

**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 Library thereof on Thursday, April 30, 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, April 23, 2009, and to approve the Minutes as amended. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Noland, second by Surkamp to approve the following Purchase Orders for the Week of April 30, 2009, totaling \$9,480.20: 46953, 46954, 46955, 46957, 46958, 45877, 46692, 46874, 46979, 46981, 46980, 46875, 46873, 46872, 46993, 46879, 46876, and 46658. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Surkamp, second by Morgan to approve the list of the Accounts Payable dated April 30, 2009, as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
058539	424	ALLEGHENY POWER		\$ 0.00	\$ 997.70	\$ 997.70
058539	425	ALLEGHENY POWER		\$ 0.00	\$ 11,974.30	\$ 11,974.30
058540	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ 0.00	\$ 6,880.19	\$ 6,880.19
058541	GRANT	AFRICAN AMERICAN COMMUNI		\$ 0.00	\$ 11,592.62	\$ 11,592.62
058542	712	AT&T/KY		\$ 0.00	\$ 9.84	\$ 9.84
058543	425	BIEDLERS ELEC MOTOR REP	46871	\$ 59.22	\$ 0.00	\$ 59.22
058544	PAYROLL	BUREAU FOR CHILD SUPPORT		\$ 0.00	\$ 72.00	\$ 72.00
058545	424	B-K OFFICE SUPPLY INC	46869	\$ 1,223.00	\$ 0.00	\$ 1,223.00
058545	433	B-K OFFICE SUPPLY INC	46756	\$ 235.00	\$ 0.00	\$ 235.00
058546	425	BONDED APPLICATORS OF MD	46777	\$ 1,456.00	\$ 0.00	\$ 1,456.00
058547	PAYROLL	BUREAU F/CHILD SUPPORT		\$ 0.00	\$ 49.85	\$ 49.85
058548	PAYROLL	BUREAU F/CHILD SPPRT ENF		\$ 0.00	\$ 212.31	\$ 212.31

