

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, July 16, 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 Noland conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES
Motion by Morgan, second by Widmyer to dispense with the reading of the Minutes for the meeting held on Thursday, July 9, 2009, and to approve the Minutes as amended. The Commission agreed to vote on this motion later in the meeting.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by Morgan, second by Noland to approve the list of the Accounts Payable dated July 16, 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
059202	413	ALLEGHENY POWER		\$0.00	\$56.58	\$56.58
059203	425	COMCAST		\$0.00	\$145.89	\$145.89
059204	424	USA MOBILITY WIRELESS		\$0.00	\$89.16	\$89.16
059204	700	USA MOBILITY WIRELESS		\$0.00	\$188.31	\$188.31
059204	712	USA MOBILITY WIRELESS		\$0.00	\$420.92	\$420.92
059205	405	MYOSHIA BRIGHT		\$0.00	\$355.90	\$355.90
059206	425	B-K OFFICE SUPPLY INC	47278	\$140.00	\$0.00	\$140.00
059207	439	JENNIFER M. BROCKMAN		\$0.00	\$361.88	\$361.88
059208	406	*CREAMERS AUTO SERVICE	47279	\$470.85	\$0.00	\$470.85
059208	716	*CREAMERS AUTO SERVICE	47279	\$38.11	\$0.00	\$38.11
059209	405	LAURENCE R CROFFORD		\$0.00	\$279.95	\$279.95
059210	712	VERIZON CABS		\$0.00	\$380.00	\$380.00
059211	712	CDW-GOVERNMENT INC	46618	\$1,903.00	\$0.00	\$1,903.00
059212	405	CHILDREN HOME SOCIETY	46929	\$575.84	\$0.00	\$575.84
059213	401	JAMES CASIMIRO III		\$0.00	\$633.65	\$633.65
059213	405	JAMES CASIMIRO III		\$0.00	\$297.93	\$297.93
059214	700	CARS/COMPLETE AUTO REPAI	47280	\$460.88	\$0.00	\$460.88
059215	405	LAUREN CROWTHER		\$0.00	\$38.88	\$38.88
059216	405	JONELLE CURTIS		\$0.00	\$314.94	\$314.94
059217	403	DAYTON LEGAL BLANK	46963	\$296.48	\$0.00	\$296.48
059218	425	DAYCON	47277	\$145.00	\$0.00	\$145.00
059219	GRANT	EXPLORE MAPS	47169	\$500.00	\$0.00	\$500.00
059220	433	EARTH VECTOR SYSTEMS	46762	\$206.00	\$0.00	\$206.00
059221	412	FRONTIER		\$0.00	\$420.47	\$420.47

