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**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, March 18, 2010 beginning at 9:30 o'clock a.m.

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

**In re: PLEDGE OF ALLEGIANCE**

Commissioner Noland conducted the Pledge of Allegiance.

**In re: ADMINISTRATIVE MATTER**

Commissioner Widmyer welcomed Tim Boyde, newly hired County Administrator.

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

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, March 4, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Board of Review and Equalization held on Monday, February 1, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Board of Review and Equalization held on Tuesday, February 16, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Board of Review and Equalization held on Wednesday, February 17, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Board of Review and Equalization held on Monday, February 22, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Board of Review and Equalization held on Tuesday, February 23, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Board of Review and Equalization held on Wednesday, February 24, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Noland, second by Manuel to dispense with the reading of the Minutes for the Special Session held on Wednesday, March 3, 2010 and to approve the Minutes as presented. Motion carried.

Motion by Noland, second by Manuel to dispense with the reading of the Minutes for the Special Session held on Tuesday, March 10, 2010 and to approve the Minutes as presented. Motion carried.

**In re: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Morgan, second by Manuel to approve the list of the Account Payables dated March 18, 2010 as presented by the County Clerk and reviewed by the County Commission. Motion carried.

CK#	Dept	VENDOR	PO#	PO Amt	Amt wo PO	CK Amount
061065	PAYROLL	AMERICAN FAMILY LIFE ICU		\$0.00	\$5,234.36	\$5,234.36
061066	425	COMCAST		\$0.00	\$146.35	\$146.35
061067	424	AT&T/IL		\$0.00	\$0.49	\$0.49
061068	424	AUTOZONE		\$0.00	\$71.97	\$71.97
061068	424	AUTOZONE		\$0.00	\$39.28	\$39.28
061068	716	AUTOZONE		\$0.00	\$174.50	\$174.50
061069	PAYROLL	BUREAU FOR CHILD SUPPORT		\$0.00	\$72.00	\$72.00
061070	425	B-K OFFICE SUPPLY INC	48077	\$466.18	\$0.00	\$466.18
061071	424	BOLAND SERVICES	47288	\$144.00	\$0.00	\$144.00
061071	424	BOLAND SERVICES	47569	\$126.00	\$0.00	\$126.00
061071	425	BOLAND SERVICES	47570	\$1,175.99	\$0.00	\$1,175.99
061072	PAYROLL	BUREAU F/CHILD SUPPORT		\$0.00	\$49.85	\$49.85
061073	PAYROLL	BUREAU F/CHILD SPRT ENF		\$0.00	\$212.31	\$212.31
061074	716	BLUE RIDGE VETERINARY	48080	\$294.68	\$0.00	\$294.68
061075	PAYROLL	BUREAU OF CHILD SUPPORT		\$0.00	\$576.92	\$576.92
061076	401	TIM BOYDE		\$0.00	\$517.23	\$517.23
061077	PAYROLL	VA DEPT OF TAXATION		\$0.00	\$636.16	\$636.16
061078	401	CHARLESTON NEWSPAPERS	47110	\$156.56	\$0.00	\$156.56
061079	424	*CREAMERS AUTO SERVICE	48085	\$80.25	\$0.00	\$80.25
061079	716	*CREAMERS AUTO SERVICE	48085	\$61.97	\$0.00	\$61.97
061080	PAYROLL	CHILD SUPPORT ENFORCE AG		\$0.00	\$27.69	\$27.69
061081	700	C.A.R.S	48086	\$298.49	\$0.00	\$298.49
061082	PAYROLL	COLONIAL LIFE		\$0.00	\$1,529.82	\$1,529.82
061083	401	DOMINION POST	47111	\$174.07	\$0.00	\$174.07
061084	425	DEHAVEN SEVEN-UP CORP		\$0.00	\$75.75	\$75.75
061085	405	EMBASSY SUITES	47951	\$508.00	\$0.00	\$508.00
061086	700	FEDEX		\$0.00	\$15.54	\$15.54
061087	700	GALLS,AN ARAMARK CO	47724	\$1,137.14	\$0.00	\$1,137.14
061088	415	GENERAL COUNTY FUND-J FE		\$0.00	\$30,660.30	\$30,660.30
061089	406	GUTTMAN OIL CO		\$0.00	\$201.78	\$201.78
061089	424	GUTTMAN OIL CO		\$0.00	\$1,372.26	\$1,372.26
061089	440	GUTTMAN OIL CO		\$0.00	\$198.08	\$198.08
061089	700	GUTTMAN OIL CO		\$0.00	\$8,343.60	\$8,343.60
061089	711	GUTTMAN OIL CO		\$0.00	\$133.86	\$133.86
061089	712	GUTTMAN OIL CO		\$0.00	\$256.66	\$256.66
061089	716	GUTTMAN OIL CO		\$0.00	\$493.54	\$493.54
061090	425	OX PAPERBOARD CO	47764	\$35.00	\$0.00	\$35.00
061091	424	HASLER INC.	47285	\$79.98	\$0.00	\$79.98
061092	PAYROLL	ING NATIONAL TRUST		\$0.00	\$860.00	\$860.00
061093	700	IN & OUT AUTO SERVICE	47720	\$3,170.00	\$0.00	\$3,170.00
061094	413	JEFF CO PUBLIC SER DEPT		\$0.00	\$28.05	\$28.05
061094	425	JEFF CO PUBLIC SER DEPT		\$0.00	\$56.63	\$56.63
061095	401	JEFFERSON PUBLISH CO INC	47108	\$84.64	\$0.00	\$84.64
061096	401	THE JOURNAL	47109	\$25.00	\$0.00	\$25.00
061097	PAYROLL	JEFFERSON SECURITY BANK		\$0.00	\$4,478.00	\$4,478.00
061098	712	LANGUAGE LINE SERVICES		\$0.00	\$65.91	\$65.91
061099	406	MONROE SYS FOR BUSINESS	47620	\$36.54	\$0.00	\$36.54
061100	PAYROLL	COMPROLLER OF MARYLAND		\$0.00	\$827.13	\$827.13
061101	424	HOME DEPOT CREDIT SERVIC		\$0.00	\$60.93	\$60.93
061101	425	HOME DEPOT CREDIT SERVIC		\$0.00	\$260.19	\$260.19

