

**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, August 7, 2008, beginning at 9:30 o'clock a.m.

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

Commissioner F. Morgan was absent due to a prior commitment.

**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 31, 2008, and to approve the Minutes as amended. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Manuel, second by Corliss to approve the following Purchase Orders for the Week of August 4, 2008, totaling \$29,396.74: 45817, 45818, 45823, 45886, 45887, 46001, 45935, 45601, 45701, 45774, 45775, 45776, 45777, 45779, 45781, 45782, 45836, 45837, 45838, 44536, 45778, 45780 and 45918. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$293,238.01 dated August 8, 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
056353	425	ABH SERVICES, INC.		\$0.00	\$9,070.00	\$9,070.00
0563543 0	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
056354	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
056355	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
056356	425	BONDED APPLICATORS OF MD	45708	\$14,513.00	\$0.00	\$14,513.00
056357	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$62.31	\$62.31

056358	712	BIDDLE CONSULTING GROUP	45070	\$599.00	\$0.00	\$599.00
056359	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
056360	700	*CREAMERS AUTO SERVICE	45768	\$211.77	\$0.00	\$211.77
056361	424	CHARLES TOWN WATER DEPT		\$0.00	\$125.82	\$125.82
056361	425	CHARLES TOWN WATER DEPT		\$0.00	\$797.26	\$797.26
056362	425	OLD CHARLES TOWN LIBRARY		\$0.00	\$1,500.00	\$1,500.00
056363	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$23.07	\$23.07
056364	401	CATERING BY MARGARITA		\$0.00	\$73.14	\$73.14
056365	425	DAYCON	45761	\$108.34	\$0.00	\$108.34
056366	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
056367	712	EARTHLINK INC		\$0.00	\$21.95	\$21.95
056368	424	J.C.EHRLICH		\$0.00	\$30.00	\$30.00
056368	425	J.C.EHRLICH		\$0.00	\$344.00	\$344.00
056369	PAYROLL	GUARDIAN		\$0.00	\$129,298.92	\$129,298.92
056369	PAYROLL	GUARDIAN		\$0.00	\$1,658.30	\$1,658.30
056369	PAYROLL	GUARDIAN		\$0.00	\$6,470.30	\$6,470.30
056369	PAYROLL	GUARDIAN		\$0.00	-\$0.22	-\$0.22
056370	425	GRAINGER, INC	45766	\$120.96	\$0.00	\$120.96
056371	425	IDVILLE, INC	45958	\$78.49	\$0.00	\$78.49
056372	PAYROLL	ING		\$0.00	\$635.00	\$635.00
056373	425	JEFFERSON CO HEALTH DEPT	45763	\$40.00	\$0.00	\$40.00
056374	712	THE JOURNAL		\$0.00	\$140.40	\$140.40
056375	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,593.00	\$4,593.00
056376	PAYROLL	COMPTROLLER OF MARYLAND		\$0.00	\$625.53	\$625.53
056377	424	MICROMAIN CORPORATION	45760	\$595.00	\$0.00	\$595.00
056378	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
056379	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
056380	402	PIFER OFFICE SUPPLY, INC	45876	\$103.40	\$0.00	\$103.40
056380	403	PIFER OFFICE SUPPLY, INC	45824	\$9.59	\$0.00	\$9.59
056381	413	RAI GROUP 43, LLC		\$0.00	\$1,650.00	\$1,650.00
056382	425	RCS SECURITY	45767	\$37.50	\$0.00	\$37.50
056383	402	RECORD MANAGEMENT SOLUT	45872	\$35.00	\$0.00	\$35.00
056384	PAYROLL	RETIREE HLTH BENEFIT TRS		\$0.00	\$8,265.00	\$8,265.00
056385	408	STATE TAX DEPARTMENT		\$0.00	\$13,855.44	\$13,855.44
056386	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$31.62	\$31.62
056386	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$34,583.92	\$34,583.92
056386	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$7.40	\$7.40
056386	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,088.24	\$8,088.24
056387	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$31,081.49	\$31,081.49
056387	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$15.31	\$15.31
056388	716	SWAB WAGON COMPANY, INC.	45764	\$202.00	\$0.00	\$202.00
056389	401	STAPLES CREDIT PLAN		\$0.00	\$149.99	\$149.99

