

**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 Jefferson County Courthouse thereof on Thursday, July 10, 2008 beginning at 9:30 o'clock a.m.

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

**IN RE: PLEDGE OF ALLEGIANCE**  
Commissioner Manuel conducted the Pledge of Allegiance

**IN RE: APPROVAL OF MINUTES**  
Motion by Manuel, second by Corliss to dispense with the reading of the Minutes for the special meeting held on Wednesday, June 25, 2008 and to approve the Minutes as presented.  
Motion by Corliss, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, June 26, 2008 and to approve the Minutes as amended.

**IN RE: APPROVAL OF PURCHASE ORDERS**  
Motion by R. Morgan, second by Manuel to approve the following Purchase Orders for the week of July 10, 2008 totaling \$217,209.37: 44435, 45905, 45906, 45861, 45869, 45870, 45871, 45956, 45737, 45508, 45526, 45531, 45537, 45591, 45738, 45739, 45740, 45343, 45346, 45348, 45349, 45741, 45742, 44529 and 44534. Motion carried.

**IN RE: APPROVAL OF ACCOUNTS PAYABLE**  
Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$828,459.00 dated July 10, 2008 as presented by the County Clerk. Motion carried.

Ck#	Dept	Vendor	PO#	PO Amt	Amt wo PO	Ck Amt
056126	413	ALLEGHENY POWER		\$0.00	\$56.55	\$56.55
056127	712	RS/AASHTO	45538	\$100.00	\$0.00	\$100.00
056128	425	ABH SERVICES, INC.		\$0.00	\$7,898.17	\$7,898.17
056129	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
056129	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
056130	916	BOLIVAR/HARPERS FERRY		\$0.00	\$14,550.00	\$14,550.00
056131	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
056132	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$62.31	\$62.31
056133	PAYROLL	BUREAU F/CHILD SPPRT ENF		\$0.00	\$212.31	\$212.31
056134	413	CASTO & HARRIS INC	45587	\$6,840.00	\$0.00	\$6,840.00
056135	401	CO COMMISSIONERS ASSOC		\$0.00	\$3,900.00	\$3,900.00
056136	424	CHARLES TOWN WATER DEPT		\$0.00	\$109.00	\$109.00
056136	425	CHARLES TOWN WATER DEPT		\$0.00	\$1,717.51	\$1,717.51
056137	425	OLD CT LIBRARY		\$0.00	\$1,500.00	\$1,500.00
056137	ALLOC	OLD CT LIBRARY		\$0.00	\$14,550.00	\$14,550.00
056138	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$23.07	\$23.07
056139	405	JAMES CASIMIRO III		\$0.00	\$297.97	\$297.97
056140	GRANT	CAMP FRAME 4-H ASSOC INC		\$0.00	\$5,000.00	\$5,000.00
056141	987	DELL MARKETING LP	45546	\$1,448.80	\$0.00	\$1,448.80
056142	412	SHANNA D. NICODEMUS		\$0.00	\$312.20	\$312.20
056143	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$45.50	\$45.50
056144	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
056145	413	ELECTION SYST & SOFTWARE	45585	\$3,947.50	\$0.00	\$3,947.50
056146	712	EARTHLINK INC		\$0.00	\$21.95	\$21.95
056147	433	TODD FAGAN		\$0.00	\$97.50	\$97.50
056148	PAYROLL	GUARDIAN		\$0.00	-\$690.46	-\$690.46
056148	PAYROLL	GUARDIAN		\$0.00	\$6,498.66	\$6,498.66
056148	PAYROLL	GUARDIAN		\$0.00	\$1,665.10	\$1,665.10
056148	PAYROLL	GUARDIAN		\$0.00	\$129,996.03	\$129,996.03
056148	PAYROLL	GUARDIAN		\$0.00	-\$0.22	-\$0.22
056149	405	STEPHANIE GROVE		\$0.00	\$291.69	\$291.69

