

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, July 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; Greg Corliss; Commissioners

In re: PLEDGE OF ALLEGIANCE
Commissioner R. Morgan conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES
Motion by Corliss, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, July 10, 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 July 14, 2008, totaling \$31,793.07: 45097, 45098, 45481, 45813, 45815, 45820, 45862, 45872, 45873, 45510, 45972, 45974, 45975, 45976, 45439, 45746, 45747, 45748, 45919, 45920, 45830, 45831, 45832, 45833, 45611, 45612, 45613, 45749, 45753, and 45754. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$299,448.87 dated July 17, 2008 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

Ck#	Dept	Vendor	PO#	PO Amt	Amt wo PO	Ck Amt
056203	425	COMCAST		\$0.00	\$55.94	\$55.94
056204	424	AT&T		\$0.00	\$0.28	\$0.28
056205	424	USA MOBILITY WIRELESS		\$0.00	\$200.17	\$200.17
056205	700	USA MOBILITY WIRELESS		\$0.00	\$397.95	\$397.95
056205	712	USA MOBILITY WIRELESS		\$0.00	\$421.30	\$421.30
056206	425	ABH SERVICES, INC.		\$0.00	\$1,199.70	\$1,199.70
056207	ALLOC	AHA/ART&HUMANITIES		\$0.00	\$2,878.32	\$2,878.32
056208	405	MYOSHIA BRIGHT		\$0.00	\$323.17	\$323.17
056209	425	B-K OFFICE SUPPLY INC	45738	\$690.00	\$0.00	\$690.00
056210	424	BOLAND SERVICES	45112	\$166.00	\$0.00	\$166.00
056210	425	BOLAND SERVICES	45112	\$427.00	\$0.00	\$427.00
056210	425	BOLAND SERVICES	45163	\$385.00	\$0.00	\$385.00
056211	PAYROLL	BRICKSTREET MUTUAL INS		\$0.00	\$17,100.25	\$17,100.25
056212	440	*CREAMERS AUTO SERVICE	45744	\$24.00	\$0.00	\$24.00
056212	700	*CREAMERS AUTO SERVICE	45742	\$470.87	\$0.00	\$470.87
056213	700	CHARLES TOWN CHEVRON	45743	\$47.00	\$0.00	\$47.00
056214	406	DANKA OFFICE IMAGING	44435	\$302.34	\$0.00	\$302.34
056215	425	DAYCON	45739	\$391.72	\$0.00	\$391.72
056216	404	EASTERN PANHANDLE PRINT	44534	\$750.52	\$0.00	\$750.52
056217	413	ELECTION SYS & SOFTWARE	45871	\$930.00	\$0.00	\$930.00
056218	424	J.C.EHRLICH		\$0.00	\$30.00	\$30.00
056218	425	J.C.EHRLICH		\$0.00	\$344.00	\$344.00
056219	700	EMERGENCY EQUIP LIGHTING	45346	\$650.00	\$0.00	\$650.00
056220	424	FEDEX		\$0.00	\$63.88	\$63.88
056221	412	FRONTIER		\$0.00	\$421.33	\$421.33
056221	415	FRONTIER		\$0.00	\$331.27	\$331.27
056221	424	FRONTIER		\$0.00	\$14,599.39	\$14,599.39
056221	712	FRONTIER		\$0.00	\$3,878.23	\$3,878.23
056222	402	FIFTH THIRD BANK		\$0.00	\$1,161.60	\$1,161.60
056222	403	FIFTH THIRD BANK		\$0.00	\$75.00	\$75.00
056222	424	FIFTH THIRD BANK		\$0.00	\$95.76	\$95.76
056222	433	FIFTH THIRD BANK		\$0.00	\$654.33	\$654.33
056222	439	FIFTH THIRD BANK		\$0.00	\$140.00	\$140.00
056222	439	FIFTH THIRD BANK		\$0.00	\$39.52	\$39.52

