

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 December 11, 2008 beginning at 9:30 o'clock a.m.

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

IN RE: PLEDGE OF ALLEGIANCE

Commissioner Surkamp 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 meeting held on Thursday, December 4, 2008 and to approve the Minutes as presented. Motion carried.

IN RE: APPROVAL OF PURCHASE ORDERS

Motion by Manuel, second by Corliss to approve the following Purchase Orders for the week of December 11, 2008 totaling \$145,448.64: 42455, 46376, 46377, 46378, 46379, 46380, 46381, 46386, 46301, 45995, 45996, 45953, 46401, 46402, 45013, 46278, 46280, 46353, 46354, 46355, 46356, 46433, 46234, 46236, 46237, 46238, 46357, 46360 and 44548. Motion carried.

IN RE: APPROVAL OF ACCOUNTS PAYABLE

Motion by Corliss, second by Manuel to approve the list of Accounts Payable totaling \$143,198.01 dated December 11, 2008. Motion carried.

| CK# | Dept | Vendor | PO# | PO Amt | Amt wo PO | Ck Amt |
|--------|---------|--------------------------|-------|------------|-------------|-------------|
| 057504 | 425 | ALLEGHENY POWER | | \$0.00 | \$451.15 | \$451.15 |
| 057505 | PAYROLL | AMERICAN FAMILY LIFE ICU | | \$0.00 | \$4,362.38 | \$4,362.38 |
| 057506 | 711 | ASSOC ST.FLOODPLAIN | 46279 | \$100.00 | \$0.00 | \$100.00 |
| 057507 | PAYROLL | CHILD SUPPORT BUREAU | | \$0.00 | \$72.00 | \$72.00 |
| 057508 | 425 | B-K OFFICE SUPPLY INC | 46345 | \$886.79 | \$0.00 | \$886.79 |
| 057509 | 424 | BOLAND SERVICES | 45112 | \$166.00 | \$0.00 | \$166.00 |
| 057509 | 425 | BOLAND SERVICES | 45112 | \$427.00 | \$0.00 | \$427.00 |
| 057509 | 425 | BOLAND SERVICES | 45163 | \$385.00 | \$0.00 | \$385.00 |
| 057510 | PAYROLL | BUREAU F/CHILD SUPPORT | | \$0.00 | \$49.85 | \$49.85 |
| 057511 | PAYROLL | BUREAU F/CHILD SPRT ENF | | \$0.00 | \$212.31 | \$212.31 |
| 057512 | 401 | CASTO & HARRIS INC | | \$0.00 | \$203.94 | \$203.94 |
| 057513 | 402 | COMPLETE SYSTEM SUPPORT | 46207 | \$301.24 | \$0.00 | \$301.24 |
| 057514 | 700 | *CREAMERS AUTO SERVICE | 46350 | \$86.40 | \$0.00 | \$86.40 |
| 057515 | 425 | CHARLES TOWN COPYING SRV | 46344 | \$14.40 | \$0.00 | \$14.40 |
| 057516 | PAYROLL | CHILD SUPPORT ENFORCE AG | | \$0.00 | \$27.69 | \$27.69 |
| 057517 | 700 | COMPLETE AUTO REPAIR SRV | 46352 | \$1,117.58 | \$0.00 | \$1,117.58 |
| 057518 | 433 | DELL MARKETING LP | 42446 | \$380.59 | \$0.00 | \$380.59 |
| 057519 | 425 | DEHAVEN SEVEN-UP CORP | | \$0.00 | \$45.00 | \$45.00 |
| 057520 | PAYROLL | EQUITABLE THE EQUIVEST | | \$0.00 | \$15.00 | \$15.00 |
| 057521 | 712 | EARTHLINK INC | | \$0.00 | \$21.95 | \$21.95 |
| 057522 | 424 | J.C.EHRLICH | | \$0.00 | \$30.00 | \$30.00 |
| 057522 | 425 | J.C.EHRLICH | | \$0.00 | \$389.00 | \$389.00 |
| 057523 | 700 | EMERGENCY EQUIP,LIGHTING | 46167 | \$255.00 | \$0.00 | \$255.00 |
| 057523 | 700 | EMERGENCY EQUIP,LIGHTING | 46168 | \$260.00 | \$0.00 | \$260.00 |
| 057524 | 428 | ESI ECOM COMPUTER DIV | 45547 | \$768.34 | \$0.00 | \$768.34 |
| 057525 | 425 | FARM PLAN/SOUTHERN STATE | 46072 | \$698.25 | \$0.00 | \$698.25 |
| 057526 | 412 | FRONTIER | | \$0.00 | \$421.33 | \$421.33 |
| 057526 | 415 | FRONTIER | | \$0.00 | \$331.27 | \$331.27 |
| 057526 | 424 | FRONTIER | | \$0.00 | \$14,669.84 | \$14,669.84 |
| 057526 | 712 | FRONTIER | | \$0.00 | \$1,164.40 | \$1,164.40 |
| 057527 | 402 | FIFTH THIRD BANK | 46216 | \$195.00 | \$0.00 | \$195.00 |

