

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 Old Charles Town Library meeting room thereof on Thursday, November 19, 2009 beginning at 9:30 o'clock a.m.

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

In re: PLEDGE OF ALLEGIANCE

Commissioner Surkamp conducted the Pledge of Allegiance

In re: APPROVAL OF MINUTES

In order to review them further the Commission agreed to defer the approval of the November 5, 2009 meeting minutes until the week of December 3, 2009.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Morgan, second by Manuel to approve the following Purchase Orders for the week of October 29, 2009 totaling \$144,445.43: 47584, 47841, 47614, 47615, 46790, 47488, 47491, 47492, 47465, 47669, 47668, 47755, 47678, 47585, 47832, 47100, 47101, 46943, 47197, 47583, 47833, 47838, 47840, 47361, 47362, 47428, 47429, 47430, 47431, 47432, 47433, 47434, 47435, 47436, 47048, 47049, 47052, 47053, 47055, 47057, 47836, 47837, 47842, 47638, 47639 and 47359. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE

Motion by Noland, second by Morgan to approve the list of accounts payable for November 19, 2009 as presented by the County Clerk. Motion carried.

| CK# | DEPT | VENDOR | PO# | PO Amt | Amt wo PO | CK Amt |
|--------|------|--------------------------|-------|----------|-----------|----------|
| 060121 | 413 | ALLEGHENY POWER | | \$0.00 | \$121.70 | \$121.70 |
| 060122 | 425 | COMCAST | | \$0.00 | \$175.59 | \$175.59 |
| 060123 | 424 | AT&T/NJ | | \$0.00 | \$1.74 | \$1.74 |
| 060124 | 711 | ASSC ST.FLOODPLAIN MNGR | | \$0.00 | \$100.00 | \$100.00 |
| 060125 | 700 | AUTOZONE | | \$0.00 | \$22.94 | \$22.94 |
| 060125 | 716 | AUTOZONE | | \$0.00 | \$59.99 | \$59.99 |
| 060126 | 424 | USA MOBILITY WIRELESS,IN | | \$0.00 | \$89.10 | \$89.10 |
| 060126 | 700 | USA MOBILITY WIRELESS,IN | | \$0.00 | \$188.25 | \$188.25 |
| 060126 | 712 | USA MOBILITY WIRELESS,IN | | \$0.00 | \$400.85 | \$400.85 |
| 060127 | 425 | ABH SERVICES, INC. | | \$0.00 | \$90.00 | \$90.00 |
| 060128 | 401 | ARNOLD, & BAILEY, PLLC | | \$0.00 | \$617.06 | \$617.06 |
| 060129 | 425 | B-K OFFICE SUPPLY INC | 47826 | \$732.00 | \$0.00 | \$732.00 |
| 060129 | 712 | B-K OFFICE SUPPLY INC | 47144 | \$32.99 | \$0.00 | \$32.99 |
| 060130 | 424 | BOLAND SERVICES | 47288 | \$270.00 | \$0.00 | \$270.00 |

