

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, February 26, 2009, beginning at 9:30 o'clock a.m.

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

In re: PLEDGE OF ALLEGIANCE

Commissioner Surkamp conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Widmyer, second by Noland to dispense with the reading of the Minutes for the meeting held on Thursday, February 19, 2009, and to approve the Minutes as amended. Motion carried.

Motion by F. Morgan, second by Surkamp to enter into Executive Session to discuss personnel matters related to the Board of Review and Equalization minutes. After discussion the motion was withdrawn.

Motion by F. Morgan, second by Surkamp to dispense with the reading of the Minutes from the Board of Review and Equalization for February 12, 2009, February 17, 2009, February 18, 2009, and February 20, 2009 and to approve the four sets of minutes for correctness factually. Motion carried.

The Commission agreed to enter into Executive Session later in the meeting for personnel matters.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Noland, second by Widmyer to approve the following Purchase Orders for the Week of February 23, 2009, totaling \$34,987.04: 42448, 42452, 42453, 42454, 46342, 46703, 46496, 46569, 46574, 46259, 46260, 45016, 46292, 46293, 46295, 46294, 46570, 46578, 46726, 46571, 46572, 46573, 46575, 46576, 46638, 46641, 46642, 46643, 46644, 46190, 46191, 46192, and 46193. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Manuel, second by Widmyer to approve the list of the Accounts Payable dated February 26, 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 Amt
058050	424	ALLEGHENY POWER		\$0.00	\$985.01	\$985.01
058050	425	ALLEGHENY POWER		\$0.00	\$12,407.27	\$12,407.27
058051	225	AMERICAN FAMILY LIFE ICU		\$0.00	\$4,520.88	\$4,520.88
058052	425	COMCAST		\$0.00	\$55.94	\$55.94
058053	712	AT&T/KY		\$0.00	\$3.24	\$3.24
058054	424	AUTOZONE		\$0.00	\$209.91	\$209.91
058054	700	AUTOZONE		\$0.00	\$370.86	\$370.86
058055	433	AERIALS EXPRESS	42450	\$5,000.00	\$0.00	\$5,000.00
058056	716	ANIMAL CARE EQUIP&SERV	46117	\$77.12	\$0.00	\$77.12
058057	425	B-K OFFICE SUPPLY INC	46564	\$239.50	\$0.00	\$239.50
058058	403	CASTO & HARRIS INC	46486	\$623.16	\$0.00	\$623.16
058059	700	CARS/COMPLETE AUTO	46566	\$876.21	\$0.00	\$876.21
058059	700	CARS/COMPLETE AUTO	46577	\$69.58	\$0.00	\$69.58
058060	439	DELL MARKETING LP	46437	\$3,162.00	\$0.00	\$3,162.00
058061	424	FRONTIER COMMUNICATIONS		\$0.00	\$776.19	\$776.19
058062	424	FRONTIER		\$0.00	\$70.00	\$70.00
058063	425	GRAINGER, INC	46567	\$212.88	\$0.00	\$212.88
058064	424	GUTTMAN OIL CO		\$0.00	\$627.28	\$627.28
058064	440	GUTTMAN OIL CO		\$0.00	\$158.76	\$158.76
058064	700	GUTTMAN OIL CO		\$0.00	\$4,930.74	\$4,930.74
058064	711	GUTTMAN OIL CO		\$0.00	\$96.71	\$96.71
058064	712	GUTTMAN OIL CO		\$0.00	\$188.26	\$188.26
058064	716	GUTTMAN OIL CO		\$0.00	\$399.87	\$399.87
058065	425	GALSON LABORATORIES	46565	\$392.00	\$0.00	\$392.00
058066	405	CHARLES B HOWARD		\$0.00	\$150.00	\$150.00
058067	443	LDVILLE, INC	46284	\$3,145.49	\$0.00	\$3,145.49
058068	700	JAY'S AUTOMOTIVE	46579	\$40.14	\$0.00	\$40.14
058069	413	JEFF CO PUBLIC SER DEPT		\$0.00	\$27.40	\$27.40
058069	425	JEFF CO PUBLIC SER DEPT		\$0.00	\$55.34	\$55.34
058070	425	JEFFERSON CO HEALTH DEPT	46563	\$45.00	\$0.00	\$45.00
058071	451	JEFFERSON PUBLISH CO INC	46435	\$179.88	\$0.00	\$179.88
058072	401	JEFFERSON COUNTY SCHOOLS		\$0.00	\$75.00	\$75.00
058073	712	DR ROBERT JONES		\$0.00	\$1,000.00	\$1,000.00
058074	412	JUDITH A MATLICK		\$0.00	\$543.75	\$543.75
058075	425	HOME DEPOT CREDIT SERVIC		\$0.00	\$1,386.75	\$1,386.75
058076	711	NFPA	46290	\$150.00	\$0.00	\$150.00
058077	402	PIFER OFFICE SUPPLY, INC	46389	\$56.20	\$0.00	\$56.20
058077	402	PIFER OFFICE SUPPLY, INC	46391	\$32.72	\$0.00	\$32.72
058077	404	PIFER OFFICE SUPPLY, INC	46653	\$239.95	\$0.00	\$239.95
058077	406	PIFER OFFICE SUPPLY, INC	46702	\$64.80	\$0.00	\$64.80
058078	424	ROACH OIL COMPANY		\$0.00	\$443.97	\$443.97
058078	425	ROACH OIL COMPANY		\$0.00	\$792.61	\$792.61
058079	425	RCS SECURITY	46568	\$1,952.04	\$0.00	\$1,952.04
058080	412	SPECIALTY BUS SUPPLIES	45015	\$159.09	\$0.00	\$159.09
058081	405	STAPLES CREDIT PLAN	46640	\$76.16	\$0.00	\$76.16
058082	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$22,567.59	\$22,567.59
058082	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$5.10	\$5.10
058082	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$24.88	\$24.88

