

**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 Charles Town Library meeting room thereof on Thursday, April 8, 2004 beginning at 10:00 o'clock a.m.

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

**In re: PLEDGE OF ALLEGIANCE**

Commissioner Hooper conducted the Pledge of Allegiance.

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

Motion by Morgan, second by Corliss to dispense with the reading of the minutes for the County Commission meeting held Thursday April 1, 2004 and to approve minutes as amended. Motion carried.

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Knode, second by Tabb to approve the following Purchase Orders for the Week of April 8, 2004, totaling \$7,408.18: 39847, 39849, 39850, 40067, 39606, 39607, 39609, 39610, 40012, 40014, 40016, 39973, 39978 and 39980. Motion carried.

**In re: EXONERATIONS**

Upon recommendation from the Assessor, motion by Tabb, second by Corliss to approve the following Exoneration because of erroneous assessment for the year 2003. Motion carried.

NAME	DISTRICT	TYPE	AMOUNT	TICKET #
William R. Gentry, Jr.	Shepherdstown	Personal	\$210.87	314800

Upon recommendation from the Assessor, motion by Morgan, second by Tabb to approve the following Exoneration because of erroneous assessment for the year 2003. Motion carried.

NAME	DISTRICT	TYPE	AMOUNT	TICKET #
Calvin J. Stapler	Shepherdstown	Personal	\$19.62	315927

**In re: EXECUTIVE SESSION - IMPACT FEE CONTRACT NEGOTIATIONS**

Motion by Corliss, second by Morgan to enter into Executive Session to discuss matters regarding Impact Fee Contract Negotiations. Motion carried.

Motion by Corliss, second by Knode to return to Regular Session. Motion carried.

The Commission announced they had reached an agreement with Ranson for the collection of impact fees.

**In re: IMPACT FEES AGREEMENTS - RELATIONSHIP WITH CHARLES TOWN**

Michael Cassell, Assistant Prosecuting Attorney and Mark Schiavone, Impact Fee Coordinator appeared before the Commission for discussion. After discussions, motion by Corliss, second by Knode to approach the municipality of Charles Town to discuss agreements of Impact Fee collections due under the Local Powers Act and Jefferson County Schools Impact Fee Ordinance. Motion carried.

**In re: PLANNING COMMISSION INTERVIEWS**

Commissioners conducted Planning Commission interviews of the applicant present, Mr. Thomas M. Kane.

**In re: APPOINTMENTS TO THE PLANNING COMMISSION**

After discussions Commissioner Tabb nominated John Sims; Commissioner Knode nominated Russell Roper; Commissioner Corliss nominated Thomas Kane. Motion by Tabb, second by Morgan to close nominations. Motion carried. Mr. John D. Sims was appointed to the Planning Commission by a 4-1 vote. Mr. Russell B. Roper was appointed to the Planning Commission by a 3-2 vote.

**In re: COMPLETE BOND RELEASE - JEFFERSON COUNTY FAIR ASSOCIATION**

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Knode, second by Tabb to approve the complete release of a bond for Jefferson County Fair Association in the amount of \$4,410.00. Motion carried.

**In re: COURTHOUSE DOORS AND FLOORS**

Bill Polk, Maintenance Director appeared before the Commission for discussion. After discussions the Commission requested a report from Mr. Polk highlighting specified changes and projected improvements for review and consideration.

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

The Commission agreed to hold over the appointment to the North Eastern Regional EMS, Inc. another week.

**In re: DISCUSS MODIFICATIONS TO THE CATTAIL RUN SEWER PLANT PROPOSAL**

The Commission agreed to further review of modifications as more information becomes available.

**In re: APPROVAL OF ADDITIONAL ELECTION WORKERS FOR THE MAY 11, 2003 PRIMARY ELECTION**

Motion By Corliss, second by Tabb to approve the election officials for the May 11, 2004 Primary Election, as presented by the County Clerk. Motion carried.

**In re: BUILDING PROGRAM**

Motion by Corliss, second by Morgan to construct a facility on the Bardane 10 acre lot supporting the E-9-1-1 Communication Center, Jefferson County Sheriff's Department and Office of Emergency Services. Motion by Knode, second by Tabb to table the first motion for later resolution. Motion carried; Commissioners Corliss and Morgan voted no.

Motion by Knode, second by Tabb that the County Administrator actively seek proposals for further review and consideration from persons willing to provide space within the city limits of Charles Town with at least 200,000 square feet of office space and 400 parking spaces with options of constructing or purchasing a facility. After discussions, motion denied; Commissioners Hooper, Morgan and Corliss voted no.