061101	425	HOME DEPOT CREDIT SERVIC		\$0.00	\$357.23	\$357.23
061102	700	MCKINNEY'S AUTO REPAIR	48083	\$46.20	\$0.00	\$46.20
061103	PAYROLL	MD CHILD SUPPORT ACCOUNT		\$0.00	\$18.46	\$18.46
061104	424	MILLER'S CHRYSLER JEEP	48084	\$2,300.00	\$0.00	\$2,300.00
061105	PAYROLL	NATIONWIDE RETIREMENT		\$0.00	\$735.21	\$735.21
061106	700	ENHANCED PRINTING & PROM	47722	\$1,318.48	\$0.00	\$1,318.48
061107	404	PIFER OFFICE SUPPLY, INC	47790	\$63.49	\$0.00	\$63.49
061107	406	PIFER OFFICE SUPPLY, INC	47621	\$478.94	\$0.00	\$478.94
061108	700	QUARTER MASTER	47723	\$554.26	\$0.00	\$554.26
061109	425	ROY'S GLASS SERVICE	48078	\$393.09	\$0.00	\$393.09
061110	701	RAY ALLEN MFG,LLC.	47718	\$19.45	\$0.00	\$19.45
061111	405	SPECIALTY BUS SUPPLIES	47950	\$625.53	\$0.00	\$625.53
061112	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$1.91	\$1.91
061112	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$11.16	\$11.16
061112	PAYROLL	STATE DPT O/TAX & REVENU		\$0.00	\$24,596.26	\$24,596.26
061113	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$8,366.42	\$8,366.42
061113	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$42.16	\$42.16
061113	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$9.86	\$9.86
061113	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$5.32	\$5.32
061113	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$1.24	\$1.24
061113	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$35,773.40	\$35,773.40
061114	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$28,722.26	\$28,722.26
061114	PAYROLL	SHERIFF OF JEFFERSON CO		\$0.00	\$3.21	\$3.21
061115	403	WV ASSOC OF CIRCUIT CLER	47926	\$100.00	\$0.00	\$100.00
061116	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$0.00	\$8,200.75	\$8,200.75
061117	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$0.00	\$10,130.34	\$10,130.34
061118	424	SPRINT		\$0.00	\$94.71	\$94.71
061118	712	SPRINT		\$0.00	\$1,617.79	\$1,617.79
061119	700	SECRETARY OF STATE	47721	\$52.00	\$0.00	\$52.00
061120	425	SOC, LLC	48079	\$1,242.48	\$0.00	\$1,242.48
061121	PAYROLL	TREASURER OF VIRGINIA		\$0.00	\$161.51	\$161.51
061123	711	UNITED BANKCARD CENTER	48009	\$31.79	\$0.00	\$31.79
061123	711	UNITED BANKCARD CENTER	48010	\$76.94	\$0.00	\$76.94
061123	711	UNITED BANKCARD CENTER	48014	\$57.68	\$0.00	\$57.68
061123	711	UNITED BANKCARD CENTER	48016	\$5.85	\$0.00	\$5.85
061123	711	UNITED BANKCARD CENTER	48017	\$100.54	\$0.00	\$100.54
061123	711	UNITED BANKCARD CENTER	48018	\$152.99	\$0.00	\$152.99
061123	711	UNITED BANKCARD CENTER	48019	\$44.34	\$0.00	\$44.34
061123	711	UNITED BANKCARD CENTER	48020	\$117.65	\$0.00	\$117.65
061123	711	UNITED BANKCARD CENTER	48021	\$11.66	\$0.00	\$11.66
061123	711	UNITED BANKCARD CENTER	48022	\$278.36	\$0.00	\$278.36
061123	711	UNITED BANKCARD CENTER	48023	\$132.71	\$0.00	\$132.71
061123	711	UNITED BANKCARD CENTER	48024	\$640.52	\$0.00	\$640.52
061123	711	UNITED BANKCARD CENTER	48201	\$42.88	\$0.00	\$42.88
061123	401	UNITED BANKCARD CENTER		\$0.00	\$57.31	\$57.31
061123	401	UNITED BANKCARD CENTER		\$0.00	\$777.00	\$777.00
061123	402	UNITED BANKCARD CENTER		\$0.00	\$219.12	\$219.12
061123	402	UNITED BANKCARD CENTER		\$0.00	\$29.95	\$29.95
061123	403	UNITED BANKCARD CENTER		\$0.00	\$284.56	\$284.56
061123	422	UNITED BANKCARD CENTER		\$0.00	\$11.96	\$11.96
061123	424	UNITED BANKCARD CENTER		\$0.00	\$509.77	\$509.77
061123	433	UNITED BANKCARD CENTER		\$0.00	\$139.78	\$139.78
061123	439	UNITED BANKCARD CENTER		\$0.00	\$915.00	\$915.00
061123	439	UNITED BANKCARD CENTER		\$0.00	\$580.67	\$580.67