058083	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$0.00	\$7,374.42	\$7,374.42
058084	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$0.00	\$9,109.65	\$9,109.65
058085	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$20,080.26	\$20,080.26
058086	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$46,854.06	\$46,854.06
058087	401	LYN WIDMYER		\$0.00	\$197.52	\$197.52
058088	412	CRAIG W YOHN		\$0.00	\$284.17	\$284.17
TOTAL				\$16,793.92	\$136,773.39	\$153,567.31

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	\$272.52
402/CCLK	CO. CLERK	\$88.92
403/CIR CLK	CIRCUIT CLERK	\$623.16
404/TAX	TAX OFFICE	\$239.95
405/PA	PROS ATTY	\$226.16
406/ASSR	ASSESSORS	\$64.80
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	\$987.01
413/ELE	ELECTION	\$27.40
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
422/CP&M	CAPITAL PLANNING & MNGMNT	
424/CTHS	COURT HOUSE	\$3,112.36
425/OB	OTHER BUILDING	\$17,539.33
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	
431/ECON DEV	ECON DEV	
433/GIS	GIS/ADDRESSING	\$5,000.00
439/PZ	PLANNING ZONING	\$3,162.00
440/ENG.	DEPT OF ENGINEERING	\$158.76
451/ZONING	ZONING DEPT	\$179.88
700/SHRF	SHERIFF DEPT	\$6,287.53
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	\$246.71
712/911	911 COMMUNICATION	\$1,191.50
716/A/C	ANIMAL CONTROL	\$476.99
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTITIE	
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	
GRANTS	GRANTS	\$3,145.49

PAYROLL	PAYROLL	\$110,536.84
TOTALS		\$153,567.31

In re: PUBLIC COMMENT

Jay Watson commented on his appointment by the Fire and Rescue Association to the Emergency Services Agency Board.

In re: EXONERATION

Upon recommendation from the Assessor, motion by F. Morgan, second by Noland to approve the following Exoneration for 2008. Motion carried.

Name	District	Type	Ticket#	Amount
Mary Millay	Middleway	Personal	312601	\$41.48

In re: RESOLUTION HONORING THE LIFE OF WALTON DANFORTH “KIP” STOWELL, SR.

