

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, May 28, 2009, beginning at 9:30 o'clock a.m.

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

In re: PLEDGE OF ALLEGIANCE

Commissioner Noland conducted the Pledge of Allegiance.

In re: MOMENT OF SILENCE

The Commission observed a moment of silence in memory of Veteran Jefferson County Police Officer Mark Johnston.

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, May 21, 2009, 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 May 26, 2009, totaling \$19,535.11: 47212, 47210, 46596, 46990, 47215, 47211, 46467, 46468, 47213 and 46660. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Morgan, second by Noland to approve the list of Accounts Payable totaling \$356,155.00 dated May 28, 2009 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CK No	DEPT	VENDOR	PO#	PO Amt	Amt wo PO	CK Amt
058797	424	ALLEGHENY POWER		\$0.00	\$1,286.83	\$1,286.83
058797	425	ALLEGHENY POWER		\$0.00	\$10,174.95	\$10,174.95
058798	PAYROLL	AMERICAN FAMILY LIFE ICU		\$0.00	\$4,523.07	\$4,523.07
058799	712	AT&T/KY		\$0.00	\$18.03	\$18.03
058800	716	ANIMAL CARE EQUIP&SERVIC	46123	\$279.23	\$0.00	\$279.23
058801	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
058802	424	B-K OFFICE SUPPLY INC	47204	\$45.90	\$0.00	\$45.90

058802	977	B-K OFFICE SUPPLY INC	46721	\$10,499.50	\$0.00	\$10,499.50
058803	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$49.85	\$49.85
058804	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
058805	GRANT	BLUE RIDGE ACRES		\$0.00	\$541.54	\$541.54
058806	712	BERKELEY CO COMMISSION	46613	\$1,246.16	\$0.00	\$1,246.16
058807	406	*CREAMERS AUTO SERVICE	47209	\$154.15	\$0.00	\$154.15
058807	700	*CREAMERS AUTO SERVICE	47209	\$325.99	\$0.00	\$325.99
058807	712	*CREAMERS AUTO SERVICE	47209	\$260.04	\$0.00	\$260.04
058808	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$27.69	\$27.69
058809	451	CHRISTINE CHALMERS		\$0.00	\$31.25	\$31.25
058810	700	CARS/COMPLETE AUTO REPAI	47208	\$595.71	\$0.00	\$595.71
058811	403	COAST TO COAST COMPUTER	46960	\$586.07	\$0.00	\$586.07
058812	439	CHOICE STAFFING, INC.		\$0.00	\$428.75	\$428.75
058813	440	DLT SOLUTIONS, INC	46421	\$2,290.52	\$0.00	\$2,290.52
058814	PAYROLL	EQUITABLE THE EQUIVEST		\$0.00	\$15.00	\$15.00
058815	424	FRONTIER COMMUNICATIONS		\$0.00	\$717.22	\$717.22
058816	712	FIRST CONTACT 911	47156	\$1,750.00	\$0.00	\$1,750.00
058817	716	GALLS INCORPORATED	46124	\$627.94	\$0.00	\$627.94
058818	711	GUEST SERVICES	46745	\$96.75	\$0.00	\$96.75
058819	406	GLOBAL SCIENCE & TECH	46724	\$1,230.00	\$0.00	\$1,230.00
058820	451	GRANT ENTERPRISES	46997	\$154.80	\$0.00	\$154.80
058821	440	HAGERSTOWN COMM COLLEGE	46986	\$198.00	\$0.00	\$198.00
058821	451	HAGERSTOWN COMM COLLEGE	47009	\$198.00	\$0.00	\$198.00
058822	439	IKON OFFICE SOLUTIONS	47000	\$235.72	\$0.00	\$235.72
058823	PAYROLL	ING NATIONAL TRUST		\$0.00	\$610.00	\$610.00
058824	425	JEFFERSON UTILITIES INC		\$0.00	\$261.61	\$261.61
058825	712	DR ROBERT JONES		\$0.00	\$1,000.00	\$1,000.00
058826	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,654.00	\$4,654.00
058827	GRANT	MOTOROLA INC		\$0.00	\$125,946.00	\$125,946.00
058828	712	PRIORITY DISPATCH	46597	\$295.00	\$0.00	\$295.00
058829	PAYROLL	COMPROLLER OF MARYLAND		\$0.00	\$570.09	\$570.09
058830	700	MCKINNEY'S AUTO REPAIR	47206	\$32.20	\$0.00	\$32.20
058830	700	MCKINNEY'S AUTO REPAIR	47214	\$69.08	\$0.00	\$69.08
058831	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
058832	PAYROLL	MD CHILD SUPPORT ACCOUNT		\$0.00	\$18.46	\$18.46
058833	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$735.21	\$735.21
058834	402	PIFER OFFICE SUPPLY, INC	46677	\$13.37	\$0.00	\$13.37
058835	700	QUARTER MASTER	46466	\$48.98	\$0.00	\$48.98
058836	425	ROCKWELL CONSTRUCTION	47205	\$1,402.40	\$0.00	\$1,402.40
058837	405	SPECIALTY BUS SUPPLIES	46917	\$705.35	\$0.00	\$705.35
058837	405	SPECIALTY BUS SUPPLIES	46917	\$399.00	\$0.00	\$399.00
058838	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$5.63	\$5.63
058838	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$23,213.94	\$23,213.94
058838	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$8.76	\$8.76
058839	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$37.20	\$37.20
058839	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8.70	\$8.70
058839	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,012.24	\$8,012.24
058839	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$34,258.92	\$34,258.92
058840	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$27,604.02	\$27,604.02
058841	402	STOUT, BRUCE L.	46696	\$15.00	\$0.00	\$15.00

