

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, January 4, 2007 beginning at 9:30 o'clock a.m.

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

IN RE: PLEDGE OF ALLEGIANCE
Commissioner F. Morgan conducted the Pledge of Allegiance

IN RE: ELECTION OF COUNTY COMMISSION PRESIDENT

Motion by Manuel to establish a County Commission policy whereas Commission Vice-President of previous year move into the position of Commission President the next year.

Commission President Greg Corliss ruled Commissioner Manuel's motion out of order. Commissioner Manuel objected to Commissioner Corliss' ruling.

Nomination by Corliss to elect Frances Morgan President of the County Commission of Jefferson County for the year 2007.

Nomination by Manuel to elect Dale Manuel President of the County Commission of Jefferson County for the year 2007.

Frances Morgan was elected President of the County Commission of Jefferson County for the year 2007. Ms. Morgan received four (4) votes; Mr. Manuel received one (1) vote.

Commissioner Frances Morgan expressed comments regarding Commission policies and procedures and maintaining order during Commission proceedings.

IN RE: ELECTION OF COUNTY COMMISSION VICE-PRESIDENT

Nomination by Corliss to elect James Surkamp Vice-President of the County Commission of Jefferson County for the year 2007.

Nomination by Manuel to elect Rusty Morgan Vice-President of the County Commission of Jefferson County for the year 2007.

Nomination by F. Morgan to elect Dale Manuel Vice-President of the County Commission of Jefferson County for the year 2007. Commissioner Manuel declined Frances Morgan's nomination.

By a 3-2 vote, R. Morgan was elected Vice-President of the County Commission of Jefferson County for the year 2006. James Surkamp received 2 votes.

In re: COMMITTEE ASSIGNMENTS

**ASSIGNMENT TO BOARDS, COMMISSIONS & ORGANIZATIONS
FOR CALENDAR YEAR 2007**

ORGANIZATION:	2006:
Approval of Bills	Gregory Corliss
Board of Health	James Surkamp
Building Repair	Rusty Morgan/Dale Manuel
Community Corrections Committee	Dale Manuel
Development Authority	Dale Manuel
Fire/Ambulance/Rescue	Gregory Corliss
Local Emergency Planning Committee	James Surkamp/Dale Manuel

Emergency Services Council	Rusty Morgan
E-911 Council	James Surkamp
Extension Service	Dale Manuel
Farmland Preservation Board	Frances Morgan
Historic Landmarks	Rusty Morgan
Legislative Liaison	Dale Manuel
Local Infrastructure Planning Team	VACANT
Mental Health Center	Prosecuting Attorney
MPO Interstate Council	Gregory Corliss
Parks & Recreation	Dale Manuel/Rusty Morgan
Planning Commission	James Surkamp
Public Service District Liaison	Frances Morgan/Gregory Corliss
Region 9	Gregory Corliss
Solid Waste Authority	Rusty Morgan
Workforce Investment Act Liaison	Rusty Morgan
Commerce Corridor Council	Dale Manuel
Homeland Security	Dale Manuel
Water Advisory Committee	Gregory Corliss/Rusty Morgan
Affordable Housing	Dale Manuel/Rusty Morgan
Air Quality Control Board	Gregory Corliss

IN RE: APPROVAL OF MINUTES

Motion by Corliss, second by Manuel to dispense with the reading of the minutes for the regular meeting held on Thursday, December 21, 2006 and to approve the minutes as prepared. Motion carried.

IN RE: APPROVAL OF PURCHASE ORDERS

Motion by Manuel, second by Morgan to approve the following Purchase Orders for the week of January 4, 2007 totaling \$15,841.32; 43507, 43398, 43399, 43631, 43351, 43445, 43447, 43448, 43449, 43221, 43222, 43224, 43100, 43511, 43273, 43274, 43276, 43277, 43279, 43280, 43450, 43453, 43541, 43542, 43543, 43545 and 42853. Motion carried.

