

REGULAR TERM:

State of West Virginia, County of Jefferson, to-wit:

At a Regular Term of the County Commission of said County and State continued and held at the Courthouse thereof on Thursday, February 5, 2004, beginning at 10:00 o'clock a.m.

PRESENT: Al Hooper, President;
James G. Knode; Greg Corliss;
Rusty Morgan; Jane M. Tabb; Commissioners

In re: PLEDGE OF ALLEGIANCE

Commissioner Hooper conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Morgan, second by Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, January 22, 2004, and to approve the Minutes as prepared. Motion carried.

Motion by Knode, second by Tabb to dispense with the reading of the Minutes for the Board of Review and Equalization Hearing held on Monday, February 2, 2004, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Knode, second by Morgan to approve the following Purchase Orders for the Week of February 2, 2004, totaling \$55,293.25: 39619, 39541, 39542, 39718, 39283, 39407, 39618, 39529, 39530, 39531, 39532, 39590, 39591, 39593, 39668, and 39284. Motion carried.

In re: APPOINTMENTS TO THE PLANNING COMMISSION AND THE ZONING BOARD OF APPEALS

The Commission agreed to schedule interviews with the applicants for the appointments to the Planning Commission and the Zoning Board of Appeals.

In re: PARTIAL BOND RELEASE - BC PARTNERS, INC.

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Morgan, second by Tabb to approve the partial release of a letter of credit in the amount of \$670,016.04 for BC Partners, Inc. for the Breckenridge Subdivision, with the County to retain \$66,413.96. Motion carried.

In re: PARTIAL BOND RELEASE - JDM LOCUST HILL SUBDIVISION

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Knode, second by Morgan to approve the partial release of a letter of credit in the amount of \$163,849.55 for JDM Locust Hill Subdivision, with the County to retain \$26,502.45. Motion carried.

In re: MODIFICATIONS TO LESA AS PROPOSED BY THE DEPARTMENT OF PLANNING,
ZONING AND ENGINEERING

The Executive Director of Planning, Zoning and Engineering informed the Commission that the modifications to LESA were not ready.

In re: LARRY PIERCE - SNAPPER LANE - ROAD NAME AND SIGN INSTALLATION ISSUE

Larry Pierce appeared before the Commission with counsel, Kirk Bottner, to discuss the road name and sign installation issue for Snapper Lane. Mike Cassell, Jeff Polczynski, Rick Wiest, Robert Ainsworth and Peggy Burcker were present and also spoke on the matter. After discussion, motion by Tabb, second by Morgan to not change the road name and have the road remain named Snapper Lane. Motion carried.

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

No applications were received requesting appointment to the North Eastern Regional EMS, Inc.

In re: DESIGNATE NUMBER AND TYPE OF ELECTION BOARD FOR THE MAY 11, 2004
PRIMARY ELECTION

Motion by Corliss, second by Tabb to approve the number and type of election board for the May 11, 2004 Primary Election, as presented by the County Clerk. Motion carried.

In re: DISCUSSION OF SUPPORT FOR HB 4060 AND HB 4161

The Commission discussed House Bills 4060 and 4161. After discussion, motion by Morgan, second by Corliss to have the Prosecuting Attorney review House Bill 4161 and give an opinion by the next meeting. Motion failed by a 2-3 vote. Commissioners Knode, Hooper and Tabb voted no.

In re: REQUEST FOR APPROVAL OF SPECIAL DEPUTY STATUS

Motion by Tabb, second by Morgan to approve the request for Special Deputy Status for deputies of the Berkeley County Sheriff's Office. Motion carried.

In re: MOTION TO REQUEST OUR LEGISLATORS IN CHARLESTON TO AMEND THE LOCAL
POWERS ACT TO PROVIDE COMPENSATION TO THE COUNTY FOR
ADMINISTRATION OF IMPACT FEES

After discussion, the Commission agreed to table this matter until next week.

In re: FLOOR SANDING IN COURTHOUSE

The Commission agreed to discuss the flooring in the first floor hallway of the Courthouse with Bill Polk, Maintenance Director, in a workshop session.

In re: DISCUSS MODIFICATIONS TO CATTAIL RUN SEWER PLAN PROPOSAL

The Commission agreed to keep this matter on the agenda until more information is received.

The County Administrator reminded the Commission that the agenda closes on Monday next week and that they meet on Wednesday of next week.

The County Administrator informed the Commission of the South Jefferson Library ribbon cutting.

The County Administrator informed the Commission that Affordable Housing meeting with a speaker was rescheduled for February 18, 2004, at 1:30 p.m.

The Commission agreed to meet in a workshop session after their Board of Review and Equalization hearing today to discuss building maintenance.

Commissioner Knode reported on an Executive Committee meeting of Region 9.

Commissioner Corliss reported that he and Commissioner Morgan would be attending training in Charleston.

Commissioner Corliss reported that the State Superintendent of the State Police would be speaking at Dale Manual's meeting.

Commissioner Corliss reminded the Commission of the dog workshop scheduled for March 14, 2004.

Commissioner Morgan informed the Commission that the President of the Historic Landmarks Commission, Walter Washington, would like to send a letter concerning membership levels of the Historic Landmarks Commission.

Commissioner Morgan reported on Affordable Housing.

The Commission received the following information:

Reminder of Meeting Date Change - Commission meets Wednesday, February 11, 2004, at 10:00 a.m. in Regular Session.

Reminder Courthouse is Closed Thursday, February 12, 2004 - Lincoln's Birthday and Monday, February 16, 2004 - Washington's Birthday.

Reminder - Agenda closes Monday, February 9, 2004, at noon.

Check received from the West Virginia Office of Emergency Services for the full amount of the FY 2003 CERT Program funding.

Copy of 2003 Audit received from the Jefferson County Public Service District.

Correspondence received from the Association of Counties concerning estimate of property tax gain or loss from properties owned by state or federal government in West Virginia.

Legislative Lineup received from the County Commissioners' Association.

Ribbon Cutting - South Jefferson Public Library on Sunday, February 8, 2004, at 2:00 p.m.

Correspondence received from the Office of the Attorney General concerning correspondence sent to them from Dorothy L. Barger-Fuller concerning Impact Fees.

Notice received from the Executive Director of Planning, Zoning and Engineering of a Subdivision Work Session on February 6, 2004.

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

Ethics Reporter received for January 2004.

Upon rising, the Commission recessed until Wednesday morning next beginning at 10:00 o'clock a.m.

PRESIDENT