

**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, January 8, 2009 beginning at 9:30 o'clock a.m.

PRESENT: Dale Manuel, President; James Surkamp, Vice President  
Frances B. Morgan, Patricia Noland; Lyn Widmyer; Commissioners

**In re: PLEDGE OF ALLEGIANCE**  
Commissioner Noland conducted the Pledge of Allegiance.

**In re: SELECTION OF PRESIDENT**  
Nomination by Noland to elect Manuel President of the County Commission of Jefferson County for the year 2009.

Nomination by Morgan to elect Widmyer President of the County Commission of Jefferson County for the year 2009.

Commissioner Manuel was elected President of the County Commission of Jefferson County for the year 2009 by a 3-2 vote. Commissioners Manuel, Noland and Widmyer voted for Commissioner Manuel. Commissioners Morgan and Surkamp voted for Commissioner Widmyer.

**In re: SELECTION OF VICE-PRESIDENT**  
Nomination by Widmyer to elect Surkamp Vice President of the County Commission of Jefferson County for the year 2009.

There being no other nominations, Commissioner Surkamp was elected Vice President of the County Commission of Jefferson County for the year 2009.

**In re: COMMITTEE ASSIGNMENTS**  
The Commission agreed by consensus to table Committee assignments for one week.

**In re: EXONERATIONS**  
Angela Banks, Assessor appeared before the Commission to request approval of several exonerations.

Motion by Morgan, second by Noland to approve an exoneration due to erroneous valuation. Motion carried.

Name	District	Type	Ticket #	Amount
Willow & Horace Marlow, III	Charles Town	Real Estate	8138	\$1,476.30

Motion by Surkamp, second by Morgan to approve an exoneration due to erroneous valuation as determined in the Circuit Court of Jefferson County; Civil Action No: 08-C-122 . Motion carried.

Name	District	Type	Ticket #	Amount
Donald. J. Orser	Kabletown, Charles Town and Harpers Ferry	Real Estate	13535, 13536, 13537, 18902, 18904, 18905, 18931, 18932, 18921, 18922, 18923, 18925, 18926, 18844, 18845, 5141, 5142, 5187, 5188, 5189, 5185, 5150, 5163, 5194, 5092 and 5093.	\$9,982.06

Motion by Morgan, second by Surkamp to approve an exoneration due to erroneous valuation as determined in the Circuit Court of Jefferson County; Civil Action No: 08-C-122 . Motion carried.

Name	District	Type	Ticket #	Amount
Donald. J. Orser for Pearl H. Hoehne	Kabletown	Real Estate	17554 and 17555	\$406.02

Motion by Morgan, second by Widmyer to approve an exoneration due to erroneous valuation as determined in the Circuit Court of Jefferson County; Civil Action No: 08-C-122 . Motion carried.

Name	District	Type	Ticket #	Amount
Donald. J. Orser for Joseph Pietrowiak, Jr.	Charles Town	Real Estate	5516, 5517 and 5518	\$910.25

