

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 23, 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 Surkamp conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Morgan, second by Surkamp to dispense with the reading of the Minutes for the meeting held on Thursday, July 16, 2009, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Morgan, second by Noland to approve the following Purchase Orders for the Week of July 20, 2009, totaling \$115,969.15: 47068, 46969, 47067, 46763, 47294, 47299, 47401, 47403, 47404, 4713, 47015, and 47295. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Noland, second by Manuel to approve the list of Accounts Payable totaling \$232,889.99 dated July 23, 2009 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

DEPT	NAME	DEPT AMTS
401/COM	CO. COMMISSION	\$16,062.86
402/CCLK	CO. CLERK	\$494.08
403/CIR CLK	CIRCUIT CLERK	\$100.40
404/TAX	TAX OFFICE	
405/PA	PROS ATTY	
406/ASSR	ASSESSORS	\$50.00
408/GOV	ST.COMPNET CHG BO GOV UNIT	
412/AG	AG AGT	
413/ELE	ELECTION	\$27.19
415/MAG CT	MAGISTRATE COURT	
415/	GENERAL SCHOOL/CO TRANSFER	\$26,920.65
422/CP&M	CAPITAL PLANNING & MNGMNT	

424/CTHS	COURT HOUSE	\$3,194.67
425/OB	OTHER BUILDING	\$15,350.56
428/DATAP	DATA PROCESSING	
433/GIS	GIS/ADDRESSING	
439/PZ	PLANNING ZONING	\$465.68
440/ENG.	DEPT OF ENGINEERING	\$12.00
451/ZONING	ZONING DEPT	
700/SHRF	SHERIFF DEPT	\$1,488.85
701/SHRF	SHERIFF DEPT	
704/WV JAIL	ST/WV REGIONAL JAIL	
711/OES	EMERG SVC	
712/911	911 COMMUNICATION	\$2,118.42
716/A/C	ANIMAL CONTROL	\$694.32
801/MTL HLTH	MENTAL HEALTH TRANS TO ENTITIE	
808GOV UNIT	SWA CONTRIB OTHER GOV UNIT	
975/CAP OTL	CO. CLERK / CAPITAL OUTLAY	
976/CAP/CIR	CIRCUIT CLERK/CAPITAL OUTLAY	
978/CAP/PA	PROS ATTY/CAPITAL OUTLAY	
979/CAP/TAX	TAX OFFICE/CAPITAL OUTLAY	
980/CAP/SRF	SHERIFF DEPT/CAPITAL OUTLAY	
983/CLK ELEC	CO CLERK ELECTION/CAP OUTLAY	
986/CAP/COMM	CO. COMMISSION/CAPITAL OUTLAY	
988/CAP/OB	OTHER BUILDING/CAPITAL OUTLAY	
989/CAP/AGT	AG AGT/CAPITAL OUTLAY	
992/CAP/911	911 COMMUNICATION/CAP OUTLAY	
ALLOC	ALLOCATIONS	\$50,105.77
GRANTS	GRANTS	\$17,508.80
PAYROLL	PAYROLL	\$98,295.74
TOTALS		\$232,889.99

CK#	DEPT	VENDOR	PO#	PO Amt	Amt wo PO	CK Amt
059259	424	ALLEGHENY POWER		\$0.00	\$1,218.13	\$1,218.13
059259	425	ALLEGHENY POWER		\$0.00	\$9,847.94	\$9,847.94
059260	424	AUTOZONE		\$0.00	\$18.24	\$18.24
059260	700	AUTOZONE		\$0.00	\$124.07	\$124.07
059260	712	AUTOZONE		\$0.00	\$16.20	\$16.20
059261	ALLOC	AHA/ART&HUMANITIES ALL		\$0.00	\$3,766.34	\$3,766.34
059262	GRANT	BERKELEY COUNTY COMMISS		\$0.00	\$4,388.80	\$4,388.80
059263	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
059264	424	BOLAND SERVICES	47288	\$166.00	\$0.00	\$166.00
059264	425	BOLAND SERVICES	45163	\$385.00	\$0.00	\$385.00
059264	425	BOLAND SERVICES	47281	\$2,985.22	\$0.00	\$2,985.22
059264	425	BOLAND SERVICES	47281	\$447.00	\$0.00	\$447.00
059264	425	BOLAND SERVICES	47288	\$427.00	\$0.00	\$427.00
059265	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$49.85	\$49.85
059266	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
059267	700	RICHARD BARRON		\$0.00	\$39.23	\$39.23
059268	440	*CREAMERS AUTO SERVICE	47296	\$12.00	\$0.00	\$12.00
059268	700	*CREAMERS AUTO SERVICE	47291	\$31.45	\$0.00	\$31.45

