

Minutes

Jefferson County Commission

Thursday, January 31, 2013

A meeting of the Jefferson County Commission was held on Thursday, January 31, 2013 in the County Commission meeting room in the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Dale Manuel, Patsy Noland, Walter Pellish, Jane Tabb and Lyn Widmyer. Also present were Debbie Keyser, County Administrator, Cynthia Schott, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of the January 31, 2013 meeting is available through the Jefferson County Commission Office.)

PLEDGE OF ALLEGIANCE

Commissioner Noland led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Noland to approve the Minutes of the January 17, 2013 regular meeting with noted correction. Motion seconded by Mr. Pellish. Due to questions regarding the recording of a vote, Ms. Noland withdrew her motion and Mr. Pellish withdrew his second. Minutes are deferred until the next Commission meeting.

Motion by Ms. Noland to approve the Minutes of the January 22, 2013 Special Session with noted correction. Motion seconded by Mr. Pellish and unanimously approved.

Motion by Ms. Noland to approve the Minutes of the January 24, 2013 Special Session regarding Jefferson Asphalt as presented. Motion seconded by Mr. Pellish and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Noland to approve Purchase Orders in the amount of \$51,580.48 being P. O. Nos. 50115, 50127, 51173, 51174, 51175, 51178, 51266, 51276, 50267, 51263, 51230, 50862, 50863, 51267, 51269, 51270,, 51271, 51273, 51274, 51275, 50313, 50314, 50315, 50061, 50116, 50117, 50118, 50119, 50120, 50122, 50123, 50124, 50125, 50126, 50128, & 51262. Motion seconded by Mr. Manuel and unanimously approved.

Ms. Tabb enquired as to the \$20,200.00 purchase order for GIS. Ms. Keyser stated GIS is upgrading software. This amount is in the GIS budget and is not a capital expense.

APPROVAL OF ACCOUNTS PAYABLE

**Motion by Ms. Widmyer to approve the accounts payable for January 24, 2013 in the amount of \$94,916.13
 Motion seconded by Mr. Pellish and unanimously approved.**

CHCKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
069091	451	AMERICAN PLANNING ASSOC	50311	\$ 237.00	\$ -	\$ 237.00
069092	425	COMCAST		\$ -	\$ 349.95	\$ 349.95
069093	425	BIEDLERS ELEC MOTOR REP	51265	\$ 54.00	\$ -	\$ 54.00
069094	425	BATTERY MART	51250	\$ 339.10	\$ -	\$ 339.10
069095	425	B-K OFFICE SUPPLY INC	51249	\$ 179.00	\$ -	\$ 179.00
069095	425	B-K OFFICE SUPPLY INC	51264	\$ 36.78	\$ -	\$ 36.78
069096	712	FRONTIER WV, INC		\$ -	\$ 380.00	\$ 380.00
069097	425	CITY OF CHARLES TOWN	51260	\$ 20.00	\$ -	\$ 20.00
069098	440	CHOICE STAFFING, INC.		\$ -	\$ 718.88	\$ 718.88
069099	425	CONTROL SYSTEMS	51247	\$ 373.00	\$ -	\$ 373.00
069100	425	DAYCON	51245	\$ 765.03	\$ -	\$ 765.03
069100	425	DAYCON	51258	\$ 1,061.65	\$ -	\$ 1,061.65
069101	717	DONALD B. RICE TIRE CO.	51256	\$ 974.36	\$ -	\$ 974.36
069102	413	ESS ELECTION SYSTEMS &	50263	\$ 209.58	\$ -	\$ 209.58
069103	425	84 LUMBER	51248	\$ 2,019.72	\$ -	\$ 2,019.72
069104	717	FISHER AUTO PARTS	51254	\$ 812.74	\$ -	\$ 812.74
069105	716	HILLSIDE VETERINARY HOSP	51176	\$ 53.00	\$ -	\$ 53.00
069106	439	THE JOURNAL	49963	\$ 283.02	\$ -	\$ 283.02
069107	712	LANGUAGE LINE SERVICES		\$ -	\$ 104.45	\$ 104.45
069108	402	LEGAL DIRECTORIES	50261	\$ 15.50	\$ -	\$ 15.50
069109	402	MATTHEW BENDER & CO	50260	\$ 118.94	\$ -	\$ 118.94
069109	405	MATTHEW BENDER & CO	50060	\$ 460.31	\$ -	\$ 460.31
069110	413	MONACO TECHNOLOGY	50262	\$ 1,510.00	\$ -	\$ 1,510.00
069111	404	PIFER OFFICE SUPPLY, INC	52088	\$ 205.79	\$ -	\$ 205.79
069112	701	QUARTER MASTER	50121	\$ 87.48	\$ -	\$ 87.48
069113	425	RCS SECURITY	51253	\$ 139.29	\$ -	\$ 139.29
069113	425	RCS SECURITY	51255	\$ 170.00	\$ -	\$ 170.00
069114	425	RCS SECURITY		\$ -	\$ 108.00	\$ 108.00
069115	401	SOFTWARE SYSTEMS, INC		\$ -	\$ 886.00	\$ 886.00
069115	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 240.50	\$ 240.50
069115	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 753.00	\$ 753.00
069115	406	SOFTWARE SYSTEMS, INC		\$ -	\$ 70.00	\$ 70.00
069115	700	SOFTWARE SYSTEMS, INC		\$ -	\$ 274.50	\$ 274.50
069116	405	SPECIALTY BUS SUPPLIES	50058	\$ 1,703.05	\$ -	\$ 1,703.05
069116	716	SPECIALTY BUS SUPPLIES	51177	\$ 70.00	\$ -	\$ 70.00
069117	704	ST/WV REGIONAL JAIL &	50310	\$ 72,370.40	\$ -	\$ 72,370.40
069118	425	SPECTRUM FIRE PROTECTION	51243	\$ 165.00	\$ -	\$ 165.00
069119	425	CAPITAL TRISTATE	50292	\$ 2,464.16	\$ -	\$ 2,464.16
069120	717	WILLIAMS MOTOR PARTS, IN	50291	\$ 384.95	\$ -	\$ 384.95
069121	424	WINCHESTER SECURITY,LLC	51257	\$ 300.00	\$ -	\$ 300.00
069121	425	WINCHESTER SECURITY,LLC	51252	\$ 238.00	\$ -	\$ 238.00
069121	425	WINCHESTER SECURITY,LLC	51257	\$ 3,210.00	\$ -	\$ 3,210.00
TOTAL						\$ 94,916.13
TOTAL				\$ 91,030.85	\$ 3,885.28	\$ 94,916.13

**Motion by Ms. Noland to approve the accounts payable for January 31, 2013 in the amount of \$584,179.34.
Motion seconded by Mr. Manuel and unanimously approved.**

