

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, December 3, 2009 beginning at 9:30 o'clock a.m.

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

In re: PLEDGE OF ALLEGIANCE
Commissioner Noland conducted the Pledge of Allegiance.

In re: IN MEMORY OF GAIL DALGARN AND CHARLES “CJ” HUTCHINSON
Commissioner Surkamp, on behalf of the County Commission wishes to send our support to the families of Gail Dalgarn, employee in the Prosecuting Attorney’s office who passed away and Charles “CJ” Hutchinson II, son of employee Tessa Reed. Charles also donated his heart, liver, and both kidneys so that others could live.

In re: APPROVAL OF MINUTES
Motion by Noland, second by Morgan to dispense with the reading of the Minutes for the meeting held on Thursday, November 5, 2009 and to approve the Minutes. Motion carried as prepared or amended.
Motion by Morgan, second by Noland to dispense with the reading of the Minutes for the Canvass meeting held on Friday, November 13, 2009 and to approve the Minutes. Motion carried.
Motion by Morgan, second by Widmyer to dispense with the reading of the Minutes for the meeting held on Thursday, November 19, 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 December 3, 2009 totaling \$29,213.78: 47332, 47494, 47496, 47545, 47662, 47663, 47664, 47665, 47756, 47757, 47758, 46627, 47767, 47577, 47582, 47843, 47849, 47850, 47851, 47852, 47853, 47854, 47855, 47856, 47857, 47858, 47859, 47860, 47861, 47862, 47863, 47641, 47642. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by Noland, second by Morgan to approve the list of accounts payable for Dec 3, 2009 as presented by the County Clerk. Motion carried.

CK#	Dept	Vendor	PO#	PO Amt	Amt wo PO	CK Amount
060238	424	ALLEGHENY POWER		\$0.00	\$1,513.55	\$1,513.55
060238	425	ALLEGHENY POWER		\$0.00	\$7,726.40	\$7,726.40
060239	440	ASSOC ST.FLOODPLAIN MNGR	47101	\$200.00	\$0.00	\$200.00
060240	712	AT&T/GA		\$0.00	\$79.37	\$79.37
060241	412	BARDANE PUBLIC HEALTH CT		\$0.00	\$383.00	\$383.00
060241	431	BARDANE PUBLIC HEALTH CT		\$0.00	\$308.33	\$308.33
060242	425	B-K OFFICE SUPPLY INC	47833	\$621.90	\$0.00	\$621.90
060242	425	B-K OFFICE SUPPLY INC	47838	\$848.00	\$0.00	\$848.00