CK#	DEPT	VENDOR	PO#	PO Amt	Amt wo PO	CK Amt
059221	415	FRONTIER		\$0.00	\$330.47	\$330.47
059221	424	FRONTIER		\$0.00	\$16,061.97	\$16,061.97
059221	712	FRONTIER		\$0.00	\$1,171.43	\$1,171.43
059222	711	FIFTH THIRD BANK	46746	\$155.99	\$0.00	\$155.99
059222	402	FIFTH THIRD BANK		\$0.00	\$2,550.00	\$2,550.00
059222	402	FIFTH THIRD BANK		\$0.00	\$843.45	\$843.45
059222	402	FIFTH THIRD BANK		\$0.00	\$29.95	\$29.95
059222	424	FIFTH THIRD BANK		\$0.00	\$185.95	\$185.95
059222	424	FIFTH THIRD BANK		\$0.00	\$154.23	\$154.23
059222	424	FIFTH THIRD BANK		\$0.00	\$837.23	\$837.23
059222	433	FIFTH THIRD BANK		\$0.00	\$22.00	\$22.00
059222	433	FIFTH THIRD BANK		\$0.00	\$117.50	\$117.50
059222	440	FIFTH THIRD BANK		\$0.00	\$50.51	\$50.51
059222	GRANT	FIFTH THIRD BANK		\$0.00	\$496.46	\$496.46
059222	700	FIFTH THIRD BANK		\$0.00	\$53.94	\$53.94
059222	700	FIFTH THIRD BANK		\$0.00	\$23.95	\$23.95
059222	700	FIFTH THIRD BANK		\$0.00	\$461.91	\$461.91
059222	700	FIFTH THIRD BANK		\$0.00	\$95.40	\$95.40
059222	711	FIFTH THIRD BANK		\$0.00	\$90.77	\$90.77
059222	711	FIFTH THIRD BANK		\$0.00	\$58.73	\$58.73
059222	711	FIFTH THIRD BANK		\$0.00	\$46.59	\$46.59
059228	PAYROLL	FINNELLER RAYMOND		\$0.00	\$1,000.00	\$1,000.00
059229	401	KON OFFICE SOLUTIONS		\$0.00	\$41.00	\$41.00
059230	428	IBM CORPORATION		\$0.00	\$1,338.00	\$1,338.00
059231	413	JEFFERSON UTILITIES INC		\$0.00	\$20.12	\$20.12
059231	425	JEFFERSON UTILITIES INC		\$0.00	\$261.61	\$261.61
059232	ALLOC	JEFF CO COMMUN MINISTERIE		\$0.00	\$4,000.00	\$4,000.00
059233	424	ANN JENKINS		\$0.00	\$98.05	\$98.05
059234	401	LEWIS CO CIRCUIT CLERK		\$0.00	\$87.28	\$87.28
059235	405	RALPH A LORENZETTI JR		\$0.00	\$286.00	\$286.00
059236	402	MATTHEW BENDER & CO	47311	\$17.60	\$0.00	\$17.60
059236	401	MATTHEW BENDER & CO		\$0.00	\$107.80	\$107.80
059237	405	GAIL MCMILLION		\$0.00	\$262.95	\$262.95
059238	424	VERIZON BUSINESS		\$0.00	\$1,116.54	\$1,116.54
059239	405	JENNIFER E. MAY-SANNER		\$0.00	\$408.12	\$408.12
059240	403	PIFER OFFICE SUPPLY, INC	46967	\$193.66	\$0.00	\$193.66
059240	404	PIFER OFFICE SUPPLY, INC	46666	\$22.50	\$0.00	\$22.50
059241	424	RODGERS CLOCK SERVICE	46065	\$220.00	\$0.00	\$220.00
059242	405	LECTOR DENISE RIDEOUTT		\$0.00	\$373.04	\$373.04
059243	402	RECORD MANA SOLUTION	47314	\$35.00	\$0.00	\$35.00
059244	405	HASSAN RASHEED		\$0.00	\$366.57	\$366.57
059245	401	R.B. PROCESS SERVICES		\$0.00	\$150.00	\$150.00
059246	401	SOFTWARE SYSTEMS, INC		\$0.00	\$1,556.47	\$1,556.47
059246	402	SOFTWARE SYSTEMS, INC		\$0.00	\$475.00	\$475.00
059246	403	SOFTWARE SYSTEMS, INC		\$0.00	\$2,616.10	\$2,616.10
059246	404	SOFTWARE SYSTEMS, INC		\$0.00	\$1,012.89	\$1,012.89
059246	700	SOFTWARE SYSTEMS, INC		\$0.00	\$244.00	\$244.00
059247	405	SPECIALTY BUS SUPPLIES	46928	\$1,384.65	\$0.00	\$1,384.65
059248	ALLOC	SHEPHERDSTOWN DAY CARE		\$0.00	\$16,000.00	\$16,000.00
059249	712	SEN COMMUNICATIONS	47127	\$111.29	\$0.00	\$111.29
059250	405	TERESA TRITELLI		\$0.00	\$295.80	\$295.80
059251	712	UPS		\$0.00	\$15.17	\$15.17
059252	425	WILLIAMS MOTOR PARTS, IN	46882	\$14.48	\$0.00	\$14.48
059253	PAYROLL	WORKTECH		\$0.00	\$100.00	\$100.00
059254	PAYROLL	WV BUREAU OF EMPLOY		\$0.00	\$11,566.35	\$11,566.35
059255	401	WVNET		\$0.00	\$200.00	\$200.00
059256	412	CRAIG W YOHN		\$0.00	\$590.94	\$590.94
TOTALS				\$6,891.33	\$79,011.71	\$85,903.04

In re: LEGISLATIVE ISSUES

Commissioner Noland reported on legislation being considered that would impose a 3% tax on dining.

In re: PUBLIC COMMENT

No public comment was given.