IN RE: APPROVAL OF ACCOUNTS PAYABLE

Motion by Corliss, second by Manuel to approve the list of the Accounts Payable dated January 4, 2007 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

Check #	DEPT	Vendor Name	PO #	Amt w/PO	Amt. W/O PO	Amount
51274	424	Allegheny Power			\$1,130.50	\$1,130.50
51274	425	Allegheny Power			\$4,596.44	\$4,596.44
51275	700	Auto Zone			\$89.99	\$89.99
51276	425	ABH Services			\$6,797.00	\$6,797.00
51277	425	BK Office Supply	43442	\$742.10		\$742.10
51277	439	BK Office Supply	43220	\$67.58		\$67.58
51278	711	Amerigas - Ranson			\$148.23	\$148.23
51279	425	Boland	42938	\$2,636.00		\$2,636.00
51280	712	Lori Braner			\$120.00	\$120.00
51281	711	Country Roads and Tires	43452	\$90.57		\$90.57
51282	700	Creamer's Auto	43451	\$87.68		\$87.68
51283	425	Crawford Electronics	43446	\$82.83		\$82.83
51284	425	Old Charles Town Library			\$1,500.00	\$1,500.00
51285	413	Election Systems Software	43397	\$141.74		\$141.74
51286	424	FED-EX			\$145.25	\$145.25
51287	424	Frontier			\$689.91	\$689.91

51288	716	Hillside VET	43441	\$417.00		\$417.00
51289	439	ICC	43219	\$100.00		\$100.00
51290	401	IKON			\$126.00	\$126.00
51291	425	Jeff. Co. Solid Waste Authority	43428	\$135.50		\$135.50
51291	808	Jeff Co. Solid Waste Authority			\$1,275.28	\$1,275.28
51292	712	Dr. Robert Jones			\$1,000.00	\$1,000.00
51293	412	Lancaster Farming	42413	\$75.00		\$75.00
51294	405	Lexis Nexis/Matthew Bender	43510	\$66.70		\$66.70
51295	712	MSAG			\$896.38	\$896.38
51296	425	VE Mauck Plumbing	43440	\$226.70		\$226.70
51297	712	Theresa Miranda			\$150.00	\$150.00
51298	712	Christine Miller			\$120.00	\$120.00
51299	712	NAED	43323	\$55.00		\$55.00
51300	712	Vicki O'Neill			\$120.00	\$120.00
51301	712	Jeff Polczynski			\$90.00	\$90.00
51302	424	Roach Oil			\$542.63	\$542.63
51302	425	Roach Oil			\$541.48	\$541.48
51303	700	REMINGTON ARMS	43275	\$81.51		\$81.51
51304	402	Speciality Business Supply	43394	\$390.00		\$390.00
51305	O10	Sheriff of Jefferson County			\$10,000.00	\$10,000.00
51306	425	Sherwin Williams	43501	\$78.90		\$78.90
51307	Deputy	DEPUTY SHRF RETIREMENT 8.5%			\$6,992.94	\$6,992.94
51308	Deputy	DEPUTY SHRF RETIREMENT 10.5%			\$8,638.31	\$8,638.31
51309	712	SEN Communications	43330	\$384.80		\$384.80
51310	424	Sprint			\$129.23	\$129.23
51311	405	Brandy Sims			\$140.86	\$140.86
51312	712	Mike Schweitzer			\$150.00	\$150.00
51313	700	Vital Signs	43278	\$25.00		\$25.00
51314	712	Panhandle Accident Reconst.	43331	\$1,200.00		\$1,200.00
51315	425	Waste Management			\$168.64	\$168.64
51315	716	Waste Management			\$79.10	\$79.10
51315	425	Waste Management			\$233.06	\$233.06
51316	Employee	PUBLIC EMPLOY RETIREMENT 4.5%			\$20,335.83	\$20,335.83
51317	Employee	PUBLIC EMPLOY RETIREMENT 10.5%			\$47,406.55	\$47,406.55
51318	412	WV UNIVERSITY			\$3,412.50	\$3,412.50
51319	439	WV Code Off. Assoc.	43213	\$200.00		\$200.00
51320	424	Wal-mart			\$216.01	\$216.01
51321	700	WV Children's Justice Task Force				\$85.00
51322	402	Xerox	43383	\$275.86		\$275.86
51323	412	Craig Yohn			\$494.38	\$494.38
51324	413	Bethel United Methodist Church			\$100.00	\$100.00
51325	413	Blue Ridge Mountain Fire Hall			\$100.00	\$100.00
51326	413	Camp Hill Wesley Methodist Church			\$150.00	\$150.00
51327	413	Charles Town Baptist Church			\$100.00	\$100.00
51328	413	Covenant Baptist Church			\$100.00	\$100.00
51329	413	First Baptist Church			\$100.00	\$100.00
51330	413	Kabletown Methodist Church			\$100.00	\$100.00
51331	413	Leetown Methodist Church			\$100.00	\$100.00
51332	413	Middleway Methodist Church			\$100.00	\$100.00
51333	413	Seventh Day Adventist Church			\$100.00	\$100.00
51334	413	Jean Spurling			\$5.34	\$5.34
51335	413	St. Johns Episcopal Church			\$100.00	\$100.00
51336	413	War Memorial Building			\$100.00	\$100.00
51337	413	Shepherdstown Fire Hall			\$100.00	\$100.00
51338	413	Oakland Methodist Church			\$100.00	\$100.00
51339	413	Jefferson County Comm on Aging			\$100.00	\$100.00
TOTAL				\$7,645.47	\$120,031.84	\$127,677.31