056222	439	FIFTH THIRD BANK		\$0.00	\$59.99	\$59.99
056222	440	FIFTH THIRD BANK		\$0.00	\$243.83	\$243.83
056222	GRANT	FIFTH THIRD BANK		\$0.00	\$891.59	\$891.59
056222	700	FIFTH THIRD BANK		\$0.00	\$173.48	\$173.48
056222	700	FIFTH THIRD BANK		\$0.00	\$231.33	\$231.33
056222	700	FIFTH THIRD BANK		\$0.00	\$300.89	\$300.89
056222	711	FIFTH THIRD BANK		\$0.00	\$339.12	\$339.12
056222	711	FIFTH THIRD BANK		\$0.00	\$271.35	\$271.35
056222	712	FIFTH THIRD BANK		\$0.00	\$24.98	\$24.98
056222	712	FIFTH THIRD BANK		\$0.00	\$764.76	\$764.76
056223	700	GALLS INCORPORATED	45348	\$657.30	\$0.00	\$657.30
056223	701	GALLS INCORPORATED	45349	\$250.10	\$0.00	\$250.10
056224	405	STEPHEN V GROH		\$0.00	\$341.90	\$341.90
056225	712	JAMES P HAYDEN		\$0.00	\$60.00	\$60.00
056226	424	HASLER INC.	45737	\$264.00	\$0.00	\$264.00
056227	428	INFOPRINT		\$0.00	\$594.00	\$594.00
056228	700	KON OFFICE SOLUTIONS	45343	\$216.00	\$0.00	\$216.00
056229	428	IBM CORPORATION		\$0.00	\$1,338.00	\$1,338.00
056230	413	JEFF CO PUBLIC SERV		\$0.00	\$27.09	\$27.09
056230	425	JEFF CO PUBLIC SERV		\$0.00	\$54.81	\$54.81
056231	ALLOC	JEFFERSON COUNTY HISTORIC		\$0.00	\$30,070.00	\$30,070.00
056232	401	JEFFERSON PUBLISH CO INC		\$0.00	\$178.05	\$178.05
056233	712	LANGUAGE LINE SERVICES		\$0.00	\$172.48	\$172.48
056234	402	MATTHEW BENDER & CO	45861	\$565.80	\$0.00	\$565.80
056235	712	PRIORITY DISPATCH	45531	\$295.00	\$0.00	\$295.00
056236	424	HOME DEPOT CREDIT SERV		\$0.00	\$29.98	\$29.98
056236	425	HOME DEPOT CREDIT SERV		\$0.00	\$582.24	\$582.24
056236	716	HOME DEPOT CREDIT SERV		\$0.00	\$74.88	\$74.88
056237	700	MCKINNEY'S AUTO REPAIR	45741	\$249.26	\$0.00	\$249.26
056238	424	VERIZON BUSINESS		\$0.00	\$1,109.98	\$1,109.98
056239	422	MANPOWER		\$0.00	\$3,339.45	\$3,339.45
056240	ALLOC	JEFF CO PARKS & REC		\$0.00	\$14,357.14	\$14,357.14
056241	403	PIFER OFFICE SUPPLY, INC	45816	\$31.08	\$0.00	\$31.08
056241	404	PIFER OFFICE SUPPLY, INC	44529	\$159.39	\$0.00	\$159.39
056242	700	EVELYN J. PARTLOW	45350	\$88.00	\$0.00	\$88.00
056243	401	REGION 9 PLANNING & DEVE		\$0.00	\$21,632.49	\$21,632.49
056244	424	LANDMARK ELEVATOR INC.	45740	\$80.00	\$0.00	\$80.00
056244	425	LANDMARK ELEVATOR INC.	45740	\$240.00	\$0.00	\$240.00
056245	425	RCS SECURITY	45745	\$54.00	\$0.00	\$54.00
056246	401	ROBERT R. RODECKER		\$0.00	\$1,093.75	\$1,093.75
056247	PAYROLL	RETIREE HLTH BENEFIT TRS		\$0.00	\$6,635.00	\$6,635.00
056248	424	SMITH-NADENBOUSCH INS		\$0.00	\$100.00	\$100.00
056249	704	WV REGIONAL JAIL	45956	\$115,963.50	\$0.00	\$115,963.50
056250	406	SHEETZ FLEET FUELING		\$0.00	\$994.25	\$994.25
056250	424	SHEETZ FLEET FUELING		\$0.00	\$2,351.33	\$2,351.33
056250	440	SHEETZ FLEET FUELING		\$0.00	\$792.80	\$792.80
056250	700	SHEETZ FLEET FUELING		\$0.00	\$13,881.42	\$13,881.42
056250	711	SHEETZ FLEET FUELING		\$0.00	\$322.38	\$322.38
056250	712	SHEETZ FLEET FUELING		\$0.00	\$500.91	\$500.91
056250	716	SHEETZ FLEET FUELING		\$0.00	\$924.41	\$924.41
056251	711	SOFTWARE COMPUTER GROUP	45591	\$650.00	\$0.00	\$650.00
056252	405	BRANDON C.H. SIMS		\$0.00	\$49.00	\$49.00
056253	700	PAT SMITH		\$0.00	\$284.56	\$284.56
056254	405	GREGORY V.SMITH		\$0.00	\$64.00	\$64.00
056255	424	UPS		\$0.00	\$17.47	\$17.47
056256	ALLOC	JEFFERSON CO CONVENTION		\$0.00	\$17,235.46	\$17,235.46
056257	401	WVNET		\$0.00	\$16.67	\$16.67
056258	443	PAMELA HOLSTEIN-WALLACE		\$0.00	\$2,314.58	\$2,314.58
056259	405	WV ST TREASURER'S OFFICE		\$0.00	\$4,800.00	\$4,800.00