Nena Stowell and Walton Stowell, Jr., wife and son of the late Walton D. “Kip” Stowell, Sr., appeared before the Commission. The Commission presented the Stowell’s with the following Resolution:

**The County Commission of Jefferson County
hereby remembers
Walton Danforth “Kip” Stowell, Sr.**

Whereas, Walton Danforth “Kip” Stowell, Sr., a valued resident of Jefferson County, passed away suddenly on January 20, 2009 at the age of 72;

Whereas, Kip came to Harpers Ferry in 1970 to work at the National Park Service Design Center, from which he retired;

Whereas, Kip served on the Harpers Ferry Town Council for 18 years and was Mayor of Harpers Ferry for six years;

Whereas, Kip earned a reputation locally, statewide and even nationally for his architectural designs and knowledge of historic preservation;

Whereas, Kip served as a member on the Jefferson County Historic Landmarks Commission, the West Virginia Preservation Alliance, Jefferson County African-American Community Association, the West Virginia Archives and History Commission and was the West Virginia adviser for the National Trust for Historic Preservation;

Whereas, the Jefferson County Historic Landmark Commission referred to Kip as “a

guiding light in the restoration of the Peter Burr House and a passionate voice in matters of historic preservation;”

Whereas, Kip was a great family man who leaves behind his wife, Nena, of 37 years and his only son Walton D. Stowell, II;

Therefore Be It Resolved; that the County Commission of Jefferson County honors the life and memory of Walton Danforth “Kip” Stowell, Sr. for his many years of service to Jefferson County.

**/s/ _____
Dale Manuel, President**

**/s/ _____
Frances B. Morgan, Commissioner**

**/s/ _____
James T. Surkamp, Commissioner**

**/s/ _____
Patricia A. Noland**

**/s/ _____
Lyn Widmyer**

In re: BONDING AND ACTIVITY REPORT

There was no bonding this week.

Kirk Davis, Acting Director of Planning and Zoning, appeared before the Commission for the weekly activity report. Mr. Davis reported on changes requested for the Circuit Courtroom. The Commission also discussed the Court Security Grant. Motion by Manuel, second by Morgan to approve a budget of up to \$125,000 for changes to the Circuit Courtroom and office with funds to be backed out if grant funds are received for this project. Motion carried.

In re: JUDICIAL CENTER ARCHITECTURAL DESIGN PROCESS

The Commission discussed this agenda item with Kirk Davis, Acting Director of Planning and Zoning. After discussion, motion by Morgan, second by Surkamp to proceed with the architectural design process for architectural drawings and concepts for the proposed judicial center. Motion carried.

In re: BONDING AND ACTIVITY REPORT - CONTINUED

Kirk Davis, Acting Director of Planning and Zoning, reported on the search for a Planning Director.

Motion by Morgan, second by Widmyer to enter into Executive Session to discuss personnel matters. Motion carried.

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

In re: DAVID TABB - REQUEST TO REVIEW TAXABILITY AND CLASSIFICATION FOR MAP 10, PARCEL 8, HARPERS FERRY DISTRICT, SHENANDOAH SALES & SERVICE, INC.

David Tabb appeared before the Commission to request review of taxability and classification for Map 10, Parcel 8; Harpers Ferry District. Mr. Tabb expressed his concerns with the Assessor's procedures and regulations.

Commissioner Manuel reported on his review of West Virginia State Code and the Commission's lack of authority to act on matters of classification and taxability.

Angela Banks, Assessor was present for comments.

The Commission advised Mr. Tabb to direct his concerns to the State Tax Department due to jurisdictional restrictions.

In re: ELIZABETH WHEELER - SHEPHERDSTOWN PUBLIC LIBRARY PRESENTATION OF PLANS FOR LIBRARY & LEARNING CENTER BUILDING PLANS

Elizabeth Wheeler from Shepherdstown Public Library appeared before the Commission with a presentation and report on the Shepherdstown Public Library and Learning Center's building plans.

Ms. Wheeler reported on Shepherdstown Public Library's acquisition of land and future goals and objectives for the proposed learning center.

Ms. Wheeler requested the Commission consider providing financial support to the Shepherdstown Public Library for construction of the new building in the interest of community needs.

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

Jennifer S. Maghan, County Clerk appeared before the Commission for the County Clerk's report.

Ms. Maghan reported on her acceptance into the West Virginia Leadership Program. Ms. Maghan advised the Commission of dates she would not be available for the County Clerk's report due to the requirements to the West Virginia Leadership Program.

Ms. Maghan requested clarity from the Commission with respect to agenda item, "Freedom of Information Act Lawsuit Discussion".