056150	405	CHARLES B HOWARD		\$0.00	\$412.72	\$412.72
056151	GRANT	IDVILLE, INC	45561	\$89.99	\$0.00	\$89.99
056152	401	IKON OFFICE SOLUTIONS		\$0.00	\$272.25	\$272.25
056153	PAYROLL	ING		\$0.00	\$535.00	\$535.00
056154	ALLOC	JEFFERSON CO BD OF HEALT		\$0.00	\$4,997.00	\$4,997.00
056154	ALLOC	JEFFERSON CO BD OF HEALT		\$0.00	\$55,628.00	\$55,628.00
056155	ALLOC	JEFFERSON CO AMBULANCE		\$0.00	\$307,000.00	\$307,000.00
056156	700	JEFFERSON PUBLISH CO INC	45344	\$76.10	\$0.00	\$76.10
056157	ALLOC	JEFFERSON COUNTY SOLID		\$0.00	\$35,000.00	\$35,000.00
056158	413	JEFFERSON UTILITIES INC		\$0.00	\$18.00	\$18.00
056158	425	JEFFERSON UTILITIES INC		\$0.00	\$234.00	\$234.00
056159	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,633.00	\$4,633.00
056160	GRANT	JC BLACK HISTORY		\$0.00	\$2,200.00	\$2,200.00
056161	405	RALPH A LORENZETTI JR		\$0.00	\$11.85	\$11.85
056162	406	MATTHEW BENDER & CO	44436	\$91.60	\$0.00	\$91.60
056162	401	MATTHEW BENDER & CO		\$0.00	\$565.80	\$565.80
056163	PAYROLL	COMPTROLLER OF MD		\$0.00	\$640.59	\$640.59
056164	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
056165	405	JENNIFER E. MAY-SANNER		\$0.00	\$395.00	\$395.00
056166	424	RYAN MILBORNE		\$0.00	\$12.49	\$12.49
056167	405	JONELLE MAY		\$0.00	\$119.72	\$119.72
056168	700	NATIONAL SHERIFF'S ASSN	45347	\$100.00	\$0.00	\$100.00
056169	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
056170	406	NADA ANALYTICAL SERVICES	44433	\$72.00	\$0.00	\$72.00
056171	ALLOC	JEFF CO PARKS &		\$0.00	\$59,412.50	\$59,412.50
056172	405	LECTOR DENISE RIDEOUTT		\$0.00	\$373.94	\$373.94
056173	413	RAI GROUP 43, LLC		\$0.00	\$1,650.00	\$1,650.00
056174	ALLOC	SHEPHERDSTOWN PUB LIB		\$0.00	\$14,550.00	\$14,550.00
056175	976	SOFTWARE SYSTEMS, INC	45812	\$5,165.72	\$0.00	\$5,165.72
056175	401	SOFTWARE SYSTEMS, INC		\$0.00	\$2,601.50	\$2,601.50
056175	402	SOFTWARE SYSTEMS, INC		\$0.00	\$1,189.00	\$1,189.00
056175	403	SOFTWARE SYSTEMS, INC		\$0.00	\$549.00	\$549.00
056175	404	SOFTWARE SYSTEMS, INC		\$0.00	\$1,439.69	\$1,439.69
056175	439	SOFTWARE SYSTEMS, INC		\$0.00	\$274.50	\$274.50
056175	700	SOFTWARE SYSTEMS, INC		\$0.00	\$1,421.34	\$1,421.34
056176	ALLOC	SOUTH JEFFERSON PUBLIC		\$0.00	\$14,550.00	\$14,550.00
056177	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$35,042.62	\$35,042.62
056177	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,195.54	\$8,195.54
056177	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$31.62	\$31.62
056177	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$7.40	\$7.40
056178	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$32,048.39	\$32,048.39
056178	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$15.31	\$15.31
056179	412	STAPLES CREDIT PLAN	45006	\$221.24	\$0.00	\$221.24
056179	422	STAPLES CREDIT PLAN	45902	\$250.30	\$0.00	\$250.30
056179	401	STAPLES CREDIT PLAN		\$0.00	\$190.86	\$190.86
056179	402	STAPLES CREDIT PLAN		\$0.00	\$69.99	\$69.99
056179	424	STAPLES CREDIT PLAN		\$0.00	\$508.49	\$508.49
056179	GRANT	STAPLES CREDIT PLAN		\$0.00	\$1,495.35	\$1,495.35
056179	700	STAPLES CREDIT PLAN		\$0.00	\$1,608.45	\$1,608.45
056179	711	STAPLES CREDIT PLAN		\$0.00	\$79.97	\$79.97
056179	712	STAPLES CREDIT PLAN		\$0.00	\$1,571.59	\$1,571.59
056180	405	BRANDON C.H. SIMS		\$0.00	\$240.35	\$240.35
056181	425	SHEN VALLEY WATER		\$0.00	\$557.47	\$557.47
056182	975	SUMMIT COMMUNITY BANK		\$0.00	\$2,441.41	\$2,441.41
056183	716	THOMASSEN FORD MERCURY	45732	\$175.72	\$0.00	\$175.72
056184	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51