059269	712	CDW-GOVERNMENT INC	46618	\$375.00	\$0.00	\$375.00
059270	700	CREAMERS WRECKER SVC	47291	\$65.00	\$0.00	\$65.00
059271	ALLOC	CASA-EASTERN PANHANDLE		\$0.00	\$5,000.00	\$5,000.00
059272	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$27.69	\$27.69
059273	700	CARS/COMPLETE AUTO REPAI	47292	\$531.66	\$0.00	\$531.66
059274	425	DEAN'S LAWNMOWER SHOP	47282	\$33.85	\$0.00	\$33.85
059275	716	JESSICA EBERSOLE		\$0.00	\$120.00	\$120.00
059276	700	EMERGENCY EQUIP,LIGHTING	47018	\$65.75	\$0.00	\$65.75
059277	700	FEDEX		\$0.00	\$11.67	\$11.67
059277	712	FEDEX		\$0.00	\$19.29	\$19.29
059278	425	FARM PLAN/SOUTHERN STATE	47219	\$313.30	\$0.00	\$313.30
059278	716	FARM PLAN/SOUTHERN STATE	47219	\$176.96	\$0.00	\$176.96
059279	700	GALLS INCORPORATED	47016	\$20.45	\$0.00	\$20.45
059280	415	GENERAL COUNTY FUND-J FE		\$0.00	\$26,920.65	\$26,920.65
059281	424	HASLER INC.	47285	\$264.00	\$0.00	\$264.00
059282	439	IKON OFFICE SOLUTIONS	47352	\$235.68	\$0.00	\$235.68
059283	PAYROLL	ING NATIONAL TRUST		\$0.00	\$610.00	\$610.00
059284	413	JEFF CO PUBLIC SER DEPT		\$0.00	\$27.19	\$27.19
059284	425	JEFF CO PUBLIC SER DEPT		\$0.00	\$54.91	\$54.91
059285	401	JEFF CO DEVELOPMENT AUTH		\$0.00	\$3,039.00	\$3,039.00
059286	425	JEFFERSON COUNTY SOLID	47283	\$156.43	\$0.00	\$156.43
059287	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,654.00	\$4,654.00
059288	716	DONALD LONGERBEAM		\$0.00	\$120.00	\$120.00
059289	712	LANGUAGE LINE SERVICES		\$0.00	\$144.47	\$144.47
059290	PAYROLL	COMPTRROLLER OF MARYLAND		\$0.00	\$384.53	\$384.53
059291	425	HOME DEPOT CREDIT SERVIC		\$0.00	\$160.76	\$160.76
059292	700	MCKINNEY'S AUTO REPAIR	47290	\$441.60	\$0.00	\$441.60
059293	700	MPH INDUSTRIES INC	47014	\$56.37	\$0.00	\$56.37
059294	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
059295	PAYROLL	MD CHILD SUPPORT ACCOUNT		\$0.00	\$18.46	\$18.46
059296	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$735.21	\$735.21
059297	PAYROLL	NATIONWIDE MUTUAL INS CO		\$0.00	\$194.68	\$194.68
059298	439	NATIONAL SOCIETY OF	47355	\$230.00	\$0.00	\$230.00
059299	401	NATIONAL VAN LINE INC.		\$0.00	\$13,023.86	\$13,023.86
059300	GRANT	JEFF CO PARKS &		\$0.00	\$420.00	\$420.00
059300	GRANT	JEFF CO PARKS &		\$0.00	\$7,900.00	\$7,900.00
059301	ALLOC	JEFF CO PARKS &		\$0.00	\$18,786.56	\$18,786.56
059302	402	PIFER OFFICE SUPPLY, INC	47315	\$77.05	\$0.00	\$77.05
059302	403	PIFER OFFICE SUPPLY, INC	46970	\$100.40	\$0.00	\$100.40
059303	716	CHRISTINA POPE		\$0.00	\$120.00	\$120.00
059304	424	LANDMARK ELEVATOR INC.	47286	\$80.00	\$0.00	\$80.00
059304	425	LANDMARK ELEVATOR INC.	47286	\$240.00	\$0.00	\$240.00
059305	712	RESA VIII	47160	\$100.00	\$0.00	\$100.00
059306	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$23,133.94	\$23,133.94

