

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 24, 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 Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, June 17, 2004, and to approve the Minutes as prepared. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Corliss, second by Morgan to approve the following Purchase Orders for the Week of June 22, 2004, totaling \$11,740.96: 40328, 40294, 40333, 39900, 39901, 40101, 40329, 40257, 40259, 40197 and 40198. Motion carried.

In re: COMPLETE BOND RELEASE - PENN NATIONAL GAMING, INC. - FILE #S03-02

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Morgan, second by Knode to approve the complete release of bond in the amount of \$10,548.49 for Penn National Gaming, Inc. Motion carried.

In re: COMPLETE BOND RELEASE - PENN NATIONAL GAMING, INC. - FILE #S02-13

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Knode to approve the complete release of bond in the amount of \$125,444.00 for Penn National Gaming, Inc. Motion carried.

In re: DEPARTMENT OF PLANNING, ZONING AND ENGINEERING ACTIVITY REPORT

Paul Raco appeared before the Commission to discuss the Activity Report for June, 2004.

In re: EXONERATIONS

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

| | | | | |
|------------------|-----------|----------|----------|--------|
| Dale W. Petrucci | Middleway | Personal | \$179.00 | 312264 |
|------------------|-----------|----------|----------|--------|

In re: LARRY NEAL - BRIAR RUN ESTATES - ANNEXATION ISSUES

Larry Neal did not appear before the Commission. There was no discussion and no action was taken.

In re: APPROVAL OF DEPOSITORY BONDS

Motion by Tabb, second by Knode to release the banks named below effective midnight June 30, 2004 and to accept and approve the following list of banks and the bond amounts effective July 1st 2004 and to enter the following orders: Motion carried.

RELEASE OF SECURITIES FOR DEPOSITORY BONDS

ORDER

Effective at 12:00 midnight on June 30th, 2004, The County Commission of Jefferson County, West Virginia, releases and orders returned to each bank named

below, the notes and bonds given to the County Commission to secure the Depository Bonds given to said County Commission, covering the period of July 1st, 2003 thru June 30th, 2004, as follows, to-wit:

To: United National Bank, Charles Town, WV
 \$2,460,000.00 FHLMC REMIC 3.5%, Cusip #31394HKP5 Due 07/15/18
 \$280,000.00 Hampshire Co WV 4.15%, Cusip #408828AH4 Due 5/1/07
 \$1,208,000.00 Philippi WV 5.40%, Cusip #718221AK0 Due 11/1/2022

And the Clerk of this Commission is instructed to send a copy of this order to the above named bank.

/s/

 President of the County Commission
 Jefferson County, West Virginia

Entered: June 24th, 2004

BONDS OF DEPOSITORIES OF COUNTY FUNDS

The County Commission, on April 8, 2004, designated all banks doing business in the County under State Regulation, as Depositories of County funds for the ensuing fiscal year, the said banks being requested to have their bonds before the County Commission on or before June 24, 2004, and the following named banks having their bonds before the Commission, conditioned according to law, said banks are this day appointed depositories of County funds for the ensuing fiscal year, Michael D. Thompson, Prosecuting Attorney, having examined the said bonds and approved the same, to wit:

| | |
|-----------------------------|---|
| Bank of Charles Town | \$10,000,000.00 |
| \$3,000,000.00 | FHLB Bond, 4.750%, due 05/15/2006, Book Entry |
| \$4,000,000.00 | FFCB Bond, 2.250%, due 09/01/2006, Book Entry |
| \$3,000,000.00 | FFCB Bond, 4.875%, due 12/19/2006, Book Entry |

Bank of Charles Town

| | |
|---|---|
| Jefferson County Farmland Protection Board | \$700,000.00 |
| \$7,000,000.00 | FHLB Bond, 4.875%, due 11/15/2006, Book Entry |

| | |
|-----------------------------|-----------------------|
| United National Bank | \$7,004,151.64 |
|-----------------------------|-----------------------|

| <u>Original Face</u> | <u>Market</u> |
|----------------------|---|
| \$3,500,000.00 | FHLMC Gold 5.50%, Cusip# 312GVDZ0, 08/01/17 |
| \$2,385,726.25 | |
| \$250,000.00 | GNMA REMIC 4.00% Cusip# 3873SVH7, 05/16/27 |
| 249,387.13 | |
| \$240,000.00 | Columbia Co. NY 4.60%, Cusip# 19750KF9, 08/1/14 |
| 248,290.21 | |
| \$400,000.00 | Crow Creek Sioux Tr 4.90%, Cusip# 227834AB4, 11/15/09 |
| 447,343.54 | |
| \$735,000.00 | Dyersburg TN Water 4.60%, Cusip# 267669DS5, 12/01/16 |
| 754,174.31 | |
| \$100,000.00 | Greenbrier Co., WV 4.00%, Cusip# 393658CB3, 05/01/14 |
| 99,753.63 | |
| \$400,000.00 | Hampshire Co., WV 4.15%, Cusip# 408828AG6, 05/01/06 |
| 413,432.19 | |
| \$1,657,000.00 | Philippi, WV 5.40%, Cusip # 718221AK0, 11/01/22 |
| 1,663,573.92 | |
| \$35,000.00 | Raleigh Co., WV 4.50% Cusip# 751060BD5, 10/01/05 36,450.75 |
| \$550,000.00 | Rib Lake WIS 4.60%, Cusip# 762522CA6, 03/01/15 |
| 560,286.02 | |
| \$140,000.00 | Hampshire Co., 4.15%, Cusip# 408828AH4, 05/01/07 145,733.69 |

The original face value totals \$8,007,000.00 and the market value totals \$7,004,151.64