**In re: DISPENSE WITH READING OF MINUTES**  
Motion by Morgan, second by Surkamp to dispense with the reading of the Minutes for the meeting held on Thursday, December 18, 2008, and to approve the Minutes as amended. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Noland, second by Morgan to approve the following Purchase Orders for the Week of January 8, 2009, totaling \$18,721.49: 46160, 46482, 46383, 46302, 46256, 46257, 46258, 46403, 46281, 46601, 46074, 46339, 46341, 46504, 46505, 46437, 46239, 46240, 46241, 46242, 46243, 46244, 46175, 46507, 46508 and 46510. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Surkamp, second by Widmyer to approve the list of the Payroll Accounts dated December 22, 2008 and Accounts Payable dated January 8, 2009 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CK#	DEPT	VENDOR	PO#	PO Amt	Amt wo PO	Ck Amount
057648	413	ALLEGHENY POWER		\$0.00	\$152.52	\$152.52
057648	424	ALLEGHENY POWER		\$0.00	\$912.56	\$912.56
057648	425	ALLEGHENY POWER		\$0.00	\$9,519.00	\$9,519.00
057649	424	AUTOZONE		\$0.00	\$153.64	\$153.64
057649	700	AUTOZONE		\$0.00	\$205.93	\$205.93
057650	425	ABH SERVICES, INC.		\$0.00	\$9,070.00	\$9,070.00
057651	412	BARDANE PUBLIC HEALTH		\$0.00	\$383.00	\$383.00
057651	431	BARDANE PUBLIC HEALTH		\$0.00	\$308.33	\$308.33
057652	ALLOC	BOLIVAR/HARPERS FERRY		\$0.00	\$14,550.00	\$14,550.00
057653	PAYROLL	CHILD SUPPORT		\$0.00	\$72.00	\$72.00
057654	440	ICC	46402	\$104.85	\$0.00	\$104.85
057655	425	B-K OFFICE SUPPLY INC	46364	\$1,205.40	\$0.00	\$1,205.40
057655	440	B-K OFFICE SUPPLY INC	45954	\$140.40	\$0.00	\$140.40
057656	425	BONDED APPLICATORS	46331	\$3,941.00	\$0.00	\$3,941.00
057657	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$49.85	\$49.85
057658	424	BRICKSTREET MUTUAL		\$0.00	\$20,362.25	\$20,362.25
057659	424	BRICKSTREET MUTUAL		\$0.00	\$829.00	\$829.00
057660	PAYROLL	CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
057661	716	BLUE RIDGE VETERINARY	46363	\$584.48	\$0.00	\$584.48
057662	424	CT WATER DEPT		\$0.00	\$156.70	\$156.70
057662	425	CT WATER DEPT		\$0.00	\$798.82	\$798.82
057663	425	OLD CT LIBRARY		\$0.00	\$1,500.00	\$1,500.00
057663	916	OLD CT LIBRARY		\$0.00	\$14,550.00	\$14,550.00
057664	PAYROLL	CHILD SUPPORT ENFORCE		\$0.00	\$27.69	\$27.69
057665	700	C.A.R.S	46367	\$102.39	\$0.00	\$102.39
057666	422	DELL MARKETING LP	45911	\$858.00	\$0.00	\$858.00
057667	424	DAYCON	46370	\$102.00	\$0.00	\$102.00
057668	712	NANCY DOPSON		\$0.00	\$10.58	\$10.58
057669	401	D I JACOBS CONSULTING		\$0.00	\$816.03	\$816.03
057670	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
057671	443	ELMWOOD CEMETERY		\$0.00	\$2,000.00	\$2,000.00
057672	700	EME EQUIP LIGHTING	46171	\$195.00	\$0.00	\$195.00
057673	425	FIRE SAFETY EQUIP	46362	\$191.50	\$0.00	\$191.50
057674	424	FARM PLAN/SOUTH STATE	46340	\$491.84	\$0.00	\$491.84
057674	716	FARM PLAN/SOUTH STATE	46340	\$24.58	\$0.00	\$24.58
057675	424	FRONTIER		\$0.00	\$939.89	\$939.89
057676	PAYROLL	GUARDIAN		\$0.00	\$6,229.21	\$6,229.21
057676	PAYROLL	GUARDIAN		\$0.00	\$125,250.47	\$125,250.47
057676	PAYROLL	GUARDIAN		\$0.00	\$1,591.15	\$1,591.15
057676	PAYROLL	GUARDIAN		\$0.00	-\$0.20	-\$0.20
057677	403	GREENLINE DATA INC.	46156	\$251.60	\$0.00	\$251.60
057678	405	STEPHANIE GROVE		\$0.00	\$497.07	\$497.07
057679	406	GUTTMAN OIL CO		\$0.00	\$36.85	\$36.85
057679	424	GUTTMAN OIL CO		\$0.00	\$91.13	\$91.13
057679	440	GUTTMAN OIL CO		\$0.00	\$24.19	\$24.19
057679	700	GUTTMAN OIL CO		\$0.00	\$1,429.73	\$1,429.73
057679	711	GUTTMAN OIL CO		\$0.00	\$20.99	\$20.99
057679	712	GUTTMAN OIL CO		\$0.00	\$21.90	\$21.90
057679	716	GUTTMAN OIL CO		\$0.00	\$185.40	\$185.40