061123	439	UNITED BANKCARD CENTER		\$0.00	\$1,359.66	\$1,359.66
061123	440	UNITED BANKCARD CENTER		\$0.00	\$376.00	\$376.00
061123	451	UNITED BANKCARD CENTER		\$0.00	\$139.27	\$139.27
061123	700	UNITED BANKCARD CENTER		\$0.00	\$13.60	\$13.60
061123	700	UNITED BANKCARD CENTER		\$0.00	\$65.70	\$65.70
061123	700	UNITED BANKCARD CENTER		\$0.00	\$206.05	\$206.05
061123	700	UNITED BANKCARD CENTER		\$0.00	\$67.42	\$67.42
061123	700	UNITED BANKCARD CENTER		\$0.00	\$130.33	\$130.33
061123	700	UNITED BANKCARD CENTER		\$0.00	\$30.59	\$30.59
061123	712	UNITED BANKCARD CENTER		\$0.00	\$86.90	\$86.90
061123	712	UNITED BANKCARD CENTER		\$0.00	\$16.15	\$16.15
061123	712	UNITED BANKCARD CENTER		\$0.00	\$204.40	\$204.40
061123	712	UNITED BANKCARD CENTER		\$0.00	\$419.22	\$419.22
061123	712	UNITED BANKCARD CENTER		\$0.00	\$565.00	\$565.00
061123	712	UNITED BANKCARD CENTER		\$0.00	\$408.80	\$408.80
061123	976	UNITED BANKCARD CENTER		\$0.00	\$224.00	\$224.00
061124	425	VALLEY HARDWARE COMPANY	48025	\$19.78	\$0.00	\$19.78
061125	403	VITAL SIGNS	47925	\$250.00	\$0.00	\$250.00
061126	405	WEST PAYMENT CENTER	47953	\$2,977.04	\$0.00	\$2,977.04
061127	424	WINCHESTER EQUIPMENT CO	48082	\$4,488.69	\$0.00	\$4,488.69
061128	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$1.93	\$1.93
061128	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$21,469.90	\$21,469.90
061129	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$4.72	\$4.72
061129	PAYROLL	WV PUB EMP RETIRE SYS		\$0.00	\$52,481.88	\$52,481.88
061130	716	WV BOARD VETERINARY MED	48081	\$500.00	\$0.00	\$500.00
061131	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$133.20	\$133.20
061132	PAYROLL	WV CPRB/LOAN DIVISION		\$0.00	\$166.50	\$166.50
061133	700	WV SIGNAL & LIGHT, INC.	47719	\$996.00	\$0.00	\$996.00
<b>TOTALS</b>				<b>\$26,173.83</b>	<b>\$258,622.68</b>	<b>\$284,796.51</b>