059306	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$8.76	\$8.76
059307	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8.70	\$8.70
059307	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$7,912.60	\$7,912.60
059307	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$33,833.12	\$33,833.12
059307	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$37.20	\$37.20
059308	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$25,677.80	\$25,677.80
059309	425	SHERWIN-WILLIAMS	47217	\$235.07	\$0.00	\$235.07
059310	700	WALTER F STEPHENS, JR IN	47017	\$18.50	\$0.00	\$18.50
059311	712	SEN COMMUNICATIONS	47125	\$69.29	\$0.00	\$69.29
059312	424	SPRINT		\$0.00	\$91.50	\$91.50
059312	712	SPRINT		\$0.00	\$1,394.17	\$1,394.17
059313	424	SCOTTS AUTO BODY	47289	\$724.48	\$0.00	\$724.48
059314	424	*SHANNON BUSINESS SYSTEM	47293	\$469.94	\$0.00	\$469.94
059315	GRANT	STAR LODGE/HISTORIC LOCK		\$0.00	\$4,800.00	\$4,800.00
059316	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
059317	700	VINCENT TIONG		\$0.00	\$8.10	\$8.10
059318	PAYROLL	US DEPT OF EDUCATION		\$0.00	\$123.68	\$123.68
059319	425	VALLEY HARDWARE	47218	\$64.08	\$0.00	\$64.08
059320	ALLOC	JEFFERSON CO CONVENTION		\$0.00	\$22,552.87	\$22,552.87
059321	700	VITAL SIGNS	47019	\$75.00	\$0.00	\$75.00
059322	406	ASSOC OF WV ASSESSORS	47078	\$50.00	\$0.00	\$50.00
059323	424	WALMART BUSINESS		\$0.00	\$162.38	\$162.38
059323	716	WALMART BUSINESS		\$0.00	\$157.36	\$157.36
059324	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$133.20	\$133.20
059325	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$166.50	\$166.50
059326	402	XEROX COPORATION	46690	\$417.03	\$0.00	\$417.03
TOTALS				\$10,140.56	\$222,749.43	\$232,889.99

In re: **EXONERATIONS**

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

Name	District	Type	Amount	Ticket #
Michael K. Carden	Bolivar Corp.	Personal	\$31.45 ½ year	300059

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

Name	District	Type	Amount	Ticket #
Ronald E. Gayhart	Middleway	Personal	\$126.50	311768

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

Name	District	Type	Amount	Ticket #
Ward & Louann Boote	Charles Town	Real	\$190.82	1119
Ward & Louann Boote	Charles Town	Real	\$207.98	1120
Ward & Louann Boote	Charles Town	Real	\$138.30	1121

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

Name	District	Type	Amount	Ticket #
Amalia and Reginald W. Seiders II	Shepherdstown	Real	\$1,106.30	28843

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

Name	District	Type	Amount	Ticket #
Shawn M. Stoner	Charles Town	Real	\$545.66	6502

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

Name	District	Type	Amount	Ticket #
William G. & Nancy L. Wilt	Middleway	Real	\$61.10	23457

In re: PUBLIC COMMENT

No public comment was given.