058842	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$0.00	\$7,039.00	\$7,039.00
058843	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$0.00	\$8,695.24	\$8,695.24
058844	711	SSI SAFETY SERVICES INC	46742	\$430.49	\$0.00	\$430.49
058845	440	JENNIFER SNYDER		\$0.00	\$19.67	\$19.67
058845	451	JENNIFER SNYDER		\$0.00	\$49.38	\$49.38
058846	PAYROLL	WILLIAM SCHWEITZER		\$0.00	\$31.99	\$31.99
058847	424	SHELLY'S TRUCK CAPS, INC	47203	\$800.00	\$0.00	\$800.00
058848	700	THOMASSEN FORD MERCURY	47207	\$2.44	\$0.00	\$2.44
058849	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
058850	PAYROLL	US DEPT OF EDUCATION		\$0.00	\$124.70	\$124.70
058851	440	UNIV OF MARYLAND T2 CENT	46982	\$1,265.00	\$0.00	\$1,265.00
058852	712	VITAL SIGNS	47138	\$25.50	\$0.00	\$25.50
058853	405	WEST PAYMENT CENTER	46916	\$1,229.16	\$0.00	\$1,229.16
058854	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$20,112.91	\$20,112.91
058855	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$46,930.18	\$46,930.18
058856	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$133.20	\$133.20
058857	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$166.50	\$166.50
TOTALS				\$27,507.45	\$328,647.55	\$356,155.00