**In re: PUBLIC COMMENT**

Ms. Blake appeared before the Commission on behalf of the Elk’s Run Study Group to commend staff from the GIS Department for providing valuable information to the study group and requested the Commission consider allocating additional funds to the GIS Department to enhance GIS/Addressing software systems.

Ms. Blake also expressed her concerns with the proposed Small Cities Block Grant.

Ed Burns appeared before the Commission to express his concerns with the Small Cities Block Grant public hearing conducted on Tuesday, March 16, 2010.

**In re: COUNTY ADMINISTRATOR REPORTS**

Sandra McDonald, Deputy County Administrator reminded the Commission of their Special Session to discuss the budget on March 23, 2010 at 9:30 a.m.

**In re: PUBLIC COMMENT - CONTINUED**

Ms. Moore appeared before the Commission and discussed the forum of the public hearing held on Tuesday, March 16, 2010 and to express her concerns with the proposed Small Cities Block Grant.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Surkamp reported on the E-911 Committee meeting he attended.

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

Commissioner Manuel reported on the STOP PATH meeting he attended.

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

Commissioner Morgan reported on the upcoming STOP PATH public meetings that are being held.

Commissioner Widmyer reported on the Region 9 meeting she attended.  
Commissioner Widmyer expressed concerns with the county webcam's functions and visibility.

**In re: JOE SACCHET - PRESENTATION OF THE BERKELEY/JEFFERSON DAY REPORT CENTER'S GRANT PROPOSAL**

Mr. Joe Sachhet, Berkeley/Jefferson Day Report Center Director appeared before the Commission with presentation of a grant proposal and to request the Commission's support for the grant application.

Mr. Sacchet reported on the goals and objectives of the Day Report Center. Mr. Sacchet further reported on the current client base and Regional Jail savings since the Center's opening in 2009.

Motion by Morgan, second by Noland to support and authorize the Commission President's signature upon the Berkeley/Jefferson Day Report Center's grant application as presented by Mr. Sacchet with the county to contribute matching funds for the grant in the amount of \$45,854.00. Motion carried.

Mr. Sacchet provided an overview of individual and group services, educational services and rehabilitation services provided to clients of the Day Report Center.

**In re: APPROVAL OF SMALL CITIES BLOCK GRANT - MOUNTAIN WATER SYSTEM**

Commissioner Widmyer reported on the two Small Cities Block Grant public hearings conducted.

Mr. Joe Hankins, Public Service District Chairman appeared before the Commission to request approval of support for the Small Cities Block Grant for the Mountain Water System. Mr. Hankins reported on the specifications of the Small Cities Block Grant application.

Carol Crabtree, Region 9 Executive Director was present for comments.

Mr. Hankins discussed the proposed implementation of a \$12.00 monthly surcharge for Public Service District customers to support improvements to the Mountain Water System.

In addition to supporting the Small Cities Block Grant application, Mr. Hankins requested the Commission commit \$1.5 million to match the West Virginia Infrastructure Council funding for the grant application.