DEPT	NAME	DEPT AMTS
010/GRANT	GRANTS	\$10,000.00
401/COM	CO. COMMISSION	\$126.00
402/CCLK	CO. CLERK	\$665.86
403/CIR CLK	CIRCUIT CLERK	
404/TAX	TAX OFFICE	
405/PA	PROS ATTY	\$207.56
406/ASSR	ASSESSORS	
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	\$3,981.88
413/ELE	ELECTION	\$1,697.08
415/	GENERAL SCHOOL/CO TRANSFER	
418/STK	STOCK ROOM	
424/CTHS	COURT HOUSE	\$2,853.53
425/OB	OTHER BUILDING	\$17,738.65
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	
439/PZ	PLANNING ZONING	\$367.58
700/SHRF	SHERIFF DEPT	\$369.18
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	\$238.80
712/911	911 COMMUNICATION	\$4,286.18
716/A/C	ANIMAL CONTROL	\$496.10
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	\$1,275.28
960/IMPACT	IMPACT FEES	
975/CAP OTL	CO. CLERK / CAPITAL OUTLAY	
976/CAP/CIR	CIRCUIT CLERK/CAPITAL OUTLAY	
980/CAP/SRF	SHERIFF DEPT/CAPITAL OUTLAY	
982/DATA	DATA PROCESSING - IMAGING	
998/PRK/RC	PARKS & REC COMMUNITY CENTER	
DEPUTY	WV DEPUTY SHRF RETIREMENT	\$15,631.25
EMPLOYEE	WV PUBLIC EMPLY RETIREMENT	\$67,742.38
ALL DEPTS	ALL DEPTS	
CONTRBTN	CONTRIBUTIONS	
INVEST	INVESTMENTS	
PAYROLL	PAYROLL	
TOTALS		\$127,677.31

IN RE: PUBLIC COMMENT

Jack Mitchell appeared before the Commission to reiterate numerous concerns with revisions being made to the Zoning and Subdivision Ordinances. Commissioner Frances Morgan advised Mr. Mitchell of the afternoon workshop to discuss draft Zoning and Subdivision Ordinances and welcomed Mr. Mitchell to attend.

Nancy Lutz appeared before the Commission to express her concerns with the availability of publication of legal notices relevant to Jefferson County Government.

IN RE: ED DUNLEAVY - TRANSPORTATION ENHANCEMENT GRANT FOR SHEPHERDSTOWN BATTLEFIELD

Ed Dunleavy appeared before the Commission to request approval and Commission support of the Transportation Enhancement Grant for Shepherdstown Battlefield. Mr. Dunleavy reported on the Transportation Enhancement grant procedure and reported that it will be submitted for review and consideration by January 15, 2007.