CHKNO	DEPT	VENDOR	PONUM	POAMT	NOAMT	CHECK AMOUNT
069124	PAYROLL	AMERICAN FAMILY LIFE ICU		\$ -	\$ 5,566.23	\$ 5,566.23
069125	712	AT&T/GA		\$ -	\$ 178.58	\$ 178.58
069126	712	B-K OFFICE SUPPLY INC	51221	\$ 129.00	\$ -	\$ 129.00
069127	PAYROLL	BUREAU F/CHILD SUPPORT		\$ -	\$ 49.85	\$ 49.85
069128	PAYROLL	BUREAU F/CHILD SPRT ENF		\$ -	\$ 212.31	\$ 212.31
069129	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 461.54	\$ 461.54
069130	PAYROLL	BUREAU OF CHILD SUPPORT		\$ -	\$ 23.08	\$ 23.08
069131	PAYROLL	CHILD SUPPORT ENFORCE AG		\$ -	\$ 27.69	\$ 27.69
069132	405	JAMES CASIMIRO III		\$ -	\$ 245.21	\$ 245.21
069133	440	CHOICE STAFFING, INC.		\$ -	\$ 734.06	\$ 734.06
069134	PAYROLL	COLONIAL LIFE		\$ -	\$ 1,134.63	\$ 1,134.63
069135	405	KIMBERLEY CROCKETT		\$ -	\$ 248.60	\$ 248.60
069136	PAYROLL	DIVERSIFIED COLLECTION		\$ -	\$ 154.83	\$ 154.83
069137	PAYROLL	DELTA DENTAL OF WV		\$ -	\$ 5,569.88	\$ 5,569.88
069138	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,667.10	\$ 1,667.10
069138	PAYROLL	GUARDIAN - APPLETON		\$ -	\$ 1,924.74	\$ 1,924.74
069139	425	GRAINGER, INC	51272	\$ 43.78	\$ -	\$ 43.78
069140	439	GLOBAL RECOVERY SERVICES		\$ -	\$ 2,500.00	\$ 2,500.00
069141	PAYROLL	ING NATIONAL TRUST		\$ -	\$ 2,020.00	\$ 2,020.00
069142	401	JEFFERSON PUBLISH CO INC		\$ -	\$ 179.46	\$ 179.46
069143	712	DR ROBERT JONES		\$ -	\$ 1,000.00	\$ 1,000.00
069144	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 4,773.00	\$ 4,773.00
069144	PAYROLL	JEFFERSON SECURITY BANK		\$ -	\$ 40.00	\$ 40.00
069145	405	RALPH A LORENZETTI JR		\$ -	\$ 292.67	\$ 292.67
069146	712	MORGAN TROPHIES AWARDS	49870	\$ 18.00	\$ -	\$ 18.00
069147	223	COMPTROLLER OF MARYLAND		\$ -	\$ 1,187.34	\$ 1,187.34
069148	405	JENNIFER E. MAY-SANNER		\$ -	\$ 20.21	\$ 20.21
069149	PAYROLL	HIGHMARK WV		\$ -	\$ 166,744.35	\$ 166,744.35
069150	PAYROLL	HELEN M. MORRIS, TRUSTEE		\$ -	\$ 150.00	\$ 150.00
069151	PAYROLL	NATIONWIDE RETIREMENT		\$ -	\$ 774.00	\$ 774.00
069152	406	PIFER OFFICE SUPPLY, INC	49860	\$ 41.75	\$ -	\$ 41.75
069153	425	RCS SECURITY		\$ -	\$ 132.00	\$ 132.00
069154	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 101.66	\$ 101.66
069154	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 23.78	\$ 23.78
069154	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 10,016.22	\$ 10,016.22
069154	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 42,828.38	\$ 42,828.38
069154	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 41,401.52	\$ 41,401.52
069154	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 118.84	\$ 118.84
069155	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 1.74	\$ 1.74
069155	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 45,272.35	\$ 45,272.35
069155	PAYROLL	SHERIFF OF JEFFERSON CO		\$ -	\$ 155.10	\$ 155.10
069156	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 15,533.55	\$ 15,533.55
069156	PAYROLL	WV DEPUTY SHRF RETIREMEN		\$ -	\$ 23,757.06	\$ 23,757.06
069157	712	SEN COMMUNICATIONS	51222	\$ 362.62	\$ -	\$ 362.62
069158	405	BRANDON C.H. SIMS		\$ -	\$ 253.69	\$ 253.69
069159	975	SUMMIT COMMUNITY BANK		\$ -	\$ 2,441.41	\$ 2,441.41
069160	405	WEST PAYMENT CENTER	49635	\$ 958.25	\$ -	\$ 958.25
069161	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 5.57	\$ 5.57
069161	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 1.79	\$ 1.79
069161	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 37,095.14	\$ 37,095.14

069161	PAYROLL	WV PUB EMP RETIRE SYS		\$ -	\$ 115,406.98	\$ 115,406.98
069162	PAYROLL	WV CPRB/LOAN DIVISION		\$ -	\$ 199.80	\$ 199.80
069163	GRANT	WV PROMISE ALLIANCE FOR		\$ -	\$ 50,000.00	\$ 50,000.00
TOTAL						\$ 584,179.34
TOTAL				\$ 1,553.40	\$ 582,625.94	\$ 584,179.34

DEPT		NAME				DEPT AMTS
401/COM		CO. COMMISSION				\$ 179.46
405/PA		PROS ATTY				\$ 2,018.63
406/ASSR		ASSESSORS				\$ 41.75
425/OB		OTHER BUILDING				\$ 175.78
439/PZ		PLANNING ZONING				\$ 2,500.00
440/ENG.		DEPT OF ENGINEERING				\$ 734.06
712/911		911 COMMUNICATION				\$ 1,688.20
975/C/O		CO. CLERK / CAPITAL OUTLAY				\$ 2,441.41
GRANTS		GRANTS				\$ 50,000.00
PAYROLL		PAYROLL				\$ 524,400.05
TOTALS						\$ 584,179.34

PUBLIC COMMENT:

David Tabb, resident – inquired as to who had applied for the Sheriff’s position and reiterated his offer to donate his time to the position.