Ms. Crabtree reported on the contents and supporting documents provided by Region 9 in for the Small Cities Block Grant application and provided an overview of objectives in support of the Small Cities Block Grant.

Mr. Hankins reported on the proposed partnership agreement between the Public Service District and Jefferson Utilities.

Lee Snyder of Jefferson Utilities was present for comments. Mr. Snyder reported on Jefferson Utility rates set by the Public Service District, implementation and specifications of surcharge fees to customers and facility improvements to Jefferson Utilities water systems.

Motion by Morgan, second by Widmyer to reject the Small Cities Block grant application and the Mountain Water System project as presented and refuse to endorse the grant application as presented.

Amended motion by Widmyer, second by Manuel to defer the Small Cities Block Grant application until a legal partnership is established between Jefferson Utilities, Region 9 and the Public Service Commission and cost is adequately established for utility customer to the Commission's satisfaction.

The Commission discussed specifications of the Mountain Water System, utility rates and specifications of the Small Cities Block grant and its effect on the Public Service District and Jefferson Utility rate payers.

Commissioner Widmyer withdrew her amended motion.

Original motion by Morgan, second by Widmyer to reject the Small Cities Block grant application and the Mountain Water System project as presented and refuse to endorse the grant application as presented. Motion carried by a 4-1 vote. Commissioner Noland voted no.

**The Commission took a 10-minute break at 11:30 a.m.**

Motion by Widmyer, second by Surkamp to defer filing a future Small Cities Block grant until the following conditions are satisfied:

- a. The following studies related to the source of water are completed: well drilling studies at Westridge Hills, a project funded by the Jefferson County Commission and a “water budget” is prepared for Jefferson County, a project funded by the Jefferson County Commission;
- b. The public-private partnership proposed to manage the Mountain Water Project is recognized and approved by the West Virginia Public Service Commission; and
- c. Every effort has been made to assure the costs to rate payers are kept to a minimum.

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

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Morgan, second by Manuel to approve all Purchase Orders for the Week of March 18, 2010 totaling \$87,502.71: 47924, 47925, 47926, 47927, 48276, 48163, 47657, 48124, 48276, 48275, 48276, 48088, 48089, 48093, 48087 and 47809. Motion carried.

**In re: JENNIFER S. MAGHAN - COUNTY CLERK’S REPORT  
- APPROVAL OF POLL WORKER’S LIST**

Jennifer S. Maghan, County Clerk appeared before the Commission to request approval of the Poll Worker’s list. Ms. Maghan reported on the review and recommendations of the Democratic and Republican Executive Committees.

Motion by Manuel, second by Noland to approve the poll worker’s list as presented by the County Clerk. Motion carried.

**In re: MARGARET COGSWELL - HOSPICE “BUILDING A DREAM” PROJECT - REQUEST FOR RESOLUTION OF SUPPORT**

Margaret Cogswell, Chief Executive Officer for Hospice appeared before the Commission to request approval of a Resolution of support for the “Build a Dream” project currently being implemented.

Ms. Cogswell reported on the goals and objectives for the “Build a Dream” project.

Chip Bennett, Build a Dream project Chairman was present for comments.

Motion by Manuel, second by Noland to approve and authorize the Commission President’s signature upon the Resolution of Support for Hospice’s “Build a Dream” project. Motion carried.

**RESOLUTION**

WHEREAS, Hospice of the Panhandle, a non-profit agency, has served patients and families of Jefferson, Berkeley, Hampshire and Morgan counties in West Virginia for thirty years, and

WHEREAS, Hospice of the Panhandle employs more than 130 workers, including nurses, nursing assistants, social workers and chaplains throughout all four counties, who contribute greatly to the local economy and to the state of West Virginia, and

WHEREAS, Hospice of the Panhandle serves some 250 patients and families daily, primarily offering comfort-oriented care in patients’ homes throughout the region, and

WHEREAS, Hospice of the Panhandle seeks to offer the next level of care to patients and families through the building of a 14-bed inpatient facility on 19 acres on the Berkeley-Jefferson County line, and

WHEREAS, the new building, as well as consolidated office space, will result in the creation of at least 20 new health-care jobs that will positively contribute to the local economy and the state overall,

NOW, THEREFORE BE IT RESOLVED, that the County Commission of Jefferson County supports the mission of Hospice of the Panhandle and its efforts to build a new inpatient facility and offices on the Berkeley-Jefferson County, West Virginia, line.