057680	433	IKON OFFICE SOLUTIONS	42455	\$240.61	\$0.00	\$240.61
057680	439	IKON OFFICE SOLUTIONS	46436	\$128.98	\$0.00	\$128.98
057680	401	IKON OFFICE SOLUTIONS		\$0.00	\$1,102.64	\$1,102.64
057681	PAYROLL	ING		\$0.00	\$410.00	\$410.00
057682	ALLOC	JEFF CO BD OF HEALTH		\$0.00	\$55,628.00	\$55,628.00
057682	ALLOC	JEFF CO BD OF HEALTH		\$0.00	\$4,997.00	\$4,997.00
057683	402	JEFFERSON PUBLISH CO	46387	\$308.22	\$0.00	\$308.22
057683	403	JEFFERSON PUBLISH CO	46480	\$148.80	\$0.00	\$148.80
057684	PAYROLL	JEFFERSON SEC BANK		\$0.00	\$4,919.00	\$4,919.00
057685	GRANT	JEFFERSON CO LEPC		\$0.00	\$400.00	\$400.00
057686	700	LAW ENFORCEMENT SYS	46170	\$274.00	\$0.00	\$274.00
057687	405	RALPH A LORENZETTI JR		\$0.00	\$678.45	\$678.45
057688	PAYROLL	COMPTROLLER OF MD		\$0.00	\$561.00	\$561.00
057689	405	MARRIOTT	46245	\$95.00	\$0.00	\$95.00
057690	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
057691	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$765.21	\$765.21
057692	ALLOC	JEFF CO PARKS &		\$0.00	\$59,412.50	\$59,412.50
057693	403	PIFER OFFICE SUPPLY	46155	\$468.68	\$0.00	\$468.68
057693	403	PIFER OFFICE SUPPLY	46483	\$46.57	\$0.00	\$46.57
057693	406	PIFER OFFICE SUPPLY	44442	\$271.00	\$0.00	\$271.00
057693	406	PIFER OFFICE SUPPLY	44443	\$17.05	\$0.00	\$17.05
057694	424	ROACH OIL COMPANY		\$0.00	\$476.53	\$476.53
057694	425	ROACH OIL COMPANY		\$0.00	\$5,259.81	\$5,259.81
057695	413	RAI GROUP 43, LLC		\$0.00	\$1,650.00	\$1,650.00
057696	402	RECORD MANAGEMENT	45872	\$35.00	\$0.00	\$35.00
057697	413	SHEP-TOWN CHRONICLE	46384	\$478.17	\$0.00	\$478.17
057698	ALLOC	SHEP PUB LIBRAR		\$0.00	\$14,550.00	\$14,550.00
057699	424	SMITH-NADENBOUSCH		\$0.00	\$2,300.00	\$2,300.00
057700	976	SOFTWARE SYSTEMS, INC	46481	\$529.40	\$0.00	\$529.40
057701	404	SPECIALTY BUS SUPPLIES	46172	\$140.25	\$0.00	\$140.25
057701	700	SPECIALTY BUS SUPPLIES	46172	\$258.43	\$0.00	\$258.43
057702	ALLOC	SOUTH JEFF PUBLIC		\$0.00	\$14,550.00	\$14,550.00
057703	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$34,906.44	\$34,906.44
057703	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$8,163.62	\$8,163.62
057703	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$42.16	\$42.16
057703	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$9.86	\$9.86
057704	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$228.84	\$228.84
057704	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$978.52	\$978.52
057705	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$23.81	\$23.81
057705	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$32,117.24	\$32,117.24
057706	PAYROLL	SHERIFF OF JEFF CO		\$0.00	\$1,851.40	\$1,851.40
057707	711	STAPLES CREDIT PLAN	46278	\$391.23	\$0.00	\$391.23
057707	401	STAPLES CREDIT PLAN		\$0.00	\$113.98	\$113.98
057707	424	STAPLES CREDIT PLAN		\$0.00	\$823.64	\$823.64
057707	433	STAPLES CREDIT PLAN		\$0.00	\$118.73	\$118.73
057707	439	STAPLES CREDIT PLAN		\$0.00	\$74.98	\$74.98
057707	700	STAPLES CREDIT PLAN		\$0.00	\$647.97	\$647.97
057707	712	STAPLES CREDIT PLAN		\$0.00	\$1,291.90	\$1,291.90
057707	716	STAPLES CREDIT PLAN		\$0.00	\$195.95	\$195.95
057708	711	SOFTWARE COMPUTER GR	46280	\$150.00	\$0.00	\$150.00
057709	700	DANA SAFETY SUPPLY	46173	\$249.85	\$0.00	\$249.85
057710	405	BRANDON C.H. SIMS		\$0.00	\$76.40	\$76.40
057711	975	SUMMIT COMM BANK		\$0.00	\$2,441.41	\$2,441.41
057712	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
057713	PAYROLL	TIME INSURANCE CO		\$0.00	\$166.36	\$166.36
057714	989	TURNING TECHNOLOGIES	45013	\$819.41	\$0.00	\$819.41
057715	712	UPS		\$0.00	\$19.54	\$19.54
057716	403	VITAL SIGNS	46151	\$250.00	\$0.00	\$250.00

