

**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, September 3, 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 Morgan conducted the Pledge of Allegiance.

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

Motion by Noland, second by Morgan to dispense with the reading of the Minutes for the meeting held on Thursday, August 20, 2009, and to approve the Minutes as amended. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Morgan, second by Manuel to approve the following Purchase Orders for the Week of August 31, 2009, totaling \$24,697.52: 47325, 47543, 47085, 46785, 47453, 47605, 47631, 47541, 46620, 46621, 47095, 46766, 47174, 47175, 47270, 47509, 47509, 47538, 47513, 47269, 47542, 47357, 47413, 47520, 47539 and 47540. Motion passed by a 4-1 vote. Commissioner Noland voted no.

**In re: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Morgan, second by Widmyer to approve the list of Accounts Payable totaling \$154,660.82 dated September 3, 2009 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

<b>CK#</b>	<b>Dept</b>	<b>Vendor</b>	<b>PO#</b>	<b>PO Amt</b>	<b>Amt wo PO</b>	<b>Ck Amount</b>
059538	413	ALLEGHENY POWER		\$0.00	\$94.83	\$94.83
059538	424	ALLEGHENY POWER		\$0.00	\$1,214.21	\$1,214.21
059538	425	ALLEGHENY POWER		\$0.00	\$9,375.81	\$9,375.81
059539	712	AT&T/KY		\$0.00	\$106.40	\$106.40
059540	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
059540	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
059541	440	REBECCA F. BURNS		\$0.00	\$20.90	\$20.90
059542	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00

059543	425	B-K OFFICE SUPPLY INC	47535	\$970.75	\$0.00	\$970.75
059544	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$49.85	\$49.85
059545	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
059546	403	CASTO & HARRIS INC	46968	\$2,463.80	\$0.00	\$2,463.80
059546	413	CASTO & HARRIS INC	47441	\$267.00	\$0.00	\$267.00
059547	401	CO COMMISSIONERS ASSOC		\$0.00	\$1,050.00	\$1,050.00
059547	401	CO COMMISSIONERS ASSOC		\$0.00	\$3,900.00	\$3,900.00
059548	406	*CREAMERS AUTO SERVICE	47536	\$55.90	\$0.00	\$55.90
059548	424	*CREAMERS AUTO SERVICE	47536	\$133.57	\$0.00	\$133.57
059548	424	*CREAMERS AUTO SERVICE	47536	\$12.00	\$0.00	\$12.00
059548	712	*CREAMERS AUTO SERVICE	47536	\$12.00	\$0.00	\$12.00
059549	405	MARCIA L. CHANDLER, RPR	47412	\$69.00	\$0.00	\$69.00
059550	425	OLD CHARLES TOWN LIBRARY		\$0.00	\$1,500.00	\$1,500.00
059551	440	DAVID M. CARTER		\$0.00	\$40.12	\$40.12
059552	402	CHARLES TOWN COPYING SRV	47319	\$70.00	\$0.00	\$70.00
059552	425	CHARLES TOWN COPYING SRV	47533	\$128.00	\$0.00	\$128.00
059553	227	CHILD SUPPORT ENFORCE AG		\$0.00	\$27.69	\$27.69
059554	425	CONTROL SYSTEMS	47284	\$2,450.00	\$0.00	\$2,450.00
059555	716	DELL MARKETING LP	47068	\$940.94	\$0.00	\$940.94
059556	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$74.50	\$74.50
059557	ALLOC	EASTERN PANHANDLE		\$0.00	\$5,000.00	\$5,000.00
059558	700	EMERGENCY EQUIP,LIGHTING	47021	\$130.00	\$0.00	\$130.00
059559	424	FRONTIER COMMUNICATIONS		\$0.00	\$1,058.13	\$1,058.13
059560	412	FRONTIER		\$0.00	\$35.00	\$35.00
059561	402	FRANK PARSONS INC.	47452	\$294.64	\$0.00	\$294.64
059562	716	GALLS,AN ARAMARK CO	47323	\$85.06	\$0.00	\$85.06
059562	716	GALLS,AN ARAMARK CO	47323	\$170.14	\$0.00	\$170.14
059563	PAYROLL	GUARDIAN		\$0.00	\$6,628.72	\$6,628.72
059563	PAYROLL	GUARDIAN		\$0.00	\$1,579.70	\$1,579.70
059563	PAYROLL	GUARDIAN		\$0.00	\$0.07	\$0.07
059564	406	GUTTMAN OIL CO		\$0.00	\$739.53	\$739.53
059564	424	GUTTMAN OIL CO		\$0.00	\$1,599.10	\$1,599.10
059564	440	GUTTMAN OIL CO		\$0.00	\$396.30	\$396.30
059564	700	GUTTMAN OIL CO		\$0.00	\$9,171.84	\$9,171.84
059564	712	GUTTMAN OIL CO		\$0.00	\$173.46	\$173.46
059564	711	GUTTMAN OIL CO		\$0.00	\$127.33	\$127.33
059564	716	GUTTMAN OIL CO		\$0.00	\$795.51	\$795.51
059565	412	JEREMY HORVAT		\$0.00	\$250.80	\$250.80
059566	433	KON OFFICE SOLUTIONS	46764	\$160.24	\$0.00	\$160.24
059566	401	KON OFFICE SOLUTIONS		\$0.00	\$299.48	\$299.48
059567	PAYROLL	ING NATIONAL TRUST		\$0.00	\$660.00	\$660.00
059568	406	JEFFERSON PUBLISH CO INC	47450	\$200.00	\$0.00	\$200.00