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	
402/CCLK	CO. CLERK	\$28.37
403/CIR CLK	CIRCUIT CLERK	\$586.07
404/TAX	TAX OFFICE	
405/PA	PROS ATTY	\$2,333.51
406/ASSR	ASSESSORS	\$1,384.15
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	
413/ELE	ELECTION	
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	
422/CP&M	CAPITAL PLANNING & MNGMNT	
424/CTHS	COURT HOUSE	\$2,849.95
425/OB	OTHER BUILDING	\$11,838.96
428/DATAP	DATA PROCESSING	
430/HLS	HOMELAND SEC	
431/ECON DEV	ECON DEV	
433/GIS	GIS/ADDRESSING	
439/PZ	PLANNING ZONING	\$664.47
440/ENG.	DEPT OF ENGINEERING	\$3,773.19
451/ZONING	ZONING DEPT	\$433.43
700/SHRF	SHERIFF DEPT	\$1,074.40
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	\$527.24
712/911	911 COMMUNICATION	\$4,594.73
716/A/C	ANIMAL CONTROL	\$907.17
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	
977/CAP/ASSR	ASSESSORS/CAPITAL OUTLAY	\$10,499.50
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			\$126,487.54	
PAYROLL	PAYROLL			\$188,172.32	
TOTALS				\$356,155.00	
UTILITIES					
	424	ALLEGHENY POWER	\$0.00	\$1,286.83	\$1,286.83
	424	FRONTIER COMMUNICATIONS	\$0.00	\$717.22	\$717.22
	425	ALLEGHENY POWER	\$0.00	\$10,174.95	\$10,174.95
	425	JEFFERSON UTILITIES INC	\$0.00	\$261.61	\$261.61
	712	AT&T/KY	\$0.00	\$18.03	\$18.03
TOTALS					\$12,458.64
REIMB					
	440	JENNIFER SNYDER	\$0.00	\$19.67	\$19.67
	451	CHRISTINE CHALMERS	\$0.00	\$31.25	\$31.25
	451	JENNIFER SNYDER	\$0.00	\$49.38	\$49.38
	439	CHOICE STAFFING, INC.	\$0.00	\$428.75	\$428.75
	712	DR ROBERT JONES	\$0.00	\$1,000.00	\$1,000.00
TOTALS					\$1,529.05
GRANTS					
	GRANT	BLUE RIDGE ACRES	\$0.00	\$541.54	\$541.54
	GRANT	MOTOROLA INC	\$0.00	\$125,946.00	\$125,946.00
TOTALS					\$126,487.54
PAYROLL					
	PAYROLL	AMERICAN FAMILY LIFE ICU	\$0.00	\$4,523.07	\$4,523.07
	PAYROLL	BUREAU FOR CHILD SUPPORT	\$0.00	\$72.00	\$72.00
	PAYROLL	BUREAU F/CHILD SUPPORT	\$0.00	\$49.85	\$49.85
	PAYROLL	BUREAU F/CHILD SPRT ENF	\$0.00	\$212.31	\$212.31
	PAYROLL	CHILD SUPPORT ENFORCE AG	\$0.00	\$27.69	\$27.69
	PAYROLL	EQUITABLE THE EQUIVEST	\$0.00	\$15.00	\$15.00
	PAYROLL	ING NATIONAL TRUST	\$0.00	\$610.00	\$610.00
	PAYROLL	JEFFERSON SECURITY BANK	\$0.00	\$4,654.00	\$4,654.00
	PAYROLL	COMPTROLLER OF MARYLAND	\$0.00	\$570.09	\$570.09
	PAYROLL	MD Child Support Account	\$0.00	\$140.00	\$140.00
	PAYROLL	MD CHILD SUPPORT ACCOUNT	\$0.00	\$18.46	\$18.46
	PAYROLL	NATIONWIDE RETIREMENT	\$0.00	\$735.21	\$735.21
	PAYROLL	STATE DPT O/TAX & REVENU	\$0.00	\$5.63	\$5.63
	PAYROLL	STATE DPT O/TAX & REVENU	\$0.00	\$23,213.94	\$23,213.94
	PAYROLL	STATE DPT O/TAX & REVENU	\$0.00	\$8.76	\$8.76
	PAYROLL	SHERIFF OF JEFFERSON CO	\$0.00	\$37.20	\$37.20
	PAYROLL	SHERIFF OF JEFFERSON CO	\$0.00	\$8.70	\$8.70
	PAYROLL	SHERIFF OF JEFFERSON CO	\$0.00	\$8,012.24	\$8,012.24
	PAYROLL	SHERIFF OF JEFFERSON CO	\$0.00	\$34,258.92	\$34,258.92
	PAYROLL	SHERIFF OF JEFFERSON CO	\$0.00	\$27,604.02	\$27,604.02
	PAYROLL	WV DEPUTY SHRF RETIREMEN	\$0.00	\$7,039.00	\$7,039.00
	PAYROLL	WV DEPUTY SHRF RETIREMEN	\$0.00	\$8,695.24	\$8,695.24
	PAYROLL	WILLIAM SCHWEITZER	\$0.00	\$31.99	\$31.99
	PAYROLL	TREASURER OF VIRGINIA	\$0.00	\$161.51	\$161.51
	PAYROLL	US DEPT OF EDUCATION	\$0.00	\$124.70	\$124.70

