

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, May 15, 2008, beginning at 9:30 o'clock a.m.

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

In re: PLEDGE OF ALLEGIANCE

Commissioner R. Morgan conducted the Pledge of Allegiance.

In re: MOMENT OF SILENCE

The Commission observed a moment of silence in remembrance of County Employee Kevin Sowder.

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, May 8, 2008, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Manuel, second by Corliss to approve the following Purchase Orders for the Week of May 12, 2008, totaling \$149,023.05: 45442, 44398, 45575, 45579, 45660, 45067, 45662, 45663, 45664, 45005, 42456, 42457, 45491, 45492, and 45497. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$174,836.09 dated May 15, 2008 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
055541	405	ACCURATE SYSTEMS INC	45267	\$ 65.00	\$ -	\$ 65.00
055542	425	COMCAST		\$ -	\$ 55.93	\$ 55.93
055543	424	AT&T		\$ -	\$ 0.33	\$ 0.33
055544	711	ASSOC ST.FLOODPLAIN MNGR	45603	\$ 50.00	\$ -	\$ 50.00
055545	712	RS/AASHTO	45540	\$ 920.00	\$ -	\$ 920.00
055546	424	USA MOBILITY WIRELESS,IN		\$ -	\$ 181.81	\$ 181.81

055546	700	USA MOBILITY WIRELESS,IN		\$ -	\$ 362.25	\$ 362.25
055546	712	USA MOBILITY WIRELESS,IN		\$ -	\$ 384.58	\$ 384.58
055547	ALLOC	AHA/ART&HUMANITIES ALLNC		\$ -	\$ 1,802.20	\$ 1,802.20
055548	PAYROLL	BUREAU FOR CHILD SUPPORT		\$ -	\$ 72.00	\$ 72.00
055549	424	B&B EMBROIDERY/LAIRD BUS	45485	\$ 240.00	\$ -	\$ 240.00
055550	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 62.31	\$ 62.31
055551	PAYROLL	BUREAU F/CHILD SPVRT ENF		\$ -	\$ 212.31	\$ 212.31
055552	716	BLUE RIDGE VETERINARY	45496	\$ 36.00	\$ -	\$ 36.00
055553	402	CASTO & HARRIS INC	45571	\$ 475.90	\$ -	\$ 475.90
055553	413	CASTO & HARRIS INC	45572	\$ 3,837.55	\$ -	\$ 3,837.55
055553	413	CASTO & HARRIS INC	45574	\$ 51.92	\$ -	\$ 51.92
055554	700	COUNTRY ROADS TIRE & AUT	45487	\$ 1,023.56	\$ -	\$ 1,023.56
055555	406	*CREAMERS AUTO SERVICE	45494	\$ 12.00	\$ -	\$ 12.00
055555	424	*CREAMERS AUTO SERVICE	45489	\$ 63.70	\$ -	\$ 63.70
055555	700	*CREAMERS AUTO SERVICE	45475	\$ 385.66	\$ -	\$ 385.66
055555	700	*CREAMERS AUTO SERVICE	45490	\$ 61.40	\$ -	\$ 61.40
055555	700	*CREAMERS AUTO SERVICE	45495	\$ 33.70	\$ -	\$ 33.70
055556	712	CDW-GOVERNMENT INC	44836	\$ 1,757.50	\$ -	\$ 1,757.50
055557	425	CHARLES TOWN COPYING SRV	45486	\$ 10.00	\$ -	\$ 10.00
055558	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 23.07	\$ 23.07
055559	405	DANKA OFFICE IMAGING	45268	\$ 414.05	\$ -	\$ 414.05
055560	425	DAYCON	45482	\$ 121.88	\$ -	\$ 121.88
055561	PAYROLL	EQUITABLE THE EQUIVEST		\$ -	\$ 15.00	\$ 15.00
055562	412	FRONTIER		\$ -	\$ 420.23	\$ 420.23
055562	415	FRONTIER		\$ -	\$ 331.23	\$ 331.23
055562	424	FRONTIER		\$ -	\$ 13,249.13	\$ 13,249.13
055562	712	FRONTIER		\$ -	\$ 3,873.49	\$ 3,873.49
055563	425	IDVILLE, INC	45560	\$ 54.99	\$ -	\$ 54.99
055564	440	ICC / CA	45661	\$ 60.00	\$ -	\$ 60.00
055565	PAYROLL	ING		\$ -	\$ 535.00	\$ 535.00
055566	428	IBM CORPORATION		\$ -	\$ 1,073.00	\$ 1,073.00
055567	413	JEFFERSON PUBLISH CO INC	45573	\$ 2,614.04	\$ -	\$ 2,614.04
055568	425	JEFFERSON COUNTY SOLID	45483	\$ 27.65	\$ -	\$ 27.65
055569	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,733.00	\$ 4,733.00
055570	PAYROLL	COMPTROLLER OF MARYLAND		\$ -	\$ 640.59	\$ 640.59
055571	425	HOME DEPOT CREDIT SERVIC	45445	\$ 245.00	\$ -	\$ 245.00
055571	425	HOME DEPOT CREDIT SERVIC		\$ -	\$ 1,071.80	\$ 1,071.80
055572	700	MCKINNEY'S AUTO REPAIR	45488	\$ 1,246.81	\$ -	\$ 1,246.81
055572	700	MCKINNEY'S AUTO REPAIR	45488	\$ 72.50	\$ -	\$ 72.50
055572	700	MCKINNEY'S AUTO REPAIR	45493	\$ 30.00	\$ -	\$ 30.00
055572	700	MCKINNEY'S AUTO REPAIR	45493	\$ 36.20	\$ -	\$ 36.20
CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
055573	424	VERIZON BUSINESS		\$ -	\$ 1,109.63	\$ 1,109.63
055574	PAYROLL	MD Child Support Account		\$ -	\$ 140.00	\$ 140.00
055575	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 765.21	\$ 765.21
055576	ALLOC	JEFF CO PARKS &		\$ -	\$ 8,989.46	\$ 8,989.46
055577	402	PIFER OFFICE SUPPLY, INC	45568	\$ 149.95	\$ -	\$ 149.95
055578	424	LANDMARK ELEVATOR INC.	44312	\$ 240.00	\$ -	\$ 240.00
055579	401	ROBERT R. RODECKER		\$ -	\$ 2,898.07	\$ 2,898.07
055580	405	SPECIALTY BUS SUPPLIES	45269	\$ 571.12	\$ -	\$ 571.12
055581	704	ST/WV REGIONAL JAIL &	45656	\$ 436.50	\$ -	\$ 436.50
055582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 42.16	\$ 42.16
055582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 9.86	\$ 9.86
055582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 8,012.92	\$ 8,012.92