056184	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$305.89	\$305.89
056185	405	TERESA TRITELLI		\$0.00	\$279.53	\$279.53
056186	700	SHANNON R. TRAVIS	45345	\$80.00	\$0.00	\$80.00
056187	402	UNITED SYSTEMS & SOFTWAR		\$0.00	\$195.00	\$195.00
056187	403	UNITED SYSTEMS & SOFTWAR		\$0.00	\$167.00	\$167.00
056188	424	US POST MASTER		\$0.00	\$18,100.75	\$18,100.75
056189	440	VICTOR E.& JUANITA UNRUH		\$0.00	\$318.46	\$318.46
056190	PAYROLL	VALIC CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
056191	716	VALLEY PET CEMETERY		\$0.00	\$262.00	\$262.00
056192	425	WM OF WEST VIRGINIA, INC		\$0.00	\$203.25	\$203.25
056192	425	WM OF WEST VIRGINIA, INC		\$0.00	\$269.21	\$269.21
056192	716	WM OF WEST VIRGINIA, INC		\$0.00	\$95.33	\$95.33
056193	PAYROLL	WORKTECH		\$0.00	\$100.00	\$100.00
056194	GRANT	PAMELA HOLSTEIN-WALLACE		\$0.00	\$4,402.02	\$4,402.02
056195	413	WANDA HUGHES		\$0.00	\$50.00	\$50.00
056196	413	CYNTHIA RIDER		\$0.00	\$50.00	\$50.00
056197	413	ANTOINETTE RINGGOLD		\$0.00	\$50.00	\$50.00
056198	413	MYRNA KILBANE		\$0.00	\$50.00	\$50.00
056199	413	AMBER HUGHES		\$0.00	\$50.00	\$50.00
<b>TOTAL</b>						<b>\$828,459.00</b>
<b>DEPT</b>		<b>NAME</b>			<b>DEPT AMTS</b>	
401/COM		CO. COMMISSION			\$7,530.41	
402/CCLK		CO. CLERK			\$1,453.99	
403/CIR CLK		CIRCUIT CLERK			\$716.00	
404/TAX		TAX OFFICE			\$1,439.69	
405/PA		PROS ATTY			\$2,422.77	
406/ASSR		ASSESSORS			\$163.60	
408/GOV		ST.COMPNET CHG BO GOV UNIT				
412/AG		AG AGT			\$916.44	
413/ELE		ELECTION			\$12,762.05	
415/MAG CT		MAGISTRATE COURT				
415/		GENERAL SCHOOL/CO TRANSFER				
422/IMPACT		IMPACT FEE OPERATIONAL DEPT			\$250.30	
424/CTHS		COURT HOUSE			\$18,730.73	
425/OB		OTHER BUILDING			\$12,425.11	
428/DATAP		DATA PROCESSING				
430/HLS		HOMELAND SEC				
431/ECON DEV		ECON DEV			\$308.33	
433/GIS		GIS/ADDRESSING			\$97.50	
439/PZ		PLANNING ZONING			\$274.50	
440/ENG.		DEPT OF ENGINEERING			\$318.46	
451/ZONING		ZONING DEPT				
700/SHRF		SHERIFF DEPT			\$3,285.89	
701/SHRF		SHERIFF DEPT				
704/WV JAIL		ST/WV REGIONAL JAIL				
711/OES		EMERG SVC			\$79.97	
712/911		911 COMMUNICATION			\$1,693.54	
716/A/C		ANIMAL CONTROL			\$533.05	
801/MTL HLTH		MENTAL HEALTH TRANS TO ENTITIE				
808GOV UNIT		SWA CONTRIB OTHER GOV UNIT				
975/CAP OTL		CO. CLERK / CAPITAL OUTLAY			\$2,441.41	
976/CAP/CIR		CIRCUIT CLERK/CAPITAL OUTLAY			\$5,165.72	
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	
987/CAP/CTHSE	OTHER BUILDING/CAPITAL OUTLAY	\$1,448.80
989/CAP/AGT	AG AGT/CAPITAL OUTLAY	
992/CAP/911	911 COMMUNICATION/CAP OUTLAY	
ALLOC	ALLOCATIONS	\$520,237.50
GRANTS	GRANTS	\$13,187.36
PAYROLL	PAYROLL	\$220,575.88
<b>TOTALS</b>		<b>\$828,459.00</b>

**IN RE: LEGISLATIVE ISSUES**

No action was taken on this agenda item.

**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: APPOINTMENT TO THE JEFFERSON COUNTY BUILDING COMMISSION**

The Commission agreed to table this matter for one week.

**IN RE: CAM TABB - EXONERATION REQUESTS - SPRINGDALE AND MELCO PROPERTIES**

Mr. Cam Tabb appeared before the Commission to discuss matters concerning his 2008-2009 assessment of his Springdale and Melco properties.

Mr. Tabb advised the Commission that as a result of his discussions with Michael D. Thompson, Prosecuting Attorney and officials with the State Tax Department he would be withdrawing his exoneration requests for his Springdale and Melco properties retirement and Forest Hill properties.

Motion by Manuel, second by F. Morgan to reconsider the Exonerations previously brought before this Commission by Mr. Tabb. Motion carried.