	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$20,112.91	\$20,112.91
	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$46,930.18	\$46,930.18
	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$133.20	\$133.20
	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$166.50	\$166.50
TOTALS						\$188,172.32

INVOICES PRE APPROVED BY THE CO. COMMISSION

	716	ANIMAL CARE EQUIP&SERVIC	46123	\$279.23	\$0.00	\$279.23
	716	GALLS INCORPORATED	46124	\$627.94	\$0.00	\$627.94
	440	DLT SOLUTIONS, INC	46421	\$2,290.52	\$0.00	\$2,290.52
	700	QUARTER MASTER	46466	\$48.98	\$0.00	\$48.98
	712	PRIORITY DISPATCH	46597	\$295.00	\$0.00	\$295.00
	712	BERKELEY CO COMMISSION	46613	\$1,246.16	\$0.00	\$1,246.16
	402	PIFER OFFICE SUPPLY, INC	46677	\$13.37	\$0.00	\$13.37
	402	STOUT, BRUCE L.	46696	\$15.00	\$0.00	\$15.00
	977	B-K OFFICE SUPPLY INC	46721	\$10,499.50	\$0.00	\$10,499.50
	406	GLOBAL SCIENCE & TECH	46724	\$1,230.00	\$0.00	\$1,230.00
	711	SSI SAFETY SERVICES INC	46742	\$430.49	\$0.00	\$430.49
	711	GUEST SERVICES	46745	\$96.75	\$0.00	\$96.75
	405	WEST PAYMENT CENTER	46916	\$1,229.16	\$0.00	\$1,229.16
	405	SPECIALTY BUS SUPPLIES	46917	\$705.35	\$0.00	\$705.35
	405	SPECIALTY BUS SUPPLIES	46917	\$399.00	\$0.00	\$399.00
	403	COAST TO COAST COMPUTER	46960	\$586.07	\$0.00	\$586.07
	440	UNIV OF MARYLAND T2 CENT	46982	\$1,265.00	\$0.00	\$1,265.00
	440	HAGERSTOWN COMM COLLEGE	46986	\$198.00	\$0.00	\$198.00
	451	GRANT ENTERPRISES	46997	\$154.80	\$0.00	\$154.80
	439	IKON OFFICE SOLUTIONS	47000	\$235.72	\$0.00	\$235.72
	451	HAGERSTOWN COMM COLLEGE	47009	\$198.00	\$0.00	\$198.00
	712	VITAL SIGNS	47138	\$25.50	\$0.00	\$25.50
	712	FIRST CONTACT 911	47156	\$1,750.00	\$0.00	\$1,750.00
	424	SHELLY'S TRUCK CAPS, INC	47203	\$800.00	\$0.00	\$800.00
	424	B-K OFFICE SUPPLY INC	47204	\$45.90	\$0.00	\$45.90
	425	ROCKWELL CONSTRUCTION	47205	\$1,402.40	\$0.00	\$1,402.40
	700	MCKINNEY'S AUTO REPAIR	47206	\$32.20	\$0.00	\$32.20
	700	THOMASSEN FORD MERCURY	47207	\$2.44	\$0.00	\$2.44
	700	CARS/COMPLETE AUTO REPAI	47208	\$595.71	\$0.00	\$595.71
	406	*CREAMERS AUTO SERVICE	47209	\$154.15	\$0.00	\$154.15
	700	*CREAMERS AUTO SERVICE	47209	\$325.99	\$0.00	\$325.99
	712	*CREAMERS AUTO SERVICE	47209	\$260.04	\$0.00	\$260.04
	700	MCKINNEY'S AUTO REPAIR	47214	\$69.08	\$0.00	\$69.08
TOTAL						\$27,507.45
TOTALS						\$356,155.00

UTILITIES	\$12,458.64
REIMB	\$1,529.05
GRANT	\$126,487.54
PAYROLL	\$188,172.32

GRAND TOTAL**\$356,155.00****In re: PUBLIC COMMENT**

No public comment was provided.