704/WV JAIL	ST/WV REGIONAL JAIL	\$ 436.50
711/OES	EMERG SVC	\$ 328.78
712/911	911 COMMUNICATION	\$ 18,399.05
716/A/C	ANIMAL CONTROL	\$ 954.09
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	\$ 21,583.33
GRANTS	GRANTS	
PAYROLL	PAYROLL	\$ 80,067.36
TOTALS		\$ 174,836.09

In re: LEGISLATIVE ISSUES

Commissioner Manuel reported on the Fire and EMS Ordinance and reported that the process is moving.

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: RESOLUTION IN SUPPORT OF NEW ELEMENTARY SCHOOL

Motion by Corliss, second by Manuel to approve the following Resolution in support of a new Elementary School in a central area. Motion carried.

RESOLUTION

WHEREAS, the Jefferson County Commission seeks to continuously improve the quality of life for the residents of the Jefferson County community, and

WHEREAS, a quality system of public schools is crucial to the economic vitality and general welfare of Jefferson County's citizen's, and

WHEREAS, the Commission acknowledges the need for the construction of a new elementary school in Jefferson County.

THEREFORE, BE IT RESOLVED, that the Jefferson County Commission supports the concept of the construction a new elementary school to be located in a central area of Jefferson County.

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Frances B. Morgan, President
Jefferson County Commission

May 15, 2008

In re: **BONDING AND ACTIVITY REPORT**
No bonding and activity report for this week.

In re: **ZONING AND SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION**
Tony Redman, Director of Planning and Zoning appeared before the Commission to discuss the Zoning and Subdivision Ordinance Amendments. The Draft Subdivision Ordinance in black and white was distributed to the Commission dated May 15, 2008.

In re: **PUBLIC COMMENTS**
Mr. Piersworki appeared before the Commission to comment on personal matters.
Sherry Casto appeared before the Commission to comment on the agenda item regarding the Petition for Closing, Unused Roads, Streets and Travel Ways.

In re: **APPOINTMENT TO THE PARKS AND RECREATION COMMISSION**
Motion by Manuel, second by R. Morgan to appoint Matthew Knott to the Jefferson County Parks and Recreation Commission for an unexpired term ending June 30, 2010.
Motion carried.

In re: **BARBARA MILLER - HOMELAND SECURITY & EMERGENCY MANAGEMENT UPDATE**
Barbara Miller, Director of Homeland Security and Emergency Management appeared before the Commission to give a report and update on the Office of Homeland Security and Emergency Management. Ms. Miller distributed a monthly newsletter to the Commission. Ms. Miller discussed the CERV Grant. Motion by Manuel, second by Corliss to approve the \$3,400 CERV Grant and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion carried.

Ms. Miller discussed the budget and expenses of Forestry 19. By unanimous consent, the Commission directed that Ms. Miller send a letter to the Fire and Rescue Association regarding the transfer of Forestry 19.