058549	413	CASO & HARRIS INC	46674	\$ 176.40	\$ 0.00	\$ 176.40
058550	975	COMPLETE SYSTEM SUPPORT	46394	\$ 926.13	\$ 0.00	\$ 926.13
058551	405	CIVIC RESEARCH INSTITUTE	46909	\$ 179.95	\$ 0.00	\$ 179.95
058552	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ 0.00	\$ 27.69	\$ 27.69
058553	976	KONICA MINOLTA	46496	\$ 9,878.00	\$ 0.00	\$ 9,878.00
058554	PAYROLL	EQUITABLE THE EQUIVEST		\$ 0.00	\$ 15.00	\$ 15.00
058555	424	FRONTIER COMMUNICATIONS		\$ 0.00	\$ 996.34	\$ 996.34
058556	424	FRONTIER		\$ 0.00	\$ 350.00	\$ 350.00
058557	402	FRANK PARSONS INC.	46681	\$ 457.50	\$ 0.00	\$ 457.50
058558	440	ROGER GOODWIN		\$ 0.00	\$ 12.71	\$ 12.71
058558	440	ROGER GOODWIN		\$ 0.00	\$ 324.46	\$ 324.46
058559	405	STEPHANIE GROVE		\$ 0.00	\$ 234.53	\$ 234.53
058560	406	GUTTMAN OIL CO		\$ 0.00	\$ 26.79	\$ 26.79
058560	424	GUTTMAN OIL CO		\$ 0.00	\$ 841.52	\$ 841.52
058560	440	GUTTMAN OIL CO		\$ 0.00	\$ 246.83	\$ 246.83
058560	700	GUTTMAN OIL CO		\$ 0.00	\$ 5,589.88	\$ 5,589.88
058560	711	GUTTMAN OIL CO		\$ 0.00	\$ 98.37	\$ 98.37
058560	712	GUTTMAN OIL CO		\$ 0.00	\$ 222.31	\$ 222.31
058560	716	GUTTMAN OIL CO		\$ 0.00	\$ 479.46	\$ 479.46
058561	440	HAGERSTOWN COMM COLLEGE	46976	\$ 594.00	\$ 0.00	\$ 594.00
058562	716	HILLSIDE VETERINARY HOSP	46315	\$ 47.00	\$ 0.00	\$ 47.00
058563	439	KON OFFICE SOLUTIONS	46991	\$ 176.03	\$ 0.00	\$ 176.03
058564	PAYROLL	NG		\$ 0.00	\$ 610.00	\$ 610.00
058565	403	JEFFERSON PUBLISH CO INC	46956	\$ 93.60	\$ 0.00	\$ 93.60
058565	413	JEFFERSON PUBLISH CO INC	46691	\$ 41.00	\$ 0.00	\$ 41.00
058565	439	JEFFERSON PUBLISH CO INC	46406	\$ 250.24	\$ 0.00	\$ 250.24
058565	401	JEFFERSON PUBLISH CO INC		\$ 0.00	\$ 528.08	\$ 528.08
058566	712	DR ROBERT JONES		\$ 0.00	\$ 1,000.00	\$ 1,000.00
058567	PAYROLL	JEFFERSON SECURITY BANK		\$ 0.00	\$ 4,774.00	\$ 4,774.00
058568	GRANT	KUSTOM SIGNALS, INC		\$ 0.00	\$ 9,000.00	\$ 9,000.00
058568	700	KUSTOM SIGNALS, INC		\$ 0.00	\$ 448.00	\$ 448.00
058569	PAYROLL	COMPROLLER OF MARYLAND		\$ 0.00	\$ 586.11	\$ 586.11
058570	424	HOME DEPOT CREDIT SERVIC		\$ 0.00	\$ 588.09	\$ 588.09
CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
058570	424	HOME DEPOT CREDIT SERVIC		\$ 0.00	\$ 34.97	\$ 34.97
058570	425	HOME DEPOT CREDIT SERVIC		\$ 0.00	\$ 248.15	\$ 248.15
058571	700	MCKINNEY'S AUTO REPAIR	46878	\$ 81.03	\$ 0.00	\$ 81.03
058572	PAYROLL	MD Child Support Account		\$ 0.00	\$ 140.00	\$ 140.00
058573	PAYROLL	MD CHILD SUPPORT ACCOUNT		\$ 0.00	\$ 18.46	\$ 18.46
058574	PAYROLL	NATIONWIDE RETIREMENT		\$ 0.00	\$ 735.21	\$ 735.21
058575	GRANT	JEFF CO PARKS &		\$ 0.00	\$ 830.00	\$ 830.00
058575	GRANT	JEFF CO PARKS &		\$ 0.00	\$ 7,000.00	\$ 7,000.00
058576	406	PIFER OFFICE SUPPLY, INC	46717	\$ 155.50	\$ 0.00	\$ 155.50
058577	424	ROACH OIL COMPANY		\$ 0.00	\$ 198.24	\$ 198.24
058578	428	SOFTWARE SYSTEMS, INC		\$ 0.00	\$ 252.00	\$ 252.00
058579	405	SPECIALTY BUS SUPPLIES	46910	\$ 754.90	\$ 0.00	\$ 754.90
058580	PAYROLL	STATE DPT O/TAX & REVENU		\$ 0.00	\$ 38.07	\$ 38.07
058580	PAYROLL	STATE DPT O/TAX & REVENU		\$ 0.00	\$ 34,933.06	\$ 34,933.06
058580	PAYROLL	STATE DPT O/TAX & REVENU		\$ 0.00	\$ 13.14	\$ 13.14