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|--------|-------------|--------------------------|-------|------------|-------------|-------------|
| 060130 | 425 | BOLAND SERVICES | 47288 | \$871.00 | \$0.00 | \$871.00 |
| 060131 | 413 | CASTO & HARRIS INC | 47671 | \$326.72 | \$0.00 | \$326.72 |
| 060132 | 424 | CT WATER DEPT | | \$0.00 | \$118.85 | \$118.85 |
| 060132 | 425 | CT WATER DEPT | | \$0.00 | \$846.56 | \$846.56 |
| 060133 | 712 | VERIZON CABS | | \$0.00 | \$380.00 | \$380.00 |
| 060134 | 425 | LARRY K COLLIER | | \$0.00 | \$11.87 | \$11.87 |
| 060135 | 712 | CDW-GOVERNMENT INC | 47154 | \$2,732.76 | \$0.00 | \$2,732.76 |
| 060136 | 406 | CREAMERS WRECKER SVC | 47834 | \$45.00 | \$0.00 | \$45.00 |
| 060137 | 412 | CAMPBELL BUSINESS | 46940 | \$80.00 | \$0.00 | \$80.00 |
| 060138 | 700 | C.A.R.S | 47830 | \$161.12 | \$0.00 | \$161.12 |
| 060139 | 425 | CRAIGO 1ST CHOICE HEAT | 47593 | \$8,376.00 | \$0.00 | \$8,376.00 |
| 060140 | 712 | DELL MARKETING LP | 46626 | \$3,456.95 | \$0.00 | \$3,456.95 |
| 060141 | 424 | NANCY DOPSON | | \$0.00 | \$17.60 | \$17.60 |
| 060142 | 401 | DELTA DEVELOPMENT | | \$0.00 | \$937.50 | \$937.50 |
| 060143 | 424 | J.C.EHRLICH | | \$0.00 | \$31.00 | \$31.00 |
| 060143 | 425 | J.C.EHRLICH | | \$0.00 | \$397.00 | \$397.00 |
| 060144 | 425 | FARM PLAN/SOUTH STATE | 47546 | \$26.99 | \$0.00 | \$26.99 |
| 060145 | 412 | FRONTIER | | \$0.00 | \$421.46 | \$421.46 |
| 060145 | 415 | FRONTIER | | \$0.00 | \$339.23 | \$339.23 |
| 060145 | 424 | FRONTIER | | \$0.00 | \$16,358.42 | \$16,358.42 |
| 060145 | 712 | FRONTIER | | \$0.00 | \$1,167.82 | \$1,167.82 |
| 060146 | 415 | GENERAL COUNTY FUND | | \$0.00 | \$22,729.00 | \$22,729.00 |
| 060147 | 440 | ROGER GOODWIN | | \$0.00 | \$28.09 | \$28.09 |
| 060148 | 425 | MYRON GREGORY | | \$0.00 | \$27.81 | \$27.81 |
| 060149 | 406 | GUTTMAN OIL CO | | \$0.00 | \$95.39 | \$95.39 |
| 060149 | 424 | GUTTMAN OIL CO | | \$0.00 | \$689.69 | \$689.69 |
| 060149 | 440 | GUTTMAN OIL CO | | \$0.00 | \$286.22 | \$286.22 |
| 060149 | 700 | GUTTMAN OIL CO | | \$0.00 | \$5,904.11 | \$5,904.11 |
| 060149 | 711 | GUTTMAN OIL CO | | \$0.00 | \$92.79 | \$92.79 |
| 060149 | 712 | GUTTMAN OIL CO | | \$0.00 | \$120.59 | \$120.59 |
| 060149 | 716 | GUTTMAN OIL CO | | \$0.00 | \$403.76 | \$403.76 |
| 060150 | 716 | HILLSIDE VETERINARY | 47549 | \$186.07 | \$0.00 | \$186.07 |
| 060151 | PAYROL L | HM BNFTS ADMIN COBRA | | \$0.00 | \$822.28 | \$822.28 |
| 060152 | 428 | INFOPRINT | | \$0.00 | \$283.80 | \$283.80 |
| 060153 | 439 | IKON OFFICE SOLUTIONS | 47356 | \$643.81 | \$0.00 | \$643.81 |
| 060154 | 413 | JEFF CO PUBLIC SER DEPT | | \$0.00 | \$27.40 | \$27.40 |
| 060154 | 425 | JEFF CO PUBLIC SER DEPT | | \$0.00 | \$55.24 | \$55.24 |
| 060155 | 700 | JEFF CO DEVE AUTH | 47054 | \$95.00 | \$0.00 | \$95.00 |
| 060156 | 401 | JEFFERSON PUBLISH CO INC | | \$0.00 | \$125.04 | \$125.04 |
| 060157 | 401 | THE JOURNAL | | \$0.00 | \$284.80 | \$284.80 |