In re: LEGISLATIVE ISSUES

Commissioner Noland reported on Senate Bill 528

In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION

Commissioner Widmyer reported on her request to the Planning Commission to schedule a public hearing on proposed changes to the county's zoning ordinance regarding the urban growth boundary. She informed the Commission that the request was denied.

In re: BONDING AND ACTIVITY REPORT**-LAND USE FEE DISCUSSION**

Upon the recommendation of County Engineer Roger Goodwin, motion by Morgan, second by Widmyer to approve the complete bond release of an irrevocable letter of credit in the amount of \$53,768.00 from the construction bond for Ryan's Glen Subdivision, Lots 1-12 & Residue (PCFile#05-23). Motion carried.

Kirk Davis, Acting Planning Director was present and introduced Jennifer Brockman, Planning Director to the Commission.

Ms. Brockman asked permission to advertise for the vacant jobs of Planner and Zoning Administrator. Motion by Widmyer, second by Noland to authorize Ms. Brockman to advertise for the two vacancies. Motion carried.

Ms. Brockman requested that Kirk Davis be retained for approximately eight weeks during the transition. By unanimous consent, the Commission agreed to retain Kirk Davis for eight weeks in the Planning and Zoning Department.

The Commission discussed the joint meeting with the County Commission and Planning Commission. Motion by Morgan, second by Surkamp to hold the joint meeting with the Planning Commission and the County Commission on June 11th, 2009 at 7pm. Commissioner Morgan withdrew her motion.

Motion by Surkamp to hold the joint meeting with the Planning Commission and the County Commission on June 11th, 2009 at 7pm. The motion failed due to the lack of a 2nd.

Motion by Manuel, second by Noland to hold the joint meeting with the Planning Commission and the County Commission on July 6th, 2009 at 7pm. Motion carried.

In re: FILE SCANNING POLICY

Jennifer Maghan, County Clerk appeared before the Commission and discussed the File Scanning Policy. After discussion, by consensus, the Commission agreed to place this item on the agenda in two weeks and that a joint memorandum between the County Clerk and the County Administrator with joint consent on the File Scanning Policy be presented.

In re: PATH DISCUSSION/ACTION

Motion by Surkamp, second by Morgan to instruct legal staff to draft a Memorandum of Understanding to be sent to the identified counties affected by the Potomac Appalachian Transmission Highline transmission line route asking for support and to invite them to participate as an Intervener with the Public Service Commission. Motion carried.

In re: ENERGY EFFICIENCY COMMUNITY BLOCK GRANT OPTIONS DISCUSSION

Leslie Smith, County Administrator reported on the specifications of the Energy Efficiency Community Block Grant and discussed municipal participation. The Commission discussed the auto nitrogen inflated tire program, window replacement and adjustments to the air conditioning and heating.

Commissioner Widmyer requested that the proposals submitted by Roger Ethier be reviewed by technical staff. By unanimous consent, the Commission agreed to have Roger Goodwin, Bill Polk and Kirk Davis review the proposals presented by Mr. Ethier and to respond to them.

Motion by Manuel, second by Morgan that the Energy Efficiency Block Grant total Jefferson County allocation be shared with the municipal governments on a ratio of 80 percent to the County Government and the remaining 20 percent to municipal governments. Further, that the County's share be utilized for the auto nitrogen inflated tire program, window replacement to be prioritized by the maintenance director, and adjustments to the air conditioning and heating to make them more efficient. Lastly, the municipal portion of the grant monies be allocated by cooperative action of the municipalities within Jefferson County.

Amended motion by Morgan that the Energy Efficiency Block Grant total Jefferson County allocation be shared with the municipal governments on a ratio of 80 percent to the County Government and the remaining 20 percent to municipal governments and that the municipal portion of the grant monies be allocated by cooperative action of the municipalities within Jefferson County. Commissioner Morgan withdrew her 2nd.

Motion by Manuel, second by Noland that the Energy Efficiency Block Grant total Jefferson County allocation be shared with the municipal governments on a ratio of 80 percent to the County Government and the remaining 20 percent to municipal governments be set aside. Further, that the County's share be utilized for the auto nitrogen inflated tire program, window replacement to be prioritized by staff, and adjustments to the air conditioning and heating to make them more efficient. Lastly, the municipal portion of the grant monies be allocated by cooperative action of the municipalities within Jefferson County. Motion carried by a 4-1 vote. Commissioner Morgan voted no.