056389	403	STAPLES CREDIT PLAN		\$0.00	\$75.99	\$75.99
056389	424	STAPLES CREDIT PLAN		\$0.00	\$69.96	\$69.96
056389	700	STAPLES CREDIT PLAN		\$0.00	\$2,086.81	\$2,086.81
056389	711	STAPLES CREDIT PLAN		\$0.00	\$123.73	\$123.73
056389	712	STAPLES CREDIT PLAN		\$0.00	\$1,084.56	\$1,084.56
056389	716	STAPLES CREDIT PLAN		\$0.00	\$172.94	\$172.94
056390	712	SEN COMMUNICATIONS	45962	\$125.00	\$0.00	\$125.00
056391	424	SHANNON BUSINESS SYSTEMS	45765	\$425.10	\$0.00	\$425.10
056392	975	SUMMIT COMMUNITY BANK		\$0.00	\$2,441.41	\$2,441.41
056393	439	JENNIFER SNYDER		\$0.00	\$58.67	\$58.67
056394	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
056395	PAYROLL	TIME INSURANCE CO		\$0.00	\$305.89	\$305.89
056396	712	VALLEY TWO-WAY, INC	45071	\$10,767.00	\$0.00	\$10,767.00
056397	PAYROLL	CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
056398	716	VALLEY PET CEMETERY		\$0.00	\$364.00	\$364.00
056399	405	WEST PAYMENT CENTER	45835	\$2,051.02	\$0.00	\$2,051.02
056400	425	WM OF WEST VIRGINIA, INC		\$0.00	\$254.77	\$254.77
056400	425	WM OF WEST VIRGINIA, INC		\$0.00	\$269.21	\$269.21
056400	425	WM OF WEST VIRGINIA, INC		\$0.00	\$203.25	\$203.25
056400	425	WM OF WEST VIRGINIA, INC		\$0.00	\$254.77	\$254.77
056400	716	WM OF WEST VIRGINIA, INC		\$0.00	\$95.33	\$95.33
<b>TOTALS</b>				<b>\$30,022.17</b>	<b>\$263,215.84</b>	<b>\$293,238.01</b>

Dept	Name	Dept Amts
401/COM	CO. COMMISSION	\$223.13
402/CCLK	CO. CLERK	\$138.40
403/CIR CLK	CIRCUIT CLERK	\$85.58
404/TAX	TAX OFFICE	
405/PA	PROS ATTY	\$2,051.02
406/ASSR	ASSESSORS	
408/GOV	ST.COMPNET CHG BO GOV UNIT	\$13,855.44
412/AG	AG AGT	\$383.00
413/ELE	ELECTION	\$1,650.00
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
422/IMPACT	IMPACT FEE OPERATIONAL DEPT	
424/CTHS	COURT HOUSE	\$1,245.88
425/OB	OTHER BUILDING	\$27,591.55
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	
431/ECON DEV	ECON DEV	\$308.33
433/GIS	GIS/ADDRESSING	

439/PZ	PLANNING ZONING	\$58.67
440/ENG.	DEPT OF ENGINEERING	
451/ZONING	ZONING DEPT	
700/SHRF	SHERIFF DEPT	\$2,298.58
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	\$123.73
712/911	911 COMMUNICATION	\$12,737.91
716/A/C	ANIMAL CONTROL	\$834.27
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	
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	
GRANTS	GRANTS	
PAYROLL	PAYROLL	\$227,211.11
<b>TOTALS</b>		<b>\$293,238.01</b>

**In re: LEGISLATIVE ISSUES**

Commissioner R. Morgan discussed the meeting regarding the transmission lines.  
Commissioner Manuel discussed the gypsy moth program.

**In re: EXONERATIONS**

Upon the recommendation of the Assessor, the Commission approved the following exonerations due to erroneous assessment for the year 2008.

Motion by R. Morgan, second by Manuel to approve the following exoneration. Motion carried.

Name	District	Type	Amount	Ticket #
Susan B. Hough	Kabletown	Personal	\$224.84	31034

Motion by R. Morgan, second by Manuel to approve the following exoneration. Motion carried.

Name	District	Type	Amount	Ticket #
Thomas & Paula LeBlanc	Harpers Ferry	Real Estate	\$58.94	12500

**In re: BONDING AND ACTIVITY REPORT**

No bonding and activity report was given.

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

Tony Redman, Director of Planning and Zoning appeared before the Commission to discuss the changes made to the Zoning Ordinance and Zoning Map.

**In re: PUBLIC COMMENT**

Daniel Lutz appeared before the Commission and commented on the Zoning Ordinance.

Fred Blackmer appeared before the Commission and commented on the possibility of the Commission retaining an attorney for the Public Service Commission cases.

**In re: LEGISLATIVE ISSUES - CONTINUED**

Leslie Smith, County Administrator discussed the draft letter and research on the CAMA system.

**In re: APPOINTMENTS TO THE WATER ADVISORY COMMITTEE**

No action was taken on the 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**

The Commission discussed the expenses for the Jail Opening Celebration.