060242	439	B-K OFFICE SUPPLY INC	47362	\$180.42	\$0.00	\$180.42
060242	978	B-K OFFICE SUPPLY INC	47429	\$250.00	\$0.00	\$250.00
060243	700	BLACK HAWK PRODUCTS	47055	\$380.78	\$0.00	\$380.78
060244	404	ELAINE BENNETT,DODDRIDGE	47640	\$35.00	\$0.00	\$35.00
060245	405	KELLY J. BEATTY	47434	\$411.95	\$0.00	\$411.95
060246	403	CASTO & HARRIS INC	47491	\$142.35	\$0.00	\$142.35
060246	413	CASTO & HARRIS INC	47668	\$6,601.15	\$0.00	\$6,601.15
060247	700	COUNTRY ROADS TIRE & AUT	47837	\$2,205.96	\$0.00	\$2,205.96
060248	716	CREAMERS AUTO SERVICE	47841	\$149.97	\$0.00	\$149.97
060249	405	MARCIA L. CHANDLER, RPR	47431	\$358.00	\$0.00	\$358.00
060250	425	CT WALLS/FLOOR	47840	\$3,683.54	\$0.00	\$3,683.54
060251	712	CDW-GOVERNMENT INC	46621	\$790.00	\$0.00	\$790.00
060252	425	OLD CHARLES TOWN LIBRARY		\$0.00	\$1,500.00	\$1,500.00
060253	700	CARS	47836	\$228.66	\$0.00	\$228.66
060253	700	CARS	47842	\$196.64	\$0.00	\$196.64
060254	403	COAST TO COAST COMPUTER	47492	\$758.85	\$0.00	\$758.85
060255	700	BRANDON CONWAY		\$0.00	\$89.04	\$89.04
060256	425	DAYCON	47583	\$942.53	\$0.00	\$942.53
060257	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$63.50	\$63.50
060258	401	D I JACOBS CONSULTING		\$0.00	\$5,000.00	\$5,000.00
060259	425	ENGINEERED DIGITAL APPL	47831	\$3,290.14	\$0.00	\$3,290.14
060260	401	EMPLOYEE BENEFIT DATA SR		\$0.00	\$565.20	\$565.20
060261	GRANT	FOCUS		\$0.00	\$1,683.92	\$1,683.92
060262	424	FRONTIER COMMUNICATIONS		\$0.00	\$1,104.81	\$1,104.81
060263	424	FRONTIER		\$0.00	\$35.00	\$35.00
060264	700	GALLS,AN ARAMARK CO	47057	\$607.95	\$0.00	\$607.95
060265	PAYROLL	GUARDIAN		\$0.00	\$6,776.88	\$6,776.88
060265	PAYROLL	GUARDIAN		\$0.00	\$1,566.85	\$1,566.85
060265	PAYROLL	GUARDIAN		\$0.00	\$0.95	\$0.95
060265	PAYROLL	GUARDIAN		\$0.00	\$0.01	\$0.01
060266	711	GUEST SERVICES	47199	\$96.75	\$0.00	\$96.75
060267	412	JEREMY HORVAT		\$0.00	\$57.75	\$57.75
060268	700	INTERNATIONAL POLYGRAPH	47053	\$1,000.00	\$0.00	\$1,000.00
060269	401	IKON OFFICE SOLUTIONS		\$0.00	\$299.48	\$299.48
060270	716	INWOOD ANIMAL CENTER	47584	\$111.59	\$0.00	\$111.59
060271	406	IAAO	47615	\$175.00	\$0.00	\$175.00
060272	404	JEFFERSON PUBLISH CO INC	47639	\$8,216.32	\$0.00	\$8,216.32
060272	439	JEFFERSON PUBLISH CO INC	47361	\$125.92	\$0.00	\$125.92
060272	451	JEFFERSON PUBLISH CO INC	47359	\$469.04	\$0.00	\$469.04
060272	401	JEFFERSON PUBLISH CO INC		\$0.00	\$66.52	\$66.52
060273	405	MATTHEW BENDER & CO	47433	\$321.94	\$0.00	\$321.94
060274	405	MARRIOTT INTERNATIONAL	47435	\$388.00	\$0.00	\$388.00
060275	424	MCDANIEL HARDWOOD PROD	47585	\$617.60	\$0.00	\$617.60
060276	PAYROLL	MSBCBS		\$0.00	\$86.58	\$86.58
060276	PAYROLL	MSBCBS		\$0.00	\$132,993.25	\$132,993.25
060277	401	PATRICIA A NOLAND		\$0.00	\$24.53	\$24.53
060278	424	NORVAC LOCK TECHNOLOGY	47832	\$255.50	\$0.00	\$255.50
060279	405	NATL DIST ATTORNEYS ASSO	47432	\$165.00	\$0.00	\$165.00