057717	PAYROLL	CHASE BANK TEXAS		\$0.00	\$100.00	\$100.00
057718	716	VALLEY PET CEMETERY		\$0.00	\$222.00	\$222.00
057719	425	WM OF WEST VIRGINIA,		\$0.00	\$1,170.31	\$1,170.31
057719	716	WM OF WEST VIRGINIA		\$0.00	\$88.75	\$88.75
057720	402	XEROX COPORATION	45583	\$508.25	\$0.00	\$508.25
TOTALS				\$14,001.94	\$466,808.45	\$480,810.39

**In re: BONDING AND ACTIVITY REPORT**

Roger Goodwin, Chief County Engineer, appeared before the Commission to present bonding. Motion by Widmyer, second by Morgan to approve the complete release of a letter of credit for Cedar Meadows Airpark Subdivision in the amount of \$53,612. Motion carried.

Motion by Widmyer, second by Morgan to approve the complete release of a letter of credit for Word of Faith Tabernacle in the amount of \$44,080. Motion carried.

Motion by Noland, second by Morgan to approve the complete release of a letter of credit for the SPARC Training Center Campus in the amount of \$231,141. Motion carried.

Motion by Noland, second by Widmyer to approve the partial release of a letter of credit for the Summit Point Tactical Training Center in the amount of \$77,560, with the County to retain \$60,000. Motion carried.

Rebecca Burns, Bonding Administrator, appeared before the Commission to discuss two letters of credit that would be expiring on January 15, 2009. After discussion, motion by Widmyer, second by Surkamp to authorize contacting the banks if the letters of credit were not received by Monday. Motion carried.

**In re: PUBLIC COMMENT**

No public comment was given.

**In re: PLANNING COMMISSION ACTIVITY REPORT**

Kirk Davis, Acting Director of Planning and Zoning, appeared before the Commission for the Planning Commission Activity Report. Mr. Davis reported on the following:

Mr. Davis discussed bids received for a HVAC system. After discussion, motion by Morgan, second by Noland to approve the HVAC bid received from Stroh Snyder. Motion carried.

Mr. Davis reported on Judge Sander's request for various changes and needs for his office space.

The Commission discussed with Mr. Davis the search for a new Planning Director. After discussion, motion by Morgan, second by Noland to re-advertise for the Planning Director position and to advertise locally as well as with the American Planning Association. Motion carried.

Mr. Davis also reported on the Free Clinic, Ambulance Authority and the Day Reporting Center.

**In re: RALPH LORENZETTI - REQUEST FOR APPROVAL TO HIRE LEGAL ASSISTANT**

Ralph Lorenzetti, Prosecuting Attorney, appeared before the Commission to update the Commission on changes in his office. After discussion, motion by Noland, second by Surkamp to authorize the Prosecuting Attorney to hire an additional legal assistant. Motion by Morgan to postpone the request to hire an additional legal assistant until budget deliberations in March. Motion failed due to a lack of a second. Motion by Manuel, second by Surkamp to table the motion for one week. Motion carried.