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|--------|-------------|--------------------------|-------|----------|-------------|-------------|
| 060158 | 413 | JEFFERSON UTILITIES INC | | \$0.00 | \$20.12 | \$20.12 |
| 060158 | 425 | JEFFERSON UTILITIES INC | | \$0.00 | \$261.61 | \$261.61 |
| 060159 | 712 | DR ROBERT JONES | | \$0.00 | \$1,000.00 | \$1,000.00 |
| 060160 | 440 | NORMA KUROSKI | | \$0.00 | \$23.10 | \$23.10 |
| 060161 | 700 | K9 GUARDIAN, INC | 47050 | \$81.00 | \$0.00 | \$81.00 |
| 060162 | 401 | LEWIS CO CIRCUIT CLERK | | \$0.00 | \$169.02 | \$169.02 |
| 060163 | 712 | LANGUAGE LINE SERVICES | | \$0.00 | \$92.94 | \$92.94 |
| 060164 | 403 | MATTHEW BENDER & CO | 47490 | \$83.71 | \$0.00 | \$83.71 |
| 060164 | 401 | MATTHEW BENDER & CO | | \$0.00 | \$83.71 | \$83.71 |
| 060165 | 412 | JUDITH A MATLICK | | \$0.00 | \$715.10 | \$715.10 |
| 060166 | 424 | HOME DEPOT CREDIT SERV | | \$0.00 | \$32.11 | \$32.11 |
| 060166 | 424 | HOME DEPOT CREDIT SERV | | \$0.00 | \$214.08 | \$214.08 |
| 060166 | 425 | HOME DEPOT CREDIT SERV | | \$0.00 | \$84.56 | \$84.56 |
| 060166 | 425 | HOME DEPOT CREDIT SERV | | \$0.00 | \$15.93 | \$15.93 |
| 060166 | 425 | HOME DEPOT CREDIT SERV | | \$0.00 | \$178.11 | \$178.11 |
| 060167 | 711 | BARBARA J. MILLER | | \$0.00 | \$120.33 | \$120.33 |
| 060168 | 700 | MCKINNEY'S AUTO REPAIR | 47829 | \$60.85 | \$0.00 | \$60.85 |
| 060169 | 424 | VERIZON BUSINESS | | \$0.00 | \$1,121.44 | \$1,121.44 |
| 060170 | 424 | RYAN MILBORNE | | \$0.00 | \$80.10 | \$80.10 |
| 060171 | 711 | TERRI MEHLING | 47196 | \$50.00 | \$0.00 | \$50.00 |
| 060172 | 405 | MAXIM REPORTING LLC | 47426 | \$462.00 | \$0.00 | \$462.00 |
| 060173 | 712 | NATL EMERGENCY NMBR | 47132 | \$120.00 | \$0.00 | \$120.00 |
| 060174 | 424 | NOLAND CO. | 47827 | \$726.00 | \$0.00 | \$726.00 |
| 060175 | GRANT | JEFF CO PARKS & | | \$0.00 | \$1,270.00 | \$1,270.00 |
| 060176 | ALLOC | JEFF CO PARKS & | | \$0.00 | \$15,024.47 | \$15,024.47 |
| 060177 | 402 | PIFER OFFICE SUPPLY, INC | 47740 | \$219.50 | \$0.00 | \$219.50 |
| 060177 | 402 | PIFER OFFICE SUPPLY, INC | 47741 | \$75.69 | \$0.00 | \$75.69 |
| 060178 | PAYROL L | DEBRA L PITTINGER | | \$0.00 | \$37.59 | \$37.59 |
| 060179 | 413 | ALICE N. PAINTER | | \$0.00 | \$108.90 | \$108.90 |
| 060180 | 425 | LANDMARK ELEVATOR | 47286 | \$240.00 | \$0.00 | \$240.00 |
| 060181 | 716 | REVIVAL ANIMAL HEALTH | 47328 | \$891.89 | \$0.00 | \$891.89 |
| 060182 | 402 | RECORD MANA SOLUTIONS | 47314 | \$35.00 | \$0.00 | \$35.00 |
| 060183 | 700 | SIRCHIE FINGER PRINT LAB | 47056 | \$38.72 | \$0.00 | \$38.72 |
| 060184 | 401 | SOFTWARE SYSTEMS, INC | | \$0.00 | \$293.00 | \$293.00 |
| 060184 | 402 | SOFTWARE SYSTEMS, INC | | \$0.00 | \$525.00 | \$525.00 |
| 060184 | 403 | SOFTWARE SYSTEMS, INC | | \$0.00 | \$592.00 | \$592.00 |
| 060184 | 404 | SOFTWARE SYSTEMS, INC | | \$0.00 | \$783.00 | \$783.00 |
| 060184 | 428 | SOFTWARE SYSTEMS, INC | | \$0.00 | \$15,093.49 | \$15,093.49 |
| 060185 | 424 | SPECIALTY BUS SUPPLIES | 45550 | \$841.50 | \$0.00 | \$841.50 |
| 060186 | 700 | WALTER F STEPHENS, JR IN | 47051 | \$18.50 | \$0.00 | \$18.50 |