056260	402	ARABIA ANDERSON	45869	\$234.00	\$0.00	\$234.00
056260	402	ARABIA ANDERSON	45870	\$163.80	\$0.00	\$163.80
TOTAL				\$125,395.68	\$174,053.19	\$299,448.87
DEPT	NAME		DEPT AMTS			
401/COM	CO. COMMISSION		\$22,920.96			
402/CCLK	CO. CLERK		\$2,125.20			
403/CIR CLK	CIRCUIT CLERK		\$106.08			
404/TAX	TAX OFFICE		\$909.91			
405/PA	PROS ATTY		\$5,578.07			
406/ASSR	ASSESSORS		\$1,296.59			
408/GOV	ST.COMPNET CHG BO GOV UNIT					
412/AG	AG AGT		\$421.33			
413/ELE	ELECTION		\$957.09			
415/MAG CT	MAGISTRATE COURT		\$331.27			
415/	GENERAL SCHOOL/CO TRANSFER					
422/IMPACT	CAPITAL PLANNING /MANAGEMENT		\$3,339.45			
424/CTHS	COURT HOUSE		\$19,108.24			
425/OB	OTHER BUILDING		\$4,424.41			
428/DATAP	DATA PROCESSING		\$1,932.00			
430/HLS	HOMELAND SEC					
431/ECON DEV	ECON DEV					
433/GIS	GIS/ADDRESSING		\$654.33			
439/PZ	PLANNING ZONING		\$239.51			
440/ENG.	DEPT OF ENGINEERING		\$1,060.63			
451/ZONING	ZONING DEPT					
700/SHRF	SHERIFF DEPT		\$17,648.06			
701/SHRF	SHERIFF DEPT		\$250.10			
704/WV JAIL	ST/WV REGIONAL JAIL		\$115,963.50			
711/OES	EMERG SVC		\$1,582.85			
712/911	911 COMMUNICATION		\$6,117.66			
716/A/C	ANIMAL CONTROL		\$999.29			
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTIT					
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		\$64,540.92			
GRANTS	GRANTS		\$3,206.17			
PAYROLL	PAYROLL		\$23,735.25			
Totals			\$299,448.87			

In re: LEGISLATIVE ISSUES

Commissioner Manuel reported to the Commission that the office of Senator Byrd is seeking additional funding for the Route 9 Project.

