

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, June 3, 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 Tabb, second by Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, May 27, 2004, and to approve the Minutes as prepared. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Tabb, second by Corliss to approve the following Purchase Orders for the Week of June 1, 2004, totaling \$19,031.83: 40203, 40205, 39703, 40137, 40104, 39896, 40002, 39770, 39950, 40144, 40145, 40028, 40035, 40181 and 39557. Motion carried.

In re: EXECUTIVE SESSION - PERSONNEL MATTERS

Motion by Corliss, second by Morgan to enter into Executive Session with Paul Raco, Director of Planning, Zoning and Engineering to discuss Personnel Matters. Motion carried.

Motion by Tabb, second by Corliss to return to Regular Session. Motion carried.
For the record, no action was taken.

In re: RECOMMENDATION FOR NEW HIRE – DEPARTMENT OF PLANNING ZONING AND ENGINEERING

Motion by Morgan, second by Tabb to approve the employment of Sherry Kelly effective July 12, 2004 with the Department of Planning Zoning and Engineering. Motion carried.

In re: MIKE THOMPSON - ANNEXATION DISCUSSION, COUNTY ANNEXATION MAPS AND MAPPING RFP

Mike Thompson, Prosecuting Attorney appeared before the Commission to discuss County Annexation maps and Mapping RFP. After discussion, motion by Corliss, second by Morgan that the County Commission of Jefferson County seek to employ a surveyor, licensed in West Virginia, to secure attested copies of the various annexation orders from the Clerk of the County Commission of Jefferson County, whereby the Corporation of Charles Town and Ranson have annexed parcels into their respective municipalities over the last four (4) years; and produce from these annexations orders a series of plats showing the areas annexed by the two cities; and showing and depicting in greater detail on those plats, or if necessary separate plats, roads or highways taken in by these annexations in whole or in part, showing those parts of roads or highways now inside the corporate limits of Charles Town or Ranson and those parts that remain in the unincorporated area of Jefferson County. And in this regard the County Administrator is authorized to advertise in the area and regional newspapers soliciting proposals from surveyors, licensed in West Virginia, to perform this task and producing these plats, setting reasonable deadlines for receipt for proposals and reasonable deadlines for receipt of the plats as set forth above; and providing that surveyors having provided descriptions used in any of the said annexation orders are disqualified from participating herein. Motion carried.

In re: EUGENE PEARSON - EFFLUENT FLOWING INTO THE SHENANDOAH RIVER

Eugene Pearson appeared before the Commission to discuss effluent flowing into the Shenandoah River. Mr. Pearson presented his statement and other related documents. No action was taken.

In re: UNITED STATES POSTAL SERVICE ADDRESS NOTIFICATION

Jeff Polczynski, Director of Communications appeared before the Commission to discuss the United States Postal service address notifications. Mr. Polczynski informed the Commission that the letters will be sent to the Charles Town and Ranson addresses beginning next week.

In re: APPOINTMENT TO THE FARMLAND PROTECTION BOARD

The Commission agreed to table the appointment to the Farmland Protection Board.

In re: SOLICIT COUNTY GOVERNMENT BUILDING PROPOSALS WITHIN CHARLES TOWN

Commissioner Tabb discussed with the commission the need to research the options of the relocation of County Government. After discussion, motion by Tabb, second by Morgan to present a formal proposal and advertise to seek basic proposals of land with approximately 15 acres and or buildings with at least 50,000 square footage and to be able to expand in the future and that the options could be purchase, lease with option to purchase and that the property needs to be located within the City limits of Charles Town. Motion passed by a 3-2 vote. Commissioners Hooper and Corliss voted no.

In re: TERRY COURTWRIGHT - SOLID WASTE AUTHORITY

Terry Courtwright appeared before the Commission to discuss the status of the Solid Waste Authority and the capacity. The public and the Commission was informed that a formal complaint to the Public Service Commission would help. The number to call is 800-344-5113. Mr. Courtwright informed the Commission that the Solid Waste Authority Board will send a letter to the Public Service Commission and he also informed them that there will be a meeting on June 15, 2004 in Martinsburg.

In re: RENE FECTEAU - QUESTIONS CONCERNING ENACTMENT OF IMPACT FEES

Motion by Corliss, second by Morgan to refer the questions concerning the enactment of Impact Fees received from Rene Fecteau to the County Administrator and the Impact Fee Coordinator. Motion carried.

In re: COMMUNITY DEVELOPMENT BLOCK GRANT - TELAMON - HOUSING GRANT

Motion by Morgan, second by Corliss to approve the Community Development Block Grant Small Cities Block Grant for funding to create a Rehabilitation Program for Jefferson County and to set a public hearing on June 17, 2004 to obtain the views and comments of County residents and the needs of low and moderate-income persons. Motion carried.

In re: AMENDMENTS TO LESA

The Commission agreed to discuss the amendments to LESA during the afternoon workshop and to send the amendments to the Prosecuting Attorney for review.

In re: JEFFERSON COUNTY LEASH LAW ORDINANCE

The Commission agreed to discuss the Leash Law Ordinance and modifications during the afternoon workshop and to send to the modifications to the Leash Law to the Prosecuting Attorney for review.

In re: EXECUTIVE SESSION - CONTRACTUAL MATTERS

Motion by Morgan, second by Tabb to enter into Executive Session with Mike Cassell, Assistant Prosecuting Attorney to discuss Contractual Matters. Motion carried.

Motion by Corliss, second by Knode to return to Regular Session. Motion carried. For the record, no action was taken.

In re: CITY OF CHARLES TOWN SCHOOL IMPACT FEE ORDINANCE

Motion by Corliss, second by Tabb to have Mike Cassell, Assistant Prosecuting Attorney to take appropriate legal action against the City of Charles Town regarding the collection of the School Impact Fees. Motion carried.

Jane Bowers, Executive Director for Jefferson County Community Ministries commented on the dismay with the County Commission decision to deny assistance to the Community Ministries for their request for funding for capital improvements through funds received from video lottery revenue.

Joe Coakley commented on the leash law and the barking ordinance. He is concerned over noise and asked about a noise ordinance.

Commissioner Hooper reported on the meeting he attended at the Shepherdstown Men's Club.

Commissioner Morgan reported on the Affordable Housing Meeting.

The Commission received the following information:

Appointments to be made on Thursday, July 1, 2004 to the following:

- Jefferson County Solid Waste Authority
- Jefferson County Board of Health
- Harpers Ferry/Bolivar Public Service District
- Jefferson County Parks and Recreation Commission
- Summit Point Library Committee
- Jefferson County Ambulance Authority

Thank you letter received from the Eastern Panhandle Home Builders Association to Commissioner Hooper and Mark Schiavone for speaking at their dinner meeting.

Correspondence received concerning the Help America Vote Act.

Correspondence received from the Association of Counties concerning Senate Bill 148.

Correspondence received from PEIA concerning Audit of Non-Participating Retiree/Surviving Dependents.

Notice received from the Chief Planner of a Subdivision Work Session on Friday, June 4, 2004.

Correspondence received from the Northern Shenandoah Valley Regional Commission concerning Water Conservation Plans and Ordinances.

Invitation received from Telamon to attend Self-Help Build Day on June 10, 2004.

Oath of Office received from George B. Stebbins, Jr. As a member of the Enhanced 911 Advisory Board.

Ethics Reporter received for May 2004.

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

PRESIDENT