Kathy Knight, resident – shared her thoughts on filling the position of Sheriff, and how she would like to see an election.

Jennifer Brockman, Director of Planning and Zoning –Announced the upcoming Public Input Meetings for the Comprehensive Plan.

Nichelle Hosby, Executive Assistant, introduced the Commission office’s new intern from Job Corp, Ashely Benson.

PRESENTATIONS:

- a) Cam Siegrist, Bowles Rice LLP, Representing WV Preservation Associates, LLC. Mr. Siegrist stated that Jefferson County, Berkeley County and Hardy County issued commercial development revenue bonds in 2010 for WV Preservation Associates, LLC to provide financing for various housing projects. The approval of the Jefferson County Commission is required with respect to certain amendments to the original Trust Indenture and Loan Agreement with respect to the distribution of documents in connection with the remarketing of the Bonds. Jefferson County is in no manner obligated to repay the Bonds if WV Preservation Associates, LLC fails to do so. This Bond issue will not affect the County’s \$10,000.00 cap relating to “bank qualified” bonds.

- **Motion by Mr. Manuel to approve the Resolution provided to the Jefferson County Commission in regard to the amendment(s) outlined, subject to approval of counsel. Motion seconded by Mr. Pellish and unanimously approved.**

2. Angela Banks, Assessor, presented the following exoneration(s) for approval:

NOTICE OF EXONERATION:

Angela Banks, County Assessor, requested exoneration for Andrew Hunt, in the amount of \$91.99 for ticket No.200001209S.

NAME	DISTRICT	TYPE	TICKET NO.	AMOUNT
Andrew Hunt	Charles Town	Personal Property	200001209S	91.99

- **Motion by Ms. Tabb to approve exoneration for Andrew Hunt in the amount of \$91.99, being Ticket No. 200001209S. Motion seconded by Ms. Noland and unanimously approved.**

3. Laura Storm, requests the approval of hiring Monica H. Day to a full-time position as Deputy Clerk within the Circuit Clerks office effective February 4, 2013. Ms. Day’s pay grade will be II F with a salary of \$30,000 with full benefits afforded Jefferson County Commission employees. This position has previously been approved by the Commission and the funds are within the budget with no additional monies being requested.

- **Motion by Ms. Widmyer to approve the hiring of Monica H. Day to a full-time position as Deputy Clerk within the Circuit Clerks office. Ms. Day’s grade will be II F with a salary of \$30,000 and full benefits as afforded to Jefferson County Commission employees effective February 4, 2013. Motion seconded by Mr. Pellish and unanimously approved.**

Mr. Pellish requested that Ms. Banks research an issue regarding tax incentives which the State Legislature enacted a year ago for citizens that have invested in “green energy”. Allegedly, the State Tax Department has ruled incorrectly how to interpret the solar issue resulting in citizen’s assessments being very high. Ms. Banks thanked Mr. Pellish for bringing this to her attention and she is researching the matter and will come back to the Commission with her findings. Later in the meeting Ms. Banks contacted Mr. Pellish and informed him that Senator Snyder contacted her and informed her that both he and Senator Unger were “aware of the interpretation by the WV Tax Dept. and there will be an effort made during the legislative session to fix this legislation so the Tax Dept. has a clear mandate to provide the tax credit. There is also an effort being made that any new legislation be made retroactive for those that have already purchase items thinking the tax credit applied”.

4. Mr. Goodwin, Chief County Engineer. Mr. Goodwin requests the approval to fill the vacant position of Permits Technician with Norma Kuroski. Ms. Kuroski has been working on an as-needed basis for the past ten (10) months during their staffing shortage. Ms. Kurosk has the qualification for the position.

- **Motion by Ms. Noland to approve the filling of the vacant position of Permits Technician with Norma Kuroski at salary currently budgeted. Motion seconded by Mr. Pellish and unanimously approved.**

Ms. Widmyer stated she would like to have a line for Ms. Keyser’s approval added to requests for hiring in the

future.