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|--------|---------|--------------------------|-------|------------|-------------|-------------|
| 057527 | 711 | FIFTH THIRD BANK | 46277 | \$42.00 | \$0.00 | \$42.00 |
| 057527 | 402 | FIFTH THIRD BANK | | \$0.00 | \$29.95 | \$29.95 |
| 057527 | 413 | FIFTH THIRD BANK | | \$0.00 | \$87.72 | \$87.72 |
| 057527 | 413 | FIFTH THIRD BANK | | \$0.00 | \$109.25 | \$109.25 |
| 057527 | 413 | FIFTH THIRD BANK | | \$0.00 | \$247.84 | \$247.84 |
| 057527 | 413 | FIFTH THIRD BANK | | \$0.00 | \$110.17 | \$110.17 |
| 057527 | 433 | FIFTH THIRD BANK | | \$0.00 | \$12.66 | \$12.66 |
| 057527 | 700 | FIFTH THIRD BANK | | \$0.00 | \$275.57 | \$275.57 |
| 057527 | 700 | FIFTH THIRD BANK | | \$0.00 | \$788.28 | \$788.28 |
| 057527 | 711 | FIFTH THIRD BANK | | \$0.00 | \$447.63 | \$447.63 |
| 057527 | 711 | FIFTH THIRD BANK | | \$0.00 | \$54.34 | \$54.34 |
| 057527 | 712 | FIFTH THIRD BANK | | \$0.00 | \$14.95 | \$14.95 |
| 057527 | 712 | FIFTH THIRD BANK | | \$0.00 | \$160.11 | \$160.11 |
| 057527 | 712 | FIFTH THIRD BANK | | \$0.00 | \$75.00 | \$75.00 |
| 057527 | 712 | FIFTH THIRD BANK | | \$0.00 | \$352.36 | \$352.36 |
| 057527 | 712 | FIFTH THIRD BANK | | \$0.00 | \$8.00 | \$8.00 |
| 057527 | 712 | FIFTH THIRD BANK | | \$0.00 | \$14.30 | \$14.30 |
| 057527 | 712 | FIFTH THIRD BANK | | \$0.00 | \$146.82 | \$146.82 |
| 057527 | 716 | FIFTH THIRD BANK | | \$0.00 | \$52.99 | \$52.99 |
| 057528 | 425 | GRAINGER, INC | 46347 | \$126.24 | \$0.00 | \$126.24 |
| 057529 | PAYROLL | ING | | \$0.00 | \$410.00 | \$410.00 |
| 057530 | 700 | JEFF CO DEPUTY SHERIFF'S | | \$0.00 | \$779.95 | \$779.95 |
| 057530 | 700 | JEFF CO DEPUTY SHERIFF'S | | \$0.00 | \$18.25 | \$18.25 |
| 057531 | 402 | JEFFERSON PUBLISH CO INC | 46385 | \$321.53 | \$0.00 | \$321.53 |
| 057531 | 439 | JEFFERSON PUBLISH CO INC | 46426 | \$286.78 | \$0.00 | \$286.78 |
| 057532 | 425 | JEFFERSON RENTAL | 46346 | \$75.00 | \$0.00 | \$75.00 |
| 057533 | 413 | JEFFERSON UTILITIES INC | | \$0.00 | \$20.12 | \$20.12 |
| 057533 | 425 | JEFFERSON UTILITIES INC | | \$0.00 | \$261.61 | \$261.61 |
| 057534 | 712 | DR ROBERT JONES | | \$0.00 | \$1,000.00 | \$1,000.00 |
| 057535 | PAYROLL | JEFFERSON SECURITY BANK | | \$0.00 | \$4,919.00 | \$4,919.00 |
| 057536 | 439 | LORMAN EDUCATION SERVICE | 46434 | \$366.00 | \$0.00 | \$366.00 |
| 057537 | PAYROLL | COMPROLLER OF MARYLAND | | \$0.00 | \$548.33 | \$548.33 |
| 057538 | 424 | VERIZON BUSINESS | | \$0.00 | \$1,111.31 | \$1,111.31 |
| 057539 | PAYROLL | MD Child Support Account | | \$0.00 | \$140.00 | \$140.00 |
| 057540 | PAYROLL | NATIONWIDE RETIREMENT | | \$0.00 | \$765.21 | \$765.21 |
| 057541 | 711 | NAT'L EMERGENCY MGMT ASS | 45609 | \$200.00 | \$0.00 | \$200.00 |
| 057542 | 402 | PIFER OFFICE SUPPLY, INC | 46202 | \$32.70 | \$0.00 | \$32.70 |
| 057543 | 712 | PSYCHOLOGICAL HEALTH ASS | 46253 | \$375.00 | \$0.00 | \$375.00 |
| 057544 | 712 | PUBLIC SAFETY CENTER INC | 45986 | \$2,000.00 | \$0.00 | \$2,000.00 |
| 057544 | 712 | PUBLIC SAFETY CENTER INC | 46254 | \$129.75 | \$0.00 | \$129.75 |
| 057545 | 700 | PAMELA PATTERSON | 46166 | \$541.65 | \$0.00 | \$541.65 |
| 057546 | 424 | ROACH OIL COMPANY | | \$0.00 | \$302.21 | \$302.21 |
| 057546 | 425 | ROACH OIL COMPANY | | \$0.00 | \$507.16 | \$507.16 |
| 057547 | 405 | TRACY P. RICE, CCR | 46235 | \$51.00 | \$0.00 | \$51.00 |
| 057548 | 425 | RCS SECURITY | 46349 | \$5,817.00 | \$0.00 | \$5,817.00 |
| 057549 | 700 | JOHN E. REID & ASSOC | 46169 | \$200.00 | \$0.00 | \$200.00 |
| 057550 | 700 | ROY'S SERVICES CENTER | 46348 | \$150.00 | \$0.00 | \$150.00 |
| 057551 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$34,655.30 | \$34,655.30 |
| 057551 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$86.80 | \$86.80 |
| 057551 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$20.30 | \$20.30 |
| 057551 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$42.16 | \$42.16 |
| 057551 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$8,105.00 | \$8,105.00 |
| 057551 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$9.86 | \$9.86 |
| 057552 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$77.22 | \$77.22 |
| 057552 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$18.06 | \$18.06 |