**In re: FREE CLINIC BUILDING SPACE AT BARDANE**

The Commission agreed to keep this on the Agenda as Old Business.

**In re: IMPROVED SECURITY FOR DUFFIELD'S COMMUTER PARKING LOT**

The Commission agreed to keep this on the Agenda as Old Business.

**In re: GENE WATKINS, RAJCO, LLC - TELECOM COST REDUCTION SERVICE**

Gene Watkins, RAJCO, LLC appeared before the Commission to discuss Telecom cost reduction services. After discussion, the Commission agreed to review this matter.

**In re: JEFF POLCZYNSKI - COMMUNICATIONS UPDATE**

Jeff Polczynski, Director of Communications appeared before the Commission to give an update on the E-911 Communication Center and the new radio system.

**In re: BILL POLK - ENERGY/MAINTENANCE UPDATE**

Bill Polk, Maintenance Director appeared before the Commission to give an update on heating and air conditioning energy savings and a maintenance department update.

**In re: ALLOCATING FUNDING NECESSARY TO IMPLEMENT THE SALARY EQUITY SURVEY IN ITS ENTIRETY**

Motion by Manuel, second by Corliss to allocate funding not more than \$150,000 necessary to implement the salary equity study for County Commission employees. Motion carried.

**In re: CREATION OF A JEFFERSON COUNTY WAGE BOARD COMPROMISED OF COUNTY DEPARTMENT HEADS AND PARTICIPATING ELECTED OFFICIALS TO REVIEW THE JACOBS WAGE STUDY, ESTABLISH A COUNTY SALARY WAGE SCALE, AND TO PROVIDE SALARY BUDGETING GUIDANCE TO BOTH THE COUNTY COMMISSION AND ELECTED OFFICIALS (GC)**

The Commission agreed to continue review of the funding needed to implement salary equity for elected officials.

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

- **BANK OF CHARLES TOWN - BOND, LETTER OF CREDIT AND RESOLUTION OF PUBLIC FUNDS IN THE AMOUNT OF \$4,350,000**
- **PRESENTATION - THE IMPORTANCE OF SAFEGUARDING OUR RECORDS**

Motion by Manuel, second by Corliss to approve the Bank of Charles Town Bond, Letter of Credit and Resolution of Public Funds in the amount of \$4,350,000. Motion carried.

Ms. Maghan informed the Commission that she would have the presentation for the importance of safeguards for our records at a later date.

**In re: APPOINTMENT TO THE JEFFERSON COUNTY BOARD OF HEALTH**

Nomination by Commissioner Surkamp to appoint Joseph Osterman to the Jefferson County Board of Health.

Nomination by Commissioner Manuel to appoint Mark Shields to the Jefferson County Board of Health.

Joseph Osterman was appointed to the Jefferson County Board of Health for an unexpired term ending June 30, 2011 by a 3-1 vote. Commissioners Corliss, Surkamp and R. Morgan voted for Mr. Osterman.

**In re: LEGAL UPDATE AND REPORT**

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

Ms. Grove provided a status report on the following matters:

- The meeting scheduled with Tom Michael on August 8, 2008 at 10:00 a.m.
- Board of Zoning Appeals Brief
- City of Ranson Brief
- Jefferson County Employee Evaluation Forms and Job Descriptions
- Legal Opinion regarding the Zoning Ordinance and Zoning Maps

**In re: CANCELLATION OF THE COMMISSION MEETING THE WEEK OF THE LABOR DAY HOLIDAY (DM)**

Motion by Manuel, second by Surkamp to cancel the County Commission meeting the week of the Labor Day Holiday.

By consensus, the Commission agreed to place this on next week's agenda for a decision.

**In re: REVIEW OF SPACE PLANNING/ASSIGNMENTS FOR SAINT MARGARET'S BUILDING, OLD JAIL, AND NEW JUDICIAL CENTER (GC) - SHERIFF BOOBER - ADMINISTRATIVE ORDER 08-ADM-15 - SECURITY FOR PROBATION OFFICE**

Judge Sanders, Judge Silver, Ralph Lorenzetti, Assistant Prosecuting Attorney and Kirk Davis, Capital Projects Manager appeared before the Commission to review the space allocation for the Saint Margaret's Building, Old Jail and new Judicial Center. After discussion, motion by Manuel, second by Corliss to approve Plan B as presented by Kirk Davis and agreed to by Judge Silver and Judge Sanders. Motion carried.

For the record, Plan B would take care of Administrative Order 08-ADM-15 - Security for Probation Office.

**In re: FULL ACCOUNTING OF JUI/SES AS PART OF CURRENT LEGAL ACTIONS**

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

**In re: PURCHASING POLICY (JS)**

With consensus of the Commission, Commissioner Surkamp withdrew this item from the agenda.