5. The Commission took a break at: 10:25.
The Commission reconvened at: 10:32.

UNFINISHED BUSINESS:

6. Discussion of the process of filling the Sheriff position. Ms. Keyser stated the Attorney General's opinion has not arrived at this point.
 - ❖ Mr. Manuel stated he is not inclined to hold a special election at the price tag of \$200, 000 to the citizens.
 - ❖ Mr. Pellish recommended Jessie Jones remaining in the position until the next election, if permissible. Mr. Manuel requested Mr. Groh research if that is possible.
 - ❖ Ms. Noland stated she had looked at the logistics time wise of holding a special election and just doesn't see how it's feasible as the Sheriff couldn't be elected until November then only be in office one month before the next election in 2014.
 - ❖ Ms. Widmyer stated she understood counsel's interpretation of allowing Mr. Jones to stay in the position to be as long as the Commission is looking at the legal requirements. Ms. Widmyer understood counsel to state code requires us to act expeditiously to replace the Sheriff.
 - ❖ Ms. Tabb believes what we are waiting for is an interpretation from the Attorney General's office of the two (2) conflicting codes. Ms. Tabb does not believe it is clear in the code that we cannot hold a special election.
 - **Motion by Mr. Manuel to advertise for position of Sheriff making it clear that if we need to change course due to legal reasons we will. Mr. Manuel withdrew his motion until counsel can research Jessie Jones staying in the position until the next election.**

Mr. Manuel requested this item continue to be carried on each agenda until resolved.

PRESENTATIONS CONTINUED:

7. Discussion of the Commission meeting on the 5th Thursday when a month has five (5) Thursdays.
 - **Motion by Ms. Widmyer to meet the 1st, 3rd and 5th Thursdays of the month when there is a 5th Thursday. Motion seconded by Mr. Manuel and unanimously approved.**
8. Jeff Polczynski, EPN, Director of Communications - requests the approval for a promotional appointment for James P. Hayden. Mr. Polczynski stated Mr. Hayden has been sitting as the acting Supervising Public Safety Dispatcher since the termination of the Supervising Public Safety Dispatcher. Mr. Hayden has tested and interviewed for the position and has passed the process being the top candidate. Mr. Hayden was afforded a wage increase as acting Public Safety Dispatcher and will not increase his grade or wage.
 - **Motion by Ms. Tabb to approve the promotional appointment of James P. Hayden from Public Safety Dispatcher to Supervising Public Safety Dispatcher within the Emergency Communications Center. Motion seconded by Ms. Noland and unanimously approved.**

COUNTY ADMINISTRATOR REPORTS

- IT Director update – Ms. Keyser related the one candidate she had recommended to the Commission is no longer an option. There are two (2) more candidates coming in for interviews next week.
- Loudon County Mutual Aid – Ms. Keyser stated she attended a meeting with Loudon County representatives last week and all is going well. The Mutual Aid agreement will be signed in March.
- WV Code Books – Ms. Keyser asked the Commissioners opinion on cancelling the subscription to the WV Code Books. She informed the Commissioners these books come at a cost of \$3,000 per year. They were originally ordered for the use of the Commissioners. As it stands, Ms. Grove has these books which we can use, and the information is available on line. It seems Ms. Morgan was the only Commissioner who used them. It was the consensus of the Commissioners to cancel the subscription.
- Top Project Listing – Ms. Keyser stated she has added the Commissioners priorities as discussed at the last Commission meeting.
 - 1st Economic Outlook Workshop - Ms. Keyser related Mr. Reisenweber is willing to hold an Economic Outlook and would like more direction from the Commissioner's as to what they would like to focus on. Ms. Widmyer stated she is interested in learning what our strengths and weaknesses are. She would like a review of the past couple of years, what are our successes and what is our strategy for the next five (5) years.
 - Meet the Commissioners – the next one has been scheduled for February 28, 2013 at the Black Dog Coffee Shop on old Rt. 9, Jane Tabb's District.
 - Report from CVB on "Return on Investment" – Mr. Shroyer will assist them with what they need to provide.
 - Review of Planning Process – Ms. Tabb suggested a flow chart with the process the Planning Department employs would be helpful in understanding how the process works.
 - Hite Road Project – Ms. Keyser stated we will be working with Jennifer Myers;
 - Impact Fees – Ms. Keyser stated the Engineering Department is compiling the Annual Report. The Commission has the ability every year to review and make any changes they decide upon.
- Cross-Training – Ms. Keyser informed the Commission that Mr. Shroyer has committed to another year with the Commission. He has requested flex-time, working 4-10 hour days. Ms. Keyser has no problem with the request and our policy allows this. Ms. Keyser will be doing some cross-training with Sandy McDonald, Deputy Administrator. Ms. McDonald will learn how to input the budget into the computer and how to fill out budget revisions. The Commission acknowledged Mr. Shroyer's responsibilities/functions must be attended to upon should he retire. Ms. Keyser stated that Nichell Hosby would be assisting with Human Resources.
- Ms. Keyser reported Cindy Schott has begun scanning Minutes. Although the scanning process is sufficient for the Clerk's Office, Ms. Schott feels it does not meet the search requirements the Commission had hoped for.
- Ms. Keyser was asked by the Commissioners about the CAD System. Ms. Keyser stated the RFP is complete; six (6) vendors have responded and are being reviewed presently. A recommendation should be made within 45-60 days.