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: JAIL OPENING CELEBRATION COMMITTEE

SUPPORT OF OLD JAIL CELEBRATION

The Commission agreed to combine these agenda items and move it forward to next week's agenda.

In re: PURCHASING POLICY

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

In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION

Roger Goodwin, Chief County Engineer appeared before the Commission and reminded the Commission of the Planning Commission Public Hearing on Monday, July 21, 2008 at 7:00 p.m. at Jefferson High School regarding the Proposed Zoning Ordinance and the Draft Zoning Map.

In re: BONDING AND ACTIVITY REPORT

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Manuel, second by R. Morgan to approve the partial release of an irrevocable letter of credit in the amount of \$158,431.08 for The Inn at Charles Town with the County to retain \$708,645.00. Motion carried.

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 \$18,017.00 for Rattlesnake Run, Inc. - Potomac Ridge Subdivision with the County to retain \$22,819.00. Motion carried.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Manuel, second by R. Morgan to approve the complete release of an irrevocable letter of credit in the amount of \$54,917.00 for Shepherd's Retreat, LLC - Shepherd's Retreat Subdivision. Motion carried.

In re: COUNTY COMMISSION SUMMIT LEGISLATIVE AGENDA - 2009 ISSUES

The Commission discussed the upcoming County Commission Legislative Summit Agenda - 2009 Issues scheduled for August 11, 2008 at the Woods Resort.

In re: PUBLIC COMMENT

John Piwowarski appeared before the Commission and made comment.

Gary Kable, Board of Education Vice President appeared before the Commission and made comment regarding the Impact Fee Ordinance changes regarding Age Restricted Communities.

Andrew Skinner, Attorney for the Board of Education appeared before the Commission and made comment regarding the Impact Fee Ordinance changes regarding Age Restricted Communities.

**In re: WEST VIRGINIA COMMUNITY CORRECTIONS FUNDS GRANT - APPROVAL OF CONTRACT AGREEMENT - \$193,812
WEST VIRGINIA COMMUNITY CORRECTIONS FUND GRANT - APPROVAL OF CONTRACT AGREEMENT - \$62,500**

Motion by Manuel, second by R. Morgan to approve the West Virginia Community Corrections Funds Grants - Contract Agreement - \$193,812 and Contract Agreement - \$62,500 and to authorize the President of the Commission to affix her signature to the appropriate documents. Motion carried.

Motion by R. Morgan, second by Corliss to support one site for the Day Reporting Center at this time. Motion passed by a 4-1 vote. Commissioner F. Morgan voted no.

In re: APPROVAL OF GRANT CONTRACT & RESOLUTION - GOVERNOR'S COMMUNITY PARTICIPATION PROGRAM - JEFFERSON COUNTY PARKS AND RECREATION - \$7,000

Motion by Manuel, second by F. Morgan to approve the Governor's Community Participation Program for the Jefferson County Parks and Recreation in the amount of \$7,000 and to authorize the President to affix her signature to the following Resolution: Motion carried.

RESOLUTION

The Jefferson County Commission met on the 17th 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 objective to purchase and install directional and informational signs for the Sam Michael's Park and the Jefferson County Community Center for the Jefferson County Parks and Recreation.

Dated: 7/17/2008

Frances B. Morgan, Commission President

In re: APPROVAL OF GRANT CONTRACT & RESOLUTION - GOVERNOR'S COMMUNITY PARTICIPATION PROGRAM - JEFFERSON COUNTY PARKS AND RECREATION - \$10,000

Motion by Manuel, second by R. Morgan to approve the Governor's Community Participation Program for the Jefferson County Parks and Recreation in the amount of \$10,000 and to authorize the President to affix her signature to the following Resolution: Motion carried.

RESOLUTION

The Jefferson County Commission met on the 17th 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 objective to purchase computer, server, software and software license to enhance the computer networking capabilities for the Jefferson County Parks and Recreation.