Motion by Manuel, second by R. Morgan to reverse the previous action of this Commission with regard to the Retirement and Forest Hill Properties exoneration request by Mr. Cam Tabb. Motion carried.

**IN RE: BONDING AND ACTIVITY REPORT**

Upon recommendation from Chief County Engineer Roger Goodwin, motion by R. Morgan, second by Corliss to approve the partial release of an irrevocable letter of credit in the amount of \$42,296.00 for Rattlesnake Run, Inc. – Potomac Ridge Subdivision (formerly known as Rattlesnake Run) with the County to retain \$40,836.00. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Corliss, second by Manuel to approve the partial release of an irrevocable letter of credit in the amount of \$151,472.67 for Hartzell Gardens, LLC – Hartzell Gardens Subdivision with the County to retain \$57,310.00. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by R. Morgan, second by Corliss to approve the partial release of a construction bond in the amount of \$25,577.88 for Wayne T. Lynch and Matthew P. Ridgeway – Merryfield Farm Estates Subdivision with the County to retain \$45,452.50. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Manuel, second by F. Morgan to approve the complete release of a construction bond in the amount of \$194,653.00 for Sunnyside, LLC – Sunnyside Industrial Park Subdivision. Motion carried.

Rebecca Burns, Department of Planning and Zoning Administrative Assistant appeared before the Commission to request Commission direction with regard to a construction bond renewal for Chapel View Subdivision. Ms. Burns provided a status report on construction at Chapel View Subdivision.

Motion by Manuel, second by R. Morgan to give the bank until close of business on Monday, July 14, 2008 to provide the renewed Irrevocable Letter of Credit for Chapel View Subdivision. If it is not received by this time staff will prepare the necessary documents to call the Irrevocable Letter of Credit for Chapel View Subdivision on Tuesday, July 15, 2008. Motion carried.

Tony Redman, Director of Planning and Zoning appeared before the Commission for the Planning and Zoning activity report.

Mr. Redman presented the Commission with the draft report from the Planning Commission on recommendations to the Zoning Ordinance amendments.

Mr. Redman requested a \$2,000.00 budget revision in order to continue paying the Shepherd University Intern currently employed with the Department of Planning. The Commission advised Mr. Redman to draft an administrative budget revision for their review and approval.

Mr. Redman requested the Commission grant him real-time webcam access. Motion by Surkamp, second by Manuel to authorize modification of the real-time webcam proceeds in order for Department Heads to view County Commission proceedings. Motion carried.

**IN RE: ZONING AND SUBDIVISION ORDINANCE AMENDMENT DISCUSSION**

This matter was discussed under agenda item: "Bonding and Activity Report".

**IN RE: PUBLIC COMMENT**

No action was taken on this agenda item.

**IN RE: JOSEPH SNYDER - PROGRESS WITH THE DUFFIELDS STATION PROJECT**

Mr. Joseph (Jack) Snyder, President of Duffields Station appeared before the Commission for a progress report on the Duffield Station Project.

Mr. Snyder reported on the history of Duffields Station and the process of restoration project currently underway.

Mr. Snyder requested Commission funding to assist with completion of the Duffields Station restorations and to match grant funds received.

Commissioner Corliss recommended deferring Mr. Snyder's request until after the Commission conduct a budget work session.

Mr. Snyder reported on various budget requests he has previously made to area municipalities and private organizations.

**IN RE: DOUGLAS ESTEPP - KATHY MATTEA VISIT DISCUSSION**

Mr. Douglas Estep appeared before the Commission to report on the activities scheduled for the Old Jail reopening celebration with special guest Kathy Mattea.

Mr. Estep reported on the scheduled tour and the meet and greet session scheduled with Ms. Mattea.

As part of the Old Jails history, Mr. Estep provided the Commission with copies of a book published by Richard D. Lunt, "Law & Order vs. The Miners WV 1906-1933".

**The Commission took a 15-minute break at 10:15 a.m.**

**IN RE: APPOINTMENTS**

- **SOLID WASTE AUTHORITY - ONE 4-YEAR TERM**
- **BOARD OF HEALTH - ONE 5-YEAR TERM**
- **HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT - ONE 6-YEAR TERM**
- **PARKS & RECREATION COMMISSION - THREE 3-YEAR TERMS**
- **SUMMIT POINT LIBRARY COMMITTEE - ONE 5-YEAR TERM**
- **EASTERN PANHANDLE REGIONAL PLANNING & DEVELOPMENT COUNCIL - ONE 1-YEAR TERM**
- **WEST VIRGINIA EASTERN PANHANDLE TRANSPORTATION AUTHORITY - ONE 4-YEAR TERM**

Leslie D. Smith, County Administrator reported that as a result of Patrice Flynn's resignation from the Board of Health there are now two vacancies. Ms. Smith provided the Commission with an update of all current board appointees, retirees and resignations.