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|---------------|---------|---------------------------|-------|--------------------|---------------------|---------------------|
| 057553 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$31,921.00 | \$31,921.00 |
| 057553 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$39.23 | \$39.23 |
| 057553 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$23.81 | \$23.81 |
| 057554 | PAYROLL | SHERIFF OF JEFFERSON CO | | \$0.00 | \$16.40 | \$16.40 |
| 057555 | 406 | SHEETZ FLEET FUELING | | \$0.00 | \$261.07 | \$261.07 |
| 057555 | 424 | SHEETZ FLEET FUELING | | \$0.00 | \$631.38 | \$631.38 |
| 057555 | 440 | SHEETZ FLEET FUELING | | \$0.00 | \$257.26 | \$257.26 |
| 057555 | 700 | SHEETZ FLEET FUELING | | \$0.00 | \$5,731.31 | \$5,731.31 |
| 057555 | 711 | SHEETZ FLEET FUELING | | \$0.00 | \$128.77 | \$128.77 |
| 057555 | 712 | SHEETZ FLEET FUELING | | \$0.00 | \$276.08 | \$276.08 |
| 057555 | 716 | SHEETZ FLEET FUELING | | \$0.00 | \$376.31 | \$376.31 |
| 057556 | 425 | SHERWIN-WILLIAMS | 46312 | \$28.71 | \$0.00 | \$28.71 |
| 057557 | 425 | SHENANDOAH VALLEY WATER | | \$0.00 | \$451.50 | \$451.50 |
| 057558 | 700 | THOMASSEN FORD MERCURY | 46351 | \$181.28 | \$0.00 | \$181.28 |
| 057559 | PAYROLL | TREASURER OF VIRGINIA | | \$0.00 | \$161.51 | \$161.51 |
| 057560 | 425 | HAGEMEYER | 46314 | \$3,045.87 | \$0.00 | \$3,045.87 |
| 057561 | 402 | UNITED SYSTEMS & SOFTWARE | | \$0.00 | \$195.00 | \$195.00 |
| 057561 | 403 | UNITED SYSTEMS & SOFTWARE | | \$0.00 | \$167.00 | \$167.00 |
| 057562 | 716 | KETCH-ALL COMPANY | 46111 | \$292.00 | \$0.00 | \$292.00 |
| 057563 | PAYROLL | CHASE BANK TEXAS | | \$0.00 | \$100.00 | \$100.00 |
| 057564 | 712 | PANHANDLE ACCIDENT RECON | 46255 | \$1,800.00 | \$0.00 | \$1,800.00 |
| 057565 | 716 | VALLEY PET CEMETERY | | \$0.00 | \$461.70 | \$461.70 |
| 057566 | 712 | VERIZON | | \$0.00 | \$114.50 | \$114.50 |
| 057567 | 402 | XEROX CORPORATION | 45583 | \$527.18 | \$0.00 | \$527.18 |
| TOTALS | | | | \$22,631.28 | \$120,566.73 | \$143,198.01 |

