

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

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

IN RE: PLEDGE OF ALLEGIANCE
Commissioner Widmyer conducted the Pledge of Allegiance.

IN RE: APPROVAL OF MINUTES
Motion by Widmyer, second by Noland to dispense with the reading of the Minutes for the meeting held on Thursday, April 2, 2009.

Amended motion by Surkamp, second by Widmyer to dispense with the reading of the Minutes for the meeting held on Thursday, April 2, 2009 to include revisions under "In re: Approval of Purchase Orders" specifying Commissioner Surkamp's request to ask Bill Polk, Maintenance Director and Kirk Davis, Acting Planning Director/Capital Projects Manager for an explanation of expenses for RCS Services. Motion carried.

IN RE: APPROVAL OF PURCHASE ORDERS
Motion by Widmyer, second by Manuel to approve the following Purchase Orders for the week of April 9, 2009 totaling \$29,909.20. 46755, 46711, 46712, 46713, 46688, 46852, 46853, 46608, 45019, 45020, 46735, 46743, 46843, 46850, 46854, 46858, 46859, 46407, 46904, 46905, 46906, 46907, 46908, 46855, 46657, 46856, 46857 and 46411.

Amended motion by Surkamp, second by Widmyer to approve the following Purchase Orders for the week of April 9, 2009 totaling \$20,749.42. 46755, 46711, 46712, 46713, 46688, 46852, 46853, 46608, 45019, 45020, 46735, 46743, 46854, 46858, 46859, 46407, 46904, 46905, 46906, 46907, 46908, 46855, 46657, 46856, 46857 and 46411, omitting purchase orders 46843 and 46850.

Commissioners Surkamp and Widmyer withdrew their motions and the Commission agreed by consensus to hold over approval of purchase orders until later in the session in order to receive comment from Bill Polk, Maintenance Director and Kirk Davis, Acting Planning Director/Capital Projects Manager regarding RCS Security expenditures.

IN RE: APPROVAL OF ACCOUNTS PAYABLE
Motion by Widmyer, second by Morgan to approve the list of Accounts Payable for April 9, 2009 totaling \$51,525.73. Motion carried.

Commissioner Surkamp expressed concerns with SSI expenditures.

Leslie D. Smith, County Administrator provided an explanation of Departmental expenditures for contracted services.

Original motion by Widmyer, second by Morgan to approve the list of Accounts Payable for April 9, 2009 totaling \$51,525.73. Motion carried by a 3-2 vote; Commissioners Surkamp and Morgan voted no.

CK#	DEPT	VENDOR	PO#	PO Amt	Amt wo PO	CK AMT
058383	413	ALLEGHENY POWER		\$0.00	\$164.21	\$164.21
058384	424	USA MOBILITY WIRELESS,IN		\$0.00	\$88.98	\$88.98
058384	700	USA MOBILITY WIRELESS,IN		\$0.00	\$207.95	\$207.95
058384	712	USA MOBILITY WIRELESS,IN		\$0.00	\$420.22	\$420.22
058385	406	BERKELEY PRINTING/DESIGN	46709	\$3,108.20	\$0.00	\$3,108.20
058386	712	BATTERY MART	46589	\$72.00	\$0.00	\$72.00
058387	424	B-K OFFICE SUPPLY INC	46840	\$1,207.50	\$0.00	\$1,207.50
058388	712	B & H PHOTO-VIDEO, INC.	46270	\$996.79	\$0.00	\$996.79
058389	424	CHARLES TOWN WATER DEPT		\$0.00	\$109.08	\$109.08
058389	425	CHARLES TOWN WATER DEPT		\$0.00	\$802.86	\$802.86
058390	712	VERIZON CABS		\$0.00	\$380.00	\$380.00
058391	700	CARS/COMPLETE AUTO REPAI	46845	\$139.54	\$0.00	\$139.54
058392	403	DANKA OFFICE IMAGING	46952	\$637.13	\$0.00	\$637.13
058393	403	DAYTON LEGAL BLANK	46159	\$411.15	\$0.00	\$411.15
058394	439	KIRK DAVIS		\$0.00	\$312.00	\$312.00
058395	712	EARTHLINK INC		\$0.00	\$21.95	\$21.95