In re: BONDING AND INTEREST RATE OFFER - IMPACT FEE ACCOUNTS - BANK OF CHARLES TOWN

Mark Schiavone, Director of Capital Planning and Management appeared before the Commission to discuss bonding and interest rates with the Bank of Charles Town for Impact Fee Accounts. After discussion, by unanimous consent, the Commission directed Mr. Schiavone to use the fixed rate at 1.90% for deposits of impact fee monies with the Bank of Charles Town.

In re: CORRESPONDENCE FROM DANIEL P. LUTZ - REQUEST TO USE COMMISSION MEETING ROOM ON JUNE 6, 2009, 4:00 P.M. - 7:00 P.M. FOR A CAST MEETING FOR THE PRODUCTION OF "THE ANVIL"

Danny Lutz appeared before the Commission to request use of the Commission meeting room on June 6, 2009 from 4:00pm - 7:00 pm for a cast meeting for the production of "The Anvil". Motion by Surkamp, second by Widmyer to approve the request from Mr. Lutz to use the meeting room on Saturday, June 6, 2009 from 4:00pm - 7:00 pm for a cast meeting for the production of "The Anvil". Motion carried.

In re: TELAMON CORPORATION - REQUEST FOR WAIVER OF BUILDING PERMIT FEES

Motion by Morgan, second by Noland to approve the request for waiver of building permit fees for the Telamon Corporation in the amount of \$2,000 and to review after this amount. Motion carried.

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

Jennifer S. Maghan, County Clerk appeared before the Commission to discuss the invoice she received from the WV Secretary of State in the amount of \$23,470.10. After discussion, Ms. Maghan said she would call the Secretary of State and ask for an extension until after July 1, 2009.

In re: CAMERA/BUILDING SECURITY (JS)

Motion by Surkamp to request staff to provide a floor plan of all county buildings, with a list of all cameras and location, a list of all tenants of all county buildings and documentation of County insurance coverage by June 11th, 2009. Motion failed due to the lack of a 2nd.

Motion by Surkamp, second by Widmyer to hold a work session on June 11th, 2009 with staff providing an existing floor plan and location of all county buildings, with a list of all security cameras and location, a list of all tenants of all county buildings and documentation of county insurance coverage. Commissioner Manuel amended the motion by changing the work session from June 11th, to June 18th, 2009.

Amended motion by Surkamp, second by Widmyer to hold a work session on June 18th, 2009 with staff providing an existing floor plan and location of all county buildings, with a list of all security cameras and location, a list of all tenants of all county buildings and documentation of county insurance coverage. Motion carried.

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

In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT

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

Ms. Grove reported on the following:

- Distributed the To Do List
- Discussed Jefferson Orchards case
- Discussed the easement for County property - Poorhouse requested by the Historic Landmarks Commission

By unanimous consent, the Commission agreed to approve the request for an easement for the Poorhouse requested by the Historic Landmarks Commission.

- PATH documents distributed

The Commission requested that the PATH documents be posted on the County Website.

Patience Wait was present and discussed the GIS maps with the overlays with the rights of way.

By unanimous consent, the Commission agreed to direct Todd Fagan, GIS Specialist to work with Patience Wait on preparing a PATH map with the rights of way.

- RAI Elections Lease Agreement discussed

Jennifer Maghan, County Clerk was present and discussed the damages to the Hamilton Building and the responsibility for the repairs.

Motion by Morgan, second by Noland to make an offer to RAI regarding the damages and that the Commission would be willing to pay 50% for the repairs. Motion carried.

In re: E-911 FEES DISCUSSION

The Commission agreed to wait for a recommendation from the E911 Advisory Committee regarding the increase in the E911 fee.