IN RE: LEGISLATIVE ISSUES

Commissioner F. Morgan reported on the Legislative Regional Meeting she attended where the following topics were discussed: Regional Jail fees, Community Corrections alternatives, the "ICE" program, House and Senate Committee assignments and Annexation matters.

IN RE: BONDING AND ACTIVITY REPORT

- **JEFFERSON COUNTY JUDICIAL BUILDING - PRELIMINARY PROJECT BUDGET**
- **TASK UPDATE**

Kirk Davis, Interim Planning Director appeared before the Commission to provide an update on Jefferson County construction and building projects.

Mr. Davis presented the Commission with a campus construction status report including expenses for downtown buildings.

Mr. Davis reported on the specifications of the Rockwell Construction contract for renovations being made to the Mason Building. Motion by Manuel, second by Corliss to approve the Rockwell Construction Contract Agreement as presented. Motion carried.

Mr. Davis discussed security measures being implemented for the Probation Office.

Mr. Davis provided the Commission with a draft expenditure report for the Judicial Center upgrades as well as a letter from Judge Sanders regarding Judicial Center space allocation. The Commission requested Mr. Davis provide a cost analysis of Judicial Center renovations.

Mr. Davis provided the Commission with a proposed purchasing policy and budget management projections.

Mr. Davis provided a status report for the Grand Opening Celebration for the new Sheriff's Office and Communications Center projected for spring 2009. Commissioner Corliss discussed ideas for the Sheriff's Office and Communications Center Grand Opening celebration.

Mr. Davis reported on the purchase of new signage for the George Street entrance of the Jailhouse Annex.

Mr. Davis provided the Commission with a design update for the Free Clinic. Commissioner R. Morgan reported on the letter he received from the Free Clinic regarding building negotiations.

Mr. Davis reported on the Ambulance Authority meeting regarding new building construction.

Mr. Davis reported on the upcoming meeting he will be attending regarding the proposed Day Reporting Center.

Mr. Davis presented the Commission with a proposed Zoning Ordinance fee structure resolution for their review and consideration.

IN RE: ZONING AND SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION

No action was taken on this agenda item.

IN RE: APPROVAL OF CONTRACTOR AGREEMENT - ROCKWELL CONSTRUCTION - ENGINEERING DEPARTMENT

This matter was discussed under agenda item, "Bonding and Activity Report: Jefferson County Judicial Building - Preliminary Project Budget and Task Update".

IN RE: REVIEW OF 911 CENTER AND LAW ENFORCEMENT OPEN HOUSE PLANS WITH RESPECT TO FUNDS FOR THIS ACTIVITY BEING REDUCED FROM \$3,000 TO \$1,200 WITH TWO COMMISSIONERS VOTING FOR NO MORE THAN \$500, AS WELL AS THE RATIONALE FOR ORDERING OF 600 ENGRAVED INVITATIONS WITH RIBBONS

This matter was discussed under agenda item, "Bonding and Activity Report: Jefferson County Judicial Building - Preliminary Project Budget and Task Update".

IN RE: PUBLIC COMMENT

Paul Rosa appeared before the Commission to request that the Commission consider hosting an Open Meetings Law Seminar with Mr. Brewer from the WV Ethics Commission in January 2009.

IN RE: JANE PETERS - DEVELOPMENT AUTHORITY UPDATE

Jane Peters, Development Authority Director appeared before the Commission for a Development Authority update.

Ms. Peters reported on current Economic Development projects, initiatives and marketing strategies to promote business development. Ms. Peters provided an update on commercial, business and agriculture growth within Jefferson County and provided the Commission with copies of the Fall 2008 Development Authority newsletter.

