

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, April 15, 2004, beginning at 10:00 o'clock a.m.

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

Commissioner Knode was absent due to a prior commitment.

In re: PLEDGE OF ALLEGIANCE

Commissioner Hooper conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Corliss, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, April 8, 2004, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Tabb, second by Morgan to approve the following Purchase Orders for the Week of April 12, 2004, totaling \$75,586.91: 37416, 39848, 39852, 39853, 38735, 38740, 39920, 39925, 40018, 39811, 39813, 39957, 39958, 39822, 39824, 39976, and 39986. Motion carried.

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 for another week.

In re: DISCUSS MODIFICATIONS TO CATTAIL RUN SEWER PLAN PROPOSAL

The Commission agreed to keep the discussion on the modifications to cattail run sewer plan proposal on the agenda as old business for next week.

In re: SET TIME TO LAY LEVY ON TUESDAY, APRIL 20, 2004

The Commission agreed to Lay the Levy on Tuesday, April 20, 2004, at 9:00 a.m.

In re: REPORT ON SCHOOL BOND RESOLUTION

The County Administrator informed the Commission that she had spoken with Lavada Williamson from the State Auditor's Office and that the County Commission had no

authorization to advertise support of the School Bond Resolution.

In re: EASTERN PANHANDLE HOME BUILDERS ASSOCIATION, INC. - INVITATION FOR COMMISSIONER HOOPER AND MARK SCHIAVONE TO SPEAK ON IMPACT FEES

The Commission agreed to have Commissioner Hooper and Impact Fee Coordinator, Mark Schiavone, attend a dinner meeting of the Eastern Panhandle Home Builders Association, Inc. to speak on Impact Fees.

In re: MOUNTAIN HEART FOUNDATION - REQUEST FOR FUNDS

Motion by Morgan, second by Tabb to decline the request for funds from Mountain Heart Foundation. Motion carried.

In re: REQUEST FOR SAFETY PRECAUTIONS DUE TO DEER ON BAKERTON ROAD

The Commission discussed correspondence received from Tony Hayes requesting safety precautions be taken due to deer crossing Bakerton Road and being hit by automobiles. After discussion, the Commission agreed to have Commissioner Tabb take the correspondence from Tony Hayes to the Division of Highways and to have the County Administrator send correspondence back to Tony Hayes. The Commission also agreed to send a copy of Mr. Hayes' correspondence to the National Park Service.

In re: APPOINTMENTS TO THE DEVELOPMENT AUTHORITY

Motion by Corliss, second by Tabb to reappoint Dr. Steven Nichols and Donald K. Mickey to the Jefferson County Development Authority for 3-year terms ending April 5, 2007. Motion carried.

The Commission agreed to fill the third vacancy at a later date.

The County Administrator informed the Commission that the City of Harpers Ferry had submitted three names to be considered for one appointment to the Development Authority to represent Harpers Ferry. The Commission agreed to put the matter on next week's agenda and to invite the three applicants to meet with the Commission next week.

In re: JEFF POLCZYNSKI - ADDRESSING UPDATE

Jeff Polczynski appeared before the Commission to give an update on the status of the re-addressing project.

In re: FINAL ACCOUNTING OF THE ESTATE OF PHYLLIS G. PENWELL

Motion by Tabb, second by Corliss to accept the Final Accounting of the Estate of Phyllis G. Penwell, as presented by the County Clerk's office. Motion carried.

In re: CITY OF CHARLES TOWN SCHOOL IMPACT FEE COLLECTION

The Commission agreed to keep this matter on the agenda as Old Business next week.

In re: REGIONAL WATER RESOURCES POLICY COMMITTEE - WATER RESOURCES GOALS

The Commission discussed the Draft Regional Water Resources Goals from the Regional Water Resources Policy Committee. After discussion, motion by Corliss, second by Morgan to send the Draft Regional Water Resources Goals to the Water Advisory Committee for review and a response back to the Commission. Motion carried.

In re: APPROVAL OF ADDITIONAL ELECTION WORKERS - MAY 11, 2004 PRIMARY ELECTION

Motion by Corliss, second by Tabb to approve the additional election workers for the May 11, 2004 Primary Election, as submitted by the County Clerk. Motion carried.

In re: BUDGET REVISION TO CREATE CLEAN AIR TASK FORCE ACCOUNT

Motion by Tabb, second by Morgan to create a Clean Air Task Force Account in the County's budget. Motion carried.

In re: PFK, LLC - REQUEST TO APPLY PREVIOUSLY SUBMITTED FEES TOWARD PROJECT RESUBMITTAL

The Commission discussed the request from PFK, LLC to apply previously submitted fees toward a project resubmittal. After discussion and comment from Rebecca Burns, from the Department of Planning, Zoning and Engineering, motion by Corliss, second by Morgan to table the matter for one week and to ask Mr. Pete Kubic from PFK, LLC to appear before the Commission next week. Motion passed by a 3-1 vote. Commissioner Tabb voted no.