Stephanie Grove, Assistant Prosecuting Attorney was present and reported on the request of the opinion from the Attorney General's Office through the Secretary of State's Office as previously requested by the Commission.

Motion by Morgan, second by Surkamp to obtain outside counsel to handle litigation for the Freedom of Information Act lawsuit.

Ms. Maghan reported on her discussions with the Secretary of State's Office with regard to the Freedom of Information Act.

Commissioner Surkamp withdrew his second to Commissioner Morgan's motion. Ms. Maghan reported on the responsibilities of the Clerk's office and upcoming dates for the municipal elections.

In re: FREEDOM OF INFORMATION ACT LAWSUIT DISCUSSION

This matter was discussed under agenda item: "Jennifer S. Maghan – County Clerk's Report"

**In re: GUARDIAN INSURANCE REPRESENTATIVE – JEFFREY KOONTZ
MORGAN FINANCIAL REPRESENTATIVE – ED SLONAKER**

Leslie D. Smith, County Administrator reported on the status of acquiring health insurance quotes and presented the Commission with a benefits summary that included specifications and quotes previously obtained.

Ed Slonaker, Morgan Financial representative appeared before the Commission with a report of coverage specifications and quotes submitted to the Commission in previous years. Mr. Slonaker reported on claims history, medical trends and provided a history of benefits provided to the County.

Jeffrey Koontz, Guardian Insurance representative reported on objectives in determining yearly quotes, renewal analysis and underwriting goals.

Sally Gran, Payroll Clerk was present for comments and reported on percentage increases in premiums.

Mr. Slonaker reported on the dual option plan available to employees with family coverage in order to reduce premiums.

Commissioner's requested Mr. Slonaker coordinate with Ms. Smith in order to schedule a health-fair workshop for County employees in order to familiarize them with available options.

The Commission recessed for lunch at 12:35 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 to give a legal update and report. Ms. Grove reported on the following:

- To Do List
- Farm Use Tax Appeal
- Distributed letter regarding FOIA case
- Mannings facts and findings

James Casimiro, Assistant Prosecuting Attorney appeared before the Commission and reported on the 3 ongoing JUI cases and requested an Executive Session.

In re: CORRECTION OF ERROR ON PART OF COUNTY COMMISSION REGARDING DIRECTION TO COUNTY ATTORNEY TO SEND LETTER TO PSD REGARDING THE PARTNERSHIP BETWEEN THE PSD AND JUI ISSUE (PN)

Commissioner Noland discussed the January 29, 2009 County Commission meeting. Ms. Noland commented on the letter to be sent to the Jefferson County Public Service District regarding the partnership between the PSD and JUI and the water line across the river. The Commission wanted to clarify on the record the letter sent to the PSD.

Motion by Surkamp, second by Morgan to enter into Executive Session regarding pending litigation. Motion carried.

Motion by Surkamp, second by Morgan to return to Regular Session. Motion carried.

In re: REAFFIRM APPOINTMENT TO WATER ADVISORY COMMITTEE (JS)

Motion by Morgan, second by Widmyer to reaffirm the appointment of Larry Johnson to the Jefferson County Water Advisory Committee. Motion carried.

In re: APPOINTMENTS TO THE WATER ADVISORY COMMITTEE

The Commission discussed the resignation of Judi Rice, Jefferson County Health Department from the Water Advisory Committee. The Commission agreed to continue advertising.

In re: LEGISLATIVE ISSUES

Commissioner Noland discussed the following Bills:

- Regional Jail HB2404
- Cap on Per Diem Regional Jail HB2587
- Regional Jail 4653
- Regional Jail Inmate timing changes HB2464
- Annexation Bill
- Library Bill
- Racing Commission and Lottery Commission merging
- Homestead Exemption

Commissioner Morgan discussed the following:

- Cost of incarceration HB 2608
- Early Voting alternative locations

Commissioner Manuel discussed the MARC Train issue.

In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION

Commissioner Surkamp discussed the Planning Commission meeting and the

Planning Commission recommend action that the Commission pick a date for the referendum for the Zoning Ordinance.

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 EASTERN PANHANDLE TRANSIT AUTHORITY BOARD OF DIRECTORS**

Motion by Morgan, second by Noland to reappoint Fred Blackmer to the Eastern Panhandle Transit Authority Board of Directors for a three year term ending January 31, 2012. Motion carried.