On behalf of the Development Authority Board, Ms. Peters read aloud a Resolution recently adopted by the Board in support of the year round Farmer's Market.

RESOLUTION

Whereas, the Jefferson County Development Authority supports the development of a broad range of business and industry; and,

Whereas, the agriculture industry has historically been a significant part of the economy of Jefferson County; and,

Whereas, the Jefferson County Development Authority has encouraged the retention and growth of agriculture in Jefferson County through the establishment of an Agriculture Development Program and the employment of a competent and experienced Agriculture Development Officer; and,

Whereas, the success and positive impact of the current seasonal Farmers Market Program has convinced the Board that an expanded year round program with additional services could be critical to the enhancement and preservation of our rural-agricultural economy; and,

Whereas, the enhancement and preservation of a rural-agricultural economy results in the preservation of open space and farm land; and,

Whereas, the Jefferson County Development Authority has expressed its support for the application of Jefferson County for a grant to the West Virginia Department of Agriculture develop such a facility by making a commitment of \$10,000.00 as part of the required local match;

Therefore, be it resolved that the Jefferson County Development Authority supports this project and urges the Jefferson County Commission to make a commitment of funds in the amount of \$30,000.00 necessary to complete the local match and allow the application to the West Virginia Department of Agriculture.

Resolved unanimously by the Board of Directors of the Jefferson County Development Authority on December 9, 2008.

/s/

William H. Chesley, President

IN RE: KELLIE BOLES - REQUEST MATCHING FUNDS FOR WV FARMER'S MARKET GRANT PROGRAM

Kellie Boles, Agriculture Development Officer appeared before the Commission to request matching funds for the WV Farmer's Market Grant Program.

Ms. Boles reported on various contributions received from other county agencies in support of the year round Farmers Market and requested Commission support of \$30,000.00 as required by the WV Department of Agriculture.

Motion by Surkamp to allocate \$20,000.00 for the WV Farmer's Market Grant Program, amended second by Manuel that \$30,000.00 is allocated for the WV Farmer's Market Grant Program as presented by Ms. Boles, Agriculture Development Officer.

Mr. Jim Huyett appeared before the Commission to express his support for the year round Farmer's Market. Mr. Huyett provided his opinion on the proposed year round farmer's market and reported on product processing and distribution expenses. Mr. Huyett discussed the availability of year round farmer's markets in neighboring states and reported on local marketing strategies for Jefferson County.

Motion by Corliss, second by Surkamp to allocate \$30,000.00 for the WV Farmer's Market Grant Program to include grant contingencies for land and building expenses.

Motion by R. Morgan to postpone voting on this matter due to other financial responsibilities currently pending. Motion died due to lack of a second.

Earlier motion by Corliss, second by Surkamp to allocate \$30,000.00 for the WV Farmer's Market Grant Program to include grant contingencies for land and building expenses. Motion carried.

The Commission agreed by consensus that Leslie D. Smith, County Administrator would provide a letter of support for the WV Farmer's Market Grant Program funding allocation.

IN RE: JIM HUYETT - FARMERS MARKET DISCUSSION

This matter was discussed under agenda item: "Kellie Boles - Request Matching Funds for WV Farmer's Market Grant Program".

The Commission took a 10-minute break at 11:05 a.m.

IN RE: APPOINTMENTS OF ALTERNATE MEMBERS TO THE BOARD OF ZONING APPEALS

No action was taken on this agenda item.

IN RE: APPOINTMENTS TO THE JEFFERSON COUNTY AMBULANCE AUTHORITY

No action was taken on this agenda item.

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

No County Clerk's report was given.

IN RE: KAREN OLDEN – PROBATE

- **THE ESTATE OF RAYMOND MYERS**

- **THE ESTATE OF JOSEPH CHRISTIAN**

Karen Olden, Probate Clerk appeared before the Commission to request approval of the following:

Motion Manuel, second by R. Morgan to appoint Frank Hill as executor for the Estate of Raymond Myers. Motion carried.

Motion by Manuel, second by F. Morgan to resend the order for the Joseph Christian Estate due to an administrative error previously executed by this Commission on November 20, 2008. Motion carried.

Motion by Manuel to set a hearing date in the Estate of Joseph Christian. Commissioner Manuel withdrew his motion upon consensus of the Commission that Leslie D. Smith, County Administrator place this matter on the agenda at a later date.

IN RE: DON JACOBS - WAGE & CLASSIFICATION CONSULTANT

Don Jacobs, Consultant appeared before the Commission with a wage and classification study presentation and report. Mr. Jacobs provided an overview of his study and provided recommendations to the Commission. Mr. Jacobs recommended the Commission authorize a retroactive 3% pay raise to county employees including elected officials with the implementation of a merit system to assist with future pay increases.