Dated: 7/17/2008

Frances B. Morgan, Commission President

In re: MICHELLE GOLDMAN - EASTERN PANHANDLE FREE CLINIC

Michelle Goldman, Eastern Panhandle Free Clinic Director appeared before the Commission to discuss office and parking space needs.

In re: BOARD OF HEALTH INTERVIEWS

Joseph Osterman and Mark Shields appeared before the Commission for the Board of Health Interviews.

In re: APPOINTMENT - BOARD OF HEALTH - ONE 5-YEAR TERM

Commissioner Manuel nominated Willis Nowell to the Board of Health for a 5-year term.
Motion by R. Morgan, second by Manuel to close nominations. Commissioner Manuel withdrew his second. This motion was withdrawn.
Commissioner Corliss nominated Joseph Osterman to the Board of Health for a 5-year term.
Willis Nowell was appointed to the Board of Health for a 5-year term by a 4-1 vote. Commissioner Corliss voted for Joseph Osterman.

In re: PARKS AND RECREATION INTERVIEWS

Daniel McVicar Donald Briggs, and Laura Bowman appeared before the Commission for the Parks and Recreation interviews.

In re: APPOINTMENTS - PARKS & RECREATION COMMISSION - THREE 3-YEAR TERMS

The Commission discussed increasing the Parks and Recreation Commission from 11 members to 12 members or 13 members.
Motion by Surkamp, second by Corliss to increase the Parks and Recreation Commission by 1 member. Commissioner F. Morgan called this motion out of order.
Motion by Manuel, second by F. Morgan to postpone the increase to the Parks and Recreation Commission by 1 member and to vote on the members after legal review. Motion carried.

In re: BUILDING COMMISSION INTERVIEWS

Marvin Pratt appeared before the Commission for the Building Commission interviews.

In re: APPOINTMENT - BUILDING COMMISSION - ONE UNEXPIRED TERM

Motion by Surkamp, second by Manuel to appoint Marvin Pratt to the Building Commission for an unexpired term ending July 27, 2010.

In re: APPOINTMENTS - PARKS & RECREATION COMMISSION - THREE 3-YEAR TERMS - CONTINUED

Leslie D. Smith, County Administrator informed the Commission that West Virginia State Code provides that the Parks and Recreation Commission shall be eleven members.
The Commission agreed to make the appointments to the Parks and Recreation Commission at this time.
Nomination by R. Morgan to appoint Daniel McVicar to the Parks and Recreation Commission.
Nomination by Manuel to appoint Bill Hoak to the Parks and Recreation Commission.
Nomination by Surkamp to appoint Donald Briggs to the Parks and Recreation Commission.
Nomination by F. Morgan to appoint Laura Bowman to the Parks and Recreation Commission.
Nomination by Manuel to appoint Mike Jacobs to the Parks and Recreation Commission.

	Surkamp	R. Morgan	F. Morgan	Manuel	Corliss
Daniel McVicar	✓	✓	✓	✓	✓
Mike Jacobs		✓		✓	✓
Bill Hoak		✓		✓	✓
Donald Briggs	✓		✓		
Laura Bowman	✓		✓		

Daniel McVicar, Mike Jacobs and Bill Hoak were reappointed to the Parks and Recreation Commission for three year terms ending June 30, 2011.

In re: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT

Gail Magaha, Deputy County Clerk appeared before the Commission requesting approval of employment of Geraldine Herbert in the County Clerk's office.

Motion by Manuel, second by Surkamp to approve the employment of Geraldine Herbert in the County Clerk's office. Motion carried.

In re: CHARLOTTE PORTER - BOOKS FOR BABIES REPORT

Charlotte Porter appeared before the Commission to request funding in the amount of \$1,200 for the Books for Babies and gave a status report on the program.

The Commission took a 15 minute break at 11:15 a.m.

In re: REGION 9 INTERVIEWS

Neal Carpenter and Kristen Ringstaff appeared before the Commission for the Region 9 interviews.