In re: REPORT OF FEDERAL STIMULUS FUNDS

The Commission discussed the status of federal stimulus funds. Commissioner Widmyer reported on a

Region 9 meeting where a presentation was made on the Stimulus Bond Program. Commissioner Widmyer informed the Commission that Rob Steptoe was handing the Stimulus Bond Program. After discussion, motion by Widmyer, second by Morgan to ask Mr. Steptoe to give a presentation before the Commission on the Stimulus Bond Program and to request the municipalities to attend as long as there is no cost involved in Mr. Steptoe making the presentation. Motion carried.

In re: EXONERATION

Upon recommendation from the Assessor, motion by Morgan, second by Noland to approve the following exoneration due to erroneous assessment. Motion carried.

Name	District	Type	Amount	Ticket #
Eric Midboe	Ranson Municipality	Real Estate	\$2,375.84	24887

In re: BONDING

Upon recommendation from Roger Goodwin, Chief County Engineer, motion by Surkamp, second by Noland to approve the partial release of a letter of credit in the amount of \$15,319 for Avalanche Services, with the County to retain \$46,392. Motion carried.

In re: KIRK DAVIS

Kirk Davis appeared before the Commission to inquire about contracts that needed to be signed. Commissioner Manuel informed Mr. Davis that the contracts had been signed. The Commission requested information on quotes on the flooring in the Judge's office and also requested information on the HVAC installation. Mr. Davis informed the Commission that he had received a quote for the flooring in the Judge's office and could bring the quote back later in the meeting and that the HVAC questions could be answered by Bill Polk. The Commission agreed to hear from Mr. Polk and Mr. Davis later in the meeting.

In re: CAROLYN ZDZIERA - COMMUNITY ALTERNATIVES TO VIOLENCE FUNDING REQUEST

Carolyn Zdziera, from Community Alternatives to Violence, appeared before the Commission to request funding. The Commission agreed to take the request into consideration during their budget deliberations. The Commission also expressed interest in setting up a work session on the social service network in Jefferson County. Ms. Zdziera agreed to contact the County Administrator in order to set up a work session.

In re: ORGANIZATIONAL PLANNING - DISCUSSION

No new information was provided.

In re: KIRK DAVIS - BILL POLK - CONTINUED

Kirk Davis and Bill Polk appeared before the Commission concerning the flooring in the Judge's office and the HVAC installation in the Courthouse. Mr. Davis provided the Commission with a quote from Rockwell's for the refinishing of hardwood flooring in the Judges office. After discussion, the Commission agreed to have Mr. Davis obtain other quotes and report back to the Commission. Mr. Polk answered the Commission's questions concerning the HVAC installation in the Courthouse. Commissioner Manuel also commended Mr. Polk on a training session for the Maintenance Department.

In re: COUNTY HEALTH/DENTAL/VISION INSURANCE DECISION - DISCUSSION/ACTION

Ed Slonaker and Sally Gran appeared before the Commission to present information concerning the County's health insurance. After discussion, motion by Surkamp, second by Widmyer to approve the Blue Cross/Blue Shield health insurance coverage as provided in numbers 1 and 2 of the document provided by Mr. Slonaker with the County to provide the employees with a \$1,500 Health Reimbursement Account. Motion by F. Morgan, second by Widmyer to amend the motion to provide the employees with a \$1,000 Health Reimbursement Account. Motion to amend passed by a 3-2 vote. Commissioners Manuel and Surkamp voted no. The Commission then voted on the amended motion. Motion passed by a 4-1 vote. Commissioner Manuel voted no.

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

No report was given.

In re: EXECUTIVE SESSION - LEGAL MATTERS

Motion by Morgan, second by Surkamp to enter into Executive Session with legal counsel Stephanie Grove and Tammy DeFazio to discuss pending litigation as provided by Peters vs. Wood County. Motion carried. Motion by Morgan, second by Surkamp to return to Regular Session. Motion carried.

The Commission recessed until 1:30 p.m.

In re: DISPENSE WITH READING OF MINUTES - CONTINUED

The Commission revisited the approval of the minutes from July 9, 2009. After discussion the Commission voted on the following previously made motion: Motion by Morgan, second by Widmyer to dispense

with the reading of the Minutes for the meeting held on Thursday, July 9, 2009, and to approve the Minutes as amended. Motion carried.