Motion by Manuel, second by R. Morgan to approve the Transportation Enhancement Grant for Shepherdstown Battlefield as submitted by Ed Dunleavy. Motion carried.

IN RE: JEFFREY POLCZYNSKI - INTRODUCTION OF GIS SPECIALIST, TODD FAGAN

Jeffrey Polczynski, Communications Director appeared before the Commission to introduce GIS Specialist Todd Fagan. Mr. Polczynski reported on Mr. Fagan's qualifications.

Mr. Fagan appeared before the Commission to thank them for the employment opportunity and to discuss strategies and goals he plans to implement as GIS Specialist for Jefferson County.

IN RE: APPOINTMENT TO THE BOARD OF ZONING APPEALS

Tiffany Hines appeared before the Commission for an interview as applicant to the Board of Zoning Appeals.

Motion by Manuel, second by Corliss to reappoint Tiffany Hines to the Board of Zoning Appeals for one three (3) year term ending January 1, 2010. Motion carried.

IN RE: PAUL RACO - BONDING AND ACTIVITY REPORT

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Manuel, second by R. Morgan to approve the partial release of a letter of credit for C & R Development, LLC in the amount of \$25,570.00 with the County to retain \$177,130.00. Motion carried.

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Morgan, second by Manuel to approve the complete release of a letter of credit for WV Hunter, LLC in the amount of \$800,000.00. Motion carried.

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by R. Morgan, second by Corliss to approve the complete release of an irrevocable letter of credit for Wolverine Investments, LLC/Fieldstone Estates Subdivision in the amount of \$8,358.62. Motion carried.

For future bonding matters, the Commission requested that Mr. Raco provide them with a detailed list of all bonding matters to be brought forth for approval.

Paul Raco provided the Commission with a detailed summary and report of Letters of Credit due to expire on January 15, 2007. Motion by R. Morgan, second by Corliss to defer action until January 18, 2007 on the Letters of Credit due to expire on January 15, 2007 to allow time for further review and consideration of action. Motion carried.

Paul Raco provided the Commission with a detailed summary and report of bond expirations due to expire of January 13, 2007. Motion by Manuel, second by Corliss to extend all bond expirations until January 18, 2007. Motion carried.

Paul Raco, Planning, Zoning and Engineering Executive Director reported on the Planning Commission meeting scheduled for January 16, 2007.

The Commission took a 5-minute break at 10:55 a.m.

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

Jennifer S. Maghan, County Clerk appeared before the Commission to report on the goals and strategies of the IT Committee. Ms. Maghan also provided the Commission with a report regarding the Software Bid Specifications as outlined by IT Committee members. Ms. Maghan requested Commission approval to advertise for the RFP for Hardware and Software Bid Specifications on the County Website.

Motion by Surkamp, second by R. Morgan to advertise the RFP for Hardware and Software Bid Specifications on the County Website. Motion carried by a 3 to 2 vote. Commissioners Corliss and Manuel voted no.

IN RE: APPOINTMENT OF ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS

No action was taken on this agenda item.

IN RE: APPOINTMENT TO THE HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT

No action was taken on this agenda item.

IN RE: APPOINTMENT TO THE JEFFERSON COUNTY BUILDING COMMISSION

No action was taken on this agenda item.

IN RE: LEGISLATIVE ISSUES

Commissioner Manuel reported on new administrative policy and procedures within the House of Delegates.

Commissioner Manuel reported on the status of table games legislation.

IN RE: KENDIG KEAST UPDATE/ORDINANCE REWRITE DISCUSSION AND DIRECTION

Leslie D. Smith, County Administrator reported that Lane Kendig would visit Jefferson County on January 16 and 17, 2007. The Commission agreed to conduct a public hearing on January 16, 2007 at 7:00 p.m. at the Jefferson County Courthouse in the interest of receiving public input on the revisions to the draft Subdivision and Zoning Ordinance rewrite.