059568	422	JEFFERSON PUBLISH CO INC	47454	\$48.00	\$0.00	\$48.00
059568	401	JEFFERSON PUBLISH CO INC		\$0.00	\$98.08	\$98.08
059569	425	JEFFERSON COUNTY SOLID	47534	\$177.78	\$0.00	\$177.78
059570	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,574.00	\$4,574.00
059571	440	NORMA KUROSKI		\$0.00	\$28.80	\$28.80
059572	PAYROLL	COMPROLLER OF MARYLAND		\$0.00	\$394.90	\$394.90
059573	PAYROLL	MD Child Support Account		\$0.00	\$140.00	\$140.00
059574	406	VICTORIA MYERS		\$0.00	\$78.37	\$78.37
059575	PAYROLL	MD CHILD SUPPORT ACCOUNT		\$0.00	\$18.46	\$18.46
059576	401	PATRICIA A NOLAND		\$0.00	\$687.72	\$687.72
059577	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$735.21	\$735.21
059578	712	**NAT'L ACDMY O/EMERGENC	47162	\$50.00	\$0.00	\$50.00
059579	PAYROLL	NATIONWIDE MUTUAL INS CO		\$0.00	\$194.68	\$194.68
059580	402	PIFER OFFICE SUPPLY, INC	47320	\$69.85	\$0.00	\$69.85
059580	403	PIFER OFFICE SUPPLY, INC	47476	\$17.44	\$0.00	\$17.44
059581	405	POSTMASTER CHARLES TOWN	47411	\$70.00	\$0.00	\$70.00
059582	402	ALICE N. PAINTER		\$0.00	\$27.93	\$27.93
059583	403	LAURA RATTENNI		\$0.00	\$314.60	\$314.60
059583	403	LAURA RATTENNI		\$0.00	\$175.00	\$175.00
059584	413	RAI GROUP 43, LLC		\$0.00	\$1,699.00	\$1,699.00
059585	425	RCS SECURITY	47537	\$7,577.50	\$0.00	\$7,577.50
059586	402	RECORD MANAGEMENT SOL	47314	\$35.00	\$0.00	\$35.00
059587	700	RAY ALLEN MFG,LLC.	47023	\$590.00	\$0.00	\$590.00
059588	404	SHERIFF OF JEFFERSON CO	46671	\$93.75	\$0.00	\$93.75
059589	424	SMITH-NADENBOUSCH INS		\$0.00	\$190.00	\$190.00
059590	428	SOFTWARE SYSTEMS, INC	47630	\$488.00	\$0.00	\$488.00
059591	700	SUPERIOR AUTO BODY	47026	\$860.80	\$0.00	\$860.80
059592	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$9.86	\$9.86
059592	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,184.36	\$8,184.36
059592	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$34,995.08	\$34,995.08
059592	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$42.16	\$42.16
059593	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$26,901.54	\$26,901.54
059594	712	DONITA SCOTT		\$0.00	\$26.57	\$26.57
059595	424	*SHANNON BUSINESS SYSTEM	47293	\$84.00	\$0.00	\$84.00
059596	425	SOUTHERN REFRIGERATION	47521	\$231.70	\$0.00	\$231.70
059597	975	SUMMIT COMMUNITY BANK		\$0.00	\$2,441.41	\$2,441.41
059598	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
059599	PAYROLL	TIME INSURANCE CO		\$0.00	\$166.36	\$166.36
059600	PAYROLL	US DEPT OF EDUCATION		\$0.00	\$38.52	\$38.52
059601	716	VALLEY PET CEMETERY		\$0.00	\$297.00	\$297.00
059602	712	VERIZON		\$0.00	\$3,883.51	\$3,883.51
059603	425	WM OF WEST VIRGINIA, INC		\$0.00	\$1,112.41	\$1,112.41