060280	402	PIFER OFFICE SUPPLY, INC	47742	\$38.64	\$0.00	\$38.64
060280	403	PIFER OFFICE SUPPLY, INC	47488	\$194.79	\$0.00	\$194.79
060280	403	PIFER OFFICE SUPPLY, INC	47489	\$58.02	\$0.00	\$58.02
060280	404	PIFER OFFICE SUPPLY, INC	47638	\$187.97	\$0.00	\$187.97
060280	406	PIFER OFFICE SUPPLY, INC	47614	\$241.95	\$0.00	\$241.95
060281	ALLOC	PARTNERSHIP FOR AFFORDBL		\$0.00	\$20,000.00	\$20,000.00
060282	413	MARK RENNER		\$0.00	\$13.75	\$13.75
060283	413	RAI GROUP 43, LLC		\$0.00	\$1,699.00	\$1,699.00
060284	425	RCS SECURITY		\$0.00	\$378.00	\$378.00
060285	405	SPECIALTY BUS SUPPLIES	47428	\$1,299.84	\$0.00	\$1,299.84
060286	704	ST/WV REGIONAL JAIL &	47678	\$94,905.00	\$0.00	\$94,905.00
060287	711	SOFTWARE COMPUTER GROUP	47171	\$150.00	\$0.00	\$150.00
060288	700	DANA SAFETY SUPPLY INC.	47052	\$450.24	\$0.00	\$450.24
060289	401	HAMMER,FERRETTI,SCHIAVON		\$0.00	\$2,644.96	\$2,644.96
060290	975	SUMMIT COMMUNITY BANK		\$0.00	\$2,441.41	\$2,441.41
060291	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$3,015.48	\$3,015.48
060292	700	VALLEY TWO-WAY, INC	47049	\$1,067.85	\$0.00	\$1,067.85
060293	716	VALLEY PET CEMETERY		\$0.00	\$306.00	\$306.00
060294	712	VERIZON NETWORK	46622	\$121.00	\$0.00	\$121.00
060295	405	WEST PAYMENT CENTER	47436	\$1,543.07	\$0.00	\$1,543.07
060296	440	WV CODE OFFICIALS ASSOC	47100	\$150.00	\$0.00	\$150.00
060297	405	WV PROS.ATTYS ASSOC/WVPA	47430	\$200.00	\$0.00	\$200.00
060298	700	WV SIGNAL & LIGHT, INC.	47048	\$1,715.00	\$0.00	\$1,715.00
060299	412	CRAIG W YOHN		\$0.00	\$455.40	\$455.40
060299	413	CRAIG W YOHN		\$0.00	\$12.65	\$12.65
060300	413	JEAN L ROBERTS		\$0.00	\$6.60	\$6.60
060301	413	CHARLES HENRY		\$0.00	\$10.45	\$10.45
060302	413	NANCY JO UPWRIGHT		\$0.00	\$6.60	\$6.60
060303	413	MARY R. RING		\$0.00	\$22.00	\$22.00
060304	413	VIVIAN HENRY		\$0.00	\$5.50	\$5.50
060305	413	GARY HENRY		\$0.00	\$13.20	\$13.20
060306	413	CATHRYN JACKSON		\$0.00	\$7.70	\$7.70
060307	413	PATRICIA BLEVINS		\$0.00	\$24.75	\$24.75
060308	413	KENNETH RING		\$0.00	\$22.00	\$22.00
060309	413	VIRGINIA M. KEENEY		\$0.00	\$24.20	\$24.20
060310	413	ANITA FLESHMAN		\$0.00	\$26.40	\$26.40
060311	413	ROBERT GRAF SR.		\$0.00	\$19.25	\$19.25
060312	413	ELIZABETH COYLE		\$0.00	\$24.20	\$24.20
060313	413	MELINDA MAYE		\$0.00	\$16.50	\$16.50
060314	413	NANCE BRISCOE		\$0.00	\$5.50	\$5.50
060315	413	JEFF BRESEE		\$0.00	\$9.90	\$9.90
060316	413	VALERIE CAMPBELL		\$0.00	\$16.50	\$16.50
060317	413	DEVON ENGLE		\$0.00	\$18.70	\$18.70
060318	413	DEBRA CORNWELL		\$0.00	\$29.70	\$29.70
060319	413	RONDA LEHMAN		\$0.00	\$24.75	\$24.75
TOTALS				\$137,149.82	\$193,225.97	\$330,375.79

In re: PUBLIC COMMENT

No new information given.