The Commission requested that the County Administrator coordinate a meeting schedule for area municipal officials, focus groups and County agencies to meet with Lane Kendig to discuss the draft Subdivision and Zoning Ordinance.

IN RE: ED SLONAKER - MORGAN FINANCIAL - LONG TERM DISABILITY

Mr. Ed Slonaker of Morgan Financial Group appeared before the Commission with a presentation of a Long Term Disability benefit package proposal. Mr. Slonaker provided the Commission with a comprehensive report on the contents of the proposal.

The Commission agreed to review the long-term disability benefits package proposal as presented by Mr. Slonaker and place this matter on the agenda for January 18, 2007 for consideration.

IN RE: BRANDON SIMS - LEGAL UPDATE AND REPORT

Brandon Sims, Assistant Prosecuting Attorney appeared before the Commission for a legal update and report. Ms. Sims reported on her upcoming schedule and availability.

Ms. Sims reported on her discussions with Mike Thompson, Prosecuting Attorney with regard to acquiring independent legal counsel to assist with the cable franchise agreement negotiations with Comcast.

Ms. Sims provided the Commission with the Attorney General's opinion with regard to the County Commission hiring independent outside counsel to assist with County legal matters.

To discuss current litigation, motion by Corliss, second by Manuel to enter into Executive Session. Motion carried

Motion by Corliss, second by Manuel to return to Regular Session. Motion carried.

The Commission took a break at 12:20 p.m. The Commission reconvened at 1:00 p.m.

IN RE: CHAPLINE'S CHOICE CITIZEN'S ASSOCIATION, INC.'S ATV ORDINANCE

Upon the recommendation of Assistant Prosecuting Attorney Brandon Sims, motion by Corliss, second by Manuel to approve the Chapline's Choice Citizen's Association Inc. ATV Ordinance as presented by Braun A. Hamstead, Esquire. Motion carried.

IN RE: SET DATES AND TIMES FOR BOARD OF REVIEW AND EQUALIZATION

The Commission agreed to approve the following notice to set dates and times for Board of Review and Equalization and to advertise same.

NOTICE

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County on Thursday, February 1, 2007 at 2:30 p.m. for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the year 2007.

The Commission will continue to sit as a Board of Review and Equalization on Tuesday, February 6, 2007 at 1:30 p.m., Thursday, February 8, 2007 at 1:30 p.m., Tuesday, February 13, 2007 at 1:30 p.m. and thereafter until all questions concerning assessments are heard.

Persons wishing to appear before the Commission must apply to the Jefferson County Assessor no later than Friday, February 9, 2007 at noon in order to complete the proper forms and to schedule a hearing date prior to the final date of Thursday, February 15, 2007.

Given under my hand this 4th day of January 2007.

/s/

Jennifer S. Maghan, County Clerk

IN RE: SET TIME FOR QUARTERLY FIDUCIARY REVIEW

The Commission agreed to set the time for the Quarterly Fiduciary Review for January 18, 2007 beginning at 11:15 a.m.

IN RE: JANUARY 11, 2007 MEETING SCHEDULE

The Commission agreed to cancel the Jefferson County Commission meeting of January 11, 2007 due to scheduling conflicts. The Commission will reconvene on Thursday, January 18, 2007 beginning at 9:30 a.m.

IN RE: PROPERTY SAFETY ENFORCEMENT AGENCY - COUNTY COMMISSION ORDERS - CASE 06-001 (A) AND CASE 06-001(B) (GRAHAM)

This Commission agreed by consensus authorizing Commission President Frances Morgan to affix her signature upon the Property Safety Enforcement Agency Orders – GRAHAM; 06-001(A) and 06-001 (B) for approval as presented by Roger Goodwin from the Department of Planning, Zoning and Engineering.

IN RE: HIRE DAVE HAMMER, ESQ. AS GENERAL COUNSEL AS NEEDED PER WV CODE 7-4-3, IN ADDITION TO ASSISTANT PROSECUTING ATTORNEY'S

Commissioner Surkamp withdrew this agenda item.