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| 060187 | 711 | SOFTWARE COMPUTER | 47171 | \$300.00 | \$0.00 | \$300.00 |
| 060188 | 712 | SEN COMMUNICATIONS | 47151 | \$113.72 | \$0.00 | \$113.72 |
| 060189 | 424 | SPRINT | | \$0.00 | \$91.39 | \$91.39 |
| 060189 | 712 | SPRINT | | \$0.00 | \$1,661.81 | \$1,661.81 |
| 060190 | 425 | SHEN VALLEY WATER | | \$0.00 | \$539.31 | \$539.31 |
| 060191 | 422 | F. MARK SCHIAVONE | | \$0.00 | \$218.28 | \$218.28 |
| 060192 | 425 | SHENANDOAH AC/HTNG | 47839 | \$95.00 | \$0.00 | \$95.00 |
| 060193 | 700 | THOMASSEN FORD | 47835 | \$44.80 | \$0.00 | \$44.80 |
| 060194 | 425 | HAGEMEYER | 47581 | \$1,608.18 | \$0.00 | \$1,608.18 |
| 060195 | 700 | VINCENT TIONG | | \$0.00 | \$74.81 | \$74.81 |
| 060196 | 425 | THYSSEN KRUPP ELEVATOR | 47299 | \$375.00 | \$0.00 | \$375.00 |
| 060197 | 403 | UNITED SYS & SOFTWARE | | \$0.00 | \$177.00 | \$177.00 |
| 060198 | 716 | KETCH-ALL COMPANY | 47329 | \$292.50 | \$0.00 | \$292.50 |
| 060199 | 711 | UNITED BANKCARD CTR | 47188 | \$21.72 | \$0.00 | \$21.72 |
| 060199 | 711 | UNITED BANKCARD CTR | 47190 | \$59.97 | \$0.00 | \$59.97 |
| 060199 | 711 | UNITED BANKCARD CTR | 47191 | \$13.95 | \$0.00 | \$13.95 |
| 060199 | 711 | UNITED BANKCARD CTR | 47192 | \$23.84 | \$0.00 | \$23.84 |
| 060199 | 711 | UNITED BANKCARD CTR | 47193 | \$39.98 | \$0.00 | \$39.98 |
| 060199 | 711 | UNITED BANKCARD CTR | 47194 | \$119.72 | \$0.00 | \$119.72 |
| 060199 | 401 | UNITED BANKCARD CTR | | \$0.00 | \$210.00 | \$210.00 |
| 060199 | 402 | UNITED BANKCARD CTR | | \$0.00 | \$409.82 | \$409.82 |
| 060199 | 405 | UNITED BANKCARD CTR | | \$0.00 | \$49.00 | \$49.00 |
| 060199 | 439 | UNITED BANKCARD CTR | | \$0.00 | \$72.00 | \$72.00 |
| 060199 | 700 | UNITED BANKCARD CTR | | \$0.00 | \$154.71 | \$154.71 |
| 060199 | 700 | UNITED BANKCARD CTR | | \$0.00 | \$355.57 | \$355.57 |
| 060199 | 700 | UNITED BANKCARD CTR | | \$0.00 | \$110.00 | \$110.00 |
| 060199 | 700 | UNITED BANKCARD CTR | | \$0.00 | \$250.41 | \$250.41 |
| 060199 | 711 | UNITED BANKCARD CTR | | \$0.00 | \$317.62 | \$317.62 |
| 060199 | 712 | UNITED BANKCARD CTR | | \$0.00 | \$116.56 | \$116.56 |
| 060199 | 712 | UNITED BANKCARD CTR | | \$0.00 | \$120.43 | \$120.43 |
| 060199 | 712 | UNITED BANKCARD CTR | | \$0.00 | \$1,310.61 | \$1,310.61 |
| 060200 | 425 | VALLEY HARDWARE CO | 47578 | \$44.54 | \$0.00 | \$44.54 |
| 060201 | ALLOC | JEFF CO CONVENTION | | \$0.00 | \$31,581.30 | \$31,581.30 |
| 060202 | 405 | WEST PAYMENT CENTER | 47427 | \$2,108.00 | \$0.00 | \$2,108.00 |
| 060203 | 425 | WM OF WEST VA, INC | | \$0.00 | \$647.80 | \$647.80 |
| 060203 | 716 | WM OF WEST VA, INC | | \$0.00 | \$74.62 | \$74.62 |
| 060204 | PAYROL L | WV BD O/RISK-INS MGT-#31 | | \$0.00 | \$89,547.00 | \$89,547.00 |
| 060205 | 424 | WALMART BUSINESS | | \$0.00 | \$44.54 | \$44.54 |
| 060205 | 716 | WALMART BUSINESS | | \$0.00 | \$175.76 | \$175.76 |
| 060206 | GRANT | PAM HOLSTEIN-WALLACE | | \$0.00 | \$5,000.00 | \$5,000.00 |

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|--------------|-------|----------------------|--|--------------------|---------------------|---------------------|
| 060206 | GRANT | PAM HOLSTEIN-WALLACE | | \$0.00 | \$1,250.00 | \$1,250.00 |
| 060207 | 412 | CRAIG W YOHN | | \$0.00 | \$237.60 | \$237.60 |
| 060208 | 413 | CHEROKEE GRIM | | \$0.00 | \$14.30 | \$14.30 |
| 060209 | 413 | WENDY EVANGELISTI | | \$0.00 | \$94.60 | \$94.60 |
| 060210 | 413 | SHAKIRA FIELDS | | \$0.00 | \$20.35 | \$20.35 |
| 060211 | 413 | DONNA BEITZEL | | \$0.00 | \$50.00 | \$50.00 |
| 060212 | 413 | MATTHEW SULLIVAN | | \$0.00 | \$50.00 | \$50.00 |
| TOTAL | | | | \$27,241.69 | \$227,837.45 | \$255,079.14 |

In re: INFORMATIONAL ANNOUNCEMENT

Commissioner Morgan reported on the celebration at Washington High School on Friday, November 20, 2009 in celebration of Senator Byrd.