In re: BONDING

Upon recommendation from Rebecca Burns, Bonding Administrator, motion by Noland, second by Morgan to approve the partial release of an irrevocable letter of credit in the amount of \$42,688.00 for Mark L. Butcher & Donna O. Butcher - Angus View Subdivision, with the County to retain \$110,385.00. Motion carried.

Upon recommendation from Rebecca Burns, Bonding Administrator, motion by Manuel, second by Noland to approve the complete release of an irrevocable letter of credit in the amount of \$48,452.50 for Wayne T. Lynch and Matthew P. Ridgeway - Merryfield Farm Estates Subdivision. Motion carried.

In re: DISPENSE WITH READING OF MINUTES

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Special Session held on Tuesday, July 14, 2009, and to approve the Minutes as prepared. Motion carried.

Commissioner Surkamp discussed the email received from Sally Gran, Payroll Clerk regarding the family health insurance deduction for August 2009.

Motion by Manuel, second by Surkamp to keep the family health insurance deduction the same for the month of August 2009. Motion carried.

In re: JENNIFER BROCKMAN - PLANNING AND ZONING DIRECTOR

Jennifer Brockman, Director of Planning and Zoning appeared before the Commission and reported on the following:

- Open House for the new offices on 8/28
- Application closes Friday for the Zoning Administrator and Planner
- STaSIS Engineering and site plan at Summit Point Motorsports Park
- Subdivision Regulations email

In re: APPOINTMENT OF ALTERNATE MEMBER TO THE ZONING BOARD OF APPEALS

Motion by Surkamp, second by Widmyer to appoint J. Tyler Quynn to the Jefferson County Zoning Board of Appeals as an Alternate for an unexpired term ending January 1, 2012. Motion carried.

In re: GENERAL FUND BUDGET REVISION WORKSHOP

Mark Schiavone, Director of Capital Planning and Management appeared before the Commission for a workshop for the General Fund Budget Revision.

Motion by Manuel, second by Widmyer that the unencumbered balance be allocated to the following:

- \$1,000,000 to Capital Funds Rainy Day Fund
- \$500,000 set aside in an account for salary increases and equity pay
- 1,300,000 to restore FY10 budget cuts

- \$70,000 used for Zoning Ordinance election

Amended motion by Widmyer, second by Surkamp to add that \$30,000 be used for test wells at West Ridge Hills for 4 wells and that only West Virginia well diggers be considered. Motion passed by a 3-2 vote. Commissioners Noland and Manuel voted no.

Amended motion by Noland, second by Widmyer to add that the \$1,000,000 for Capital Funds Rainy Day Fund be \$1,250,000. Motion carried.

After discussion, the Commission agreed by a friendly amendment that additions to the health reimbursement account be added to the \$500,000 set aside in an account for salary and equity increases.

Main motion by Manuel, second by Widmyer that the unencumbered balance be allocated to the following:

- \$1,250,000 to Capital Funds Rainy Day Fund
- \$500,000 set aside in an account for salary increases, equity pay and additions to the health reimbursement account
- \$1,300,000 to restore FY10 budget cuts
- \$70,000 used for Zoning Ordinance election
- \$30,000 be used for test wells at West Ridge Hills for 4 wells and that only West Virginia well diggers be considered.

Motion passed by a 4-1 vote. Commissioner Morgan voted no.

Mr. Schiavone informed the Commission that the budget revision will be on next week's agenda.

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

In re: KIRK DAVIS

Kirk Davis appeared before the Commission to report on the bids for the flooring in the Judge's office. Motion by Noland, second by Morgan to approve the lowest bidder for the restoration of the flooring in the Judge's office. Motion carried.

Kirk Davis informed the Commission that he was appointed to the Downtown Economic Development Committee for Charles Town/Ranson.

In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission to give the weekly legal update and report on the following:

- Distributed the To Do List
- New case Supreme Court of Appeals - Thornhill
- Don Orser Tax Appeal case filed
- Wording for the Zoning Ordinance on the ballot

- PATH and hearings

Motion by Morgan, second by Surkamp to plead in the alternative of the position as outlined by counsel regarding location of PATH hearings. Motion carried.