In re: **APPOINTMENTS TO THE PROPERTY SAFETY ORDINANCE ENFORCEMENT AGENCY**

Motion by Morgan, second by Widmyer to reappoint Melinda Keuroglan to the Property Safety Ordinance Enforcement Agency for a two year term ending February 8, 2011. Motion carried.

In re: **DISCUSSION ON BEGINNING AN UPDATE ON THE COMPREHENSIVE PLAN**

The Commission discussed the Comprehensive Plan and agreed to wait for the new Director of Planning before working on the review and recommendations.

In re: **LETTER TO ELECTED AND SECRETARY OF ENERGY CONCERNING PATH AND ITS RELIANCE ON OUTDATED OVERESTIMATIONS OF CUSTOMER DEMAND FOR THE TRANSMISSION PROJECT**

The Commission agreed to withdraw this item from the agenda.

In re: **LETTER TO PSC LEGAL COUNSEL FOR CLARIFICATION OF THE RELATIONSHIP BETWEEN COUNTY LAND USE POLICIES AND PSC MANDATES AND LIMITS OF SCOPE REGARDS THE POTOMAC EDISON SUPREME COURT DECISION**

Commissioner Surkamp requested that Commissioner Widmyer discuss this at the next PSD meeting. The Commission agreed to withdraw this item from the agenda.

In re: **RESOLUTION AUTHORIZING THE COUNTY COMMISSION OF JEFFERSON COUNTY'S PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM**

Motion by Manuel, second by Widmyer to approve the following Resolution Participation in the Eastern Panhandle Home Consortium and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

JEFFERSON COUNTY HOME CONSORTIUM RESOLUTION

A RESOLUTION OF THE OF THE COUNTY COMMISSION OF JEFFERSON COUNTY AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM OF WEST VIRGINIA FOR THE PERIOD OF JULY 1, 2009 TO JUNE 30, 2010.

WHEREAS, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as “HOME”); and

WHEREAS, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and

WHEREAS, there is a need throughout the Eastern Panhandle of West Virginia to provide affordable housing for the low and moderate income residents; and

WHEREAS, the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, City of Charles Town, City of Ranson, City of Shepherdstown, County of Morgan, Town of Paw Paw, West Virginia, have formed a Consortium that has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to seek annual funding; and

WHEREAS, the County Commission of Jefferson County entered into a three (3) year Housing Consortium Cooperation Agreement with an annual renewal clause for participation in the HOME Consortium for the Eastern Panhandle; and

WHEREAS, the U.S. Department of Housing and Urban Development is expected to award the HOME Consortium of the Eastern Panhandle a HOME grant upon request and consideration for Fiscal Year 2009-2010; and

WHEREAS, the County Commission of Jefferson County recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARTINSBURG, WEST VIRGINIA THAT:

- 1. The County Commission of Jefferson County will cooperate with the City of Martinsburg, County of Berkeley, Town of Hedgesville, City of Charles Town, , City of Ranson, City of Shepherdstown, County of Morgan, Town of Paw Paw, West Virginia, in a Consortium for participation in the HOME Program; and**

2. The President of the County Commission of Jefferson County is hereby authorized to enter into a one-year Cooperation Agreement for the period of July 1, 2009 to June 30, 2010, renewable in one year increments through June 30, 2010, with the other members which form the Eastern Panhandle HOME Consortium of West Virginia; and
3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve funding of the Eastern Panhandle HOME Consortium of West Virginia for the above Fiscal Year 2009 HOME Investment Partnership Program.

Adopted this 26th day of February, 2009.

BY: _____
/s/_____

ATTEST: _____
/s/_____

Dale Manuel, President Pro Tem
County Commission of Jefferson County

Jennifer S. Maghan, County Clerk

In re: HOME CONSORTIUM FUNDING RECOMMENDATIONS FOR FISCAL YEAR 2009

Katie See, City of Charles Town Housing Opportunity Board member appeared before the Commission requesting funding for Fiscal Year 2009 from the HOME and ADDI funds. Motion by Morgan, second by Noland to approve the application for Home Consortium funding for Fiscal Year 2009 from the City of Charles Town. Motion carried.