Mr. Lorenzetti also requested a change to one of the doors that is blocking a light switch in the offices on the second floor. After discussion with Kirk Davis, the Commission agreed to have Mr. Davis proceed with the change.

**In re: BARBARA MILLER**

Barbara Miller, Director of the Office of Homeland Security and Emergency Management, appeared before the Commission to discuss the following items:

**- ACCEPTANCE OF \$11,872 GRANT FROM WV COMMISSION FOR NATIONAL AND COMMUNITY SERVICE**

Motion by Surkamp, second by Noland to approve the grant from the West Virginia Commission for National and Community Service in the amount of \$11,872. Motion carried.

**- MEMORANDUM OF UNDERSTANDING WITH WV 2-1-1**

Motion by Surkamp, second by Morgan to approve the Memorandum of Understanding with West Virginia 2-1-1. Motion carried.

**- EMERGENCY MANAGEMENT MUTUAL AID AGREEMENT AND MEMORANDUM OF UNDERSTANDING (7 COUNTY EMERGENCY MANAGEMENT AGENCIES OF THE EASTERN PANHANDLE)**

Motion by Widmyer, second by Morgan to approve the Emergency Management Mutual Aid Agreement and Memorandum of Understanding with the 7 County Emergency Management Agencies of the Eastern Panhandle. Motion carried.

**- UPDATE ON PLANNING FOR INAUGURATION DAY - JANUARY 20<sup>TH</sup>**

Mrs. Miller updated the Commission on the emergency planning for Inauguration Day on January 20<sup>th</sup>.

Mrs. Miller informed the Commission of a NIMS training class on January 21, 2009.

Mrs. Miller informed the Commission that FEMA would be providing the new digital flood plain maps on January 23, 2009.

**In re: REQUEST BY JEFFERSON COUNTY RED CROSS TO PLACE 40'X8' POD/STORAGE TRAILER ON COUNTY PROPERTY**

The Commission unanimously consented to the request from the Jefferson County Red Cross to place a 40'x8' pod/storage trailer on County property.

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

**In re: JOHN KUSNER**

- **OFFICE SPACE REQUEST - TABLE, DESK, CHAIR AND COMPUTER**
- **DISCUSSION OF PLANS FOR ACTIVE, PRO-BONO PROGRAMS FOR THE PUBLIC GOOD**

John Kusner, Jefferson County Surveyor, appeared before the Commission to request office space and to discuss his plans for the County Surveyor's office. After discussion, the Commission unanimously consented to direct the County Administrator to meet with Mr. Kusner concerning his requests.

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

- **DEPOSITORY BOND**

Motion by Morgan, second by Widmyer to approve the Depository Bond as presented by the County Clerk.

Ms. Maghan also reported on the status of the Zoning Petition. Ms. Maghan informed the Commission that the required number of signatures had been verified.

**In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT**

Stephanie Grove, Assistant Prosecuting Attorney, appeared before the Commission and reported on the following:

- Ms. Grove reported on the Board of Zoning Appeals court case on Jefferson Orchards.
- Ms. Grove informed the Commission that Ranson had filed an appeal on the Impact Fee case.
- Ms. Grove presented the Commission with a Resolution for the Ambulance Authority Closing. After discussion, motion by Morgan, second by Widmyer to approve the following resolution:

**RESOLUTION**

WHEREAS on November 13, 2008, pursuant to S.B.224, Ch. 234, Acts Reg. Sess. (W.Va. 2008) the Jefferson County Commission adopted an ordinance to be effective on January 2, 2009 creating the Jefferson County Emergency Services Agency and dissolving the Jefferson County Ambulance Authority, and

WHEREAS, the Jefferson County Emergency Services Agency will continue to provide all the ambulance services previously provided by the Jefferson County Ambulance Authority as stated in Section 2 of the Ordinance, which section confers the same powers, rights, and responsibilities to the Jefferson County Emergency Services Agency as are conferred upon emergency ambulance authorities by the State of West Virginia, and

WHEREAS, the Ordinance creating the Jefferson County Emergency Services Agency transferred all existing debt obligations and any property owned by the Jefferson County Ambulance Authority to the newly created Joint Emergency Services Agency, and

WHEREAS, the County Commission of Jefferson County wishes to facilitate the orderly transition of the Ambulance Authority's business affairs,

**NOW THEREFORE BE IT ENACTED AND RESOLVED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA AS FOLLOWS:**

That the County Commission of Jefferson County, to ensure the success of the newly created Jefferson County Emergency Services Agency, which agency will provide all the services previously provided by the Ambulance Authority, will support the Jefferson County Emergency Services Agency to the same extent it supported the Jefferson County Ambulance Authority.