IN RE: DISCUSS THE NEED FOR A LAWYER TO SERVICE THE COUNTY COMMISSION, EXCLUSIVELY. DEVELOP JOB DESCRIPTION. MOTION TO PROCEED.

Upon hearing the advice of Assistant Prosecuting Attorney, Brandon Sims, motion by Manuel, second by Corliss to table this agenda item until January 18, 2007. Motion carried.

IN RE: DISCUSS RETENTION OF OUTSIDE CIVIL COUNSEL FROM TIME TO TIME AS NEED ARISES AND IN LIEU OF BURDENING THE PROSECUTING ATTORNEY'S OFFICE. ADVERTISE AND CONSIDER PROPOSALS.

Upon hearing the advice of Assistant Prosecuting Attorney, Brandon Sims, motion by Manuel, second by Corliss to table this agenda item until January 18, 2007. Motion carried.

IN RE: RFP FOR ONETIME SPECIALIZED LEGAL ASSISTANCE IN NEGOTIATING CABLE FRANCHISE AGREEMENT WITH COMCAST

Commissioner Surkamp reported on cable franchising policies and the benefits of franchising revenue.

Leslie D. Smith, County Administrator reported on the current status of the franchise agreement extension with Comcast.

Commissioner Corliss requested a cost assessment in hiring outside counsel for cable franchising agreement negotiations.

Motion by R. Morgan, second by Manuel to table this agenda item to allow for further consideration. Motion carried.

IN RE: COUNTY COMMISSION POSITION ON CHARLES TOWN PROPOSED ORDINANCES, TO BE SUBMITTED FOR JANUARY 9TH PUBLIC HEARING

The Commission discussed various issues that need addressed with Charles Town and area municipal officials that include County ordinances, budgetary issues and ambulance fees. The Commission agreed by consensus that they would address these issues with municipal officials at the next Intergovernmental Council meeting. Commissioner Frances Morgan agreed to contact the municipalities to promote attendance and involvement at the Intergovernmental Council meetings.

Commissioner Corliss agreed to attend the January 9, 2007 public hearing with the City of Charles Town.

IN RE: EASTERN PANHANDLE TRANSPORTATION AUTHORITY: REQUEST INFORMATION ON MEETINGS' TIME, DATE AND MINUTES

Commissioner Manuel reported on the date and times of the Eastern Panhandle Transportation Authority.

IN RE: DISCUSS POSSIBLE EXTENSION OF CONTRACT WITH THE FRESHWATER INSTITUTE FOR THE GREEN INFRASTRUCTURE STUDY; IMPLEMENTATION ISSUES (WITHOUT, INVESTMENT IS AT RISK OF NOT REALIZING FULL BENEFITS); TIMING OF FINAL REPORT TO COUNTY COMMISSION? SHOULD A LETTER OF REQUEST BE SENT TO FRESHWATER INSTITUTE?

Leslie D. Smith, County Administrator reported on the meeting scheduled with Joe Hankins of Freshwater Institute on January 25, 2007 that will include a report and presentation of the Green Infrastructure study and recommendations therein.

Commissioner F. Morgan complimented the County Commission on development of the Green Infrastructure study.

IN RE: REQUEST OF MS. SMITH TO PROVIDE A COMPREHENSIVE LIST OF ALL COUNTY COMMISSION APPOINTMENT/RE-APPOINTMENTS, WITH DATE, UPCOMING IN CALENDAR YEAR 2007

Commissioner F. Morgan withdrew this agenda item.

IN RE: DISCUSS TIMING OF RECEIPT OF FINAL REPORT FROM MANAGEMENT CONSULTANT AS TO COUNTY GOVERNMENT ORGANIZATION, IN CONNECTION WITH INQUIRY OF MS. BIRNBACH AS TO AVAILABILITY TO REMAIN OF ASSISTANCE TO THE COMMISSION AS IT CONSIDERS IMPLEMENTING ONE OR MORE OF HER RECOMMENDATIONS. POSSIBLE LETTER TO MS. BIRNBACH DIRECTING HER TO PROVIDE HER FINAL RECOMMENDATIONS IN A WORK SESSION PRIOR TO PRESENTATION BEFORE THE COMMISSION IN SESSION, AND ALSO ASKING HER TO SUGGEST WHAT HER TERMS MIGHT BE FOR SUCH CONTINUED INVOLVEMENT, SHOULD IT BE AGREED TO BY THE COMMISSION.