In re: SET DATE FOR FIRST MEETING OF 2010

Motion by Morgan, second by Noland to set the first meeting of 2010 for Thursday, January 7th at 9:30 a.m. Motion carried.

In re: EXONERATION

Upon recommendation from the Assessor, motion by Morgan, second by Surkamp to approve the following reductions due to the results of a Lawsuit selection # 09881. Motion carried.

NAME	DISTRICT	TYPE	AMOUNT	TICKET #
2436 Warm Springs Road LLC	Shepherdstown	Real Estate	\$7,099.86 and \$1,338.93	26056 & 26057

In re: LEGISLATIVE ISSUES

No new information given.

In re: JEFFERSON COUNTY EMERGENCY SERVICE AGENCY – ADDITIONS TO THE OPERATIONS CENTER BUILDING

Kirk Davis, Sr., reported on the new Ambulance Authority building.

Mr. Davis requested to move \$50,000 from Capital Account to complete the project.

Motion by Morgan, second Widmyer to move \$50,000 from the Capital Account subject to a Fiscal Impact statement being presented. Motion carried.

Ed Smith, Emergency Service Agency Operations Manager reported on the update of the hiring for his replacement and gave an update of the employees in the automobile accident.

In re: KIRK DAVIS, SR., CAPITAL PROJECTS MANAGER – GRANT UPDATES – COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY FUNDING AWARD

Mr. Davis reported on funds for new Grants for new projects.

Mr. Davis reported on update of the Courthouse Facility Grant.

Motion by Noland, seconded by Manual to move on the Courthouse Facility Grant and to authorize signature on acceptance of \$80,000 Grants.

Mr. Davis reported on the Parks and Recreation Project.

Mr. Davis reported on the Recovery Zone Bond Program and the need to speak with the other municipalities to ask if they want to use the Bond, if not to let the other Counties know so that they can make use of the Bonds.

Mr. Davis reported on the Energy Grant.

In re: ED SLONAKER – MORGAN FINANCIAL

Ed Slonaker, Representative for Morgan Financial reported on Mountain State Blue Cross/Blue Shield and the HRA.

Mr. Slonaker reported on his visit scheduled on December 8, 2009 to aid the employees with accessing the online program and getting claims submitted.

The Commissioners requested that a schedule be sent to everyone to include them with a time schedule for the day.

The Commission took a 13-minute break at 10:37 a.m.

In re: JONATHAN SLIFER & JUSTIN BASS – COMMUNICATION WORKERS OF AMERICA LOCAL 2105 – PRESENTATION CONCERNING THE PROPOSED SALE OF VERIZON’S LANDLINE BUSINESS TO FRONTIER COMMUNICATIONS

Jonathan Slifer, Communication worker reported on behalf of the Workers of America Local 2105 opposing the sale of Verizon’s landlines to Frontier and the effect it could have on 911 calls.

Jeff Polczynski, Director reported on Verizon and Frontier working to ensure that if the sale is complete it will not impact the 911 services.

Paul Espinosa, representative of Frontier Communication reported on views of the sale on behalf of Frontier Communication.

**In re: STEPHANIE GROVE – LEGAL UPDATE AND REPORT
RALPH LORENZETTI – PROSECUTOR’S OFFICE SALARIES**

Stephanie Grove, Prosecuting Attorney passed out her to do list.

Ms. Grove reported on the pending case with Sheriff Department.

Ms. Grove reported that there are a lot of briefs being prepared.

Ralph Lorenzetti, Prosecuting Attorney reported on salary increases he would like to give to his staff.

Motion by Manuel, second by Noland to accept the Prosecuting Attorney’s discretion to issue pay increases to his staff. Motion carried 3-2. Commissioner’s Morgan and Surkamp voted no.