059603	716	WM OF WEST VIRGINIA, INC		\$0.00	\$92.37	\$92.37
059604	402	XEROX CORPORATION	46689	\$304.03	\$0.00	\$304.03
059604	402	XEROX CORPORATION	46689	\$49.05	\$0.00	\$49.05
059604	402	XEROX CORPORATION	46690	\$646.55	\$0.00	\$646.55
<b>TOTALS</b>				<b>\$20,006.49</b>	<b>\$134,654.33</b>	<b>\$154,660.82</b>

**In re: PUBLIC COMMENT**

Peter Fricke appeared before the Commission to discuss emergency funding for the Farmland Protection Board.

Motion by Morgan, second by Surkamp to convert this Public Comment into an agenda item. Motion carried.

**In re: PETER FRICKE - FARMLAND PROTECTION BOARD - EMERGENCY FUNDING**

Peter Fricke, Farmland Protection Board member requested funding for matching funds for a USDA Grant in the amount of \$335,000.

Motion by Surkamp, second by Morgan to approve the funding for the Farmland Protection Board with a written document reflecting temporary, emergency one time reimbursable funding and to have legal counsel to review. Motion carried.

**In re: EXONERATIONS**

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 #
John Sherwood	Charles Town	Personal Property	\$40.74	304186

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

Name	District	Type	Amount	Ticket #
Joan Smith	Charles Town	Real Estate	\$300.16	6262

**In re: NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES**

Upon recommendation from the Assessor, motion by Widmyer, second by Morgan to approve the Notice of Apportionment of Jointly Owned Motor Vehicles filed by a certified copy of a final divorce order entered under provisions Section 15, Article 2, Chapter 48 of the West Virginia Code for the following:

Name	Vehicle	Assessed Value	Taxes Due
Kelly Anne Miller	1996 Ford Taurus	\$800.00	\$17.15
Kelly Anne Miller	1988 Ford Ranger	\$300.00	\$6.43
Stanley Miller	1999 Cargo Trailer	\$600.00	\$12.86
Stanley Miller	1998 Ford F-150	\$3,600.00	\$77.18

**In re: BONDING AND ACTIVITY REPORT**

Jennifer Brockman, Director of Planning and Zoning appeared before the Commission for the weekly activity report.

Ms. Brockman reported that next week there will be interviews for the Planner and Zoning Administrator.

Ms. Brockman reported that interviews for the clerk position will be this week and that she will be placing approval of employment for the clerk position on next week's agenda.

Ms. Brockman reported on the requested changes made to the planning website.