In re: CHARLES B. HOWARD - PETITION FOR CLOSING, UNUSED ROADS, STREETS AND TRAVEL WAYS - CONTINUED

Charles B. Howard, Esquire appeared before the Commission to request approval of a Petition for Closing Unused Roads, Streets and Travel Ways. The Petitioner, Bruce P. Moler was present. Comments were received by the following adjacent property owners: Deborah Quinn, Sharon Casto and Mike Kidwell.

For the record, Tony Redman, Director of Planning and Zoning, James Casimiro and Stephanie Grove, Assistant Prosecuting Attorneys were present and made comments.

After discussion, the Commission agreed to hold over the decision and to request information from Mike Thompson, Prosecuting Attorney.

The Commission took a 5 minute break at 11:00 a.m. The Commission reconvened at 11:05 a.m.

In re: BILL GRANTHAM - ZONING DOCUMENT EASEMENT CLAUSE

Bill Grantham appeared before the Commission to discuss the Zoning document easement clause.

In re: CAM TABB - ZONING ORDINANCE DRAFT DEV. 12.700

Cam Tabb appeared before the Commission to discuss the Zoning Ordinance Draft regarding 12.700.

Mr. Tabb made comments regarding 8.205 of the Zoning Ordinance Draft.

For the record, Craig Yohn was present and made comments. For the record, Mr. Louthan and Mr. Gruber were present for the discussion but made no comments.

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 voter turnout for the Primary Election. Ms. Maghan reminded the Commission of the Canvass Procedure Training on Friday, May 16, 2008 at 9:00 a.m.

In re: BILL POLK - DIRECTOR OF MAINTENANCE - DISCUSSION ON OIL & GAS PURCHASES

Bill Polk, Director of Maintenance appeared before the Commission to discuss oil and gas bulk purchases. Mr. Polk distributed a gas and diesel fuel price list for bulk purchase. Sheriff Boober was present and made comments. After discussion, motion by Manuel, second by F. Morgan to direct Bill Polk, Director of Maintenance and Leslie Smith, County Administrator to prepare a RFP to send to local fuel vendors. Motion carried.

In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission to give the legal update and report on the following:

- Definition/explanation of residue and deed restrictions
- Distributed the To Do List
- Attended hearing today - City of Charles Town vs. County Commission regarding attorney fees

Ms. Grove discussed the Fire and EMS process.

Mark Schiavone, Director of Capital Planning Management was present and made comments regarding Impact Fees and the new Fire and EMS Board.

For the record, Paul Rosa was present and made comments.

In re: APPROVAL OF DRAFT ZONING ORDINANCE TO BE REFERRED TO THE PLANNING COMMISSION FOR REVIEW

Motion by Surkamp, second by Corliss to submit the Draft Zoning Ordinance to the Planning Commission for review. Motion by Manuel, to postpone this matter and continue to work with the agricultural community. Motion failed due to the lack of a 2nd. After further discussion, the original motion by Surkamp, second by Corliss to submit the Draft Zoning Ordinance to the Planning Commission for review. Motion passed by a 4-1 vote. Commissioner Manuel voted no.

In re: APPROVAL OF DRAFT SUBDIVISION ORDINANCE TO BE REFERRED TO PLANNING COMMISSION FOR REVIEW

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

In re: COUNTY ADMINISTRATOR REPORTS

No action was taken on this agenda item.

In re: COUNTY COMMISSION REPORTS

No action was taken on this agenda item.

In re: CANVASS PROCEDURE TRAINING

This agenda item was changed. The Canvass Procedure Training will be held on Friday, May 16, 2008 at 9:00 a.m.

The Commission received the following information:

Reminder of Canvass on Friday, May 16, 2008.

Acceptance of Bond for Benview Subdivision received in the amount of \$732,958.

Ribbon on May 16th, 2008 at 11:00 a.m. - United Bank at Jefferson Crossings.

Correspondence received from the West Virginia Legislature concerning Census 2010.

Old Opera House newsletter received.

Harpers Ferry National Historical Park Community Bulletin received.

Information received from the County Commissioners' Association concerning the Spring Board and Legislative Committee meeting.

Fiscal Year 2009 budget received from the Jefferson County Public Service District.

Meeting minutes received from the Jefferson County Public Service District.

Meeting minutes received from the Eastern Panhandle Transit Authority.

Eastern Panhandle/Northern Shenandoah Valley Stormwater Workshop on Thursday, June 5th, 2008 at the Clarion Hotel in Shepherdstown, WV from 8:00 am - 12:30 pm.

Correspondence received from Senator Robert C. Byrd regarding a proposal for legislation that would authorize the NPS to study regarding the ties to the family of George Washington within the National Park System.

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

Upon rising, the Commission recessed until Friday morning next beginning at 9:00 o'clock a.m.

PRESIDENT