In re: PUBLIC COMMENT

Ed Burns on behalf of "Citizens for a Better Government" appeared before the Commission to express concerns with the county's current Zoning policies and procedures and to offer a few recommended amendments.

Paul Rosa appeared before the Commission on behalf of the Emergency Services Agency Board to report on his recommendations for candidates to the Board and to report on the credentials of several interested applicants.

In re: EXONERATION

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

| NAME | DISTRICT | TYPE | AMOUNT | TICKET # |
|--|---------------------|--------------------|-------------------|-------------|
| <i>Locust Hill Unit Owner's Assoc Inc. for JDM Locust Hill LLC</i> | <i>Charles Town</i> | <i>Real Estate</i> | <i>\$3,627.65</i> | <i>3445</i> |

IN RE: LEGISLATIVE ISSUES

Commissioner Noland reported on the Special Legislative Session.

Commissioner Noland reported on the status of House Bill 402.

Commissioner Surkamp reported on the availability of information regarding Legislative sessions at www.legis.state.wv.us/.

Commissioner Widmyer reported on the status and reported on the advantages of Recovery Zone Bond for Jefferson County.

In re: CERTIFICATION OF ZONING ORDINANCE REFERENDUM ELECTION RESULTS

Commissioners Noland, Widmyer and Manuel previously met and voted on this matter on Wednesday, November 18, 2009 at which time it was agreed by consensus to vote on the matter again with a full Commission.

Motion by Morgan, second by Noland to certify the results of the votes cast in the November 7, 2009 Special Election that were declared in the Canvass as follows: 1,969 votes for the Zoning Ordinance Referendum and 3,284 votes against the Zoning Ordinance Referendum. Motion carried.

In re: JEFFERSON COUNTY EMERGENCY SERVICES AGENCY APPOINTMENTS/INTERVIEWS

Pete Kelley appeared before the Commission for an interview to the Jefferson County Emergency

Services Agency Board.

Motion by Surkamp, second by Morgan to reappoint Pete Kelley by acclamation to the Jefferson County Emergency Services Agency Board for one 3 year term ending November 19, 2012. Motion carried.

Brendan Soennecken appeared before the Commission for an interview to the Jefferson County Emergency Services Agency Board.

Commissioner Morgan nominated Brendan Soennecken as appointee to the Jefferson County Emergency Services Agency Board for one 3 year term ending November 19, 2012.

Commissioner Surkamp nominated Brendan Soennecken as appointee to the Jefferson County Emergency Services Agency Board for one 3 year term ending November 19, 2012.

Commissioner Surkamp nominated John Matthews to as appointee to the Jefferson County Emergency Services Agency Board for one 3 year term ending November 19, 2012.

Motion by Morgan, second by Widmyer to close nominations for appointees to the Jefferson County Emergency Services Agency Board. Motion carried.

By consensus, John Matthews and Brendan Soennecken were appointed to the Jefferson County Emergency Services Agency Board for 3 year terms ending November 19, 2012.

IN RE: GREG BAILEY – LEGAL UPDATE AND REPORT

Greg Bailey, Esquire legal counsel for the Commission appeared before the Commission to discuss litigation in the matter of the County Clerk vs. the County Commission.

Motion by Morgan, second by Surkamp to enter into Executive Session with legal counsel Greg Bailey to discuss litigation in the matter of the County Clerk vs. the County Commission. Motion carried.

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

In re: LAURA RATTENNI AND MARK SCHIAVONE – PROPOSAL TO DISCONNECT CIRCUIT CLERK’S OFFICE FROM THE COUNTY NETWORK

Laura Rattenni, Circuit Clerk appeared before the Commission and reported on the research conducted in order to obtain an individual server for the Circuit Clerk’s office.

Ms. Rattenni reported on the proposal received from Software Systems Incorporated and the specifications of hardware and software installation for an independent server. Ms. Rattenni further reported on the capabilities of the proposed server.

Mark Schiavone, Capital Planning and Management Director was present and reported on the projected expenditures of the proposed independent server and reported on the workload and capabilities of the county’s current AS400 server.

Motion by Morgan, second by Surkamp to allocate \$10,000.00 to the Circuit Clerk to support expenses associated with the installation of an independent server with appropriation of funds to be determined by Mr. Schiavone. Motion carried.