APPROVED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY ON THIS 18<sup>th</sup> day of MARCH 2010.

/s/

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Lyn Widmyer, Commission President

**In re: KELLIE BOLES - JEFFERSON COUNTY FARMLAND PROTECTION BOARD - CHANGE TO THE COOPERATIVE AGREEMENT BETWEEN THE JCFPB AND USDA-NRCS FOR THE FARM AND RANCH LAND PROTECTION PROGRAM AND MOU WITH THE WV AGRICULTURAL LAND PROTECTION AUTHORITY**

Kellie Boles, Agricultural Development Officer appeared before the Commission to request Commission support and approval to implement changes to the cooperative agreement between the Jefferson County Farmland Protection Board and the USDA-NRCS for the Farm and Ranch Land Protection Program and a Memorandum of Understanding with the West Virginia Agricultural Land Protection Authority.

Ms. Boles reported on state requirements and standard federal templates being utilized in support of the proposed Memorandum of Understanding and proposed changes to the Farm and Ranch Land Protection program.

Motion by Widmyer, second by Morgan authorizing Ms. Boles to implement the changes to the Cooperative Agreement between the Jefferson County Farmland Protection Board and the USDA-NRCS for the Farm and Ranch Land Protection Program and to support the Memorandum of Understanding with the WV Agricultural Land Protection Authority. Motion carried.

**In re: SET DATE AND TIME FOR PUBLIC HEARING FOR ZONING MAP AMENDMENT (REZONING) FOR PROPERTY DESIGNATED AS TAX DISTRICT HARPERS FERRY, MAP 9, PARCELS 37 AND 37.2**

Motion by Manuel, second by Widmyer to schedule the Zoning Map Amendment (Rezoning) for Property Designated as Tax District Harpers Ferry, Map 9, Parcels 37 and 37.2 Public Hearing for Thursday, April 15, 2010 at 7:00 p.m. Motion carried.

**In re: LEGAL UPDATE AND REPORT - (STEPHANIE GROVE)  
- DEPARTMENT HEADS OVERTIME POLICY  
- COMPENSATION FOR DEPARTMENT HEADS**

Commissioner Manuel requested Ms. Grove, Assistant Prosecuting Attorney research implementing a Bonding Agreement between Lady Gaga management personnel and the Jefferson County Parks and Recreation Commission in the event of damages to property during Lady Gaga's proposed appearance at the Sam Michael's Recreation Center. Ms. Grove reported she will be reviewing the lease agreement between the Parks and Recreation Commission and Jefferson County Commission for liability issues.

Ms. Grove presented the Commission with her weekly to do list.

The Commission expressed concerns with the Parks and Recreation Commission's land acquisition. The Commission agreed to get a status report from Tim Barr, Parks and Recreation Director regarding land acquisition later in today's session.

Ms. Grove presented the Commission with the draft Department Heads Overtime Policy. The Commission agreed by consensus to authorize Mr. Boyde to review the draft policy and offer his recommendations next week.

Motion by Morgan, second by Manuel to enter into Executive Session to discuss personnel matters. Motion carried.

**The Commission recessed for lunch at 12:45 p.m.**

**The Commission reconvened at 1:45 p.m.**

**In re: LEGAL UPDATE AND REPORT - (STEPHANIE GROVE)**

Motion by Manuel, second by Widmyer to return to Regular Session. Motion carried.

Motion by Noland, second by Manuel to approve overtime compensation for Department Heads and essential personnel that worked during the December 2009-January 2010 snow storms. Motion carried by a 3-2 vote. Commissioners Surkamp and Widmyer voted no.

**In re: PARKS AND RECREATION COMMISSION - BUDGET DISCUSSION**

Tim Barr, Parks and Recreation Director appeared before the Commission with a PowerPoint demonstration which provided an overview of Parks and Recreation Department programs, budget and expenditures.

Mr. Barr reported on the Parks and Recreation Commission meeting he attended regarding land acquisition.

Mr. Barr reported on the meeting scheduled for Monday, March 29, 2010 with Stephanie Grove, Assistant Prosecuting Attorney, Sheriff Shirley and Lady Gaga Representatives.