058581	704	ST/WV REGIONAL JAIL &	46774	\$ 102,474.68	\$ 0.00	\$ 102,474.68
058581	704	ST/WV REGIONAL JAIL &	46776	\$ 760.48	\$ 0.00	\$ 760.48
058582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 8.70	\$ 8.70
058582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 8,111.68	\$ 8,111.68
058582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 46.50	\$ 46.50
058582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 10.88	\$ 10.88
058582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 34,683.88	\$ 34,683.88
058582	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 37.20	\$ 37.20
058583	PAYROLL	SHERIFF OF JEFFERSON CO		\$ 0.00	\$ 27,206.62	\$ 27,206.62
058584	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ 0.00	\$ 10,937.10	\$ 10,937.10
058585	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ 0.00	\$ 13,510.62	\$ 13,510.62
058586	425	SHALLOW CREEK ELECTRICAL	46779	\$ 485.28	\$ 0.00	\$ 485.28
058587	424	THOMASSEN FORD MERCURY	46775	\$ 1,006.39	\$ 0.00	\$ 1,006.39
058588	987	THOMASSEN FORD MERCURY	47061	\$ 12,500.00	\$ 0.00	\$ 12,500.00
058589	PAYROLL	TREASURER OF VIRGINIA		\$ 0.00	\$ 161.51	\$ 161.51
058590	PAYROLL	JS DEPT OF EDUCATION		\$ 0.00	\$ 124.70	\$ 124.70
058591	440	UNIV OF MARYLAND T2 CENT	46975	\$ 295.00	\$ 0.00	\$ 295.00
058592	405	WEST PAYMENT CENTER	46911	\$ 1,962.88	\$ 0.00	\$ 1,962.88
058593	PAYROLL	WV PUB EMP RETIRE SYS		\$ 0.00	\$ 30,393.18	\$ 30,393.18
058594	PAYROLL	WV PUB EMP RETIRE SYS		\$ 0.00	\$ 70,917.56	\$ 70,917.56
058595	PAYROLL	WV CPRB/LOAN DIVISION		\$ 0.00	\$ 199.80	\$ 199.80
058596	PAYROLL	WV CPRB/LOAN DIVISION		\$ 0.00	\$ 249.75	\$ 249.75
TOTALS						\$ 436,099.17
TOTALS				\$ 136,269.21	\$ 299,829.96	\$ 436,099.17
DEPT	NAME			DEPT AMTS		
401/COM	CO. COMMISSION			\$ 528.08		
402/CCLK	CO. CLERK			\$ 457.50		
403/CIR CLK	CIRCUIT CLERK			\$ 93.60		
404/TAX	TAX OFFICE					
405/PA	PROS ATTY			\$ 3,132.26		
406/ASSR	ASSESSORS			\$ 182.29		
408/GOV	ST.COMPNET CHG BO GOV UNIT					
412/AG	AG AGT					
413/ELE	ELECTION			\$ 217.40		
415/MAG CT	MAGISTRATE COURT					
415/	GENERAL SCHOOL/CO TRANSFER					
422/CP&M	CAPITAL PLANNING & MNGMNT					
424/CTHS	COURT HOUSE			\$ 6,236.25		
425/OB	OTHER BUILDING			\$ 14,222.95		
428/DATAP	DATA PROCESSING			\$ 252.00		
430/HLS	HOMELAND SEC					
431/ECON DEV	ECON DEV					
433/GIS	GIS/ADDRESSING			\$ 235.00		
439/PZ	PLANNING ZONING			\$ 426.27		
440/ENG.	DEPT OF ENGINEERING			\$ 1,473.00		
451/ZONING	ZONING DEPT					
700/SHRF	SHERIFF DEPT			\$ 6,118.91		