The Commission agreed by consensus to authorize Ms. Smith to advertise for the new vacancy to the Board of Health.

Mr. Willis Nowell appeared before the Commission for an interview for the Board of Health.

The Commission agreed to hold over appointments to the Solid Waste Authority, Board of Health, Harpers Ferry/Bolivar Public Service District, Parks & Recreation Commission and the Eastern Panhandle Regional Planning and Development Council for one week in order to conduct additional interviews for interested applicants.

**IN RE: MARK SCHIAVONE - INTERIM REPORT ON JOINT EMERGENCY SERVICES FEE**

Mark Schiavone, Capital Planning and Management Director appeared before the Commission for an interim report on the implementation of Joint Emergency Service Fees.

Mr. Schiavone reported on the objectives and strategies of the newly formed Fire & Rescue Committee.

Mr. Schiavone reported on input from the Committee, research he has conducted and comparable data from Berkeley County with regard to collection of Joint Emergency Service fees. Mr. Schiavone provided various scenarios and revenue estimates for utilization of Joint Emergency Service fees.

Stephanie Grove, Assistant Prosecuting Attorney was present for comments.

Jay Watson was present to report on current community contributions, the joint Fire and Rescue Committee strategies and objectives.

The Commission requested a bi-weekly status report from Mr. Watson and Mr. Schiavone with regard to the Joint Emergency Service fees implementation and research.

**IN RE: HERB SNYDER - LETTER OF SUPPORT FOR THE CREATION OF AN ECONOMIC ALLIANCE ZONE IN THE EASTERN PANHANDLE**

Herb Snyder appeared before the Commission to request approval of a letter of support for the creation of an Economic Alliance Zone in the Eastern Panhandle. Mr. Snyder reported on the strategies and objectives of the proposed Economic Alliance Zone if the Commission approves support.

Mr. Snyder reported on his discussions with Governor Manchin and his support for an Economic Alliance Zone in the Eastern Panhandle. Mr. Snyder further reported on various alliances in neighboring counties to include Morgan, Hampshire, Hardy and Berkeley Counties.

Mr. Snyder discussed that the Jefferson County Economic Development Authority and the County Commission will further determine the structure, bylaws and objectives.

Commissioner Corliss requested additional input be provided by the Economic Development Authority, Eastern Panhandle Regional Planning and Development Council and the Gateway Council in support of an Economic Alliance Zone for Jefferson County.

Jane Peters, Development Authority Director and Ms. Brown from Governor Manchin's office were present for comments.

Motion by Manuel, second by Surkamp to approve Mr. Snyder's letter of support for the creation of an Economic Alliance Zone in the Eastern Panhandle to include recommendations from the Economic Development Authority, Eastern Panhandle Regional Planning and Development Council and the Gateway Council. Motion carried.

**IN RE: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT**

- **FOLLOW-UP RE: UNCLAIMED PROPERTY REFUND**

Jennifer S. Maghan, County Clerk appeared before the Commission for the weekly County Clerk's report.

Ms. Maghan provided a follow-up report of the unclaimed property refund her office received several weeks ago from the WV Office of State Treasurer.

Ms. Maghan provided a status report for the new software upgrade for public use in the County Clerk's office. Ms. Maghan requested Commission direction with regard to payment for the upgrade. The Commission advised Ms. Maghan to pay for the upgrade from the Capital Outlay fund.

**IN RE: QUARTERLY FIDUCIARY REVIEW**

Karen Olden, Probate Deputy appeared before the Commission for presentation of Fiduciary accounts for Commission review and consideration.

The time of the Commission was taken up this day at 11:05 a.m. with examination of fiduciary accounts. Motion by Manuel, second by R. Morgan to accept and authorize the President's signature upon all fiduciary accounts as presented by Ms. Karen Olden. Motion carried.

**IN RE: BOB REYNOLDS - POSITION RECLASSIFICATION WITHIN THE PLANNING DEPARTMENT**

Mr. Bob Reynolds, Planning Commission Vice-President appeared before the Commission on behalf of the Planning Commission to request a position reclassification and upgrade in pay for Tony Redman, Director of Planning and Zoning.

Leslie D. Smith, County Administrator presented the Commission with copies of the letter received from the Planning Commission President in support of their request.

Motion by Corliss, second by R. Morgan to increase Tony Redman's salary as recommended by the Planning Commission.

Motion by Manuel, second by F. Morgan to postpone any action on this agenda item until after a budget work session is conducted. Motion carried by a 3-2 vote; Commissioners Corliss and Surkamp voted no.

Commissioner Corliss withdrew his original motion.

Motion by Surkamp, second by Corliss to place this matter on next week's agenda with clarification of a pay increase for further consideration. Motion failed by a 2 to 3 vote; Commissioners R. Morgan, F. Morgan and Manuel voted no.