In re: JENNIFER S. MAGHAN - COUNTY CLERK’S REPORT – BB & T FUNDS MANAGEMENT & REQUEST THAT COMMISSION GRANTS THE EMPLOYEES OF THE CLERK’S OFFICE THE SAME \$200 PER YEAR SALARY ADJUSTMENT THAT WAS AWARDED TO OTHER OFFICES

Sally Gran, Payroll Officer reported on the procedure to issue the longevity pay by December 10, 2009.

Jennifer S. Maghan reported on her concerns of intentionally leaving out the County Clerk’s Office out of the longevity pay.

Commissioner Noland responded that it was not intentional that only those departments that were included in the Jacob’s Study were included in the Equity Study.

Commissioner Widmyer expressed concern over wording of previous motion.

Motion by Morgan, second by Widmyer to support and authorize signature on the BB&T Funds Management pending legal review.

In re: COMMISSION APPROVAL OF POLL WORKERS AND ALTERNATES LIST FOR THE DECEMBER 5, 2009 REFERENDUM

Jennifer S. Maghan turned in the approved list of Poll Workers and Alternates for December 5, 2009 referendum.

In re: BONDING AND ACTIVITY REPORT

Roger Goodwin, Chief County Engineer reported on the Bond Lease.

Mr. Goodwin reported on status of upcoming revisions to the Property Safety Report.

Mr. Goodwin reported that a Permit Fee revision is coming soon.

Jennifer Brockman, Planning & Zoning Director reported that staff member Jennilee had her baby.

Ms. Brockman also is in the process of hiring an Office Manager.

Ms. Brockman reported that the zoning maps are being digitized.

Kirk Davis, Capital Projects Manager reported that a \$300 donation from the people who performed a play at the Courthouse was made out to Jefferson County and needs to go to the Historical Landmark Society.

The Commission recessed for lunch at 12:44 p.m.

The Commission reconvened at 1:30 p.m.

In re: DECISION ON COUNTY SEAL

Motion by Manuel, second by Morgan to suspend the decision on a County Seal pending comment from Historical Landmark Society or Historical Society. Motion carried.

Commissioner Manuel recommends sending letters or email for opinion or any other ideas they may have or input.

In re: JENNIFER S. MAGHAN – COUNTY CLERK’S REPORT CONTINUED

Ms. Maghan reported on the procedures for holding the Canvass on Friday, December 11, 2009 in regards to the December 5, 2009 Table Games vote.

Ms. Maghan stated that the Canvass must open on Friday, but can be recessed until Monday.

Motion by Morgan, second by Noland to agree to open the meeting Friday at 9:30 a.m. at The Old Charles Town Library meeting room and at that time decide rather to hold the forum.

Commissioner Manuel stated that ballots could be certified at the December 17, 2009 Commission meeting. Motion carried.

In re: BILL POLK – UPDATE THE COUNTY COMMISSION ON SAFETY AND SECURITY

Bill Polk, Maintenance Director reported on Safety Commission meeting held in November.

Mr. Polk requested adopting a policy for all to wear badges in County buildings.

Motion by Morgan, second by Noland to adopt a policy for all employees to wear their badges in all county buildings subject to review of the policy. Motion carried.

Motion by Noland, second by Morgan to accept building security systems be kept under Maintenance. Motion carried.

Mr. Polk reported that the next Safety meeting would be held December 9, 2009.

Mr. Polk reported that the Sheriff Department is in the process of obtaining keys and access to all County buildings.

Commissioner Morgan recommends contacting CCAWV for badges for Commissioners.

In re: DECISION ON GIVING COUNTY EMPLOYEES THE FULL DAY OFF CHRISTMAS EVE, AS PROVIDED BY WEST VIRGINIA STATE CODE § 2-2-1

Motion by Morgan, second by Surkamp to approve the full day off for Christmas Eve, as provided by West Virginia State Code 2-2-1. Motion carried.