701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	\$ 103,235.16
711/OES	EMERG SVC	\$ 98.37
712/911	911 COMMUNICATION	\$ 1,232.15
716/A/C	ANIMAL CONTROL	\$ 526.46
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTITIE	
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	
975/CAP OTL	CO. CLERK / CAPITAL OUTLAY	\$ 926.13
976/CAP/CIR	CIRCUIT CLERK/CAPITAL OUTLAY	\$ 9,878.00
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	
987/CAP/CTHSE	COURT HOUSE/CAPITAL OUTLAY	\$ 12,500.00
989/CAP/AGT	AG AGT/CAPITAL OUTLAY	
992/CAP/911	911 COMMUNICATION/CAP OUTLAY	
ALLOC	ALLOCATIONS	
GRANTS	GRANTS	\$ 28,422.62
PAYROLL	PAYROLL	\$ 245,704.77
<b>TOTALS</b>		<b>\$ 436,099.17</b>

**In re: DISPENSE WITH READING OF MINUTES**

Motion by Noland, second by Manuel to dispense with the reading of the Minutes for the Special Session held on Tuesday, April 21, 2009, and to approve the Minutes as prepared. Motion carried.

**In re: PUBLIC COMMENT**

Suzy Munnis commented on safety and signage for cyclists on Jefferson County trails. The Commission agreed by unanimous consent to make this public comment into an agenda item. After discussion, motion by Manuel, second by Noland to send the information provided by Ms. Munnis and a resolution of support to the Division of Highways, local legislators, and the Parks and Recreation Commission. Motion carried.

**In re: BONDING AND ACTIVITY REPORT**

There was no bonding.

Kirk Davis, Acting Director of Planning and Zoning, appeared before the Commission for the weekly activity report. Mr. Davis requested clarification on the joint Planning Commission and County Commission meeting scheduled on May 19<sup>th</sup>. After discussion, motion by Widmyer, second by Noland to defer the joint meeting until the new Planning Director is available. Motion passed by a 3-2 vote. Commissioner Surkamp and Morgan voted no. The Commission asked staff to work out a date for the joint meeting.

Mr. Davis requested approval to hire a temporary administrative assistant. Motion by Surkamp, second by Widmyer to approve hiring a part-time, temporary employee for 60 days as an administrative assistant for the Planning and Zoning Department. Motion carried.

**In re: BARBARA MILLER - CITIZENS CORPS GRANT APPLICATION**

Barbara Miller, Director of Jefferson County Department of Homeland Security and Emergency Management, appeared before the Commission to request the approval of a Citizens Corps Grant Application. After discussion, motion by Widmyer, second by Noland to approve the Citizens Corps Grant Application in the amount of \$25,000. Motion carried.

Ms. Miller informed the Commission of training classes for NIMS.

Ms. Miller reported on a bridge collapse on private property that stranded Loudoun County fire trucks during a brush fire. Ms. Miller informed the Commission that the Division of Highways was able to temporarily repair the bridge but would need to be reimbursed since the bridge was on private property. The Commission gave unanimous consent to have the President sign the letter authorizing payment for the bridge and agreed to have staff seek possible reimbursements for the expense.

Ms. Miller also reported on the swine flu.

**In re: DR. ROBERT JOHNSON, HEALTH BOARD CHAIRMAN & AMY JONES - SWINE FLU HEALTH ALERT DISCUSSION**

Amy Jones, Health Department Administrator, and Dr. Robert Johnson, Health Board Chairman, appeared before the Commission to discuss and provide the Commission with information concerning the swine flu health alert.

**In re: PROBATE MATTERS**

**- ESTATE OF JOHN HENRY FABER - APPROVAL OF PETITION/ORDER TO REOPEN THE ESTATE**

Samuel Byrer, attorney for the Petitioner, appeared before the Commission to request approval on a Petition and Order to reopen the Estate of John Henry Faber. After discussion, motion by Morgan, second by Noland to approve the Petition and Order to reopen the Estate of John Henry Faber. Motion carried.

**- PETITION TO PROBATE WRITING IN SOLEMN FORM AND TO APPOINT PETITIONER AS CURATOR - PHYLLIS MARIE DAVIS, DECEASED**

Michael Scales, attorney for the Petitioner, appeared before the Commission to request approval of a Petition to Probate Writing in Solemn form and Appoint the Petitioner as the Curator for the Estate of Phyllis Marie Davis. After discussion and comments from Assistant Prosecuting Attorney James Casimiro, the Commission agreed to delay the matter for two weeks in order to receive advice from Prosecuting Attorney Ralph Lorenzetti.