**In re: PUBLIC COMMENT**

Paulette Sprinkle, Jefferson County Convention and Visitor's Bureau appeared before the Commission to comment on the Civil War Trail signs.

Mary Jo Brown, Representative for Governor Joe Manchin appeared before the Commission to invite the Commissioners to the Street Scape Ribbon Cutting in Shepherdstown, West Virginia on Tuesday, September 8, 2009 at 1:00 p.m.

**In re: RALPH LORENZETTI - PROSECUTING ATTORNEY - REQUEST FOR PAY EQUITY AND NEW CRIMINAL ATTORNEY**

Ralph Lorenzetti, Prosecuting Attorney appeared before the Commission to discuss pay equity and requested that the pay equity be approved as soon as possible.

Mr. Lorenzetti also informed the Commission that in the future he will be requesting funding to hire a new criminal attorney.

Commissioner Manuel requested that the pay equity be placed on next week's agenda with a 45 minute appointment for discussion and action.

**In re: GARY DUNGAN - JEFFERSON COUNTY REPUBLICAN EXECUTIVE COMMITTEE - SUGGESTED POLLWORKER SELECTION POLICY**

Gary Dungan, Jefferson County Republican Executive Committee appeared before the Commission to discuss a pollworker selection policy. Mr. Dungan distributed draft policies for review and comment.

Reva Mickey, Jefferson County Democratic Executive Committee, Jennifer Maghan, County Clerk and Nikki Painter, Deputy County Clerk were present and made comments.

Motion by Widmyer, second by Surkamp to refer the proposed policies to legal counsel for review and to report back to the Commission next week with recommendations and what action to take. Motion carried.

**In re: SENATOR HERB SNYDER - PRESENTATION OF GRANTS TO JEFFERSON COUNTY**

Senator Snyder appeared before the Commission to present grant awards to the African American Society for Fisherman's Hall in the amount of \$30,000 and for Black History Preservation for Webb/Blessing House in the amount of \$10,000. Harold Stewart was present and accepted the Grant Awards. For the record, Delegate Tiffany Lawrence and Mary Jo Brown, Representative for Governor Joe Manchin were present.

**In re: RON MARCUS - CONVENTION AND VISITOR'S BUREAU**

Ron Marcus, President Jefferson County Convention and Visitor's Bureau appeared before the Commission requesting \$30,000 to make the necessary purchase of the permanent facility for the Convention and Visitor's Bureau. The purchase price of the facility is \$90,000.

The Commission discussed the request and suggested that the decision be made next week.

Motion by Surkamp, second by Noland to approve the request of \$30,000 to complete the contract for the purchase of the structure for the Convention and Visitor's Bureau. Motion carried.

Peter Chakmakian, Attorney was present and explained that the request for \$30,000 was an emergency due to the contract and closing set for September 15, 2009.

The Commission took a 10 minute break at 11:20 a.m.

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

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

Ms. Maghan gave the Commission an update on the upcoming Special Election on November 7, 2009. Ms. Maghan informed the Commission that her website will have information regarding registered voters eligible to vote on November 7, 2009 and updated maps. The information is also available and open for public review in the County Clerk's office.

**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 discussed the following:

- Distributed the to do list
- Wording for the ballot of the Zoning Ordinance Special Election
- Policy for pollworkers was given to Ms. Grove for review and recommendations
- HRA contract reviewed and will be available for signature today
- Reported on the CLE she attended regarding Employment Law and Personnel Policies
- FOIA case was dismissed
- Currently reviewing Homeland Security Grants

Ms. Grove discussed with the Commission comments made regarding outside counsel and her ability to handle employment law and personnel law.

Motion by Morgan, second by Surkamp to move to agenda item #26 "APPROVAL OF CONTRACT FOR LEGAL SERVICES RELATING TO PERSONNEL LAW AND PROCEDURES." Motion passed by a 4-1 vote. Commissioner Manuel voted no.

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

James Casimiro, Assistant Prosecuting Attorney appeared before the Commission to give a legal update on the JUI water rate case.