058396	424	J.C.EHRLICH		\$0.00	\$30.00	\$30.00
058396	425	J.C.EHRLICH		\$0.00	\$391.00	\$391.00
058397	GRANT	EXPLORE MAPS	46727	\$500.00	\$0.00	\$500.00
058398	711	FIFTH THIRD BANK	46731	\$458.16	\$0.00	\$458.16
058398	711	FIFTH THIRD BANK	46732	\$274.18	\$0.00	\$274.18
058398	401	FIFTH THIRD BANK		\$0.00	\$26.49	\$26.49
058398	402	FIFTH THIRD BANK		\$0.00	\$29.95	\$29.95
058398	402	FIFTH THIRD BANK		\$0.00	\$322.44	\$322.44
058398	406	FIFTH THIRD BANK		\$0.00	\$9.95	\$9.95
058398	440	FIFTH THIRD BANK		\$0.00	\$95.00	\$95.00
058398	440	FIFTH THIRD BANK		\$0.00	\$134.22	\$134.22
058398	700	FIFTH THIRD BANK		\$0.00	\$135.84	\$135.84
058398	700	FIFTH THIRD BANK		\$0.00	\$575.13	\$575.13
058398	700	FIFTH THIRD BANK		\$0.00	\$34.97	\$34.97
058398	711	FIFTH THIRD BANK		\$0.00	\$280.34	\$280.34
058398	711	FIFTH THIRD BANK		\$0.00	\$159.00	\$159.00
058398	712	FIFTH THIRD BANK		\$0.00	\$1,140.00	\$1,140.00
058398	712	FIFTH THIRD BANK		\$0.00	\$10.00	\$10.00
058398	712	FIFTH THIRD BANK		\$0.00	\$275.00	\$275.00
058398	712	FIFTH THIRD BANK		\$0.00	\$1,006.60	\$1,006.60
058398	712	FIFTH THIRD BANK		\$0.00	\$26.47	\$26.47
058398	976	FIFTH THIRD BANK		\$0.00	\$3,225.98	\$3,225.98
058399	439	GLOBAL GOV'T/ED	46412	\$178.00	\$0.00	\$178.00
058400	440	IKON OFFICE SOLUTIONS	46423	\$580.39	\$0.00	\$580.39
058401	402	JEFFERSON PUBLISH CO INC	46400	\$278.80	\$0.00	\$278.80
058402	424	VERIZON BUSINESS		\$0.00	\$1,110.96	\$1,110.96
058403	711	NFPA	46729	\$486.72	\$0.00	\$486.72
058404	402	PIFER OFFICE SUPPLY, INC	46685	\$16.32	\$0.00	\$16.32
058405	424	LANDMARK ELEVATOR INC.	45740	\$80.00	\$0.00	\$80.00
058405	425	LANDMARK ELEVATOR INC.	45740	\$240.00	\$0.00	\$240.00
058406	425	ROACH OIL COMPANY		\$0.00	\$520.68	\$520.68
058407	401	ROBERT R. RODECKER		\$0.00	\$306.25	\$306.25
058408	424	ROCKWELL CONSTRUCTION	46841	\$616.16	\$0.00	\$616.16
058409	402	RECORD MANAGEMENT SOLUT	45872	\$35.00	\$0.00	\$35.00
058410	401	SOFTWARE SYSTEMS, INC		\$0.00	\$2,066.70	\$2,066.70
058410	402	SOFTWARE SYSTEMS, INC		\$0.00	\$597.00	\$597.00
058410	403	SOFTWARE SYSTEMS, INC		\$0.00	\$2,913.90	\$2,913.90
058410	404	SOFTWARE SYSTEMS, INC		\$0.00	\$759.00	\$759.00
058411	GRANT	SHERIFF OF JEFFERSON CO		\$0.00	\$764.94	\$764.94
058412	700	SHEETZ FLEET FUELING		\$0.00	\$717.93	\$717.93
058413	425	SHERWIN-WILLIAMS	46528	\$346.33	\$0.00	\$346.33
058414	711	SOFTWARE COMP GROUP	46280	\$150.00	\$0.00	\$150.00
058415	425	SHEN VALLEY WATER		\$0.00	\$571.35	\$571.35
058416	424	HAGEMEYER	46801	\$1,018.08	\$0.00	\$1,018.08
058417	422	TIGER DIRECT	45915	\$215.15	\$0.00	\$215.15
058418	402	UNITED SYST & SOFTWARE		\$0.00	\$195.00	\$195.00
058418	403	UNITED SYS & SOFTWARE		\$0.00	\$167.00	\$167.00
058419	716	VALLEY PET CEMETERY		\$0.00	\$414.00	\$414.00
058420	425	WM OF WEST VIRGINIA, INC		\$0.00	\$1,054.25	\$1,054.25
058420	716	WM OF WEST VIRGINIA, INC		\$0.00	\$88.75	\$88.75
058421	443	WV DEPT OF AGRICULTURE		\$0.00	\$1,370.00	\$1,370.00
058422	425	WV DIVISION OF LABOR		\$0.00	\$50.00	\$50.00
058423	PAYROLL	WORKTECH		\$0.00	\$100.00	\$100.00
058424	PAYROLL	WV BUREAU OF EMPLOY		\$0.00	\$7,643.24	\$7,643.24
058425	GRANT	PAM HOLSTEIN-WALLACE		\$0.00	\$6,250.00	\$6,250.00