In re: APPOINTMENT - REGION 9

Nomination by Corliss to reappoint Neal Carpenter to the Region 9.

Neal Carpenter was reappointed to the Region 9 for a one year term ending June 30, 2009.

In re: LEN SWITALSKI - REQUEST FOR INCREASE IN EXECUTOR FEES - ESTATE OF WILLIAM E. AYERS

No action was taken on this agenda item. Mr. Switalski called and cancelled.

In re: EMERGENCY COMMUNICATIONS CENTER CHANGE ORDER #4

Kirk Davis, Capital Projects Manager appeared before the Commission requesting approval of the Emergency Communications Center change order #4. Motion by Manuel, second by Corliss to approve the Change Order #4 for the Emergency Communications Center subject to review by the County Administrator and Legal Staff. Motion carried.

In re: APPROVAL OR DISAPPROVAL OF PROPOSED IMPACT FEE ORDINANCE CHANGES REGARDING AGE RESTRICTED COMMUNITIES (GC)

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

The Commission took a lunch break at 12:05 p.m. The Commission reconvened at 1:30 p.m.

In re: HARPERS FERRY BOLIVAR PUBLIC SERVICE DISTRICT INTERVIEWS

No one was present for the Harpers Ferry/Bolivar Public Service District interviews.

In re: HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT - ONE 6-YEAR TERM

Nomination by Manuel to reappoint Raymond Biller to the Harpers Ferry/Bolivar Public Service District. Raymond Biller was reappointed to the Harpers Ferry/Bolivar Public Service District for a 6-year term ending June 30, 2014.

In re: SOLID WASTE AUTHORITY INTERVIEWS

Tony Hayes appeared before the Commission for the Solid Waste Authority interviews.

In re: APPOINTMENTS SOLID WASTE AUTHORITY - ONE 4-YEAR TERM

Nomination by R. Morgan to reappoint Bill Weston to the Solid Waste Authority.

Nomination by Surkamp to appoint Tony Hayes to the Solid Waste Authority.

Bill Weston was reappointed to the Solid Waste authority for a 4-year term ending June 30, 2012 by a 3-2 vote. Commissioners R. Morgan, Corliss and Manuel voted for Bill Weston. Commissioners F. Morgan and Surkamp voted for Tony Hayes.

In re: THE ALICE FERGUSON FOUNDATION - REQUEST TO SIGN ON TO THE POTOMAC RIVER WATERSHED TRASH TREATY

The Commission agreed to forward this matter to Stephanie Grove, Assistant Prosecuting Attorney for review and to place this item on next week's agenda.

In re: TRANSFER OF THE \$100,000 IN THE SHEPHERDSTOWN BATTLEFIELD ACCOUNT TO AN OPERATIONAL ACCOUNT DEDICATED TO ACHIEVING SALARY EQUITY (DM)

Motion by Manuel, second by Corliss to transfer the \$100,000 in the Shepherdstown Battlefield account to an operational account dedicated to achieve salary equity. After discussion, the motion failed by a 1-4 vote. Commissioners Corliss, F. Morgan, R. Morgan and Surkamp voted no.

In re: KAYE MOORE - MOUNTAIN WATER SYSTEM

Commissioner Manuel recused himself from this agenda discussion and vote. Kaye Moore appeared before the Commission to discuss the Mountain Water System. For the record, Stephanie Grove, Assistant Prosecuting Attorney and Roger Goodwin, Chief County Engineer were present and made comments.

In re: PETER CORUM - ARTS & HUMANITIES ALLIANCE

No action was taken on this agenda item. Mr. Corum did not appear.

In re: OFFICE SPACE FOR HISTORIC LANDMARKS AND ARTS & HUMANITIES ALLIANCE

No action was taken on this agenda item.

In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission for the weekly legal update and report. Ms. Grove reported on the following:

- Charitable Solicitation
- Employee Handbook
- Barking Dog Ordinance
- Tax Case - Shenandoah Sales and Service - dismissed

Motion by R. Morgan, second by Surkamp to enter into Executive Session to discuss pending litigation regarding Public Service Commission and Jefferson Utilities Inc, case # 06-0817. Motion carried. For the record, Commissioner Manuel abstained and was not present during the Executive Session.