**In re: JEFFREY POLCZYNSKI - DIRECTOR OF COMMUNICATIONS - REVIEW WORK PLAN**

Jeffrey Polczynski, Communications Director appeared before the Commission with a PowerPoint demonstration which provided an overview of his Department's Fiscal Year 2011 work plan.

Mr. Polczynski reported on the Communication Center's future goals and objectives.

**In re: SHAWNA MOLINA - COUNCIL ON AGING - BUDGET REQUEST**

Shawna Molina, Executive Director for the Jefferson County Council on Aging appeared before the Commission for a budget request.

Ms. Molina provided an overview of services provided to Jefferson County by the Council on Aging and activities available at the Jefferson County Senior Center.

The Commission advised Ms. Molina that they would consider her budget request during budget deliberations.

**In re: JENNIFER BROCKMAN - DIRECTOR OF PLANNING AND ZONING  
- NEW LEASE AGREEMENT FOR COLOR COPIER FOR PLANNING AND ZONING**

Jennifer Brockman, Director of Planning and Zoning appeared before the Commission to request approval of a lease agreement for a new color copier for the Department of Planning and Zoning.

Ms. Brockman reported on the capabilities of the proposed copier and specifications of the lease agreement.

Motion by Widmyer, second by Surkamp to approve the lease agreement for a new color copier in the Department of Planning and Zoning contingent upon legal review and approval. Motion carried.

**- REFUND REQUEST FOR PETER CORUM FOR TOWN RUN COMMONS  
VARIANCE REQUEST**

Ms. Brockman reported on the refund request by Mr. Corum and reported Town Run Commons is ineligible for a variance.

Motion by Morgan, second by Surkamp to authorize a refund payment in the amount of \$100.00 for Peter Corum as previous submitted for a variance request. Motion carried.

**In re: ROGER GOODWIN**

Roger Goodwin, Chief County Engineer appeared before the Commission and expressed his concerns with Department budgetary cuts and decreases to the Fiscal Year 2011 budget with consideration to his workforce and Department needs.

**- GROUNDWATER RESOURCES STUDY PROJECT**

Mr. Goodwin reported on the Countywide water project budget and provided specifications of current studies being conducted. Mr. Goodwin provided copies of the proposed Groundwater Resources Study project for Commission consideration. Mr. Goodwin also reported on his intentions to issue RFP's for the Groundwater Resources Study project.

Motion by Morgan, second by Manuel to approve the proposed Groundwater Resources Study as presented by Mr. Goodwin with a copy to be emailed to all Water Advisory Committee members. Motion carried by a 4-1 vote. Commissioner Morgan voted no.

**- BONDING POLICY REVIEW COMMITTEE RECOMMENDATIONS**

**- SET PUBLIC HEARING DATE**

Mr. Goodwin and members of the Bonding Policy Review Committee appeared before the Commission to discuss their recommendations to the proposed bonding policy. Mr. Goodwin provided a PowerPoint demonstration of the goals and objectives for the proposed bonding policy.

Kirk Davis, Capital Projects Manager was present for comments.

Rebecca Burns, Engineering Department Office Manager was present for comments.

Stephanie Grove, Assistant Prosecuting Attorney was present for comments.

Motion by Widmyer, second by Manuel authorizing the Bonding Policy Review Committee to move forth with the recommendations presented and draft the proposed policy for further review and consideration. Motion carried.

The Commission agreed by consensus to conduct an informational session with the Committee prior to scheduling a public hearing in order to review the draft policy prior to July 1, 2010.

**The Commission took a 10-minute break at 4:05 p.m.**

**In re: MARK SCHIAVONE, DIRECTOR OF CAPITAL PLANNING AND MANAGEMENT**

**- INTER-DEPARTMENT TRANSFERS - BUDGET REVISION OOC**

Mark Schiavone, Capital Planning and Management Director appeared before the Commission to request approval of Budget Revision OOC.

Mr. Schiavone reported that the Inter-Department transfers are for the Department of Capital Planning and Management, the Assessor, Data Processing and Planning and Zoning.

Motion by Noland, second by Manuel to approve Budget Revision OOC as presented by Mr. Schiavone. Motion carried.