Motion by Manuel, second by Corliss to allocate 50% of the funds as recommended by Mr. Jacobs and conduct a budget analysis to further determine available funding for implementation of the additional 50% at a later date.

After further discussion on the county budget, Commissioner Manuel withdrew his original motion.

Motion by Manuel, second by Corliss to allocate 1/3 of the funds to rectify salary inequities as recommended by Mr. Jacobs with the additional 2/3 to be allocated after new Commissioners elect Noland and Widmyer take office and after budget deliberations. Motion failed by a 2-3 vote; Commissioners R. Morgan, F. Morgan and Surkamp voted no.

IN RE: DRAFT AUDIT REPORT FOR FISCAL YEAR ENDED 2007

Mr. Kenny Drain from the WV State Auditor's Office appeared before the Commission for a draft Audit report for Fiscal Year ended 2007.

Mr. Drain discussed audit components and objectives and reported on the audit findings from various Jefferson County Departments. Mr. Fred Hess and Ms. Sally Martin from the WV State Auditor's Office were present for comments.

Mr. Drain requested the Commission and other county officials provide a written response on the audit findings reported to the WV State Auditor's Office by December 29, 2008.

IN RE: AUDIT MANAGEMENT REPRESENTATION LETTER FOR FISCAL YEAR ENDED 2007

This matter was discussed under agenda item: "Draft Audit Report for Fiscal Year Ended 2007".

The Commission recessed for lunch at 12:40 p.m. The Commission reconvened at 1:30 p.m.

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 provided the Commission with copies of the weekly "to do list". Ms. Grove provided a status update on the Arcadia case; the Baldau v. Caparotti case with a letter from David Hammer, Esquire and the Board of Health case.

Ms. Grove discussed the CLE seminars and conferences she attended during the week of December 1, 2008.

Ms. Grove provided her legal recommendations with regard to the Commission scheduling an Open Meetings Law seminar with Mr. Brewer from the WV Ethics Commission. The Commission agreed by consensus that Ms. Grove be authorized to call Mr. Brewer and organize a Open Meetings Law seminar for January 2009.

The Commission requested that Ms. Grove research legal options available to them with regard to PATH and provide a report of her findings.

IN RE: MOTION THAT EVERY JEFFERSON COUNTY GOVERNMENT EMPLOYEE BE GIVEN A CHRISTMAS BONUS

Motion by Manuel, second by Corliss that every Jefferson County government employee be given a Christmas bonus in the amount of \$250.00. Motion failed by a 2-3 vote; Commissioners F. Morgan, R. Morgan and Surkamp voted no.

Motion by F. Morgan, second by Manuel that every Jefferson County government employee be given a Christmas bonus in the amount of \$125.00. Amended motion by Corliss that every Jefferson County government employee be given a Christmas bonus in the amount of \$125.00 excluding those employees who previously received a bonus this fiscal year. Motion carried by a 3-2 vote; Commissioners R. Morgan and Surkamp voted no.

IN RE: APPROVAL OF 2009 HOLIDAY SCHEDULE

Motion by Manuel, second by Corliss to approve the 2009 holiday schedule. Motion carried.

Motion by Manuel, second by Surkamp to grant Jefferson County employees' holidays on Friday, December 26th and Friday, January 2nd if declared and/or granted by Governor Manchin. Motion carried.

JEFFERSON COUNTY COMMISSION HOLIDAY SCHEDULE 2009

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|-------------------------------|---|
| NEW YEAR'S DAY | THURSDAY, JANUARY 1, 2009 |
| MARTIN LUTHER KING'S BIRTHDAY | MONDAY, JANUARY 19, 2009 |
| PRESIDENT'S DAY | MONDAY, FEBRUARY 16, 2009 |
| MEMORIAL DAY | MONDAY, MAY 25, 2009 |
| WEST VIRGINIA DAY | FRIDAY, JUNE 19, 2009 |
| INDEPENDENCE DAY | FRIDAY, JULY 3, 2009 |
| LABOR DAY | MONDAY, SEPTEMBER 7, 2009 |
| COLUMBUS DAY | MONDAY, OCTOBER 12, 2009 |
| VETERAN'S DAY | WEDNESDAY, NOVEMBER 11, 2009 |
| THANKSGIVING | THURSDAY, NOVEMBER 26, 2009 FRIDAY, NOVEMBER 27, 2009 |
| CHRISTMAS | THURSDAY, DECEMBER 24, 2009 - CLOSE AT NOON FRIDAY, DECEMBER 25, 2009 |
| NEW YEAR'S EVE | THURSDAY, DECEMBER 31, 2009 - CLOSE AT NOON |