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

Motion by R. Morgan, second by Corliss to deny extension on the Administrative Law Judge decision concerning the Mountain Water System Fair Rate Committee. Motion carried. Commissioner Manuel abstained.

In re: RETENTION OF OUTSIDE COUNSEL FOR ALL EMPLOYMENT LAW MATTERS OR ISSUANCE OF RFP FOR SAME (FM)

Commissioner F. Morgan withdrew this agenda item with no objection from the Commission.

In re: REQUEST TO PA FOR COMMENTS REGARDING LEGAL REQUIREMENTS AND AVAILABILITY OF PA SUPPORT FOR REVIEWING COUNTY EMPLOYEE JOB DESCRIPTIONS. ALSO, SHOULD THE COUNTY COMMISSION REQUIRE AN ATTORNEY REPRESENTING THE COUNTY COMMISSION AT PERFORMANCE REVIEW, THEN WHO PROVIDES THE EMPLOYEE BEING EVALUATED LEGAL SUPPORT (GC)

The Commission discussed the request to the Prosecuting Attorney for comments regarding legal requirements and availability of the Prosecuting Attorney support for reviewing county employee job descriptions. Motion by Corliss, second by F. Morgan to submit 4 job description documents and the evaluation performance form to Stephanie Grove, Assistant Prosecuting Attorney for legal review and requested that she prepare a list of procedures. Motion carried.

In re: COUNTY ADMINISTRATOR REPORTS

Leslie D. Smith, County Administrator discussed the draft letter from Jane Peters concerning the Regional Economic Development Alliance. The Commission agreed to place this item on next week's agenda. Ms. Smith reported on the \$12,000 Water Study Invoice from the USGS.

Ms. Smith also reminded the Commission of the Budget Work Session on Monday, July 21, 2008 at 10:00 a.m.

In re: COUNTY COMMISSION REPORTS

Commissioner F. Morgan reported on the Farmland Protection Board meeting she attended. Commissioner Surkamp reported on the Power Transmission luncheon meeting he attended.

The Commission received the following information:

Reminder of County Commission Workshop on Monday, July 21, 2008, at 10:00 a.m.

Acceptance of Bond for IHOP Restaurant in the amount of \$274,747.

Reminder of visit from Kathy Mattea at the Jail Building on Friday, July 18, 2008, at 10:15 a.m.

Correspondence received from the National Park Service concerning the retirement of Donald Campbell.

Correspondence received from John Doyle concerning certified mailings of changes in the county's zoning ordinance.

Information received from Peter Appignani concerning Jefferson Utilities.

Correspondence received from James L. Pitrolo, Jr. concerning the Prevention Resource Office Program.

Correspondence received from Guardian concerning the addition of an account manager.

Notice received of a "Power of Ten" Summit to develop downtown revitalization plans on September 8-10, 2008.

Correspondence received from the Lafferty Family concerning their appreciation for services and pet adoption from the Animal Control Office.

Copy of Title 110, Legislative Regulations, Department of Tax and Revenue, Series 1A - Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes received from Cam Tabb.

Correspondence received from Region 9 concerning the FY2009 Annual Assessment.

Notice received from the West Virginia Department of Environmental Protection of the appointment of William Madert to the Solid Waste Authority.

Correspondence received from Andrew Arnold concerning Fire and EMS fees.

Information received from Todd Fagan on the Eastern Panhandle GIS Users Group Meeting on Tuesday, August 26, 2008.

Appointment to be made to the Board of Health on Thursday, August 7, 2008.

Commission Order received from the Public Service Commission concerning Enhanced 911 Fee for Prepaid Services.

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

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

Meeting minutes received from the Jefferson County Public Service District.

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

CORRESPONDENCE

Correspondence received from Sherri Neilson concerning a barking dog ordinance.

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

Frances B. Morgan, Commission President