In re: APPROVALS OF RESOLUTION – COMMUNITY PARTNERSHIP GRANT PROGRAM – STAR LODGE – LOCKE HOUSE

Motion by Noland, second by Morgan to approve of resolution. Motion carried.

In re: APPROVAL OF EMPLOYMENT OF PUBLIC SAFETY DISPATCHER - DISCUSSION/ACTION

Motion by Noland, second by Widmyer to approve employment of Dale Hetherington, Sarah Lanning and Kathryn King as Public Safety Dispatchers. Motion carried.

In re: REVIEW OF REQUEST FOR JOB RECLASSIFICATIONS – DISCUSSION/ACTION

Motion by Widmyer, second by Morgan to defer re-classifications until first of the year. Motion carried.

In re: COUNTY COMMISSION REPORTS

Commissioner Morgan reported she would be attending an upcoming Courthouse meeting.

Commissioner Morgan reported that Farmland Protection received an application for a permanent easement.

Commissioner Surkamp reported on Census 2010 meeting.

Commissioner Manuel reported on the Kiwanis meeting.

Commissioner Manuel reported he would be attending a Stop PATH meeting.

Commissioner Widmyer reported that she would be attending a Public Water meeting on December 17, 2009.

Commissioner Widmyer reported she would be attending a PSD meeting on December 7, 2009.

Commissioner Widmyer reported that 300 people showed up for the John Brown Reenactment.

Commissioner Noland reported that the Partnership for Affordable Housing money is forthcoming.

In re: COUNTY ADMINISTRATOR REPORTS

Sandra McDonald, Interim County Administrator reported on the revenue and expenditure.

Mark Schiavone, Director of Capital Planning and Management was present and reported on Profession Services line item being over budget.

In re: MARK SCHIAVONE - DIRECTOR OF CAPITAL PLANNING AND MANAGEMENT - BUDGET UPDATE

No new information provided.

Commissioner Morgan left at 2:30 p. m.

In re: JENNIFER S. MAGHAN – COUNTY CLERK’S REPORT REQUEST THAT COMMISSION GRANTS THE EMPLOYEES OF THE CLERK’S OFFICE THE SAME \$200 PER YEAR SALARY ADJUSTMENT THAT WAS AWARDED TO OTHER OFFICES CONTINUED

Stephanie Grove, Prosecuting Attorney stated that there was nothing wrong with the wording in the previous motion.

Motion by Widmyer, second by Morgan to reconsider the previous motion to provide County employees with longevity pay at a cost of years to service to \$200.00 less deductions and make subject to available funds in future years of service. Motion carried.

Motion by Widmyer, second by Noland to provide all full time county employees with more than two years of service who are covered by the Jefferson County Classification and Compensation Plan with longevity pay at a rate of \$200.00 per year less deductions subject to available funds in to future years. Commissioner Surkamp will be voting in the negative. Motioned carried 3-1.

Motion by Widmyer, second by Noland to agree to extend the longevity pay to the County Clerk if she agrees to participate in the Jefferson County Classification and Compensation Plan. Motion carried.

The Commission received the following information:

Reminder of Table Games Election Canvass on Friday, December 11, 2009, beginning at 9:30 a.m.

Impact Fee Status Report received for November 2009.

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

Correspondence received from the Jefferson County Public Service District concerning a rate case filing.

Letter of resignation received from Edward E. Dunleavy as a member of the Jefferson County Planning Commission.

Notice of public meeting received to discuss the Evaluation and Feasibility Study on the Glen Haven Water System on December 16, 2009, at 7:00 p.m.

Notice of public meeting received for the Mountain Water Project on December 17, 2009, at 7:00 p.m.

Newsletter received from the Association of Counties.

Correspondence received from the Census Bureau concerning local census offices.

Oath of Office received from Brenden Soennecken as a member of the Jefferson County Emergency Services Agency.

Weekly reports received from the West Virginia Lottery for Charles Town Races and Slots.

The Commission received the following correspondence:

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

PRESIDENT