The Commissioners voted on the previous motion to construct a facility on the Bardane 10 acre lot supporting the E-9-1-1 Communication Center, Jefferson County Sheriff's Department and Office of Emergency Services. Motion carried; Commissioner Knode voted no.

Motion by Morgan, second by Tabb to hold a public hearing concerning opinions of cost and location. Meeting is to be held in the Charles Town Public Library meeting room with date and time to be established and announced by the County Administrator. Motion carried; Commissioners Knode and Corliss voted no.

**In re: APPOINTMENTS TO THE DEVELOPMENT AUTHORITY**

The Commission agreed to hold over the appointment to the Development Authority another week in order to conduct further interviews.

**In re: QUARTERLY FIDUCIARY REVIEW - APPROVED**

Motion by Knode, second by Tabb that the Jefferson County Commission acknowledge and confirm the estate of William Baker Jones as presented by the County Clerk. Motion carried.

The time of the Commission was taken up this day with examination of fiduciary accounts.

Motion by Knode, second by Tabb to accept and acknowledge all of the fiduciary accounts presented. Motion carried.

**In re: WILLOW SPRING FARMS APARTMENT VI & VII - REQUEST FOR LETTERS OF UNQUALIFIED SUPPORT FOR OR NO OPPOSITION TO PROPOSED LOW-INCOME HOUSING TAX CREDIT PROGRAM PROPERTIES**

Motion by Morgan, second by Tabb to draft a letter of no opposition for the Housing Tax Credit Program for Willow Spring Farms Apartment property. Motion carried.

**In re: APPROVAL OF EMPLOYMENT - CATHERINE SMALLWOOD - ABSENTEE OFFICIAL**

Motion by Corliss, second by Tabb to approve the temporary employment of Catherine Smallwood as presented by Mr. Ott. Motion carried.

Leslie Smith presented documentation from John Ott for Al Hooper's signature insuring his possession of the ballot box key.

Toni Milbourne announced opening day ceremonies for Jefferson County Little League on Saturday, April 10, 2004 at 10:00 a.m. at the Jefferson County Little League Complex behind Jefferson High School.

Commissioner Corliss reported on his conversations regarding Senate Bill 454.

Commissioner Tabb reported on a Farmland Protection Board meeting.

Commissioner Knode reported on the upcoming dinner of Workforce Investment Board Elected Officials to be held in Romney on the evening of Wednesday, April 14, 2004.

Commissioner Morgan discussed County Commission support for the resolution of support for passing of the school bond.

**The Commission received the following information:**

Startup Report for March 2004 received from the Department of Impact Fees.

Correspondence received from the Jefferson County Office of Homeland Security concerning the designation of Jefferson County as a Storm Ready Community and a formal recognition ceremony on April 28, 2004.

Copy of Correspondence to the City of Charles Town received from the Public Service District concerning the sale of sewer customers.

Correspondence received from Sheriff Boober concerning Bank Depository Bonds.

Correspondence received from the Office of the State Treasurer concerning Direct Deposit of Taxes.

Notice received from the County Commissioners' Association of Session Summary 2004 meetings.

Correspondence received from the Rotary Club of Shepherdstown concerning the proposed expansion of Morgan's Grove Park.

Invitation received from the Board of Directors of the Good Shepherd Interfaith Volunteer Care givers to attend the 13<sup>th</sup> Annual Volunteer Recognition Luncheon on Wednesday, April 21, 2004.

Invitation received to attend the South Jefferson Public Library Grand Opening on Saturday, April 17, 2004.

Notice received from the Potomac Headwaters RC&D Project Office of the next Executive Committee Meeting on Tuesday, April 13, 2004.

Community Bulletin received from the Harpers Ferry National Historical Park.

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

Correspondence received from the Secretary of State concerning campaigning during early voting.

Invitation received from the Partners in Prevention Committee to attend the Children's Memorial Flag Day Breakfast on April 23, 2004, at 7:30 a.m.

Letter of resignation received from Dawn Shanholtz as an employee of the County Clerk's office.

Ethics Reporter received for March 2004.

Oath of Office received from Joseph A. Hankins as a member of the Jefferson County Public Service District

Oaths of Office received from Monica Day and Steven Holtz as Deputy Reserves.

Upon rising, the Commission recessed until the morning of Thursday, April 15, 2004 beginning at 10:00 o'clock a.m.

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**PRESIDENT**