In re: HEALTH INSURANCE MATRIX PRESENTATION DISCUSSION

Leslie Smith, County Administrator distributed the health insurance matrix and discussed health insurance quotes. After discussion, by unanimous consent the Commission agreed to invite Ed Slonaker, of Morgan Financial to the Commission meeting on June 11th, 2009 to discuss questions and concerns regarding the county health insurance. The Commission directed Leslie Smith, County Administrator to distribute the health matrix and proposals to all county employees and invite the employees to submit questions and opinion on the coverage. Employees are asked to submit questions in writing to the County Commission or attend the presentation on June 11th, 2009.

In re: PROPERTY AND LIABILITY INSURANCE DISCUSSION

Leslie Smith, County Administrator discussed the property and liability insurance. After discussion, the Commission requested that a side by side of the current policy and the new proposal be available at the next meeting.

In re: APPROVAL OF GRANT RESOLUTION AND CONTRACT - GOVERNOR'S COMMUNITY PARTICIPATION PROGRAM - GOOD SHEPHERD INTERFAITH VOLUNTEER CAREGIVERS - \$5,000

Motion by Morgan, second by Surkamp to approve the Resolution for the Governor's Community Participation Program for Good Shepherd Interfaith Volunteer Caregivers in the amount of \$5,000. Motion carried.

RESOLUTION

The Jefferson County Commission met on the 28th day of May, 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 to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Governor's Community Participation Program in the amount of \$5,000. This project is to assist in the purchase of office equipment and durable medical equipment to maintain current technological capabilities for the Good Shepherd Interfaith Volunteer Caregivers.

Dated: May 28th, 2009

/s/_____

Dale Manuel, President
Jefferson County Commission

In re: APPOINTMENTS TO THE WATER ADVISORY COMMITTEE

Motion by Surkamp, second by Manuel to appoint Jane Arnett and Robert K. Denton, Jr. to the Water Advisory Committee. Motion carried.

**In re: CORRESPONDENCE FROM THE JEFFERSON COUNTY EXTENSION OFFICE -
REQUEST FOR \$2980 TO COVER THE LEASE FOR COPIER/PRINTER**

Motion by Morgan, second by Noland to table the request to cover the lease for the copier in the amount of \$2,980 from the Jefferson County Extension Office until the next fiscal year. Amended motion by Morgan, second by Manuel to postpone the request to cover the lease for the copier in the amount of \$2,980 from the Jefferson County Extension office until the next fiscal year. Motion carried.

**In re: APPROVAL OF MUTUAL AID AGREEMENT BETWEEN THE CITY OF MARTINSBURG
AND JEFFERSON COUNTY**

Motion by Surkamp, second by Noland to approve the Mutual Aid Agreement between the City of Martinsburg and Jefferson County. Motion carried.

In re: APPROVAL OF DUI GRANT APPLICATION

Motion by Surkamp, second by Noland to approve the DUI Grant Application in the amount of \$9,800. Motion carried.

**In re: APPROVAL OF GRANT RESOLUTION AND CONTRACT - COMMUNITY PARTICIPATION
PROGRAM - EASTERN PANHANDLE TRANSPORTATION AUTHORITY - \$50,000**

Motion by Surkamp, second by Widmyer to approve the Resolution for the Governor's Community Participation Program for Eastern Panhandle Transportation Authority in the amount of \$50,000 contingent upon 25 percent matching funds. Motion carried.

RESOLUTION

The Jefferson County Commission met on the 28th day of May, 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 submit a grant application with the West Virginia Development Office to receive grant funds from the Community Participation Grant Program in the amount of \$50,000 for the planning activities of the Eastern Panhandle Transportation Authority to conduct planning activities

related to transportation infrastructure within the Eastern Panhandle.

Dated: May 28th, 2009

/s/

Dale Manuel, President
Jefferson County Commission

In re: **CORRESPONDENCE FROM HUGH E. BEVANS - APPROVAL OF AMENDMENT OF JOINT FUNDING AGREEMENT FOR WATER RESOURCES INVESTIGATION**

Motion by Surkamp, second by Noland to approve the amended Joint Funding Agreement for water resources investigation in the amount of \$31,997.54 and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

In re: **OVERLOOKED ALLOCATION TO MISSION ROAD COMMUNITY STARTUP CENTER (JS)**

The Commission agreed to discuss this agenda item after lunch in order to gather more information.