Motion by Morgan, second by Surkamp to enter into Executive Session to discuss pending litigation regarding PATH. Motion carried.

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

**In re: APPROVAL OF CONTRACT FOR LEGAL SERVICES RELATING TO PERSONNEL LAW AND PROCEDURES (LW)**

Motion by Morgan, second by Surkamp to approve the contract for legal services relating to personnel law with David Hammer, Esquire.

Stephanie Grove, Assistant Prosecuting Attorney was present and made comments.

Motion by Morgan, second by Surkamp to Call for the Question. Motion passed by a 3-2 vote. Commissioners Manuel and Noland voted no.

Original motion by Morgan, second by Surkamp to approve the contract for legal services relating to personnel law with David Hammer, Esquire and to authorize the President of the Commission to affix his signature to the contract. Motion passed by a 3-2 vote. Commissioners Manuel and Noland voted no.

**In re: LEGISLATIVE ISSUES**

No new information was provided.

**In re: REPORT ON FEDERAL STIMULUS FUNDS - DISCUSSION**

Leslie D. Smith, County Administrator provided a status report on the broadband grants available.

Commissioner Widmyer requested a memo and wrap-up report with the grant information, amounts and pertinent information.

**In re: CBIZ CONTRACT FOR ACTUARIAL FIRM FOR OPEB VALUATION -  
DISCUSSION/ACTION**

Motion by Manuel, second by Noland to approve the CBIZ Contract for Actuarial Firm for OPEB valuation and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

**In re: BARBARA MILLER - DIRECTOR OF HOMELAND SECURITY AND EMERGENCY  
MANAGEMENT - EXECUTION OF GRANT CONTRACTS FOR THE REGION 3  
HOMELAND SECURITY COORDINATOR**

Motion by Widmyer, second by Manuel to approve the Grant Contracts for the Region 3 Homeland Security Coordinator and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

**In re: APPROVAL OF ADMINISTRATIVE SERVICES AGREEMENT WITH EMPLOYEE BENEFIT  
DATA SERVICES FOR HEALTH REIMBURSEMENT ACCOUNT - DISCUSSION/ACTION**

Motion by Morgan, second by Manuel to approve the Administrative Services Agreement with Employee Benefit Data Services for Health Reimbursement Account pending legal review. Motion carried.

**In re: APPOINTMENT TO THE E911 BOARD**

Motion by Noland, second by Surkamp to send a letter to Mr. George Stebbins, Jr. to ask if he would remain on the E911 Board until a replacement is found and to thank him for his services to Jefferson County. Motion carried.

**In re: APPROVAL OF APPOINTMENT TO THE DEPUTY SHERIFF'S RESERVE - JASON  
SHERRILL MONGAN**

Motion by Morgan, second by Widmyer to approve the appointment to the Deputy Sheriff's Reserve - Jason Sherrill Mongan. Motion carried.

**In re: REQUEST TO USE COUNTY MEETING ROOM FROM PATRICIA RUCKER OF WE THE PEOPLE**

Motion by Manuel, second by Noland to approve the request received from Patricia Rucker of We the People to use the County Meeting Room on September 19, 2009 from 9am til noon. Motion carried.

**In re: GUARDIAN INSURANCE CANCELLATION AGREEMENT - DISCUSSION/ACTION**

Motion by Morgan, second by Manuel to approve the Cancellation Agreement for Guardian Insurance and to authorize the President of the Commission to affix his signature to appropriate documents. Motion carried.

**In re: FORMATION OF COMPLETE CENSUS COMMITTEE - DISCUSSION/ACTION**

Motion by Morgan, second by Manuel to form a Complete Census Committee and to appoint the applicants that applied and to send a letter including a packet with information and to request quarterly updates. Motion carried.

**In re: JEFFERSON COUNTY BRANCH OF THE NAACP - ANNUAL FREEDOM FUND BANQUET - REQUEST FOR COMMISSION TO PLACE AD IN SOUVENIR JOURNAL - DISCUSSION/ACTION**

The Commission agreed to handle this request individually.