IN ADDITION TO THE DAYS LISTED ABOVE, THE COMMISSION WILL OBSERVE AS HOLIDAYS, ANY NATIONAL, STATE OR OTHER ELECTION DAY THROUGHOUT THE COUNTY, AND ALL DAYS WHICH MAY BE APPOINTED OR RECOMMENDED BY THE GOVERNOR, OF THIS STATE, OR THE PRESIDENT OF THE UNITED STATES, AS DAYS OF THANKSGIVING, OR FOR THE GENERAL CESSATION OF BUSINESS, ANY DAY OR PART THEREOF DESIGNATED BY THE GOVERNOR AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE, FOR STATE EMPLOYEES STATEWIDE MAY ALSO BE TIME OFF FOR COUNTY EMPLOYEES IF THE COUNTY COMMISSION ELECTS TO DESIGNATE THE DAY OR PART THEREOF AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE FOR COUNTY EMPLOYEES. ANY ENTIRE OR PART STATE WIDE DAY OFF DESIGNATED BY THE GOVERNOR MAY, FOR ALL COURTS, IS TREATED AS IF IT WERE A LEGAL HOLIDAY, AS PROVIDE FOR IN 2-2-1 OF THE WEST VIRGINIA CODE, AS AMENDED.

Dated: December 11, 2008

/s/ _____
Frances B. Morgan, Commission President

IN RE: SCHEDULE BUDGET WORK SESSIONS

Motion by Surkamp, second by R. Morgan to conduct a budget work session on Monday, December 15, 2008 at 10:00 to include newly elected Commissioner Patsy Noland and newly elected Commissioner Lyn Widmyer. Motion carried by a 4 to 1 vote; Commissioner Manuel voted no.

Commissioner Corliss left the meeting at 2:15 p.m.

IN RE: PLANNING DIRECTOR SEARCH COMMITTEE MEETING

Commission members met with Kirk Davis, Interim Planning Director, Robert Reynolds and Tom Trumble from the Planning Director Search Committee to discuss Planning Director search objectives.

Committee members reported on the selection process and their review of applicant qualifications and discussed interview strategies for selected candidates for Planning Director for Jefferson County.

Commission members, Mr. Reynolds and Mr. Trumble agreed to authorize Mr. Davis to contact selected candidates in order to obtain references and schedule interviews and report all dates to Committee and Commission members.

IN RE: CITY OF CHARLES TOWN'S DOWNTOWN ECONOMIC REDEVELOPMENT COMMITTEE - REQUEST FOR LETTER OR RESOLUTION OF SUPPORT - ON TRAC PROGRAM

Motion by R. Morgan, second by Manuel to approve the Resolution of Support as presented by the City of Charles Town's Downtown Economic Redevelopment Committee for the TRAC Program. Motion carried.

RESOLUTION

A RESOLUTION OF THE COUNTY COMMISSION OF JEFFERSON COUNTY FOR THE SUPPORT OF THE WEST VIRGINIA ON TRAC PROGRAM

WHEREAS, the WV ON TRAC (Organization, Training, Revitalization and Capacity) program was established in the Main Street West Virginia and endorsed by Governor Joe Manchin to assist small cities and towns in developing a public/private effort to increase capacity in "downtown and neighborhood commercial" areas, and

WHEREAS, up to fifteen (15) of West Virginia cities and/or towns will be selected to participate in the 2009 program, and

WHEREAS, the City Councils of Charles Town and Ranson have expressed a desire to work cooperatively on projects and share a common boundary, size, challenges and opportunities which make joint participation in the ON TRAC Program desirable, and

WHEREAS, the cities of Charles Town and Ranson have participated in an EPA Brownfield Assessment Pilot Program which created the concept of the Charles Town-Ranson Commerce Corridor and identified the need for jointly redeveloping the area, and

WHEREAS, the ON TRAC program lends itself as the ideal vehicle to expand on the concept of the Charles Town-Ranson Commerce Corridor, and

WHEREAS, the staff of both cities have met to develop a joint application to the ON TRAC program, and

WHEREAS, the cities of Charles Town and Ranson are interested in the establishment of a formal Charles Town-Ranson Commerce Corridor to promote mixed use re-development, develop new parks, trails and cultural opportunities as well as attract new business and industry to the area, and