- Discussed rescinding or placing on hold the Subdivision Ordinance

- Employee Guidelines

Commissioner Widmyer requested that Ms. Grove make draft copies of the Employee Guidelines and circulate a copy to the Department Heads for an opportunity to review and respond.

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

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission to discuss the Subdivision Ordinance that is currently in effect and the conflicting sections of the current Zoning Ordinance and consideration of rescinding or placing on hold. Ms. Grove informed the Commission that they can only amend the current ordinance as per West Virginia Code 8A.

Jennifer Brockman, Director of Planning and Zoning was present and made comments.

In re: SHERIFF SHIRLEY - APPROVAL OF FORMER EMPLOYEE REINSTATEMENT - JOSEPH ARTHUR FOREMAN

Motion by Surkamp, second by Noland to approve the reinstatement of employment of Joseph Arthur Foreman as Deputy Sheriff. Motion carried.

Sheriff Shirley was present and discussed solicitation in the roadways as a public safety issue.

In re: EXECUTIVE SESSION - LEGAL MATTERS

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

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

The Commission recessed until 1:15 p.m.

**In re: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT
-PROBATE OFFICE - FIDUCIARY MATTERS**

Jennifer S. Maghan, County Clerk appeared before the Commission to give the weekly County Clerk's report. Ms. Maghan thanked the Commission for restoring the budget. Ms. Maghan also discussed the Special Election and that county residents that are eligible to vote will be posted on her website.

Karen Olden, Probate Clerk appeared before the Commission to present Fiduciary matters.

Motion by Widmyer, second by Manuel to authorize the President of the Commission to affix his signature to the authenticated will as presented by the Probate office for the Estate of Joan Koelle Snipes. Motion carried.

Motion by Morgan, second by Widmyer to uphold the Fiduciary Commissioner's recommendation that the claim be denied for the Estate of Elva Nellie Crawford. Motion carried.

Motion by Morgan, second by Widmyer to approve the final accountings as presented by the Probate office and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

Motion by Morgan, second by Noland to approve the referral of the 2nd interim accounting of the estate of John James Warfeld, deceased and send it back to Fiduciary Commissioner David A. DeJarnett for a hearing. Motion carried.

In re: COUNTY COMMISSION WORKSHOP WITH LIBRARIES

Liz Wheeler Trustee for the Shepherdstown Public Library appeared before the Commission to discuss funding for local libraries. Hali Taylor Director of the Shepherdstown Public Library was present and gave a presentation.

J.D. Waggoner, West Virginia State Librarian and Denise Seabolt, Library Admissions Service Director were present.

After the presentation and discussion, motion by Morgan, second by Manuel to prepare a letter to send to the 4 Library Boards to discuss and vote on creating a County Library Council and recommended structure, and to ask if they would endorse an excess levy. Motion carried. The Commission agreed to include the Board of Education School Librarians.

In re: APPROVAL OF LETTER OF SUPPORT FOR FUNDING FOR AMERICAN PUBLIC UNIVERSITY SYSTEM/JEFFERSON COUNTY SCHOOLS DEPARTMENT OF COMMERCE BROADBAND PROPOSAL - DISCUSSION/ACTION

Dr. John Hough, American Public University System appeared before the Commission to discuss the need of a letter of support for a grant application for American Public University/Jefferson County Schools for a broadband proposal.

Motion by Surkamp, second by Noland to approve the letter of support for a broadband proposal for American Public University/Jefferson County Schools and send it to

the Department of Commerce. Motion carried.

Motion by Morgan, second by Noland to send an email to the Parks and Recreation, Council on Aging and Historic Landmarks Commission asking them to contact Dr. Hough if they are interested in being included in the grant proposal for broadband. Motion carried.

For the record, Mariland Dunn Lee and Alan Sturm, members of the Board of Education were present.

The Commission took a 5 minute break at 3:15 p.m.

In re: LEGISLATIVE ISSUES

No new information was provided.

In re: ZONING AND SUBDIVISION ORDINANCE AMENDMENTS DISCUSSION

No new information was provided.