In re: NIKKI PAINTER - VOTER REGISTRATION OFFICE

Nikki Painter, from the Voter Registration Office, appeared before the Commission to provide information on scheduling the referendum on the zoning ordinance. Ms. Painter informed the Commission that the County Clerk's office had changed their position on scheduling the referendum and now believed that the referendum could be done as a special election scheduled earlier than the next primary election. Ms. Painter explained that since only voters residing outside of the municipalities were eligible to vote on the zoning referendum, causing a special ballot to be printed, that this would cause added expense and possible confusion during the primary election.

In re: COUNTY COMMISSION WORKSHOP - JENNIE BROCKMAN - PLANNING AND ZONING DIRECTOR

Jennie Brockman, Planning and Zoning Director, appeared before the Commission for the following matters.

- REQUEST FOR A DATE CERTAIN FOR THE VOTE ON THE ZONING ORDINANCE REFERENDUM

After discussion, motion by Morgan, second by Surkamp to set the date for the Zoning Ordinance referendum to Saturday, November 7, 2009. Motion carried.

- BRIEFING ON THE PLANNING COMMISSION CONCERNS RELATED TO THE FARAWAY FARMS LAND DEVELOPMENT APPLICATION

Ms. Brockman discussed Faraway Farms with the Commission. After discussion, the Commission agreed to have staff set up a joint meeting with the Planning Commission and attorney Bob Bastress.

- UPDATE IN PLANNING AND ZONING BUDGET QUESTION

Ms. Brockman informed the Commission that a administrative assistant position had been inadvertently left out of the Planning and Zoning budget and that the line item for group insurance had been over budgeted. Ms. Brockman requested a transfer of funds in the group insurance line item to cover the administrative assistant position. After discussion, motion by Morgan, second by Surkamp to approve the transfer of funds in the Planning and Zoning department from the group health insurance line item to the salary line item. Motion by Manuel, second by Noland to table this matter. Motion to table failed by a 2-3 vote. Commissioners Widmyer, Morgan and Surkamp voted no. The Commission requested that Mark Schiavone appear to provide more information. Mr. Schiavone arrived and provided the Commission with budget information. After discussion, the Commission voted on the motion. Motion carried.

In re: REVISION OF FUND 001 - GENERAL FUND FOR FY 2010

Motion by Morgan, second by Widmyer to approve the General Fund Budget Revision as submitted by Mark Schiavone and enter the following resolution. Motion carried

RESOLUTION

At a regular session of the Jefferson County Commission, held 16th July, 2009, the following order was made and entered:

SUBJECT: The revision of the General Fund (Fund 001) 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 county commission does hereby direct 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 001, a copy of which is entered as part of this record. The adoption of the foregoing resolution having been moved by Frances Morgan, and duly seconded by Lyn Widmyer, the vote thereon was as follows:

Dale Manuel	Yes
Jim Surkamp	Yes
Patricia Noland	Yes
Frances Morgan	Yes
Lyn Widmyer	Yes

WHEREUPON, Dale 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 F. Mark Schiavone is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

After further discussion with Mr. Schiavone concerning budget matters, the Commission agreed to have a budget workshop next week.

In re: LETTER TO PRESIDENT OBAMA INVITING HIM TO SPEAK HERE DURING OBSERVANCE OF JOHN BROWN RAID

Commissioner Morgan provided the Commission with a draft letter to send to President Obama. The Commission agreed to hold this matter over for another week.

In re: APPOINTMENT TO THE POTOMAC HEADWATERS RC&D

No new information was provided.

In re: OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT - REQUEST FOR FUNDING FOR THE RAPID NOTIFICATION SYSTEM

The Commission agreed to take up this matter next week.

In re: APPROVAL OF AMENDED CLASSIFICATION PLAN TO INCLUDE ASSESSOR'S OFFICE - DISCUSSION/ACTION

The Commission agreed to take up this matter next week.

In re: APPROVAL OF ASSESSOR'S OFFICE JOB DESCRIPTIONS - DISCUSSION/ACTION

The Commission agreed to take up this matter next week.

In re: JEFFERSON COUNTY SPONTANEOUS VOLUNTEER MANAGEMENT PLAN - DISCUSSION/ACTION

The Commission agreed to take up this matter next week.

In re: JEFFERSON COUNTY DONATIONS MANAGEMENT PLAN - DISCUSSION/ACTION

The Commission agreed to take up this matter next week.