In re: DAILY OPERATING BANK ACCOUNTS

The County Administrator informed the Commission of a copy of Correspondence sent from Sheriff Boober to the Department of Planning Zoning and Engineering informing them that the Tax Office would no longer accept monies and checks collected from the Department of Planning Zoning and Engineering. Motion by Morgan, second by Tabb to create two new daily operating bank accounts, one for the Department of Planning, Zoning and Engineering and one for the Impact Fee Department, in order for each of these Departments to make a daily deposit of fees collected and to then submit a single check from each of these accounts payable to the Sheriff of Jefferson County at the end of each month. Motion carried.

In re: INSPECTION OF VOTE RECORDING DEVICES

In compliance with Chapter 3, Article 4A, Section 13 of the West Virginia Code of 1931 as amended; The Clerk of the County Commission of Jefferson County has completed the preparation of the vote recording devices for the 2004 Primary Election and has notified the members of the County Commission and the Ballot Commissioners that the devices are ready for use.

The members of the County Commission and the Ballot Commissioners have

examined the devices and found them to be in proper order.

Twenty-four (24) devices for the 56<sup>th</sup> Delegate District, consisting of the Middleway District, (excluding precinct 27) and Precinct 22 from the Kabletown District.

Sixty-seven (67) devices for the 57<sup>th</sup> Delegate District, consisting of Harpers Ferry (excluding Precinct 16), Precinct 27 from the Middleway District and the Shepherdstown District.

Sixty-six (66) devices for the 58<sup>th</sup> Delegate District, consisting of the Charles Town District, Kabletown District (excluding Precinct 22) and Precinct 16 from the Harpers Ferry District.

Approved the 15<sup>th</sup> Day of April, 2004.

/s/ Jane M. Tabb

/s/ AMS Morgan, III

/s/ Greg Corliss

/s/ A.G. Hooper, Jr.

County Commission of Jefferson County

/s/ Dora Rawlings

Ballot Commissioner

/s/ Geraldine Willingham

Ballot Commissioner

/s/ Patricia A. Noland

Circuit Clerk

The County Administrator informed the Commission that Jeffrey Polczynski had scored a very high score of 99% on his Emergency Number Professional Certification.

Commissioner Tabb reported on the Farmland Protection Board meeting.

Commissioner Tabb informed the Commission that she was a judge at the Social Studies Fair at the 9<sup>th</sup> Grade Complex.

Commissioner Corliss reported on a Fire Association Meeting.

Commissioner Corliss reported on a Workforce Investment Board meeting.

Commissioner Morgan reported on a Litter Conference. Mr. Morgan informed the Commission that they now had the authority to appoint a County Litter Control Officer. The Commission agreed to put the matter on the agenda for next week.

Commissioner Morgan reported on a Planning Commission meeting.

The Commission discussed Senate Bill 454. The Commission agreed to try to set up an evening workshop on April 29, 2004, at 7:00 p.m. with the Planning Commission and County Commission to discuss the bill. The County Administrator informed the Commission that she had left a message for Delegate Doyle concerning meeting with the Commission about the bill.

The County Administrator reminded the Commission that the proposed Harpers Ferry Annexation was on the agenda for next week and that she had been contacted by John Askintowicz, attorney for Harpers Ferry, who would like to continue the matter until May 20, 2004.

The County Administrator reminded the Commission of the Pre Bid Meeting for Historic Review of the Washington Street Buildings on April 21, 2004.

The County Administrator reminded the Commission of the Public Test of the Tabulating Equipment for the May 11, 2004 Primary Election on Tuesday, May 4, 2004, at 9:30 a.m.

The County Administrator reminded the Commission of the Public Meeting to receive comment on the county office building program on April 22, 2004.

The County Administrator informed the Commission that Shannon Donley had resigned from the Farmland Protection Board and that the vacancy left on the board would be advertised.

The County Administrator presented the Management Representation Letter for the audit to the Commission President for signature.

Joe Coakley inquired about the Commission's decision on support for the School Bond Resolution.

The Commission received the following information:

Reminder - Harpers Ferry Petition for Annexation is Thursday, April 22, 2004.

Reminder Pre Bid Meeting for Historic Review of Washington Street Buildings is

Wednesday, April 21, 2004 at 10:00 a.m.

Reminder - Public test of the Tabulating Equipment for the Primary Election is on Tuesday, May 4, 2004, at 9:30 a.m.

Notice of Public Meeting to receive comment on the county office building program on Thursday, April 22, 2004, at 7:00 p.m.

Letter of Resignation received from Shannon Donley as a member of the Farmland Protection Board.

Correspondence received from Carol Gallant concerning county office building proposals.

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

Correspondence received from the Secretary of State concerning Testing and Inspection for the Primary Election.

Copy of Correspondence received from Sheriff Boober to the Executive Director of Planning, Zoning and Engineering concerning deposits.

Correspondence received from the Association of Counties concerning the Regional Jail Transport Reimbursement Issue.

Copy of Correspondence received from the Governor Wise concerning House Bill No. 4119.

Correspondence received from the County Commissioners' Association concerning House Bill No. 4119.

Legislative Lineup received for the 2004 Legislative Session.

Correspondence received from the Division of Natural Resources a concerning county litter control officer.

Correspondence received from Joseph A. Hankins concerning an update on the Potomac Tributary Strategy.

Correspondence received from the County Commissioners' Association concerning 2004 Interim Dates and Topics.

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

West Virginia Local Health Department Contact Information Booklet received from the Department of Health and Human Services.

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

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PRESIDENT