In re: **CORRESPONDENCE FROM TARA SANDERS LOWE - SANDERS MUSEUM SERVICES - PROPOSED SERVICES FOR THE COURTHOUSE**

Leslie Smith, County Administrator discussed the correspondence received from Tara Sanders Lowe regarding proposed services for the Courthouse for the upcoming 150th anniversary of John Brown's raid.

The Commission directed that the County Administrator forward the correspondence received from Tara Sander Lowe to the Historic Landmarks Commission and the Conventions Visitors Bureau as information only and that the Commission is not endorsing the proposal.

In re: **APPROVAL OF SIGNATURE ON SUBRECIPIENT (GRANTEE) INFORMATION FORM TO RECEIVE FUNDS THROUGH THE SOURCE WATER PROTECTION GRANT**

By unanimous consent, the Commission agreed to move on and process the Subrecipient (Grantee) information form to receive funds through the Source Water Protection Grant.

In re: **REQUEST FROM LIBRARIES TO HAVE AFTERNOON WORK SESSION ON JUNE 25, 2009**

The Commission agreed to hold a work session with the Libraries on July 16, 2009.

The Commission recessed for lunch at 12:35 p.m.

The Commission reconvened at 1:30 p.m.

**In re: OVERLOOKED ALLOCATION TO MISSION ROAD COMMUNITY STARTUP CENTER (JS)
- CONTINUED**

Motion by Widmyer, second by Surkamp to commit our participation to no more than up to \$2,500 to help match the grant to establish and winterize the Mission Road Community Startup Center. Motion carried.

In re: COUNTY ADMINISTRATOR REPORTS

Leslie Smith, County Administrator reminded the Commission of the upcoming appointments to the Planning Commission and interviews next week.

Ms. Smith reminded the Commission that the Agenda Policy starts next week.

Ms. Smith distributed the expenditure report.

In re: COUNTY COMMISSION REPORTS

Commissioner Surkamp reported on the Planning Commission meeting he attended.

Commissioner Manuel reported on the Parks and Recreation Sub-Committee meeting he attended.

Commissioner Manuel reported on the Council of Governments meeting he attended.

Commissioner Manuel reported on the Council on Aging meeting he attended.

Commissioner Widmyer reported on the Planning Commission meeting she attended.

Commissioner Widmyer reported on the meeting with the City Managers.

Commissioner Noland reported on the Council of Governments meeting she attended.

In re: COUNTY COMMISSION WORKSHOP - COUNTY ORGANIZATION

The County Commission held a workshop to discuss county organization. A power-point presentation was given. For the record, Kirk Davis and Jennifer Brockman were present for the workshop and presentation.

Motion by Manuel, second by Widmyer to place Organization Planning as a standing topic on the agenda. Motion carried.

The Commission received the following information:

Reminder that the New Agenda Policy will go into effect on June 11, 2009 and that the Agenda for the June 11, 2009 Meeting will Close on June 4, 2009, at 12:00 noon.

The County Commission meeting will be held in the Old Charles Town Library Meeting Room for the May 28, 2009 meeting.

Correspondence received from the Historic Landmarks Commission concerning the Visitor's Center.

Copy of Correspondence sent to Barbara Miller and Teri Mehling received from Jeff Levesque concerning the Volunteer of the Year Award.

Correspondence received from the West Virginia Division of Homeland Security and Emergency Management concerning the Severe Repetitive Loss Mitigation Program.

Correspondence received from the West Virginia Division of Culture and History concerning the replacement of the heating and ventilation system in the Courthouse.

Information received concerning the May 31st, 2009 Tri-State Demonstration Rally against PATH.

Correspondence received from the County Commissioners' Association concerning Regional Jail Partial Reimbursement Fund.

Legislative information received from the County Commissioners' Association.

Harpers Ferry National Historical Park Community Bulletin received.

E-911 fees received from Comtel Telcom Assets LP.

CORRESPONDENCE:

Postcards received from the following concerning public library funding:

Esther S. Wood

James Sweeney

Amanda Luders

Nathan Luders

Michelle Baluch

Eric L. Luders

MA Sweeney

Rita G. Luders

John Splaine

S. Diane Kradel

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

PRESIDENT