In re:: JOSEPH SACCHET – UPDATE ON DAY REPORTING CENTER

Mr. Joseph Sacchet, Day Reporting Center Director appeared before the Commission to provide an update for the Day Reporting Center servicing Jefferson and Berkeley Counties.

Mr. Sacchet provided an overview of the Centers client base, daily operations and future objectives and strategies.

Mr. Sacchet reported on his meetings with judicial officials throughout Jefferson and Berkeley counties in order to increase public awareness of the Centers services.

Commissioner Morgan and Mr. Sacchet reported on the goals and objectives of the Community Criminal Justice Board Committee.

The Commission took a 5-minute break at 10:42 a.m.

In re: BARBARA MILLER – HOMELAND SECURITY AND EMERGENCY MANAGEMENT – 2009 EMERGENCY MANAGEMENT PLANNING GRANT

Barbara Miller, Jefferson County Emergency Management and Homeland Security Director appeared before the Commission to request approval of the 2009 Emergency Management Planning grant.

Ms. Miller reported on the specification of the grant totaling \$59,000.00.

Motion by Morgan, second by Noland to approve and authorize the President's signature upon the 2009 Emergency Management Planning grant as presented. Motion carried.

Commissioner Morgan requested an overview of previous grant acquisition from Ms. Miller for further review prior to upcoming budget deliberations.

IN RE: BONDING AND ACTIVITY REPORT

Jennifer Brockman, Planning and Zoning Director reported on the Blue Ridge Mountain Grant update. Copies of the Grant and supporting documents were presented for Commission review grant recommendations and strategies.

Ms. Brockman reported on a Planning Committee meeting agenda on November 24, 2009.

Ms. Brockman stated that the Grant Committee and RFP approval was projected for December 2009.

Mr. Burns was present for comments in support of the Blue Ridge Mountain Grant.

Ms. Brockman reported on Subdivision Regulation procedural revisions updates, objectives and goals for future informal outreach strategies prior to public hearings.

Seth Rivard, Planner replied on CPA meeting with respect to Chesapeake Bay initiative presentation and report.

Mr. Rivard spoke on EPA strategies, requirements and regulations to decrease pollution.

Ms. Brockman reported on NRCS standards to improve environmental safety and standards.

Ms. Brockman gave a reminder that on February 2, 2010 there will be a EPA Stockholders meeting.

In re: SCHEDULE DATE TO DISCUSS WORK PROGRAMS AND PROJECTED BUDGETS WITH DEPARTMENT HEADS AND ELECTED OFFICIALS

Commissioners Noland and Manuel reported on concerns they have received from several Department Heads regarding the Commission's request for future work plans and needs assessments.

The Commission agreed by consensus to authorize Sandra McDonald, Interim County Administrator to coordinate a work shop between the County Commission, Department Heads and Elected officials to discuss future programs and departmental needs.

In re: REQUEST FOR APPROVAL OF EMPLOYMENT - NICHELLE HOSBY - ADMINISTRATIVE ASSISTANT

Motion by Manuel, second by Noland to approve the full-time employment of Nichelle Hosby as Administrative Assistant in the County Commission Administrative office. Motion carried.

In re: DISCUSSION AND ACTION FOR 50 PERCENT OF ANY REVENUES THAT MAY BE GENERATED BY A POSITIVE VOTE ON TABLE GAMES BY THE CITIZENS OF JEFFERSON COUNTY BE ALLOCATED TO FIRE AND EMS SERVICES AND LAW ENFORCEMENT

Motion by Manuel, second by Noland to allocate fifty percent of any revenues that may be generated by a positive vote for table games by the Citizens of Jefferson County be allocated to Fire and EMS Services and Law Enforcement.

Motion by Morgan, second by Widmyer to table Commissioner Manuel's motion pending the outcome of the Table Games vote on December 5, 2009. Motion carried by a 3-2 vote; Commissioners Manuel and Noland voted no.

IN RE: DISCUSSION OF STRATEGY FOR COUNTY ADMINISTRATOR APPLICANTS AND SCHEDULE DATE FOR INTERVIEWS

Commissioner Widmyer reported on her and Sandra McDonald's organization of resumes' and applications received thus far.

Sandra McDonald, Interim County Administrator reported on resumes' and applications received to date.

The Commission agreed by consensus to schedule interviews for County Administrator applicants in two weeks after Commission members have had an opportunity to review and consider interested applicants.

The Commission recessed for lunch at 12:40 p.m.

The Commission reconvened at 1:30 p.m.

In re: TARGETED, LIMITED AUDIT OF COUNTY FINANCES - DISCUSSION

Commissioners requested Commission authorize County audit. Request for Sandy Slusher McDonald, Acting County Administrator is to inquire about audit requirements and recommendations and schedule for State Auditor's Office. Also, Ms. McDonald is to conduct internal audit with consideration to new County Administrator.