Given under my hand this 8<sup>th</sup> day of January, 2009.

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DALE MANUEL, PRESIDENT  
COUNTY COMMISSION OF JEFFERSON  
COUNTY, WEST VIRGINIA

- Ms. Grove provided her to do list.
- The Commission also discussed the stay on the Zoning Ordinance. The Commission agreed to discuss the matter further next week.

**In re: PETITION TO INCORPORATE MANNINGS**

Stephanie Grove, Assistant Prosecuting Attorney, discussed with the Commission the Petition to Incorporate Mannings. Braun Hamstead, attorney for petitioner Paul Ashbaugh, was present and commented on the matter. After discussion, motion by Morgan, second by Widmyer to set a public hearing on the Petition to Incorporate Mannings on Thursday, February 5, 2009, at 7:00 p.m. with the meeting to be held at a location on the Blue Ridge Mountain. Motion carried.

The Commission agreed to authorize Leslie D. Smith, County Administrator to send notification of the public hearing, a copy of the petition and map to other County Departments and Agencies.

**In re: LEGISLATIVE ISSUES**

Commissioner Manuel reported on speaking with Senator Snyder about setting up a meeting with the County and Municipalities with the Jefferson County legislators.

**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**

The Commission unanimously agreed to remove this matter from the agenda.

**In re: RESCHEDULE PATH PUBLIC MEETING**

The Commission discussed rescheduling the PATH meeting at Washington High School that had been cancelled previously due to inclement weather. Karen Evans, a citizen affected by the PATH proposal, was present and commented on the matter. After discussion, motion by Morgan, second by Surkamp to reschedule the PATH meeting to February 9, 2009, at 7:00 p.m. at Washington High School. Motion carried.

**In re: REQUEST FOR USE OF COUNTY MEETING ROOM - PATH TRANSMISSION HIGHLINE PUBLIC MEETING**

Motion by Morgan, second by Noland to approve the request to use the County meeting room for a PATH Transmission Highline public meeting. Motion carried.

**In re: DISCUSSION - PATH TRANSMISSION TOWER**

Commissioner Surkamp discussed possibly sending further correspondence to legislators on PATH. No action was taken.

**The Commission recessed for lunch at 12:25 p.m. The Commission reconvened at 1:30 p.m.**

**In re: APPOINTMENTS OF EXPIRING TERMS ON THE COMMUNITY CORRECTIONS BOARD**

Motion by Noland, second by Widmyer to appoint Sheriff Robert Shirley and Prosecuting Attorney Ralph Lorenzetti to the Community Corrections Board. Motion carried.

**In re: CIVIL WAR PRESERVATION TRUST - REQUEST FOR PROPERTY TAX LIABILITY EXONERATION**

Stephanie Grove, Assistant Prosecuting Attorney, informed the Commission that the Assessor was waiting to receive an opinion from the State regarding this matter.

**In re: APPOINTMENTS TO THE JEFFERSON COUNTY EMERGENCY SERVICES AGENCY BOARD**

The Commission agreed to hold this agenda item over until next week.

**In re: APPROVAL OF BOARD OF REVIEW AND EQUALIZATION NOTICE**

Motion by Widmyer, second by Surkamp to approve the Board of Review and Equalization Notice. Motion carried.

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 Monday, February 2, 2009, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the year 2009.

The Commission will continue to sit as a Board of Review and Equalization on Thursday, February 5, 2009, at 1:30 p.m., Tuesday, February 10, 2009, at 1:30 p.m., Thursday, February 12, 2009, 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 13, 2009, at noon, in order to complete the proper forms and to schedule a hearing date prior to the final date of Tuesday, February 17, 2009.