058426	402	XEROX COPORATION	45583	\$1,337.55	\$0.00	\$1,337.55
058427	712	XYBIX SYSTEMS	46606	\$66.00	\$0.00	\$66.00
TOTALS				\$13,449.15	\$38,076.58	\$51,525.73

IN RE: PUBLIC COMMENT

Debbie Royalty appeared before the Commission to express concerns with the diversity of County Commission Board and Committee appointments. Ms. Royalty presented the Commission with a list of ideas for advertising to enhance public awareness of County Boards and Committees.

IN RE: BONDING AND ACTIVITY REPORT

Kirk Davis, Acting Planning Director appeared before the Commission for the weekly activity report.

Mr. Davis expressed gratitude to the Commission for their participation in the Planning Director interviews.

Mr. Davis reminded the Commission of the meeting with Judicial Center Architects on Wednesday, April 22 and Thursday, April 23, 2009 in the Mason Building Conference room beginning at 9:00 a.m.

Commissioner Surkamp reported on the proposed Stimulus Package Building Bond.

Mr. Davis reported on the status of finding space for County Surveyor, John Kusner.

Mr. Davis reported on the Planning Commission Special Session held on April 7, 2009 and proposed dates for a joint session with the County Commission on May 19, 2009.

IN RE: LEGISLATIVE ISSUES

Commissioner Noland provided a status update on the following Legislative Bills: Senate Bill 770, Senate Bill 718, the Annexation Bill, Senate Bill 607, Unemployment Compensation Bill, House Bill 3000, Senate Bill 298, Senate Bill 753 and Senate Bill 218.

Commissioner Morgan reported on an article in the Charleston Gazette regarding jail fee reductions for Counties that operate Day Reporting Centers.

IN RE: ZONING AND SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION

No new information was provided.

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

No new information was provided.

The Commission agreed by consensus to remove this matter from the agenda.

IN RE: CARMEN CREAMER - JEFFERSON COUNTY HISTORICAL SOCIETY

Carmen Creamer appeared before the Commission on behalf of the Jefferson County Historical Society to request alternative storage space. Ms. Creamer reported on the letter received from Judge Sanders requesting use of the storage room currently being used by the Jefferson County Historical Society.

Motion by Widmyer, second by Surkamp to direct Ms. Creamer to Kirk Davis for review and consideration. Motion carried.

IN RE: APPROVAL OF JEFFERSON COUNTY EMERGENCY SERVICES AGENCY BY-LAWS

The Commission agreed to discuss this matter under agenda item: "Stephanie Grove – Legal Update and Report".