**In re: REVIEW OF SPACE PLANNING/ASSIGNMENTS FOR SAINT MARGARET'S BUILDING, OLD JAIL, AND NEW JUDICIAL CENTER (GC) - CONTINUED**

Kirk Davis, Capital Projects Manager was present and discussed the options for the new Judicial Center. Motion by R. Morgan, second by Corliss to authorize and direct Mr. Davis to contact and work with the Architect to design a Judicial Center with 30,000 square feet with a budget in the amount of \$9 Million. Motion failed by a 2-2 vote.

**In re: ALLOCATE FROM THE NOT FOR PROFIT ACCOUNT \$1,500 FOR SUPPORTING WATER ADVISORY COMMITTEE (WAC) SOURCE WATER WELL MONITORING PROGRAM AS TO WATER TABLE/QUANTITY AND WATER QUALITY (GC) - DISCUSSION POSSIBLE VOTE ON FUNDS FOR COMMUNITY ORGANIZATIONS PROVIDING "SAFETY NET" SERVICES**

The Commission discussed the budget for the non-profit organizations. Motion by Surkamp, second by Corliss to commit \$80,500 and to include \$1,500 for the Water Advisory Committee and \$1,500 for the Kiwanis.

Motion by Manuel, second by Surkamp to table this matter and to place this matter on next week's agenda. Motion passed by a 3-1 vote. Commissioner Corliss voted no.

**In re: APPROVAL OF FIRE COMPANY CONTRACTS**

Motion by Manuel, second by R. Morgan to approve the FY2009 Fire Company Contracts for Friendship Fire Company, Citizens Fire Company, Blue Ridge Mountain Fire Company, Independent Fire Company, Bakerton Fire Company and Shepherdstown Fire Company in the amount of \$25,000.00. Motion carried.

**In re: ESTABLISHMENT OF A JEFFERSON COUNTY INTERN PROGRAM MANAGED BY THE COUNTY ADMINISTRATOR TO INCLUDE STAFFING REQUIREMENTS, BUDGETING, AND HIRING (GC)**

Motion by Corliss, second by R. Morgan to direct the County Administrator to establish a Jefferson County Intern Program to include staffing requirements, budgeting and hiring for FY10. Motion carried.

**In re: DEPARTMENT HEAD EVALUATIONS (JS)  
JOB DESCRIPTIONS (JS)**

Commissioner Surkamp discussed the upcoming Department Head Evaluations and Job Descriptions.

**In re: EMAIL FILTERING ON COUNTY COMPUTERS (JS)**

The Commission directed Leslie Smith, County Administrator to come back to the Commission with a price for email filtering software and the cost to maintain it.

**In re: COUNTY ADMINISTRATOR REPORTS**

Leslie D. Smith, County Administrator reported on the following:

- Franchise Agreement with Comcast
- Swimming Pool Initiative - November Ballot - The Commission agreed to place this item in next week's agenda
- Meeting scheduled with Tom Michael on August 8, 2008 at 10:00 a.m.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Corliss reported on the request for funding from the Jefferson Memorial Park.

Commissioner Surkamp reported on the Public Service District meeting he attended.

**The Commission received the following information:**

Notice of a special session on August 8, 2008 to have a teleconference with Tom Michael, Attorney.

Appointment to be made to the Community Criminal Justice Board on August 14, 2008.

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

Impact Fee status report received for July 2008.

Memorandum received from Tony Redman concerning recognition for Mike Monaghan.

Memorandum received from Tony Redman concerning the position descriptions.

Memorandum received from Roger Goodwin concerning the position descriptions.

Copy of correspondence sent to the Berkeley County Commission from Deborah A. Lawson received concerning the Community Criminal Justice Board.

Notice of a public hearing on Thursday, August 7, 2008, at 11:00 a.m. to present amendment to the FY2007 HOME Investment Partnership Annual Action Plan for the

**Eastern Panhandle HOME Consortium.**

**Copy of a newspaper article concerning jail costs received from the Association of Counties.**

**Correspondence received from FEMA concerning the Multi-Jurisdictional Hazard Mitigation Plan.**

**Notice received of the West Virginia University Local Government Leadership Academy on September 19-20, 2008.**

**Correspondence received from the Jefferson County Fire & Rescue Association concerning the Emergency Services Committee.**

**Correspondence received from Region 9 concerning the Mountain Water Project.**

**Community Bulletin received from Harpers Ferry National Historical Park.**

**Oath of Office received from Marvin J. Pratt as a member of the Jefferson County Building Commission.**

**Panhandle Transit Authority meeting minutes received.**

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

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**PRESIDENT**