Given under my hand this 8<sup>th</sup> day of January, 2009.

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JENNIFER MAGHAN, COUNTY CLERK  
JEFFERSON COUNTY COMMISSION

**In re: NORTHERN SHENANDOAH VALLEY REGIONAL COMMISSION - WATER SUPPLY PLANNING DUES**

The Commission agreed to hold this matter over for next week and to request an opinion from the Water Advisory Committee.

**In re: APPROVAL OF EMPLOYMENT - MARY LEE NEWLIN - FULL-TIME DEPUTY CLERK - CIRCUIT CLERK'S OFFICE**

Motion by Surkamp, second by Noland to approve the employment of Mary Lee Newlin as a full-time deputy clerk in the Circuit Clerk's office. Motion carried.

**In re: APPROVAL OF EMPLOYMENT - ASHTYN WIMER - PART-TIME FILE AND COPY CLERK - CIRCUIT CLERK'S OFFICE**

Motion by Surkamp, second by Widmyer to approve the employment of Ashtyn Wimer as a part-time file and copy clerk in the Circuit Clerk's office. Motion carried.

**In re: INVITATION TO ATTEND CITIZENS FIRE COMPANY ANNUAL MEMBERS RECOGNITION BANQUET - JANUARY 17, 2009**

The Commission discussed the invitation to Citizens Fire Company Annual Members Recognition Banquet.

**In re: CORRESPONDENCE FROM MANUELL A. ALVAREZ - PRESERVATION OF JEFFERSON COUNTY THOROUGHBRED HORSE RACING HISTORY**

The Commission discussed correspondence received from Manuell A. Alvarez concerning the preservation of Thoroughbred horse racing history in Jefferson County.

**In re: CORRESPONDENCE FROM PAULA J. FRICKEY - REQUEST FOR ASSISTANCE WITH NOISE ORDINANCE ISSUE**

The Commission agreed to refer this matter to legal counsel.

**In re: CORRESPONDENCE FROM ROBERT G. STARKEY - REQUEST FOR REZONING OF PROPERTY**

The Commission agreed to respond to Mr. Starkey on this matter by letter and to refer the matter to the Planning Commission.

**In re: CORRESPONDENCE FROM JUDITH F. UNGER, POA FOR VIRGINIA COTTA - REQUEST FOR ASSISTANCE IN RESOLVING AN ISSUE WITH COMCAST BILLING**

The Commission agreed to follow up with correspondence to Ms. Unger on this matter.

**In re: 2008 IMPACT FEE ANNUAL REPORT**

This agenda item will be heard on February 5, 2009.

Commissioner Surkamp took over as President Pro Tem for the following agenda item.

**In re: MOTION THAT THE PAY EQUITY PROPOSAL BE IMPLEMENTED IN TWO PHASES WITH THE FIRST PHASE GOING INTO EFFECT ON THE FIRST DAY OF JANUARY 2009. THE SECOND PHASE WOULD BE A TOPIC FOR DISCUSSION AS WE CONSIDER NEXT YEAR'S BUDGET**

Motion by Manuel, second by Widmyer to implement the pay equity proposal in two phases with the first phase going into effect on the first day of January 2009 and the second phase would be a topic for discussion as we consider next year's budget.

Motion by Manuel, second by Noland to hold the matter over for one week. Motion passed by a 3-2 vote. Commissioners Widmyer and Surkamp voted no.

Commissioner Manuel resumed presiding over the meeting.

**In re: MODIFICATION OF FY 2009 CIP - SHEPHERDSTOWN FIRE DEPARTMENT ITEM 5**

Mark Schiavone, Director of the Department of Capital Planning and Management, appeared before the Commission for a modification of FY 2009 CIP for the Shepherdstown Fire Department. After discussion, motion by Surkamp, second by Noland to approve the modification of FY2009 CIP for the Shepherdstown Fire Department. Motion carried.