**In re: JOHN MAXEY - PLANNING COMMISSION MEMBER - GRANT APPLICATION TO NATIONAL FISH AND WILDLIFE FOUNDATION**

John Maxey, Planning Commission Member, appeared before the Commission to request the approval of a grant application to the National Fish and Wildlife Foundation. After discussion, motion by Morgan, second by Surkamp to authorize the submission of the grant application to the National Fish and Wildlife Foundation. Motion carried. After further discussion and comments from Todd Fagan, motion by Morgan, second by Surkamp to authorize the GIS Department to

provide GIS slope data layers. Motion carried.

**In re: PUBLIC HEARING ON PROPOSED COMCAST CABLE FRANCHISE ORDINANCE**

The Commission opened a public hearing on the proposed Comcast Cable Franchise Ordinance. No one was present at this time to give public comment. The Commission agreed to hold the hearing open and proceed with the rest of the agenda to allow anyone who arrived after the scheduled time an opportunity to comment.

**In re: JANE PETERS - JEFFERSON COUNTY DEVELOPMENT AUTHORITY - APPROVAL TO HIRE EXECUTIVE DIRECTOR**

Jane Peters, Executive Director of the Jefferson County Development Authority appeared before the Commission concerning hiring a new Executive Director. Ms. Peters informed the Commission that board member Terry Marcus would be speaking on the matter. Mr. Marcus requested that the Commission enter into Executive Session. Motion by Surkamp, second by Noland to enter into Executive Session in order to discuss personnel matters. Motion carried.

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

**In re: SENATOR HERB SNYDER - TABLE GAME LEGISLATION DISCUSSION**

Senator Herb Snyder appeared before the Commission to discuss the proposed table game legislation. After discussion, motion by Surkamp, second by Manuel to send a letter to Governor Manchin in support of Senate Bill 718. Motion carried. Commissioner Morgan left the meeting at 12:08 p.m. and did not vote on this motion.

**In re: REQUEST STAFF TO PROVIDE TIMETABLE FOR AMENDING CURRENT ZONING ORDINANCE AND MAP TO INCLUDE URBAN GROWTH BOUNDARIES DEFINED IN SB 256**

Senator Herb Snyder discussed Senate Bill 256 with the Commission. After discussion, motion by Widmyer, second by Manuel to request legal staff to provide a timetable for amending the current zoning ordinance and map to include urban growth boundaries defined in Senate Bill 256. Motion carried.

**In re: LEGISLATIVE ISSUES**

Senator Herb Snyder updated the Commission on legislative issues.

The Commission recessed for lunch at 12:25 p.m.

The Commission reconvened at 1:30 p.m.

**In re: COUNTY COMMISSION WORKSHOP - DON JACOBS - COMPENSATION AND CLASSIFICATION CONSULTANT**

The Commission conducted a workshop with the Compensation and Classification Consultant Don Jacobs. Mr. Jacobs discussed meeting with the Assessor in order to include her employees in the Compensation and Classification Plan. Mr. Jacobs reviewed the plan with the Commission and various options for implementation.

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

Stephanie Grove, Assistant Prosecuting Attorney, appeared before the Commission for the legal update and report. Ms. Grove reported on the following:

- The FOIA case
- The Jefferson Orchards CUP BZA appeal
- The Commission requested Ms. Grove to provide information concerning the urban growth boundary.

James Casimiro, Assistant Prosecuting Attorney, also provided a legal update and report. Mr. Casimiro reported on the draft Memorandum of Understanding between Jefferson Utilities and the Jefferson County Public Service District. Mr. Casimiro requested an Executive Session in order to discuss legal strategy. The Commission agreed to take up the Executive Session at the end of their agenda.