In re: SET SCHEDULE FOR BUDGET HEARINGS & WORKSHOPS

The Commission agreed to hold Budget Hearings and Budget Workshops on Tuesday, March 3rd, 2009 at 10:30 a.m. and Wednesday, March 4th, 2009 at 9:30 a.m. in the County Commission Courtroom in the Jefferson County Courthouse. The Commission also agreed to schedule workshops on the Thursday, March 5, 2009 agenda at 1:30 p.m.

In re: REQUEST FOR ACTION BY THE COUNTY COMMISSION ON AUTOMATIC INFLATION ADJUSTMENT OF IMPACT FEES

Motion by Morgan, second by Manuel to deny the automatic inflation adjustment of Impact Fees. Motion carried.

In re: BUDGET UPDATE

Mark Schiavone, Director of Capital Planning and Management appeared before the Commission to discuss the budget and to give updates.

In re: CONSIDERATION OF SCHEDULING A PUBLIC HEARING FOR THE PURPOSE OF ANY PROPOSED TAX INCREASE FOR FY 2010

Mark Schiavone, Director of Capital Planning and Management appeared before the Commission to schedule a public hearing for the purpose of any proposed tax increases for FY2010. After discussion, motion by Morgan, second by Noland to advertise the Levy Rate for 2 weeks as per the legal requirement and to include a public hearing. Amended motion by Widmyer, second by Noland to include at the bottom of the advertisement levy rate information providing a link to the County Website. Commissioner Widmyer withdrew her amendment.

Original motion by Morgan, second by Noland to advertise the Levy Rate for 2 weeks as per the legal requirement and to include a public hearing. Motion failed by a 2-3 vote. Commissioners Manuel, Noland and Surkamp voted no.

In re: APPROVAL OF POSITION DESCRIPTIONS, CLASSIFICATION PLAN AND COMPENSATION SALARY SCHEDULES

No action was taken on this agenda item. The Commission agreed to place this item on next week's agenda under "Old Business".

Motion by Manuel, second by Widmyer to include the Assessor's Office in the Wage Study and to approve funding in the amount of \$4,000 for Jacobs Consulting. Motion carried.

In re: OVERVIEW OF APPROVED AND ADOPTED COUNTY COMMISSION POLICIES RE PERSONNEL/SALARY/JOB DESCRIPTIONS (LW)

No action was taken on this agenda item. The Commission agreed to discuss this item on next week's agenda during the Work Session.

In re: OVERVIEW OF CLASSIFICATION PLAN FOR LEVELS 1 AND 2 EMPLOYEES AS DEFINED IN JACOBS STUDY (LW)

No action was taken on this agenda item. The Commission agreed to discuss this item on next week's agenda during the Work Session.

In re: REVIEW OF PERSONNEL POLICIES REGARDING ANNUAL PERFORMANCE REVIEW; PERFORMANCE MEASURES AND MERIT INCREASES BASED ON ANNUAL PERFORMANCE REVIEW (LW)

No action was taken on this agenda item. The Commission agreed to discuss this item on next week's agenda during the Work Session.

In re: APPROVAL OF GRANT APPLICATION - WEST VIRGINIA COURT SECURITY FUND

Motion by Morgan, second by Noland to approve the West Virginia Court Security Fund Grant Application. Motion carried.

In re: APPROVAL OF GRANT RESOLUTIONS - COMMUNITY PARTICIPATION PROGRAM

- WEBB/BLESSING HOUSE \$2,000
- WEBB/BLESSING HOUSE \$10,000

- STAR LODGE/LOCKE HOUSE \$2,000
- FISHERMAN'S HALL \$2,000
- FISHERMAN'S HALL \$30,000

Motion by Manuel, second by Widmyer to approve and authorize the Commission President's signature upon the Community Participation Program Grant and Resolution for the following: Motion carried.

- Webb/Blessing House \$2,000
- Webb/Blessing House \$10,000
- Star Lodge/Locke House \$2,000
- Fisherman's Hall \$2,000
- Fisherman's Hall \$30,000

In re: STANTEC CONSULTING SERVICES, INC. - FEE PROPOSAL FOR THE PREPARATION OF A SPONTANEOUS VOLUNTEER MANAGEMENT PLAN

Motion by Morgan, second by Manuel to approve the Fee Proposal for the Preparation of a Spontaneous Volunteer Management Plan (SVMP) for professional services for Jefferson County Homeland Security and Emergency Management. Motion carried.