**In re: GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM - APPROVAL OF RESOLUTION, AGREEMENT AND CONTRACT - ELMWOOD CEMETERY ASSOCIATION, INC. - DISCUSSION/ACTION**

Motion by Morgan, second by Noland to approve the Resolution, Agreement and Contract for the Governor's Community Participation Grant for Elmwood Cemetery and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

### ***RESOLUTION***

**WHEREAS**, The Jefferson County Commission has agreed to assist in the project to restore and repaint the iron fences and other repairs as funds permit for Elmwood Cemetery Association, Inc. with funds partially through and made available through the Governor's Community Participation Grant Program and the West Virginia Development Office. The amount of the Community Participation Grant is \$1,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission does hereby accept the conditions of the contract between the West Virginia Development Office and the Jefferson County Commission and does hereby authorize the signatures of the President of the Commission.

/s/  
\_\_\_\_\_  
DALE MANUEL  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

DATED: 9/3/2009

In re: **GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM - APPROVAL OF RESOLUTION, AGREEMENT AND CONTRACT - LOCKE HOUSE - DISCUSSION/ACTION**  
Motion by Morgan, second by Noland to approve the Resolution, Agreement and Contract for the Governor's Community Participation Grant for Locke House and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

***RESOLUTION***

**WHEREAS**, The Jefferson County Commission has agreed to enable the Star Lodge/Prince Hall to make interior repairs and stabilization of the Locke House with funds partially through and made available through the Governor's Community Participation Grant Program and the West Virginia Development Office. The amount of the grant is \$2,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission does hereby accept the conditions of the contract between the West Virginia Development Office and the Jefferson County Commission and does hereby authorize the signatures of the President of the Commission.

/s/  
\_\_\_\_\_  
DALE MANUEL  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

DATED: 9/3/2009

In re: GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM - APPROVAL OF RESOLUTION, AGREEMENT AND CONTRACT - FISHERMAN'S HALL - DISCUSSION/ACTION

Motion by Noland, second by Morgan to approve the Resolution, Agreement and Contract for the Governor's Community Participation Grant for Fisherman's Hall and to authorize the President of the Commission to affix his signature to the appropriate documents. Motion carried.

***RESOLUTION***

**WHEREAS**, The Jefferson County Commission has agreed to assist the African-American Community Association of Jefferson County to continue the restoration of Fisherman's Hall. The project will include heating and cooling systems, electrical upgrades, drywall, and plumbing. The amount of the Community Participation Grant Award is \$2,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Jefferson County Commission does hereby accept the conditions of the contract between the West Virginia Development Office and the Jefferson County Commission and does hereby authorize the signatures of the President of the Commission.

/s/ \_\_\_\_\_  
DALE MANUEL  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

DATED: 9/3/2009

In re: COUNTY ADMINISTRATOR REPORTS

Leslie D. Smith, County Administrator reported on the allocation for the fire companies and that this would be on next week's agenda for discussion and action.

Ms. Smith reported on the WAC grants and the up-front costs

Ms. Smith distributed the weekly revenue and expenditure report.

Ms. Smith informed the Commission that they are invited to the Independent Fire Company on Friday, September 11, 2009 at 10:50 in remembrance of 9/11.

Ms. Smith distributed a draft agenda request form.

Ms. Smith informed the Commission of directional signs for Animal Control and the waiver of fees for installation on County property.

Ms. Smith informed the Commission of a request for ability to download County Commission meetings at home. The Commission agreed to continue with the current policy.