IN RE: DISCUSSION, REPORT OF FEDERAL STIMULUS FUNDS TO BE AVAILABLE TO JEFFERSON COUNTY

Leslie D. Smith, County Administrator reported on Sheriff Shirley's grant application for potential stimulus funds.

Ms. Smith reported on the energy management webinar and on other stimulus funding options.

Commissioner Widmyer requested Ms. Smith take a more aggressive approach to ensure all stimulus funding options are pursued.

IN RE: STEPS FOR SEEKING STIMULUS FUNDING REGARDS TECHNOLOGY AND COMMUNICATIONS IN THE COUNTY

Commissioner Surkamp reported he is currently researching rural broadband partnership options and agreed to table this matter for one week in order to discuss the matter further.

IN RE: WATER ADVISORY COMMITTEE APPOINTMENT

Leslie D. Smith, County Administrator presented the Commission with the draft appointment policy with copies of the current policy attached for their review and consideration.

Commissioner Widmyer requested the draft appointment policy be placed on the county's website.

Commissioner Surkamp reported on the email he received from Ruth McQuade.

The Commission agreed to hold over approval of the draft appointment policy pending further review.

IN RE: INTRODUCTION OF COMCAST CABLE FRANCHISE RENEWAL AGREEMENT FOR ADOPTION

Leslie D. Smith, County Administrator reported on the April 3, 2009 meeting with Mr. Rodecker and revisions that have been made to the proposed Cable Franchise agreement. Ms. Smith provided the Commission copies of the current draft and the proposed ordinance and reported on the April 16, 2009 public hearing.

The Commission requested that Ms. Smith direct Mr. Rodecker to prepare a public statement explaining the federal regulations and infrastructure of the proposed cable franchise agreement for review during the public hearing on April 16, 2009.

IN RE: APPROVAL OF MANAGEMENT REPRESENTATION LETTER - FISCAL YEAR 2007 AUDIT

Leslie D. Smith, County Administrator reported on the management representation letter and her call with Mr. Kenny Drain from the WV State Auditor's Office.

Motion by Manuel, second by Surkamp to approve the Management Representation letter from the Fiscal Year 2007 audit contingent upon legal review and approval.

After further discussion, Commissioner Manuel withdrew his motion and the Commission agreed by consensus to forward this matter to legal for review and input and place the matter on next week's agenda for approval.

IN RE: RECOMMENDATION FOR PARTIAL READVERTISEMENT FOR COUNTY FINANCIAL STATEMENT FOR THE FISCAL YEAR ENDED JUNE 30, 2008

Leslie D. Smith, County Administrator reported on the email from Paul Shroyer explaining the error made on the previously published financial statement and the recommendations to republish part of the County financial statement for fiscal year ended June 30, 2008.

Motion by Surkamp, second by Manuel to approve a partial republication of the County financial statement for the fiscal year ended June 30, 2008. Motion carried.

IN RE: APPROVAL OF RESOLUTION AND APPLICATION - COMMUNITY PARTICIPATION PROGRAM GRANT - MORGAN'S GROVE PARK

Motion by Surkamp, second by Morgan to approve and authorize the Commission President's signature upon the Community Participation Program Grant Resolution and Application for Morgan's Grove Park. Motion carried.

RESOLUTION

The Jefferson County Commission met on the 9th day of April, 2009 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Dale Manuel, President of the Jefferson County Commission, to act on its behalf as the administrator of any grant funds provided by the West Virginia Development Office and has legal authority to apply for the Community Participation Program grant in the amount of \$2,000. The funds from this project will be used for upgrades on the playground with wood carpet which is handicap accessible at Morgan's Grove Park.

Dated: April 9, 2009

/s/

Dale Manuel, Commission President

IN RE: RESOLUTION AND AGREEMENT - STATE OF WEST VIRGINIA SECTION 457 DEFERRED RETIREMENT PLAN

Motion by Noland, second by Widmyer to approve and authorize the Commission President's signature upon the State of West Virginia Section 457 deferred Retirement Plan Resolution and Agreement. Motion carried.