**- REQUEST TO AMEND FISCAL YEAR 2010 CAPITAL IMPROVEMENT PLAN FOR THE BOARD OF EDUCATION**

Mr. Schiavone reported on the Jefferson County Board of Education's request to amend the 2010 Capital Improvement Plan for fiscal year 2010.

Motion by Manuel, second by Noland to authorize amendment to the Capital Improvement Plan for the Jefferson County Board of Education for fiscal year 2010 as presented. Motion carried.

**- BUDGET REVISION - COAL SEVERANCE FUND**

Mr. Schiavone reported on the WV State Auditor's regulations for Coal Severance fund budget revisions and requested approval of the Resolution in support of the Coal Severance (Fund 002) Levy Estimate for Jefferson County.

Motion by Noland, second by Manuel to approve the Resolution for the Coal Severance (Fund 002) Levy Estimate Budget Revision as presented. Motion carried.

**RESOLUTION**

At a regular session of the Jefferson County Commission held on the 18th day of March 2010 the following order was made and entered:

SUBJECT: The revision of the Coal Severance (Fund 002) Levy Estimate (Budget) for the County of Jefferson. The following Resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the County Commission does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OF INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 002, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by Patricia Noland and duly seconded by Dale Manuel the vote thereon was as follows:

<u>Lyn Widmyer</u>	<u>YES</u>
<u>Frances Morgan</u>	<u>YES</u>
<u>Jim Surkamp</u>	<u>YES</u>
<u>Patricia Noland</u>	<u>YES</u>
<u>Dale Manuel</u>	<u>YES</u>

WHEREUPON, Lyn Widmyer declared said Resolution duly adopted and it is therefore ADJUDGED and ORDERED that said Resolution be and the same is hereby adopted as so stated above and F. Mark Schiavone is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

**In re: LEGISLATIVE ISSUES**

Commissioner Noland reported on the status of the following Senate Bills: 237, 337, 401, 614, 4211 and 397.

**In re: JEFFERSON COUNTY HISTORICAL SOCIETY -REQUEST FOR USE OF THE COUNTY MEETING ROOM FOR SPRING MEETING**

Motion by Morgan, second by Manuel to approve the request by the Jefferson County Historical Society for use of the county meeting room to conduct their spring meeting. Motion carried.

**In re: REQUEST FOR USE OF COUNTY MEETING ROOM TO RECEIVE PUBLIC COMMENT ON THE HAGERSTOWN EASTERN PANHANDLE METROPOLITAN PLANNING ORGANIZATION'S LONG RANGE TRANSPORTATION PLAN**

Motion by Morgan, second by Manuel to approve the request by the Hagerstown Eastern Panhandle Metropolitan Planning Organization for use of the county meeting room on March 31, 2010. Motion carried.

The Commission discussed the agenda for the March 22, 2010 Budget Work Session.

Motion by Noland, second by Widmyer to adjourn the March 18, 2010 Regular term of the County Commission at 4:30 p.m. Motion carried.

**The Commission received the following information:**

Appointments to be made to the Jefferson County Planning Commission on March 25, 2010.

Appointments to be made to the Jefferson County Development Authority on March 25, 2010.

Correspondence received from Georgia Dubose concerning a Homelessness meeting on March 23, 2010.

Correspondence received from the Jefferson County Fire and Rescue Association

concerning the election of Ronald Fletcher as president.

Copy of correspondence sent to Barb Miller from Governor Manchin received expressing appreciation to Ms. Miller and her staff during the severe winter storms.

Reminder of League of Women Voters breakfast on March 20, 2010.

Correspondence received from the National Academies of Emergency Dispatch concerning approval of Re-Accreditation as a Center of Excellence.

Copy of correspondence received from the West Virginia State Police thanking the Jefferson County Maintenance Department for their assistance during the severe winter storms.

Invitation received from the Shepherdstown Fire Department to meet with the Commission on April 5, 2010, at 7:30 p.m at the Shepherdstown Fire Department.

First in Your Family newsletter received.

Classification information received from the County Commissioners' Association.

Legislative information received from the County Commissioners' Association and the Association of Counties.

Notice received of the Annual Meeting and Banquet for the Shenandoah Valley Travel Association.

West Virginia Ethics Reporter received.

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

Correspondence received from Gil Narro Garcia concerning a public hearing notice.

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

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LYN WIDMYER, COMMISSION PRESIDENT