WHEREAS, the cities of Charles Town and Ranson believe that these efforts would serve to improve the quality of life for the residents and the community at large by providing more cultural opportunities, more shopping opportunities and improving the local economy by encouraging economic development, and

WHEREAS, the cities of Charles Town and Ranson have committed to providing office support as well as material and moral support to the success of this effort, and

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Jefferson County, West Virginia, that the County Commission of Jefferson County supports the establishment of the Charles Town-Ranson Commerce Corridor and the subsequent joint effort to apply for selection and the participation in the 2009 WV ON TRAC program with the specific goal of creating a network and providing assistance to West Virginia communities so they may boost economic vitality in the heart of their town or neighborhood.

Dated: December 11, 2008

/s/

Frances B. Morgan, President
Jefferson County Commission

Attest:

/s/

Jennifer S. Maghan, County Clerk

IN RE: COMMUNITY PARTICIPATION PROGRAM - LIST OF PROJECTS FOR FISCAL YEAR 2009

Leslie D. Smith, County Administrator reported on the status of Community Participation Program projects and the Commission's responsibility as fiscal agent for the projects.

Motion by Manuel, second by R. Morgan to approve the list of Community Participation Program projects for Fiscal Year 2009 as presented. Motion carried.

IN RE: APPROVAL OF EMPLOYMENT - AERIAL CARROLL - CIRCUIT CLERK'S OFFICE

Motion by Manuel, second by Surkamp to approve the employment of Aerial Carroll in the Circuit Clerk's office. Motion carried.

IN RE: UPDATE ON IMPACT FEE CREDIT REQUEST - NEW ELEMENTARY SCHOOL ON JOB CORPS ROAD

Mark Schiavone, Capital Planning and Management Director appeared before the Commission to report on the Impact Fee Credit request from the Jefferson County Board of Education in support of a future Elementary School on Job Corps Road.

Mr. Schiavone reported on the upcoming meeting with Board of Education officials and legal staff to further discuss this matter.

IN RE: FRIENDSHIP FIRE COMPANY - ANNUAL MEMBERSHIP AWARDS BANQUET

The Commission agreed by consensus to defer with matter until January 8, 2009.

IN RE: COUNTY COMMISSION REPORTS

Commissioner Manuel reported on the PATH meeting he attended.

Commissioner F. Morgan requested the Commission attendance and participation at the PATH Public Hearing on Tuesday, December 16, 2008 due to her inability to attend.

Commissioner F. Morgan reported on the upcoming Region VII meeting on January 12, 2009 she will be attending.

Commissioner F. Morgan reported on the upcoming Community Criminal Justice Board meeting on December 17, 2008 she will be attending.

Commissioner Manuel reported on the upcoming Santa Toy Shop event he will be attending.

Commissioner F. Morgan reported on the upcoming conference call at 4:30 p.m. today with County Commissioner's Association members she will participating in.

IN RE: COUNTY ADMINISTRATOR REPORTS

Leslie D. Smith, County Administrator reminded the Commission of the PATH Public Hearing on Tuesday, December 16, 2008 at Washington High School.

Leslie D. Smith, County Administrator presented the Commission with the Sheriff's financial report.

Leslie D. Smith, County Administrator presented the Commission with the weekly expenditure and revenue report.

Leslie D. Smith, County Administrator provided the Commission with an update on the County's Inclement Weather policy.

The Commission received the following information:

Reminder of a Public Meeting to hear citizen comments concerning the PATH project on Tuesday, December 16, 2008, at the Washington High School Auditorium.

Copy of Correspondence sent to the Department of Capital Planning and Management from Jefferson County Schools received concerning the donation of land to build a new elementary school.

Correspondence received from Vincent A. Hodge concerning MARC.

Financial Summary for the quarter ending September 2008 received from the Development Authority.

Notice of a Public Hearing on the City of Martinsburg's Five Year Consolidated Plan for the Community Development Block Grant and HOME on Thursday, December 11, 2008, at 6:00 p.m.

Correspondence received from Senator Robert C. Byrd concerning PATH.

Correspondence received from Senator Robert C. Byrd concerning MARC.

Resolution received from the Jefferson County Public Service District concerning the Mountain Communities water system.

Meeting minutes received from the Jefferson County Public Service District.

Harpers Ferry National Historical Park Community Bulletin received.

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

Memorandum received from Roger Goodwin, Chief County Engineer, concerning the Mountain Communities Water Study.

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

Frances B. Morgan, Commission President