**Ms. Smith presented a purchase order that was not included on the list.**

**Motion by Noland, second by Morgan to approve the purchase order for the fee for Jennifer Brockman's Leadership Jefferson Academy. Motion carried.**

**In re: COUNTY COMMISSION REPORTS**

**Commissioner Morgan reported on the Courthouse Committee meeting she attended.**

**Commissioner Morgan reported on the Historic Landmarks Commission meeting she attended.**

**Commissioner Surkamp reported on the dinner he attended at the Country Inn.**

**Commissioner Surkamp reported on the harassment training class he attended.**

**Commissioner Manuel reported on the harassment training class he attended.**

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

**Commissioner Manuel reported on the Planning and Zoning Open House he attended.**

**Commissioner Widmyer reported on the Flowing Springs Park participation she attended. Commissioner Widmyer discussed citizen concerns of the dog park at Sam Michael's Park.**

**Commissioner Widmyer reported on the harassment training class she attended.**

**Commissioner Widmyer reported on the meeting she had with Sue Lawton, Public Service District.**

**Commissioner Widmyer reported on the outdoor concert she attended at the Summit Point Library.**

**Commissioner Noland reported on the harassment training she attended.**

**Commissioner Noland reported on the Water Advisory Committee upcoming meeting.**

**Commissioner Surkamp discussed the upcoming Council of Governments meeting on September 30, 2009.**

**In re: COUNTY COMMISSION WORKSHOP - NO TOPICS SCHEDULED**

**No topics were scheduled for the County Commission workshop.**

**In re: TOUR OF SUMMIT POINT RACEWAY**

**The Commission adjourned to tour the Summit Point Raceway.**

**Reminder - County offices closed on Monday, September 7, 2009 for Labor Day.**

**Reminder of Zoning Referendum on November 7, 2009.**

**Reminder of the GIS Users Group meeting on Friday, September 18, 2009 at NCTC.**

**Memorandum received from Mark Schiavone concerning VLT funding for the Shepherdstown Men's Club.**

**Correspondence received from Assistant Prosecuting Attorney James Casimiro concerning invoices for accounting services.**

**Correspondence received from the White House Office of Appointments and Scheduling concerning the invitation sent to President Obama.**

**Correspondence received from Thomas Bayuzik, Jr., Executive Director of the Development Authority, concerning the FY 2010 budget.**

**Order of Dismissal received for Civil Action #09-C-169, The Shepherdstown Observer, Inc. vs Jennifer Maghan.**

**Letter of resignation received from Fred Blackmer as a member of the Eastern Panhandle Transit Authority Board.**

**Correspondence received from Angela L. Banks concerning the County Administrator.**

**Correspondence received from Laura E. Rattenni concerning the County Administrator.**

**Correspondence received from Paula J. Frickey recognizing employees of the Engineering Department for assistance.**

**Correspondence received from James B. Crawford, III concerning the proposed fee increases for emergency 911 wire line fee.**

**Correspondence received from the Courthouse Facilities Improvement Authority concerning 7<sup>th</sup> cycle funding and application schedule.**

**Correspondence received from First Books For Babies concerning their budget allocation.**

**Notice received of public presentations hosted by the Shepherdstown Men's Club and the Jefferson County Historical Society on aspects of Jefferson County history.**

Invitation received to attend the Eastern Panhandle Free Clinic's open house at their new clinic on September 9, 2009.

Information received from Allegheny Energy concerning a base rate increase.

Correspondence received from the Regional Contracting Assistance Center, Inc. concerning donated office space.

Correspondence received from the United Way concerning the annual campaign.

Information received concerning the Local Government Leadership Academy.

Information received from the Association of Counties concerning the Employee Suggestion Award Board.

Copy of a newspaper article received from the Association of Counties concerning touch-screen voting devices.

Information received from the County Commissioners' Association concerning the FACES of Coal Campaign.

West Virginia Ethics Reporter received.

E-911 fees received.

Cable franchise fees received.

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

#### **CORRESPONDENCE:**

Correspondence received from Pete Smith concerning PATH.

Correspondence received from Edward Ryan Kennedy concerning use of the Courthouse.

Correspondence received from Gil Narro Garcia concerning a County Commission agenda item.

Correspondence received from Gil Narro Garcia concerning a Planning Commission agenda item.

Postcards received from Richard Horowicz, Elizabeth Healey, and Xavier Vila concerning library funding.

The Commission received the following information:

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

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PRESIDENT