In re: REPORT OF FEDERAL STIMULUS FUNDS - DISCUSSION

Leslie D. Smith, County Administrator reported on the status of the supplemental Energy Efficiency Grant information received. Ms. Smith reported on the Broadband access funding.

In re: ORGANIZATIONAL PLANNING - DISCUSSION

This agenda item was discussed with the following agenda items
- "SCHEDULE ANNUAL PERFORMANCE EVALUATIONS FOR THOSE DEPARTMENT HEADS REVIEWED BY COUNTY COMMISSION
- "REVIEW/APPROVE JOB DESCRIPTIONS FOR COUNTY ADMINISTRATOR STAFF: ADMINISTRATIVE ASSISTANT, EXECUTIVE ASSISTANT, RECEPTIONIST/OPERATOR"

In re: DETAILED WRITTEN EXPLANATION OF CAUSES OF DEFICIENCIES IN COUNTY PROCEDURES REGARDS RECENT AUDIT REPORT AND SPECIFIC STEPS TAKEN TO CORRECT

Commissioner Surkamp discussed the causes of deficiencies in procedures regarding the recent audit report and specific steps taken to correct. Commissioner Surkamp requested an explanation and written report for the deficiencies.

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

This agenda item was discussed under "GENERAL FUND BUDGET REVISION WORKSHOP".

In re: LETTER TO PRESIDENT OBAMA INVITING HIM TO SPEAK HERE DURING OBSERVANCE OF JOHN BROWN RAID 150 YEARS AGO

The Commission approved that correspondence be sent.

In re: APPOINTMENT TO THE POTOMAC HEADWATERS RC&D

By unanimous consent, the Commission agreed to remove this item from the agenda until September.

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

This agenda item was discussed under "GENERAL FUND BUDGET REVISION WORKSHOP".

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

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

Motion by Widmyer, second by Noland to approve the amended classification plan to include the Assessor's office and to approve the Assessor's office job descriptions. Motion carried.

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

JEFFERSON COUNTY DONATIONS MANAGEMENT PLAN - DISCUSSION/ACTION

The Commission agreed to hold over any action on the agenda items for the Spontaneous Volunteer Management Plan and the Jefferson County Donations Management Plan and to request that Barbara Miller, Director of the Office of Homeland Security and Emergency Management provide a presentation.

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

Commissioner Widmyer discussed the performance evaluation forms and annual evaluations for department heads under the County Commission.

Motion by Morgan, second by Widmyer to schedule the annual performance evaluations for those department heads reviewed by the County Commission on each consecutive Thursday in August 2009 at 2:30 p.m. Motion carried.

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

The Commission agreed to hold a workshop in August to discuss this agenda item.

In re: REQUEST FROM JOE HANKINS FOR LETTER OF SUPPORT FOR \$50 MILLION GRANT PROGRAM FOR POTOMAC PRESERVATION LEGISLATION

Motion by Surkamp, second by Manual to approve the letter of support for \$50 million Grant Program for the Potomac Preservation Legislation. Motion carried.

In re: ENFORCING THE UNDERAGE DRINKING LAWS GRANT - APPROVAL OF GRANT CONTRACT AGREEMENT

Motion by Manuel, second by Noland to approve the Grant Contract Agreement for Enforcing the Underage Drinking Laws Grant and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

In re: ON THE FIRST THURSDAY OF EVERY QUARTER (THAT WOULD BE THE FIRST THURSDAY OF JANUARY, FIRST THURSDAY OF APRIL, FIRST THURSDAY OF JULY, FIRST THURSDAY OF OCTOBER) THE COUNTY COMMISSION WILL HOLD A WORK SESSION TO ADDRESS TOPICS AND ISSUES THAT SHOULD BE ADDRESSED IN THE UPCOMING QUARTER - DISCUSSION/ACTION (DM & LW)

The Commission agreed to schedule on the first Thursday of every quarter to hold a work session to address topics and issues that should be addressed in the upcoming quarter.