In re: Kirk Davis, Sr., CAPITAL PROJECTS MANAGER - UPDATES

Kirk Davis, Sr., Capital Projects Manager reported that pass through Grants are being organized by Sandy Slusher McDonald, Acting County Administrator.

Mr. Davis, Sr., reported on an upcoming meeting with Delta and Municipal officials.

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

Jennifer S. Maghan, County Clerk, reported on James Casimiro's resignation as Fiduciary Commissioner and requested acceptance and recommendation of D. Frank Hill, III. Motion by Morgan, second by Surkamp. Voted 4-1. Motion Carried. Commissioner Noland voted no. Matter tabled until 1:30 p.m.

Motion by Morgan, second by Widmyer to approve and affix signature for Kay Jovanelly, Fiduciary Commissioners' two estate accountings. Motion carried.

Motion by Noland, second by Widmyer to reopen the Estate of Dorothy Tabb. Motion carried.

Motion by Morgan, second by Manuel to set hearing for Anna Belle Estate on December 12, 2009 at 11:00 a.m.. Motion carried.

Motion by Morgan, second by Noland to set hearing for second request for Anna Bell Estate on December 12, 2009 at 11:00 a.m. Motion carried.

In re: CAROL CRABTREE - REGION 9 - EARLY ACTION COMPACT FOR AIR QUALITY AGREEMENT

Mike Ball, with Region 9, reported on agreement specifications.

Commissioner Manuel reported on Region 9 meeting.
Additional information will be forthcoming from Carol Crabtree.
Motion by Morgan, second by Noland to affix signatures on agreement. Motion carried.
Ms. Crabtree, Executive Director of Region 9 was present and reported on Census Committee objectives and strategies.

In re: COUNTY ADMINISTRATOR REPORTS

Sandy Slusher McDonald, Acting County Administrator reported that Ed Slonaker will be present on December 3, 2009 and that a HRA Session is scheduled for December 8, 2009.

Ms. McDonald reported on Commission meeting statistics for 2009 procedures for accounts.

Ms. McDonald reported that on December 3, 2009 agenda items will be Poll workers list from November 11, 2009 and approval of existing November 5 Poll workers list with required specifications and requirements of the Census Committee.

In re: APPOINTMENT TO THE NORTH EASTERN REGIONAL EMS, INC.

Motioned by Morgan, second by Noland to reappoint R. M. Pete Kelley to the North Eastern Regional EMS, Inc. Motion carried

In re: MARK SCHIAVONE - BUDGET UPDATE

Mark Schiavone, Coordinator reported that Partnership for Affordable Housing has requested \$20,000. Motioned by Morgan, second by Noland to authorize release of \$20,000 to Partnership for Affordable Housing.

Mr. Schiavone, reported that the BRIM bill is now due and renders quarterly payment. Motioned by Morgan, second by Noland to render quarterly payment. Motion carried.

Mr. Schiavone reported on a cash flow concern. \$80,000 payment for HVAC system at Courthouse as recommended. Motioned by Noland, second by Morgan to render payment of \$80,000 for HVAC system at Courthouse. Motion carried.

EDBM - HRA and BC/ BS meeting between Mr. Schiavone and Stephanie Grove to report on status of HRA and BC/BS.

In re: MARK SCHIAVONE - PURCHASE OF BATTERY BACKUP DEVICES FOR NETWORK SWITCHES

Mr. Schiavone reported specifications of devices and capabilities for county's system. Motion by Surkamp, second by Morgan to approve and purchase battery backup devices for network switches. Motion carried.

Monthly expenditure reports to commence immediately.

In re: RECOVERY ZONE BOND RESOURCES - RESOLUTION DESIGNATING THE JURISDICTION OF THE COUNTY AS A RECOVERY ZONE AND AUTHORIZING DOCUMENTS IN CONNECTION WITH SUCH DESIGNATION - DISCUSSION

Tom Bayuzik, Development Authority Director reported that the Recovery Bond will be a

tool for the public sector at a 50% subsidy as well as for the private sector.

Kirk Davis, Capital Projects Manager reported that there is a meeting on Monday with WESPET Board and Region 9 to further discuss this matter.

Mr. Bayuzik informed the Commission he will begin the work on developing logo letterhead and subsequently website design.

Motion by Widmyer, second by Noland to authorize signature that will allow us to make use of the Recovery Zone Bond. Motion carried.

Commissioner Morgan would like to point out to the public, that this does not mean the county will under take a bond insurance, but we want to preserve both the county's and municipality's abilities to do so should they choose within the time frame.