In re: APPROVAL OF CONTRACT DOCUMENTS FOR VICTIMS OF CRIME ACT ASSISTANCE GRANT

Motion by Surkamp, second by Noland to approve the President's signature on the contract documents for the Victims of Crime Act Assistance Grant. Motion carried.

In re: SCHEDULE ANNUAL PERFORMANCE EVALUATIONS FOR THOSE DEPARTMENT HEADS REVIEWED BY COUNTY COMMISSION

The Commission agreed to take up this matter next week.

In re: CONFIRM PREVIOUS DIRECTION FROM COUNTY COMMISSION TO INCLUDE BACKGROUND REPORTS/STAFF ANALYSIS AS PART OF THE AGENDA PACKET FOR ALL ITEMS REQUIRING ACTION

The Commission agreed to require any individual in County Government submitting an agenda item to provide further information. The Commission directed that all agenda requests should include a cover memo that includes background information and the staff recommendations on required action and to also provide a typed out motion for the Commission's approval of the requested action.

In re: REVIEW/APPROVE JOB DESCRIPTIONS FOR COUNTY ADMINISTRATOR STAFF: ADMINISTRATIVE ASSISTANT, EXECUTIVE ASSISTANT, RECEPTIONIST/OPERATOR

The Commission agreed to take up this matter next week.

In re: DISCUSSION AND CONSIDERATION OF RESCINDING OR PLACING ON HOLD THE SUBDIVISION ORDINANCE CURRENTLY IN EFFECT UNTIL CONFLICTING SECTIONS OF THE CURRENT ZONING ORDINANCE AND THE SUBDIVISION ORDINANCE HAVE BEEN RESOLVED

The Commission agreed to take up this matter next week and to send a memo to the members of the Planning Commission to let them know that this matter would be discussed next week.

In re: COUNTY COMMISSION REPORTS

Commissioner Noland reported on the Jefferson Farmer's Market Committee meeting.
Commissioner Widmyer reported on a meeting concerning regional trails.
Commissioner Manuel reported on a Senior Center meeting and a Parks and Recreation meeting.
Commissioner Surkamp reported on a Planning Commission meeting.
Commissioner Morgan reported on the Historic Landmark Commission's new website.
Commissioner Morgan reported on a Farmland Protection Board meeting.

In re: QUARTERLY FIDUCIARY REVIEW

The Commission took up this time to review the quarterly fiduciary accounts. After review, motion by Morgan, second by Noland to approve the quarterly fiduciary accounts as presented by the County Clerk's office.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Surkamp, second by Manuel to approve the following Purchase Orders for the Week of July 16, 2009, totaling \$27,819.40: 47312, 47285, 47289, 47293, 47217, 47281, 47283, 47287, 47352, 47355, 47290, 47292, 47219, 47284, 47286, and 47288. Motion carried.

The Commission received the following information:

Appointments of Alternate Members to be made to the Board of Zoning Appeals on July 23, 2009.

Bonding received for Summit Point Tactical Training Center in the amount of \$137,560.

Impact Fee Status Report received for June 2009.

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

Correspondence received from Bolivar Mayor Robert J. Hardy concerning funding.

Correspondence received from Governor Manchin concerning Enforcing the Underage Drinking Laws Program Grant.

Correspondence received from Comcast concerning channel changes.

Correspondence received from the County Clerk concerning compensated absences.

Notice received of a meeting with the libraries and County Commission on July 23, 2009, at 1:30 p.m.

Correspondence received from Sheriff Shirley concerning office space.

Correspondence received from the Department of Environmental Protection concerning the REAP Standard Operating Procedure for 2009.

Notice received of a Eastern Panhandle GIS Users Group Meeting on September 18, 2009 at NCTC.

Correspondence received from Debbie Royalty concerning PATH.

Meeting agenda received from the Jefferson County Public Service District.

News release received from AHA concerning grant awards.

News release received from AHA concerning election of board members.

CORRESPONDENCE:

Postcards received from the following concerning public library funding:

Susan Restifo	Nellie M. Restifo
Traci Morris	Patricia Georgarkis
Kit McGinnis	Nicholas Blazonis
Jeff Widz	Diane I. Steece
Carolyn J. Comras	Wesley Sanders
Brian Meley	Allison A. Meley
Charlotte R. Porter	Nancy Luscombe

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

DALE MANUEL, COMMISSION PRESIDENT