**IN RE: BARBARA MILLER**

- **TANKER 19 - REVISED LETTER FROM MIDDLEWAY**

- **HOMELAND SECURITY GRANT APPLICATION PROCESS**

Barbara Miller, Director of the Jefferson County Office of Homeland Security and Emergency Management appeared before the Commission for approval of the revised letter for donation of Tanker 19 to Middleway Fire Company. Ms. Miller reported on the donation of Tanker 19 from a South Carolina Fire Company.

Ms. Miller presented the Commission with a letter of intent and requested approval from the Commission in order to place Tanker 19 in service for Middleway Fire Company.

Motion by Manuel, second by F. Morgan to approve the letter of intent as presented by Barbara Miller. Motion carried.

Ms. Miller reported on the upcoming meeting with state and county officials in order to complete the Homeland Security Grant application process. Ms. Miller reported on the proposed implementation of a Grant Application Committee in order to review grant applications prior to Commission review and approval.

Ms. Miller presented the Commission with a current copy of the Jefferson County Office of Homeland Security and Emergency Management monthly newsletter.

**IN RE: ANDY P. BLAKE, ESQ. - ROCKWELL MINI-STORAGE ANNEXATION**

Andy P. Blake, Esquire appeared before the Commission for approval of an Annexation request for Rockwell Mini-Storage in Ranson. Mr. Blake presented the Commission with copies of a map of the Rockwell Mini-Storage property and the annexation order for their review and consideration.

Stephanie Grove, Assistant Prosecuting Attorney was present and reported on her review of the Annexation.

Motion by R. Morgan, second by Manuel to approve the annexation request for Rockwell Mini-Storage as presented by Andy P. Blake, Esquire. Motion carried.

**IN RE: JAIL OPENING CELEBRATION COMMITTEE**

Motion by F. Morgan, second by R. Morgan to appoint Evelyn Taylor to the Jail Opening Celebration Committee. Motion carried.

**The Commission recessed for lunch at 12:00 p.m. The Commission reconvened for Regular Session at 1:00 p.m.**

**IN RE: VEHICLE FLEET STUDY**

As previously requested by the Commission, Leslie D. Smith, County Administrator provided her input and recommendations after her review of the Vehicle Fleet Study previously submitted by Mark Schiavone. Ms. Smith reported on her request to Department Heads to provide their input and recommendations regarding the Vehicle Fleet Study.

Ms. Smith reported on daily usage of county vehicles for various departments.

The Commission expressed concerns with the take home vehicle policy for Maintenance and Emergency Services employees.

The Commission agreed by consensus to authorize Ms. Smith to obtain reports from Department Heads detailing their recommendations and current fleet usage policies and take home privileges.

The Commission inquired as to current fuel conservation measures being implemented.

Motion by Corliss to make no changes to the current fleet usage policy and dispense with this agenda item. Motion died due to lack of a second.

The Commission agreed to take no action on this agenda item at this time.

**IN RE: STEPHANIE GROVE - LEGAL UPDATE AND REPORT**

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission for the weekly legal update and report.

Commission members expressed their concerns with receipt of a summons received on Tuesday, July 8, 2008 for the Tabb hearing scheduled on Monday, July 7, 2008. Ms. Grove reported on the validity and legalities of the summons and provided a status report of the evidentiary hearing held on Monday, July 7<sup>th</sup>.

Ms. Grove reported on the hearing scheduled for Monday, July 14, 2008 with regard to Jefferson Orchards. Ms. Grove reported on the appeal filed in the Supreme Court by Jefferson Orchards, which was remanded to Circuit Court.

Ms. Grove reported on her review of building space request from the Free Clinic at the Bardane Center. Ms. Grove reported on the necessary legal procedures to transfer any county property.

The Commission agreed to place matters regarding the Free Clinic on next week's agenda in order to obtain input from officials from the free clinic and to consider this matter further.

Ms. Grove provided a status report of the lawsuit involving Wal-mart and the Sheriff.

Ms. Grove provided a status update on the Threadgill case.

Ms. Grove provided a status update on the City of Charles Town Summary Judgement.

Ms. Grove reported on the proposed order submitted by the City of Ranson with regard to Impact Fee Collection.

Ms. Grove reported on the Staff Memorandum for the Public Service Commission rate case with consideration to the Mountain Water rate increase by Jefferson Utilities. Commissioner Manuel recused himself from the Commission proceedings during Ms. Grove's report on the pending case involving Jefferson Utilities and Snyder Environmental.

Ms. Grove reported on research she has conducted to determine adequate Public Service Commission legalities and financial accountability between Jefferson Utilities and Snyder Environmental.

Kaye Moore was present for comments.

Commissioner Manuel returned to the meeting upon completion of discussions regarding Jefferson Utilities and Snyder Environmental.