RESOLUTION

WHEREAS, the County Commission of Jefferson County, West Virginia (the "Commission") has determined that to attract and retain qualified and capable employees, it wishes to offer a defined contribution plan funded by employee contributions; and

WHEREAS, the Commission has reviewed the State of West Virginia Section 457 Deferred Retirement Plan operated by the State Treasurer's Office, known as Retirement Plus, (the "Plan") and believes the Plan will provide valuable benefits to its employees; and

WHEREAS, the Commission wishes to make the Plan available to its employees.

THEREFORE, BE IT RESOLVED:

1. That the Commission hereby adopts the Plan and authorizes all eligible employees to participate;
2. That the Commission hereby approves the Employer Adoption Agreement and authorizes the President of the Commission to execute the Agreement and any other required documentation, to review and approve all operations and documents, and to provide any information needed; and

3. That the Commission hereby agrees to comply with all applicable laws, rules, regulations and policies pertaining to the Plan.

This Resolution was adopted this 9th day of April, 2009.

WITNESS THE FOLLOWING SIGNATURE:

/s/

 Dale Manuel, Commission President

IN RE: APPROVAL OF GENERAL FUND BUDGET REVISION

Leslie D. Smith, County Administrator reported on the general fund budget revision.

Mark Schiavone, Capital Planning and Management Director and Department of Impact Fees Coordinator was present and reported on his review of the General Fund Budget revisions and provided his recommendations.

Motion by Noland, second by Morgan to approve the general fund budget revision as presented.

Commissioner Widmyer requested a broader overview of budget revisions and requested feedback from Department Heads and elected officials.

Amended motion by Morgan, second by Surkamp to table this matter for one week. Motion carried.

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

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

- **CORRECTED FINANCIAL STATEMENT**

- **REQUEST \$48,000 BE RETURNED TO CLERK'S SALARY AND WAGES FOR DEPARTMENT 402 IN ORDER TO AVOID THE ELIMINATION OF ONE FULL-TIME EMPLOYEE AND ONE PART-TIME EMPLOYEE FOR FY2010**

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

Ms. Maghan requested the Commission's review and approval of the Quarterly Fiduciary reports. The Commission agreed to place this matter on next week's agenda for review and approval.

Ms. Maghan requested the Commission reconsider allocating \$48,000.00 to the County Clerk's salary and wages for Department 402 in order to avoid potential staff layoff.

Motion by Morgan, second by Manuel to table this matter until after a final accounting of the County's FY 2009 budget. Motion carried.

IN RE: RESOLUTION AUTHORIZING INVESTMENT IN CONSOLIDATED FUND - WEST VIRGINIA STATE TREASURER'S OFFICE

Motion by Surkamp to approve the Resolution authorizing Investment in Consolidated Fund – West Virginia State Treasurer's Office to include representation from local banking institutions. Motion died due to lack of a second.

Motion by Manuel, second by Noland to approve and authorize the Commission President's signature upon the Investment in Consolidated Fund – West Virginia State Treasurer's Office with the understanding it does not include a commitment of funds without prior negotiations. Motion carried by a 4-1 vote; Commissioner Surkamp voted no.

RESOLUTION AUTHORIZING INVESTMENT IN CONSOLIDATED FUND

WHEREAS, West Virginia Code §12-6C-6 authorizes spending units and political subdivisions of the State of West Virginia to participate and invest in the Consolidated Fund, which is administered and managed by the Board of Treasury Investments and used to purchase securities and other investments authorized by law; and

WHEREAS, the County Commission of Jefferson County the Governing Body of Jefferson County a spending unit or political subdivision of the State of West Virginia, has reviewed the *Investment Policy* of the West Virginia Board of Treasury Investments and the provisions of all applicable agreements, applications, state and local laws, policies, rules or ordinances; and

WHEREAS, the undersigned Governing Body has made an independent determination that investment in the Consolidated Fund in accordance with the provisions of the aforesaid statute is in the best interests of the spending unit or political subdivision and is within the scope of activities and investments for which it is authorized by law;

NOW THEREFORE BE IT RESOLVED that the County Commission of Jefferson County is hereby authorized to participate in the Consolidated Fund for the purpose of investment, and its treasurer or designated financial officer is further authorized to do all things necessary in order to participate in the investment pools in the Consolidated fund as selected below:

WV Money Market:	Yes _____	No _____
WV Government Money Market:	Yes _____	No _____

WV Short Term Bond Pool

Yes _____ No _____

ADOPTED on the 9th day of April 2009 by the County Commission of Jefferson County.