No action was taken on this agenda item.

IN RE: REQUEST OF PAUL RACO FOR A WRITTEN REPORT (TO BE DELIVERED TO THE COUNTY COMMISSION ON JAN. 18TH, 2007) ON CURRENT LAND USE & DEVELOPMENT IN THAT PART OF JEFFERSON COUNTY LYING EAST OF THE SHENANDOAH RIVER, INCLUDING THE TOTAL NUMBER OF PLATTED LOTS, NUMBER OF DWELLING UNITS AND NUMBER OF BUILDING PERMITS ISSUED IN 2005 AND 2006.

Commissioner F. Morgan requested that Paul Raco, Executive Director of Planning, Zoning and Engineering compile a written report for Commission review detailing current land use and development in that part of Jefferson County lying east of the Shenandoah River with specific detail to county growth, platted lots, number of dwelling units and permits issues since 2005.

Paul Raco appeared before the Commission to report he could compile such a report with information available through his office.

IN RE: DISCUSS, IN ADVANCE OF THE SCHEDULED JANUARY VISIT BY KENDIG KEAST, THE WISDOM OF UNDERTAKING AN UPDATE/REVISION TO THE COMPREHENSIVE PLAN OF 2004 WITH PAUL RACO AND THE COMMISSION, TO BE TIMED AT THE OUTSET OF, OR AT LEAST CONCURRENT WITH, THE RE-WRITE OF THE ZONING ORDINANCE AND ZONING MAP.

Paul Raco, Executive Director of Planning, Zoning and Engineering appeared before the Commission to report on the Comprehensive Plan adopted in 2004. Mr. Raco discussed previous concerns expressed by Lane Kendig concerning the revisions to the Zoning and Subdivision Ordinance with regard to restrictions outlined within the 2004 Comprehensive Plan. Stephanie Grove, Assistant Prosecuting Attorney was present for comments.

For Commission review and consideration, Commissioner Frances Morgan requested that Stephanie Grove, Assistant Prosecuting Attorney acquire any information relevant to the statutory restrictions of the 2004 Comprehensive Plan with regard to the Zoning & Subdivision Ordinance rewrite.

IN RE: NOTICE OF REMOVAL HEARINGS TO BE CONVENED IN THE MATTER OF PLANNING COMMISSIONER BALDAU ON JANUARY 30

Commissioner F. Morgan reported on the removal hearings to be held in Jefferson County Circuit Court on January 30, 2007, which will include a three- (3) Judge panel.

IN RE: MOTION TO REQUEST THE PLANNING COMMISSION TO ADVISE THE COUNTY COMMISSION AT OUR NEXT MEETING HOW AND WHEN AN ADDITIONAL PLANNER WILL BE HIRED. THIS NEW POSITION HAS BEEN UNFILLED FOR NEARLY TWO YEARS.

Commissioner R. Morgan expressed his concerns with the status of the Long-Range Planner for the Department of Planning, Zoning and Engineering.

Paul Raco, Executive Director of Planning, Zoning and Engineering appeared before the Commission to report on the resumes' received and previous interviews and meetings conducted with Commission members with regard to the Long Range Planner.

Motion by R. Morgan, second by Surkamp that a request be made to the Planning Commission to provide an update to the Commission regarding the specifications and requirements for applicants for the Long Range Planner. Motion carried by a 4-1 vote, Commissioner Corliss voted no.

Commissioner Surkamp agreed to present this request to the Planning Commission during their January 9, 2007 meeting.