**IN RE: BUILDING SPACE AT THE BARDANE CENTER FOR THE FREE CLINIC**

This matter was discussed under agenda item: "Stephanie Grove – Legal update and report".

**IN RE: CORRESPONDENCE FROM PETER APPIGNANI - REQUEST FOR COMMISSION TO OBTAIN OUTSIDE EXPERT LEGAL AND ACCOUNTING ASSISTANCE EXPEDITIOUSLY FOR THE PUBLIC SERVICE COMMISSION'S CLASS COST OF SERVICE STUDY**

This matter was discussed under agenda item: "Stephanie Grove – Legal update and report".

**IN RE: OFFICE SPACE FOR HISTORIC LANDMARKS AND ARTS & HUMANITIES ALLIANCE**

Commissioner R. Morgan requested the Commission consider any available County space is allocated to the Historic Landmarks and Arts & Humanities Alliance.

The Commission agreed to table this matter until next week.

**IN RE: APPOINTMENTS – CONTINUED**

- **SOLID WASTE AUTHORITY - ONE 4-YEAR TERM**
- **BOARD OF HEALTH - ONE 5-YEAR TERM**
- **HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT - ONE 6-YEAR TERM**
- **PARKS & RECREATION COMMISSION - THREE 3-YEAR TERMS**
- **SUMMIT POINT LIBRARY COMMITTEE - ONE 5-YEAR TERM**
- **EASTERN PANHANDLE REGIONAL PLANNING & DEVELOPMENT COUNCIL - ONE 1-YEAR TERM**
- **WEST VIRGINIA EASTERN PANHANDLE TRANSPORTATION AUTHORITY - ONE 4-YEAR TERM**

Motion by Manuel, second by F. Morgan to reappoint Linia Overly to the Summit Point Library Committee for a one 5-year term ending June 30, 2013. Motion carried.

Motion by Surkamp, second by F. Morgan to reappoint Dale Manuel to the West Virginia Eastern Panhandle Transportation Authority for a one 4-year term ending July 1, 2012. Motion carried.

Motion by R. Morgan, second by Manuel to reappoint William Weston to the Solid Waste Authority for a one 4-year term ending June 30, 2012. Commissioner R. Morgan withdrew his motion; Commissioner Surkamp reported on an additional applicant interested in serving on the Solid Waste Authority.

**IN RE: COAL SEVERANCE BUDGET REVISION**

Motion by R. Morgan, second by Manuel to approve the following Coal Severance Budget Revision Resolution as presented. Motion carried.

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 10th day of July 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 1, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by R. Morgan, 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 F. 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/

\_\_\_\_\_  
Frances B. Morgan, Commission President

**IN RE: APPROVAL OF GRANT DOCUMENTS - VOCA GRANT**

Motion by R. Morgan, second by Manuel to approve and authorize the President's signature upon all documents for the VOCA grant as presented. Motion carried.

**IN RE: APPROVAL OF GRANT CONTRACT AND RESOLUTION - GOVERNOR'S COMMUNITY PARTICIPATION PROGRAM - BLUE RIDGE ACRES COMMUNITY CLUB**

Motion by Manuel, second by Corliss to approve the Grant Contract and Resolution for the Governor's Community Participation Program for Blue Ridge Acres Community Club. Motion carried.

RESOLUTION

The Jefferson County Commission met on the 10<sup>th</sup> day of July 2008 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Frances B. Morgan, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Governor's Community Participation Program. This project is to assist in the renovation of the river park restrooms for the Blue Ridge Acres Community Club.

/s/

\_\_\_\_\_  
Frances B. Morgan, Commission President

**IN RE: JEFFERSON MEMORIAL PARK - REQUEST FOR FUNDS**

Motion by Manuel, second by F. Morgan that the remaining funds in the 2 ½% VLT Account from the previous budget (2007-2008) be allocated to the Jefferson Memorial Park pool fund in an effort to keep Jefferson County's only public pool open. Motion failed by a 1-4 vote; Commissioners F. Morgan, R. Morgan, Surkamp and Corliss voted no.

Commissioner F. Morgan requested information from the City of Charles Town and Ranson Corporation regarding any contributions they have put forth for the Jefferson Memorial Park pool.

Commissioner Corliss requested a status update on the construction of a pool at the Jefferson County Parks & Recreation Community Center.

The Commission agreed by consensus to forward Jefferson Memorial Park's request for funds to the Parks and Recreation Commission for their review and recommendations.

**IN RE: I MOVE THAT THE REMAINING FUNDS IN THE 2 AND ONE-HALF PERCENT VLT ACCOUNT FROM THE PREVIOUS BUDGET (2007-2008) BE ALLOCATED TO THE JEFFERSON MEMORIAL PARK POOL FUND IN AN EFFORT TO KEEP JEFFERSON COUNTY'S ONLY PUBLIC POOL OPEN (DM)**

This matter was discussed under agenda item: "Jefferson Memorial Park – request for funds".