/s/ _____
Dale Manuel, Commission President

/s/ _____
Attested; Jennifer Maghan, County Clerk

**IN RE: STEPHANIE GROVE - LEGAL UPDATE AND REPORT
- TAMMY DEFazio - LEGAL UPDATE ON HENRY CASE**

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

Ms. Grove introduced Tammy DeFazio, Esquire and requested an Executive Session in order to discuss pending litigation with Ms. DeFazio on the Henry case.

Motion by Morgan, second by Noland to enter into Executive Session to discuss pending litigation with Tammy DeFazio. Motion carried.

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

No action was taken during Executive Session.

The Commission recessed for lunch at 12:15 p.m.

The Commission reconvened at 1:30 p.m.

**IN RE: REQUEST FOR APPROVAL OF FULL-TIME PERMANENT EMPLOYMENT - LAUREN CROWTHER
- PROSECUTING ATTORNEY'S OFFICE**

Motion by Widmyer, second by Noland to approve the full-time employment of Lauren Crowther in the Prosecuting Attorney's Office. Motion carried by a 3-2 vote, Commissioners Surkamp and Morgan voted no.

**IN RE: UPDATE - PERSONNEL PAYMENT PROCEDURES RECOMMENDED BY STATE AUDITOR FROM
DECEMBER 11, 2008**

Commissioner Surkamp agreed to table this matter pending recommendations from Mr. Drain from the State Auditor's Office.

IN RE: 100 MILES IN 100 DAYS CHALLENGE

Commissioner Widmyer reported on the 100 miles in 100 days program being sponsored by the Jefferson County Department of Parks and Recreation and challenged fellow Commissioners, Elected Officials and County Employees to participate.

IN RE: RCS SECURITY SERVICES AND PAYMENT

Bill Polk, Maintenance Director and Kirk Davis, Acting Planning Director/Capital Projects Manager appeared before the Commission to provide an explanation of RCS Security services and expenditures.

Bill Polk, Maintenance Director reported on professional services provided by RCS Security to include security system installation and monitoring throughout the county complex.

Motion by Surkamp, second by Manuel that expenditures for RCS Security be paid out of the County's Capital Outlay fund. Motion carried.

IN RE: APPROVAL OF PURCHASE ORDERS - CONTINUED

Motion by Widmyer, second by Manuel to approve the following Purchase Orders for the week of April 9, 2009 totaling \$29,909.20. 46755, 46711, 46712, 46713, 46688, 46852, 46853, 46608, 45019, 45020, 46735, 46743, 46843, 46850, 46854, 46858, 46859, 46407, 46904, 46905, 46906, 46907, 46908, 46855, 46657, 46856, 46857 and 46411. Motion carried.

IN RE: COUNTY COMMISSION REPORTS

Commissioner Morgan reported on the Community Criminal Justice Board meeting she attended. Commissioner Morgan reported on the ceremony with Senator Byrd at the 167th Air Wing she attended.

Commissioner Noland reported on the Public Service District meeting she attended.

Commissioner Noland reported on the 4-H Leadership meeting she attended.

Commissioner Widmyer reported on the Public Service District meeting she attended.

Commissioner Widmyer reported on the John Brown Ceremonial Celebration Committee.

Commissioner Surkamp provided recommendations for the John Brown Ceremonial Celebration Committee and Commissioner Morgan recommended sending a letter to the Historic Landmarks Commission requesting recommendations for the upcoming event.

Commissioner Manuel reported on the HOME Consortium meeting he attended.

Commissioner Manuel reported on his participation with the Planning Director interviews.