In re: STEPHANIE GROVE - LEGAL UPDATE AND REPORT

Stephanie Grove, Assistant Prosecuting Attorney informed the Commission that the bill from Mr. Hammer for the Health Department has been received in the amount of \$2,000.00 which concludes the case.

Motioned by Morgan, second by Widmyer to authorize payment of Mr. Hammer's bill on behalf of the Jefferson County Health Department out of the Professional Service Fund. Motion carried.

In re: JAMES CASIMIRO - LEGAL UPDATE AND REPORT

James Casimiro, Assistant Prosecuting Attorney reported on a brief filed on the PATH case.

Motioned by Morgan, second by Widmyer to enter into Executive Session to discuss pending litigation. Motion carried.

Motioned by Noland, second by Widmyer to return to Regular Session. Motion carried.

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

Motioned by Morgan, second by Noland to accept the resignation of James Casimiro as Fiduciary Commissioner of Jefferson County, WV. Motion carried.

Motioned by Morgan, second by Noland to accept D. Frank Hill as Fiduciary Commissioner of Jefferson County, WV. Motion carried.

In re: COUNTY COMMISSION WORKSHOP - LONGEVITY AND EQUITY PAY FOR EMPLOYEES - DISCUSSION/ACTION

Commissioner Noland presented a power point presentation on the Longevity and Equity study based from the Jacob's Study. Commissioner Noland expressed concern about Mr. Jacob's recommendation. However, she is set on giving each employee 2 years and up a \$100 per year of service one time payout. Commission Manuel suggested \$200 per year of service.

Commissioner Morgan left at 2:30 p.m.

Motioned by Noland, second by Widmyer to provide County employees with longevity

pay at a cost of years of service to \$200 less deductions and make subject to available funds in future years. Motion carried 3-1.

Commissioner Morgan returned at 2:59 p.m.

Commissioner Morgan voted no based on her belief not to pay employees for years of service.

Commissioner's Widmyer and Manuel both stated going forward they would be looking at compensation based on merit.

In re: COMMISSION REPORTS

Commissioner Manuel reported on the Year Round Farmers Market meeting he attended. Commissioner Manuel reported on the meeting with County Commission Association of WV.

Commissioner Manuel reported on the Shannondale Community Appreciation Day he attended. Commissioner Manuel reported on Canvass at the Library he attended.

Commissioner Manuel reported on the Jefferson County Emergency Service meeting he attended.

Commissioner Manuel reported on the Shepherdstown Men's Club dinner he attended.

Commissioner Widmyer reported on the Region 9 Council meeting in Berkeley Springs she attended. Commission Widmyer reported on the Hagerstown Eastern Panhandle Metropolitan Planning Organization meeting she attended.

Commissioner Noland also attended the Canvass.

Commissioner Noland attended the County Commission Association of WV meeting.

Commissioner Noland reported on the Blue Ridge Appreciation Day she attended.

Commissioner Noland reported on the Water Advisory Committee meeting she attended.

Commissioner Morgan reminded everyone that Senator Byrd would be at Washington High School on Friday and the Governor.

The Commission received the following information:

Appointment to be made to the Jefferson County Public Service District on December 10, 2009.

Correspondence received from the Courthouse Facilities Improvement Authority concerning the approval of the financial assistance request for courthouse improvements.

Impact Fee Status Report received for October 2009.

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

Information received from the County Clerk concerning providing donations to the Shenandoah

Women's Center.

Animal Control activity report received for October 2009.

Invitation received to attend a reception in honor of Kathryn McAteer for service to the West Virginia Library Commission on November 20, 2009 at 6:00 p.m.

Notice received of the 3rd Annual Homeland Security Workshop on December 1, 2009.

Harpers Ferry National Historical Park Community Bulletin received.

Potomac Valley Audubon Society newsletter received for November 2009.

Correspondence received from the Division of Highways concerning the Statewide Transportation Improvement Program.

The Property Connection newsletter received.

Correspondence received from the Shepherdstown Public Library concerning the "Landfill to Library" project.

Abbreviated Final General Management Plan/Environmental Impact Statement for Harpers Ferry National Historical Park received from the National Park Service.

Meeting minutes received from the Jefferson County Public Service District.

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

Notice received from State Tax Commissioner that Angela Banks has complied with the assessor's additional duties and she is entitled to \$15,000 per WV Code 7-7-6b.

Monthly publication of WVACO received.

Miscellaneous

The Commission received the following Correspondence:

Correspondence received from Gil N. Garcia concerning the Planning Commission agenda.

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

PRESIDENT

At all time the county Commission receive the right to rearrange agenda time be cause of time constraints and to accommodate the Commission agenda or the public.