**IN RE: PURCHASING POLICY (JS)**

Commissioner Surkamp agreed to table this matter until next week.

**IN RE: SUPPORT OF OLD JAIL CELEBRATION (JS)**

Commissioner Surkamp agreed to table this matter until next week.

**IN RE: FY 09 DEPARTMENTAL BUDGET POLICY AND GUIDELINES (FM)**

Commissioner F. Morgan requested a report from all Department Heads and Elected officials detailing salary requirements for their employees.

Commission members opposed Commissioner F. Morgan's request and recommended consulting the wage and compensation study previously conducted by Mr. Jacobs.

The Commission agreed to review and consider recommendations put forth by Department Heads and the contents of the wage and compensation study with regard to salary increases and inequity.

The Commission agreed to conduct a budget work session on Monday, July 21, 2008 at 10:00 a.m.

Commissioner Manuel requested copies of a countywide salary history report for review.

**IN RE: COUNTY ADMINISTRATOR REPORTS**

Leslie D. Smith, County Administrator requested Commission direction with regard to the pending Age Restricted Ordinance.

Ms. Smith reported on the \$2.6 million CD due by end July 2008.

Ms. Smith presented the Commission with a request for use of the Old Charles Town Library meeting room for Thursday, July 17, 2008. The Commission declined the request due to lack of availability. Commissioner Surkamp recommended the agency request room at the Shepherdstown Men's Club.

**IN RE: COUNTY COMMISSION REPORTS**

Commissioner R. Morgan reported on an increase in rail travel throughout Jefferson County.

Commissioner F. Morgan reported on Kathy Mathea's visit on July 18<sup>th</sup>.

Commissioner F. Morgan reported on the approval of the Community Corrections Grant.

Commissioner F. Morgan reported on the upcoming meeting with Berkeley County Commissioner Stubblefield on July 18<sup>th</sup>.

**The Commission received the following information:**

Reminder of County Commission Workshop on Monday, July 14, 2008.

Acceptance of bond in the amount of \$283,150 for RAI Group.

Impact Fee Status Report received for June 2008.

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

Invitation received to attend a Local Officials Workshop with the West Virginia Department of Homeland Security and Management's Mitigation Specialist on Wednesday, July 23, 2008, at 7:00 p.m.

Memorandum received from the County Clerk concerning an information request for the annual financial statement.

Letter of resignation received from Patrice Flynn as a member of the Board of Health.

Correspondence received from Governor Manchin concerning the approval of the West Virginia Community Corrections Fund Grant in the amount of \$193,812.

Correspondence received from Governor Manchin concerning the approval of the West Virginia Community Corrections Fund Grant in the amount of \$62,500.

Invitation received from the Arts & Humanities Alliance of Jefferson County to attend a reception honoring the AHA! Member Artist's Exhibition on July 11, 2008, at the Entler Hotel from 5:00-8:00 p.m.

Correspondence received from Susan M. Collins concerning the Jail Opening Celebration Committee.

Correspondence received from Dr. Lori Stilley concerning exemptions to the school impact fee.

Written statement from the June 25, 2008, public hearing received from Andrew C. Skinner.

Copy of correspondence sent by Robert Rodecker to Comcast received concerning the draft franchise agreement.

Copy of correspondence received from the Jefferson County Ambulance Authority thanking the City of Ranson and Marcus Enterprises for a land donation.

Information received from the County Commissioners' Association concerning mileage rates.

Correspondence received from the National Park Service concerning the Revolutionary War and War of 1812 Historic Preservation Study.

Correspondence received from the Division of Highways concerning the Statewide Transportation Improvement Program.

Invitation received from the Potomac Headwaters RC&D to attend their annual meeting on August 5, 2008, at the WVU Robert C. Byrd Health Sciences Center in Martinsburg.

Brochures received from the Department of Environmental Protection concerning a low interest loan program to repair and replace failing or non-existent septic systems on existing homes.

Invitation received from the West Virginians for Reliable Power Coalition to attend an Energy Forum on July 16, 2008.

Harpers Ferry National Historical Park Community Bulletin received.

West Virginia Ethics Reporter received for June 2008.

E-911 fees received from the Public Service District.

E-911 fees received from IDT Corporation.

Meeting minutes received from the Jefferson County Public Service District.

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

Acceptance of bond in the amount of \$410,587 for Oxford Meadows Subdivision.

**The Commission received the following correspondence**

Correspondence received from Rachel Douglas concerning an ordinance for barking dogs.

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

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FRANCES B. MORGAN, COMMISSION PRESIDENT