In re: APPROVAL TO REPLACE FORMER SHERIFF BOOBER AS PROJECT MANAGER FOR DHS GRANT #06-SHS-34 WITH JEFF POLCZYNSKI AS NEW PROJECT MANAGER

Motion by Noland, second by Manuel to approve the replacement of former Sheriff Boober as Project Manager for DHS Grant #06-SHS034 with Jeff Polczynski as the new Project Manager. Motion carried.

In re: APPROVAL OF JEFFERSON COUNTY FIRE AND RESCUE ASSOCIATION APPOINTMENT OF JAY WATSON TO THE JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

Motion by Morgan, second by Widmyer to appoint Jay Watson to the Jefferson County Emergency Services Agency as a designee from the Jefferson County Fire and Rescue Association. Motion carried.

In re: APPOINTMENT TO THE JEFFERSON COUNTY EMERGENCY SERVICES AGENCY BOARD

Motion by Morgan, second by Surkamp to appoint Jeffrey Good to the Jefferson County Emergency Services Agency Board. The Commission discussed the eligibility of Mr. Good and the Magisterial District. Commissioner Morgan withdrew her motion.

The Commission agreed to interview applicants for the Jefferson County Emergency Services Agency Board and to make a decision next week.

In re: DISCUSSION, REPORT OF FEDERAL STIMULUS FUNDS TO BE AVAILABLE TO JEFFERSON COUNTY (FM)

The Commission discussed the Federal Stimulus Funds and would like a list of shovel ready projects for Jefferson County. Commissioners Manuel and Noland will contact Official

Representatives regarding scheduling a meeting to discuss Stimulus Funding for Jefferson County.

In re: **COURTHOUSE CABLING, ELECTRICAL ISSUES (FM)**

Commissioner Morgan discussed the cable and electrical issues in the County Commission meeting room.

In re: **SET UP PROCEDURE FOR RECEIVING, HANGING GIFT FRAMED PHOTOGRAPH (AND DISCUSS OTHER PUBLIC DISPLAY NEEDS, IF TIME) (FM)**

No action was taken on this agenda item. The Commission agreed to place this item on next week's agenda.

In re: **SHEPHERDSTOWN FIRE DEPARTMENT, INC. - ANNUAL RECOGNITION & AWARDS DINNER AND DANCE**

Motion by Morgan, second by Manuel that Commissioner Surkamp attend the Annual Recognition & Awards Dinner and Dance. Motion carried.

In re: **COUNTY ADMINISTRATOR REPORTS**

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

- Distributed a list of line items that are over budget
- List of Revenues to be concerned falling behind
- Monthly Expenditure Report
- Space need for Mr. Kusner
- Cable and Electrical issues
- Meeting room policy

In re: **COUNTY COMMISSION REPORTS**

No action was taken on this agenda item.

The Commission received the following information:

Appointment to be made to the Water Advisory Committee on March 12, 2009.

Correspondence received from the Public Service District concerning Mannings.

Correspondence received from the Public Service District concerning stimulus package funding.

Letter of resignation received from Thomas A. Hall.

Information received from the Association of Counties concerning stimulus package

funding for West Virginia.

Information received from the Association of Counties concerning video lottery.

Legislative information received from the Association of Counties.

Legislative information received from the County Commissioners' Association.

Community Bulletins received from Harpers Ferry National Historical Park.

Meeting minutes received from the Jefferson County Board of Health.

E-911 fees received.

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

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

Information received from the County Commissioners' Association concerning a recent Attorney General opinion.

Information received from the County Commissioners' Association concerning the American Recovery and Reinvestment Act.

Schedule received for the Spring 2009 Local Government Leadership Academy.

Copy received of proposed legislation to increase the number of magistrates in Jefferson County by one.

CORRESPONDENCE

Correspondence received from Jessica Roelkey concerning PATH.

Correspondence received from Thomas W. Loy concerning PATH.

Correspondence received from Jan Loy concerning PATH.

Correspondence received from John Piwowarski.

Copy of correspondence to the Assessor received from Don J. Orser.

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

PRESIDENT