IN RE: EXECUTIVE SESSION TO DISCUSS THE POSSIBLE PURCHASE OF PROPERTY AND ASSOCIATED LEGAL AND CONTRACTUAL MATTERS.

Motion by R. Morgan, second by Manuel to enter into Executive Session to discuss the possible purchase of property and associated legal and contractual matters.

Motion by R. Morgan, second by Manuel to return to Regular Session. No action was taken during Executive Session.

IN RE: COUNTY COMMISSION REPORTS

Commissioner Corliss reported on the letter he received from area municipalities requesting formation of a Joint Planning Commission. Commissioner Surkamp and Corliss agreed to coordinate with municipalities for implementation of a Joint Planning Committee.

IN RE: INFORMATION ITEM: "COPIES OF CORRESPONDENCE FROM THE JEFFERSON COUNTY CLERK AND THE SECRETARY OF STATE'S OFFICE RECEIVED CONCERNING A REQUEST FOR A PROCEDURAL AUDIT OF THE 2006 ELECTION CYCLE

In addressing inquiries of Commissioner Dale Manuel, Jennifer Maghan, County Clerk appeared before the Commission to report on the letter she received from the Secretary of State's office and discussed policy and procedures of the 2006 election cycle audit.

IN RE: COUNTY COMMISSION WORKSHOP - KENDIG/KEAST DRAFT SUBDIVISION ORDINANCE PROCESS/DRAFT ZONING ORDINANCE CHAPTERS

The Commission met during an afternoon workshop to discuss the draft Subdivision Ordinance process and Zoning Ordinance chapters. Paul Raco, Director of Planning, Zoning and Engineering; Paul Burke, Planning Commission President; Stephanie Grove, Assistant Prosecuting Attorney and Todd Fagan, GIS Specialist were present for comments.

IN RE: COUNTY ADMINISTRATOR REPORTS

Leslie D. Smith, County Administrator reported on the Commission schedule for the upcoming weeks to include numerous workshops, meetings and public hearings. The Commission agreed by consensus that Commission President Frances Morgan would meet with Ms. Smith to organize the County Commission schedule.

The Commission received the following information:

Copy of correspondence received from the Chief County Engineer concerning the bond extension for Chapel View Subdivision.

Letter of Resignation received from Frances Morgan as an alternate member of the Board of Zoning Appeals.

List of firms that attended Mandatory Preliminary Pre Bid Meeting for the Jail Renovation Project received.

Memorandum received from Brandon C.H. Sims, Assistant Prosecuting Attorney, concerning maternity leave.

Memorandum received from Brandon C.H. Sims, Assistant Prosecuting Attorney, concerning unavailability to attend County Commission meetings on January 18, 2007, February 8, 2007 and February 15, 2007.

Correspondence received from the Corporation of Shepherdstown concerning the appointment of representatives for the council of government's zoning review committee meetings.

Correspondence received from the Corporation of Harpers Ferry concerning the appointment of representatives for the council of government's zoning review committee.

Copies of correspondence from the Jefferson County Clerk and the Secretary of State's office received concerning a request for a procedural audit of the 2006 Election Cycle.

December 2006 Semi-annual Progress Report for the Ozone Early Action Plan received from the Eastern Panhandle Clean Air Connection.

Correspondence received from the State Tax Department concerning the Property Valuation Training and Procedures Commission.

Information received from the County Commissioners' Association concerning PEIA for 2006-2007.

Annexation Sub-Committee's list received from the County Commissioners' Association.

Notice received of Potomac Headwaters RC&D Executive Committee Meeting on Tuesday, January 9, 2006.

Audit Report for the Fiscal Year 2006 received from the Jefferson County Public Service District.

Correspondence received from the Jefferson County Agricultural Task Force concerning their objective as it pertains to the rewrite of the zoning and subdivision ordinances.

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, January 5, 2007.

Oath of Office received from Mary Sue Jedele as an alternate member of the Board of Zoning Appeals.

Oath of Office received from Frances B. Morgan as a Jefferson County Commissioner.

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

Miscellaneous

FRANCES B. MORGAN, COMMISSION PRESIDENT