In re: HOME COOPERATION RESOLUTION AND AGREEMENT FOR 2010-2012 - DISCUSSION/ACTION

Motion by Widmyer, second by Morgan to approve the 2010-2012 Home Cooperation Resolution and Agreement and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

In re: REQUEST FOR APPROVAL OF SALARY INCREASE FOR MAGISTRATE COURT WORTHLESS CHECK DEPUTY CLERK - DISCUSSION/ACTION

Motion by Manuel, second by Noland to approve the request of salary increase for Magistrate Court Worthless Check Deputy Clerk. Motion carried.

In re: REQUEST FROM COUNTY SURVEYOR JOHN KUSNER TO PURCHASE OFFICE FURNITURE FOR COUNTY SURVEYOR'S OFFICE - DISCUSSION/ACTION

Motion by Morgan, second by Surkamp to direct staff to work with Mr. Kusner regarding furniture for the County Surveyor's office. Commissioners Morgan and Surkamp withdrew their motion.

By unanimous consent, the Commission agreed that staff work with Mr. Kusner and provide office furniture as outlined in the West Virginia Constitution.

In re: COUNTY ADMINISTRATOR REPORTS

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

- Health Reimbursement Account information will be on next week's agenda
- OPEB information will be on next week's agenda
- E-911 Fee Increase hearing scheduled for September
- Urban Growth Boundary forwarded to the municipalities
- Census Committee

- Reminder of a conference call with Tammy DeFazio on Tuesday, July 28th, 2009 at 9:30 a.m.

- County Seal - The Commission agreed to place this on the County website for review and comments.

- Banners for the Heritage Day Celebration - \$150

- County parking lot will be closed on August 13-14, 2009

In re: COUNTY COMMISSION MEETING CANCELLED - AUGUST 27TH, 2009

The Commission discussed fair week in August. Motion by Widmyer, second by Manuel to cancel the County Commission meeting scheduled for Thursday, August 27th, 2009. Motion carried.

In re: COUNTY COMMISSION REPORTS

Commissioner Widmyer reported on the Shepherdstown Convention and Visitors Bureau meeting she attended.

Commissioner Manuel reported on the Development Authority meeting he attended.

Commissioner Manuel reported on the Emergency Services Agency meeting he attended.

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

Commissioner Surkamp reported on the 911 meeting he attended.

Commissioner Surkamp discussed the following as agenda items:

- Halltown in business for 150 years and recognition of Halltown Paperboard Anniversary

- Convention and Visitor's Bureau

Commissioner Surkamp discussed the possibility of using Neil Neilson to help with IT support for grants and requested that this be placed on next week's agenda.

The Commission received the following information:

Appointment to be made to the Building Commission on July 30, 2009.

Correspondence received from the Prosecuting Attorney concerning Case Management Software.

Correspondence received from the Good Shepherds Interfaith Volunteer Caregivers concerning their FY2010 budget allocation.

Correspondence received from the West Virginia Development Office concerning grant programs time extensions.

Notice of hearing or trial received from Magistrate Court.

Correspondence received from the Historic Landmarks Commission concerning their FY2010 budget allocation.

Correspondence received from the Department of Environmental Protection concerning an appointment to the Solid Waste Authority.

News release received from AHA concerning an art show by Washington High School Valedictorian.

Meeting minutes received from the Jefferson County Public Service District.

Tentative agenda received for the 2009 Elections Conference on August 30 - September 1, 2009.

Correspondence received from the County Commission Association of West Virginia concerning the 2009 Educational Conference on Litter Control and Solid Waste Management.

Newsletter received from the Old Opera House for August 2009.

Correspondence received from the Local Government Leadership Academy Institute for Public Affairs concerning the Fall 2009 Conference.

June 2009 Activity Report received from Jefferson County Animal Control.

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

CORRESPONDENCE:

Correspondence received from Eric Lewis concerning the zoning vote and potential table games vote.

Postcards received from the following concerning public library funding:

MH Gillespie	Eve Hansell
Christy Hagerty	Marcia Alexander
Charlotte R. Porter	Johanna Grodzicki
Melanie Condon	Wendy Young

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

PRESIDENT