The Commission took a break at: 12:32.

The Commission reconvened at: 12:40.

Paul Shroyer, Financial Director. Budget Workshop – Mr. Shroyer held a workshop to review the preliminary budget and revenues.

COUNTY COMMISSIONERS REPORTS

Dale Manuel:

- Attended the workshop/tour with the West Virginia Department of Highways, January 22nd.
- Attended the Opening Session of the Board of Review and Equalization meeting January 30th.
- Attended the Council on Aging meeting.
- Attended the Comprehensive Plan Lunch & Learn on Economic Development.
- Met with Jessie Jones at the Sheriff's Department.

Patsy Noland:

- Attended the workshop/tour with the West Virginia Department of Highways, January 22nd.
- Attended the Opening Session of Board of Review and Equalization meeting January 30th.
- Attended two (2) CVB Committee meeting.
- Attended the Farmland Protection Plan meeting.
- Attended the CVB Tourism Reception with State Legislatures at the Bavarian.
- Attended the Rotary meeting and heard Ms. Brockman talk about the Comprehensive Plan and the Comprehensive Plan Steering Committee.
- Attended the Comprehensive Plan Lunch & Learn on Economic Development.

Walt Pellish:

- Attended the workshop/tour with the West Virginia Department of Highways, January 22nd.
- Attended the Opening Session of Board of Review and Equalization meeting January 30th.
- Attended the Farmland Protection Plan Meeting.
- Attended the CVB Tourism Reception with State Legislatures.

Jane Tabb:

- Attended the workshop/tour with the West Virginia Department of Highways, January 22nd.
- Attended the Opening Session of Board of Review and Equalization meeting January 30th.
- Attended the PSD meeting.
- Attended the Membership meeting for Homeland Security.
- Tonight will be attending the Extension Service meeting.

Lyn Widmyer:

- Attended the workshop with the West Virginia Department of Highways, January 22nd.
- Attended the Opening Session of Board of Review and Equalization meeting January 30th.
- Attended the West Virginia Rail Plan meeting with Senator Snyder and the Maryland representative of the Marc System.
- Attended the Farmland Protection Plan meeting.

Steve Groh, Prosecuting Attorney's Office, representing Jefferson County Commission updated the Commission on the following legal issues: Sheriff Shirley, Palmer and Foreman.

- **Motion by Ms. Noland to enter into Executive Session in accordance to §6-9A-4-(2)(A) Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, or prospective public officer or employee unless the public officer or employee or prospective public officer or employee requests an open**

meeting. And, §6-9A-(9) To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision: Provided, That information relied on during the course of deliberations on matters involving commercial competition are exempt from disclosure under the open meetings requirements of this article only until the commercial competition has been finalized and completed: Motion seconded by Mr. Pellish and unanimously carried.

- Motion by Ms. Noland to come out of Executive Session. Motion seconded by Mr. Pellish and unanimously approved.
- Motion by Ms. Noland to withdraw the contract on the Briel Building and authorize our County Administrator to look at other options. Motion seconded by Mr. Pellish and unanimously approved.
- Motion by Ms. Widmyer to authorize the County Administrator to contact the WV County Risk Pool and request they provide separate counsel in the ongoing litigation with the Shirley vs. Haines case. Motion seconded by Mr. Pellish and unanimously approved.

The Commission meeting was adjourned at 1:40 pm on a motion by Ms. Noland and a second by Ms. Tabb.

DALE MANUEL, PRESIDENT