Commissioner Manuel reported on his participation with the Development Authority Director interviews.

IN RE: COUNTY ADMINISTRATOR REPORTS

Leslie D. Smith, County Administrator reported on her emails with Mr. Hugh Bevans from the USGS regarding the upcoming Water Summit on April 20, 2009 hosted by the Water Advisory Committee.

Ms. Smith provided the Commission with copies of the Mission Ridge Subdivision recommendations from Roger Goodwin.

Ms. Smith reminded the Commission of upcoming public hearings and meetings.

IN RE: STEPHANIE GROVE - LEGAL UPDATE AND REPORT – CONTINUED

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

Ms. Grove reported on her review and recommendations of the Jefferson County Emergency Services Agency By-Laws.

Motion by Morgan, second by Noland to approve the Jefferson County Emergency Services Agency By-Laws as amended per the recommendations of Stephanie Grove, Assistant Prosecuting Attorney. Motion carried.

Ms. Grove provided the Commission copies of the weekly to do list and reported on new BORE appeals she has received.

Ms. Grove reported on the unemployment hearing she attended.

Ms. Grove provided a status report on the Ranson Impact Fee Case. Mark Schiavone, Impact Fee Coordinator was present for comments.

Ms. Grove requested an Executive Session to discuss ethics issues.

Motion by Morgan, second by Manuel to enter into Executive Session to discuss ethics issues. Motion carried.

Commissioner Noland left at 2:30 p.m.

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

The Commission took a 10-minute break at 2:45 p.m.

IN RE: COUNTY COMMISSION WORKSHOP - AGENDA STRUCTURE

The Commission conducted a workshop to discuss the County agenda structure.

Leslie D. Smith, County Administrator provided copies of the current agenda policy.

Commissioner Widmyer reported on agenda structures used by neighboring counties and provided various recommendations for a new agenda structure for the Jefferson County Commission.

Commissioner Noland returned at 3:10 p.m.

Commissioner Morgan left at 3:10 p.m.

Commission members discussed implementing sequential numbering for all agenda items, closing the agenda at a new time, changing the deadline to submit agenda requests and materials to a new time and specifying agenda items as either action items or discussion items.

The Commission agreed by consensus to authorize Leslie D. Smith, County Administrator to draft a proposed agenda policy to include Commission recommendations for further review and consideration by May 15, 2009.

The Commission received the following information:

Notice of a Public Hearing to receive public input on determining and setting a date for the public vote on the Zoning Ordinance on April 21, 2009, at 7:00 p.m.

Notice of a Public Hearing on April 16, 2009, at 7:00 p.m. concerning the proposed renewal of the Cable Franchise Agreement.

Acceptance of bond for Shirley Estates Subdivision in the amount of \$43,870.

Impact Fee Status Report received for March 2009.

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

Correspondence received from the U.S. Department of Homeland Security concerning the Community Assistance Visit.

Information received concerning the Local Government Leadership Academy on April 25-26, 2009.

Memorandum received from the Jefferson County Extension Office concerning animals.

Correspondence received from the Jefferson County Development Authority concerning the selection process for a new Executive Director.

News Release received from AHA concerning grants to art teachers in Jefferson County Public Schools.

Correspondence received from the Division of Criminal Justice Services acknowledging receipt of the request for Victims of Crime Act Assistance Program funds.

Correspondence received from the State Tax Department concerning appraisal ratio results.

Correspondence received from the Dolley Madison Garden Club concerning PATH.

Notice of a Public Hearing on Thursday, April 9, 2009, at 6:30 p.m. on the Community Development Block Grant, HOME Investment Partnership and American Dream Down payment Initiative Programs.

Legislative information received from the Association of Counties.

Legislative information received from the County Commissioners' Association.

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

The Commission received the following Correspondence

Correspondence received from Mike Austin concerning town hall meetings.

Correspondence received from Ed Burns concerning Comcast, the sale of a generator, and the budget.

Correspondence received from Gil N. Garcia concerning Comcast.

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

DALE MANUEL, COMMISSION PRESIDENT