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

No new information was presented.

**In re: PUBLIC HEARING ON PROPOSED COMCAST CABLE FRANCHISE ORDINANCE - CONTINUED**

There being no public comment given, the Commission closed the public hearing. The Commission discussed the draft Comcast Cable Franchise Ordinance and an amendment agreed on by Comcast concerning density in Section 3.1.3. After discussion, motion by Surkamp, second by Widmyer to approve the Comcast Cable Franchise Ordinance as presented with the amendment to section 3.1.3. Motion carried.

**In re: DISCUSSION, REPORT ON FEDERAL STIMULUS FUNDS TO BE AVAILABLE TO JEFFERSON COUNTY**

The County Administrator reported on the status of Federal Stimulus Funds for Jefferson County.

**In re: BUDGET ISSUES - CONSIDERATION OF FUNDING FOR NON-PROFIT ENTITIES. BEST/WORST PRACTICES WORKSHOP SCHEDULING.**

The Commission agreed to discuss the Non-Profit's funding next week and to set a date for a workshop concerning best/worst practices.

**In re: PROPOSED POLICY FOR APPOINTMENTS TO COUNTY BOARDS, AUTHORITIES, AGENCIES AND COMMISSIONS**

The Commission agreed to discuss this agenda item next week.

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

No new information was presented.

In re: GENERAL FUND BUDGET REVISION #3

Motion by Noland, second by Widmyer to approve General Fund Budget Revision #3 and enter the following resolution, as requested by the Assessor. Motion carried.

**RESOLUTION**

At a regular session of the Jefferson County Commission, held on the 30<sup>th</sup> day of April, 2009, the following Order was made and entered:

**SUBJECT:** The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

**RESOLVED:** That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number 3, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by Noland, and duly seconded by Widmyer, the vote was as follows:

Dale Manuel	<u>Yes</u>
Patricia A. Noland	<u>Yes</u>
Lyn Widmyer	<u>Yes</u>
James T. Surkamp	<u>Yes</u>

Whereupon, Commissioner Manuel declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and Dale Manuel, President of the Jefferson County Commission, is authorized to affix his signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

/s/  
\_\_\_\_\_  
Dale Manuel, President  
Jefferson County Commission

In re: FEDERAL TRANSPORTATION PROJECT FUNDING DISCUSSION - REQUEST FROM CONGRESSWOMAN CAPITO

Commissioner Widmyer discussed and provided power point slides for ideas for the hiking/biking trails in Jefferson County that could be provided to Congresswoman Capito for the Federal Transportation Project Funding.

**In re: ASSESSOR DEPARTMENTAL BUDGET REVISION**

Motion by Widmyer, second by Surkamp to approve an intra-departmental budget revision for the Assessor. Motion carried.

**In re: APPROVAL OF CONTRACT AND RESOLUTION - COMMUNITY PARTICIPATION GRANT - FISHERMAN'S HALL - \$2,000**

Motion by Surkamp, second by Noland to approve the contract and resolution for the Community Participation Grant for Fisherman's Hall in the amount of \$2,000. Motion carried.

**In re: UPDATE AND POSSIBLE UNANIMOUS CONSENT CONCERNING SECURITY OF COUNTY BUILDINGS AND PROVIDING SHERIFF WITH KEYS**

Commissioner Noland informed the Commission that she had spoken to the Sheriff and that this matter had already been resolved.

**In re: UPDATE ON DATE IN NEAR FUTURE OF ALL CVB BOARD MEMBERS IN WORK SESSION WITH COUNTY COMMISSION**

Commissioner Surkamp discussed scheduling a work session with the CVB Board Members to discuss sesquicentennial events. The County Administrator informed the Commission that she had tried to contact the CVB office several times and has not received a reply. The Commission agreed to keep working on trying to set up a work session.

