation of agricultural zoning. Motion carried.

#1226 - Motion by Corliss, second by F. Morgan to accept the staff's recommendation of agricultural zoning as requested by the property owner. Motion carried.

#1223 & #1252 - Mike Shepp, representative of the property owner, was present and made comment. Motion by Manuel, second by Surkamp to designate the property as residential zoning. Motion carried.

The Commission took a 5 minutes break at 3:00 p.m.

#1257 - Ward Zigler, property owner, was present and made comment. Doug Stolipher, owner of an adjacent property, was also present and commented. Motion by F. Morgan, second by Corliss to retain the staff's recommendation of agricultural zoning on the narrow, front property. Motion failed by a 1-4 vote. Commissioners Corliss, Manuel, R. Morgan and

Surkamp voted no. Motion by Corliss, second by F. Morgan to retain the staff's recommendation of agricultural on the large parcel. Motion passed by a 4-1 vote. Commissioner Manuel voted no. The Commission requested that staff bring back a recommendation on Monday for the rest of this property.

#1263 - Motion by Manuel, second by Surkamp to accept the owner's recommendation of townscape zoning and to adjust the townscape line on the map. Motion passed by a 3-2 vote. Commissioners Corliss and F. Morgan voted no.

#1265 - Dale Buckland, KOA Campground representative, was present and made comment. Motion by Manuel, second by Surkamp to accept staff's recommendation of commercial zoning as requested by the property owner. Motion carried.

Commissioner Morgan left at 3:47 p.m.

Gates Property (request just received, not numbered) - Fred Gates, property owner, was present and made comment. Motion by Manuel, second by R. Morgan to approve the property owner's request to zone the top portion of the property as residential and the lower portion of the property as estate. Motion carried.

The Commission received the following information:

Reminder - due to early voting, County Commission meetings will be held in the Old Charles Town Library meeting room beginning April 24, 2008.

Appointments to be made to the Development Authority on Thursday, April 24, 2008.

Memorandum received from the County Clerk concerning electioneering.

Notice received from the County Clerk concerning new hours of operation.

Notice of County Commission Work Session on Monday, April 21, 2008, at 10:00 a.m. on the revised draft of the proposed zoning ordinance.

Acceptance of bond received for Frank Huai-Jer Chow Apartment Building in the amount of \$3,936.

Notice received from the Department of Planning & Zoning of a Subdivision Work Session on Friday, April 18, 2008.

Memorandum received from Sheriff Boober concerning Bank Securities/Bonding.

Monthly Activity Report received from Jefferson County Animal Control.

Notice received of a Walkable Communities Workshop on Wednesday, June 4, 2008, at 6:30 or 7:00 p.m. in the Charles Town Library.

Invitation received to attend the Ribbon Cutting and Grand Opening of the Blue Ridge Public Safety Center on Wednesday, April 30, 2008, at 9:00 a.m.

Correspondence received from the State Auditor's office concerning the Levy Estimate (Budget) for Fiscal Year 2008-2009.

Correspondence received from the State Auditor's office concerning levy orders and rate sheets.

Correspondence received from the Subcommittee on National Parks of the Senate Committee on Energy and Natural Resources concerning testifying at the Subcommittee's hearing.

Correspondence received from the West Virginia Division of Tourism concerning the Welcome Center in Harpers Ferry.

Correspondence received from the Potomac Headwaters RC&D concerning the Potomac Gateway Speakers Forum.

Information received from the Northern Shenandoah Valley Regional Commission on a workshop on May 15, 2008 "Quality of Life/Air Quality-Shenandoah Valley - Affordable Green Strategies for Counties, Cities and Towns"

Notice received from the Association of Counties concerning a Center for Public Finance seminar on April 25, 2008, at 8:30 a.m. at the Embassy Suites in Charleston.

Meeting minutes received from the Jefferson County Public Service District.

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

Information received from the Association of Counties concerning WVACo Dental Vision Benefit Plan.

Stipulation and Agreed Ordered for Tackley Mill, LLC received from the United State Bankruptcy Court.

Information received on the 2008-2009 Presidential Leadership and Committee Appointments for the National Association of Counties.

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

Ethics Reporter received for March 2005.

#### **CORRESPONDENCE**

Correspondence received from James G. Gibson concerning a Zoning Map Request for Review.

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

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**PRESIDENT**