**In re: DISCUSS AND CONSIDER JEFFERSON COUNTY COMMISSION ORGANIZATIONAL ISSUES, INCLUDING THE FOLLOWING ITEMS:**

- a. **Returning budget preparation responsibilities to the County Administrator or, in the less favorable alternative, consider the possibility of hiring a *qualified* financial officer with knowledge of West Virginia laws *and* a minimum of three years experience in financial management in West Virginia county government to oversee the day to day fiscal management of Jefferson County Government;**
- b. **Discussion regarding restructuring county commission departments in order to create and maintain better organization thereby increasing a higher level of efficiency in county government;**
- c. **Request for clarification of employee accountability and reporting requirements within county commission departments, specifically, to whom department heads report;**
- d. **Request written job descriptions from each department head and employees within the county commission departments to be provided at the next county commission meeting;**
- e. **Request for clarification of County Commission Department Heads regarding procedures used for expenditure of funds, including process by which purchase orders are approved;**
- f. **Request for clarification of policy or procedures for reporting information pertaining to any request for changes, upgrades or alterations to county owned buildings by department heads to the county commission for approval;**
- g. **Request for clarification of policy and procedure for review of purchase orders requested by County Commission Department Heads;**
- h. **Request clarification of the authority of individual county commissioners to request a county employee to provide services to individual commissioners, such as typing a letter, researching an issue, providing records or information to individual county commissioners**

Motion by Noland, second by Manuel to return the budget preparation responsibilities to the County Administrator.

Motion by Manuel, second by Noland to hold the matter over for one week. Motion failed by a 2-3 vote. Commissioners Widmyer, Surkamp and Morgan voted no.

The Commission voted on the first motion. Motion failed by a 2-3 vote. Commissioners Widmyer, Surkamp and Morgan voted no.

Motion by Noland, second by Manuel to hire a qualified financial officer with knowledge of West Virginia Laws and a minimum of three years experience in financial management in West Virginia county government. Motion failed by a 2-3 vote. Commissioners Widmyer, Surkamp and Morgan voted no.

The Commission agreed to conduct a workshop to discuss the rest of this agenda item.

Commissioner Morgan left at 3:00 p.m.

**In re: DISCUSSION - MARC TRAIN FARES**

Commissioner Surkamp discussed the increases to MARC train fares.

**In re: COUNTY ADMINISTRATOR REPORTS**

- The County Administrator informed the Commission of the per diem increase in jail fees effective July 1, 2009.
- The County Administrator updated the Commission on the status of the Comcast franchise agreement.
- The County Administrator provided the Commission with the expenditure and revenue

- reports
- Commissioner Widmyer expressed her appreciation to the County Administrator for her assistance before taking office.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Widmyer reported on attending Senator Rockefeller's swearing in.  
Commissioner Manuel reported on an Affordable Housing meeting.

**The Commission received the following information:**

Memorandum received from the Circuit Clerk concerning the resignation of an employee.

Correspondence received from the Maryland Transit Administration concerning MARC Train service.

Correspondence received from Senator Byrd concerning the MARC Train service.

Correspondence received from Congresswoman Capito concerning feral cats.

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

Press Release received from Region 9 concerning the Community Enhancement Mini-grant Awards.

Press Release received from Region 9 concerning Recognition and Appreciation of Service to Commissioners Greg Corliss and Glen Stotler.

Invitation received from the AARP to attend the second phase of Divided We Fail on January 13, 2009, at 10:30 a.m.

Information received from the County Commissioners' Association concerning Regional Jail Per Diem for 2009.

Information received from the Association of Counties concerning Leadership West Virginia.

Meeting agenda received from the Jefferson County Public Service District.

Harpers Ferry National Historical Park Community Bulletin received.

E-911 fees received.

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

Correspondence received from FEMA concerning the Digital Flood Insurance Rate Map and Flood Insurance Study report.

Impact Fee Status Report received for December 2008.

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

Appointments to be made on February 5, 2009 to :

- Jefferson County Board of Zoning Appeals
- Jefferson County Water Advisory Committee
- Eastern Panhandle Transit Authority Board of Directors

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

**CORRESPONDENCE**

Correspondence received from Wallace L. Fauble concerning Comcast cable service.

Correspondence received from Evelyn Gavert concerning PATH.

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

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C. Dale Manuel, Commission President