**In re: RESOLUTION TO CENTRALIZE ALL MONITORS COVERING COUNTY BUILDINGS AT 24X7 COUNTY COMMUNICATIONS CENTER**

Commissioner Surkamp discussed having the Communications Center covering the monitors of county buildings. Commissioner Noland informed the Commission that she had spoken with the Communications director and that they did not have the staff available to cover the monitors on a full-time basis.

**In re: REQUEST LISTING OF ALL COUNTY PROPERTIES AND THE INSURANCE COVERAGE THEREON**

Commissioner Surkamp inquired into insurance coverage on all County properties. The County Administrator agreed to provide the Commission with a listing of the insurance coverage on County properties.

**In re: DISCUSSION AND VOTE TO REQUEST FUNDING FROM THE EASTERN PANHANDLE CONSERVATION DISTRICT FOR PROJECTS IN JEFFERSON COUNTY FOR CLEAN WATER, INCLUDING DRILLING OF TEST WELLS ON THE MOUNTAIN**

Motion by Surkamp, second by Widmyer to request funding from the Eastern Panhandle Conservation District for projects in Jefferson County for clean water, including drilling of test wells on the mountain. After discussion, the motion was withdrawn. Motion by Manuel, second by Noland that the County Commission delay action on the allocation of funding from the Eastern Panhandle Soil Conservation District until a workshop can be facilitated with the Water Advisory

Committee, the County Commission, and Mr. Mickey and Mr. Gruber of the Eastern Panhandle Conservation District. Motion carried.

In re: MEMORANDUM OF IMPACT FEE FUNDABLE PROJECTS FOR FY2010

After discussion with Mark Schiavone, motion by Surkamp, second by Noland to approve the Memorandum of Impact Fee Fundable Projects for FY 2010, as presented. Motion carried.

Commissioner Noland left at 3:52 p.m.

In re: JAMES CASIMIRO - LEGAL UPDATE AND REPORT - CONTINUED

Motion by Surkamp, second by Widmyer to enter into Executive Session with legal counsel, James Casimiro, to discuss legal strategy. Motion carried.

Motion by Manuel, second by Widmyer to return to Regular Session and adjourn today's meeting. Motion carried.

The Commission received the following information:

Notice of County Commission meeting location change to the Old Charles Town Library on April 30, 2009.

Appointment to be made to the Planning Commission on May 14, 2009.

Memorandum received from the County Clerk's Finance Office concerning year end account payables.

Copy of the Levy Order sent to the Auditor's Office received from the Department of Capital Planning and Management.

Letter of resignation received from Thomas M. Kane as a member of the Planning Commission.

Letter of resignation received George Privitera as the IT Support Specialist.

Correspondence received from the Shepherdstown Men's Club concerning the Henry lawsuit.

Audit Report of Jefferson County received for the fiscal year ended June 30, 2007.

PATH correspondence received from Commissioner Morgan.

PATH information received from Allegheny Energy.

Press Release received from the Jefferson County Public Service District concerning federal stimulus grant funds to be provided for the Flowing Springs Wastewater Treatment Plant project.

Copy of a draft agreement between Jefferson Utilities, Inc. and the Jefferson County Public Service District received.

Correspondence received from Jefferson County Citizens for Economic Preservation concerning suggested changes to the bonding policy.

Correspondence received from Telamon Corporation concerning the Shining Apples Workcamp on July 26-August 1, 2009.

Water Summit information received from Virginia Graf.

News release received from AHA concerning grants.

Information received from the County Commissioners' Association concerning the Spring Board & Legislative Committee meeting on May 17-19, 2009.

Information received from the County Commissioners' Association concerning Regional Jail Cost Summit on May 13, 2009, at 9:00 a.m.

Tri-County Agriculture News received.

Ethics Reporter received for April 2009.

Cable franchise fees received from Comcast.

E-911 fees received.

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

**CORRESPONDENCE:**

Correspondence received from Gil Narro Garcia concerning annexation.

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

---

**PRESIDENT**