Jefferson Security Bank

\$750,000.00

\$750,000.00 FHLB Bond, 1.500% Due 12/30/2005, Cusip# 31339XZ80

Branch Banking & Trust Company

\$5,000,000.00

\$3,500,000.00

FHLB, 3.35% Due 07/09/2009, Cusip# 31339Y4W9

\$1,500,000.00

FHLB, 6.875% Due 08/15/2005, Cusip# 3133MBY92

/s/

President of the County Commission
Jefferson County, West Virginia

Entered: June 24th, 2004

In re: COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING

A public hearing was held for the purpose of applying for funding to create a Rehabilitation Program for low and moderate income homeowners and rental properties located throughout Jefferson County. This program will be administered through a sub-recipient agreement with Telamon Corporation. The amount of the Community Development Block Grant is \$350,000.00. After discussion, motion by Corliss, second by Morgan to consider and incorporate the considerations that were discussed during the hearing and to schedule a Public Hearing on July 1, 2004 at 11:00 a.m. to obtain the views and comments of County residents concerning the proposed application. Motion carried. For the record, comments were made by the following: Paul Burke, Glenda Helms, Tom Trumble, Jim Surkamp, and Pam Parziale.

In re: HARPERS FERRY MINOR BOUNDARY ANNEXATION

John W. Askintowicz, III, Esquire appeared before the Commission to hold a Public Hearing for the Petition for the Corporation of Harpers Ferry/Annexation for a Minor Boundary Adjustment that was continued from May 20, 2004. The following were present and made comments: Mayor James Addy, Beth Haney, Don Orser, Vicki Faulkner, Paul Rosa and Chief of Police, Donald Buracker. After testimony was given and discussion and comments from the Commission, motion by Morgan, second by Hooper to approve the Petition for Harpers Ferry Minor Boundary Annexation. Motion failed by a vote of 2-3.

ENTER ORDER HERE

In re: IMPACT FEE PROCEDURES ORDINANCE AMENDMENTS HEARING

Mark Schiavone, Impact Fee Coordinator appeared before the Commission for the Impact Fee Procedures Ordinance Amendments Hearing and to discuss the proposed changes to County Ordinance 2003-1 (Impact Fee Procedures Ordinance). After discussion, the Commission agreed to review the amendments and suggested change and to place the item on the agenda for Thursday, July 1, 2004. For the record, Paul Burke made comments regarding the amendments.

In re: EASTERN PANHANDLE TRANSIT AUTHORITY VOTING REQUIREMENTS

Fred Blackmer appeared before the Commission to discuss the Eastern Panhandle Transit Authority Voting requirements. After discussion, motion by Tabb, second by Knode to send a letter to the Eastern Panhandle Transit Authority to authorize the two appointed members to cast the number of votes designated to this governing body for the EPTA fiscal year 2004-2005. Jefferson County representatives in attendance at any legally constituted the EPTA Board meeting will evenly divide the designated votes to be cast, and that the Jefferson County Commission has authorized and committed \$6000 for EPTA coming fiscal year 2004-2005.

At 12:50 p.m. the County recessed until 2:00 p.m.

In re: APPOINTMENT TO FARMLAND PROTECTION BOARD

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

In re: LAND USE PLANNING ACT OF 2004 - AMENDMENT DISCUSSION

The Commission discussed the Land Use Planning Act of 2004 and agreed to have the staff to contact the Planning Commission, Paul Raco and Mike Cassell to direct them to send comments to the Commission before July 14th, 2004.

In re: CORRESPONDENCE FROM BERKELEY COUNTY SOLID WASTE AUTHORITY - WASTE MANAGEMENT

The Commission discussed the correspondence received from the Berkeley County Solid Waste Authority regarding a request for the Jefferson County Solid Waste Authority to join with the Berkeley County Solid Waste Authority to request Attorney General's Office to provide help in bringing new competition for the provision of Solid Waste Service providers in the tri-county area. The Commission agreed that the issue was sent to the Jefferson County Solid Waste Authority and that the County Commission would not take action on this matter at this time.

In re: APPROVAL OF EMPLOYMENT - HOPE THOMPSON AND TARA CEPELKA - ASSESSOR'S OFFICE

Motion by Tabb, second by Morgan to approve the employment of Hope Thompson effective June 28, 2004 and Tara Cepelka effective August 23, 2004 in the Assessor's Office. Motion carried.

In re: FRONTIER - RENEWAL OF DIGITAL CENTREX LINE AGREEMENTS

Motion by Tabb, second by Knode to approve the renewal of digital centrex line agreements with Frontier. Motion carried.

In re: JEFFERSON COUNTY LEASH LAW ORDINANCE

The Commission agreed to discuss the Jefferson County Leash during the afternoon workshop.

The County Administrator and the Commission discussed the cut off date for the Jail Historic Review Comments. The cut off date will be June 28, 2004.

The County Administrator and the Commission discussed the FY2004-2005 payroll. The Commission agreed to pay 27 times but to calculate the payroll as 26 and authorized the Administrator to prepare a budget revision to reflect the change.

Commissioner Tabb reported on the Clean Air Task Force meeting.

Commissioner Tabb reported on the E-911 meeting.

Commissioner Hooper reported on the Joint Utility Board meeting.

Commissioner Corliss discussed the Impact Fee request from the Jefferson County Fire and Rescue Association. There will be a meeting with Mark Schiavone, Henry Christie, Ed Smith and Mr. Corliss to discuss the Impact Fee collection for Ambulance Service and Fire and Rescue.

Commissioner Morgan reported on the Historic Landmarks Commission meeting.

Commissioner Morgan reported on the Solid Waste Authority meeting.

Commissioner Morgan reported on the Planning Commission meeting.

The Commission received the following information:

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

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

Appointment to be made to the Planning Commission on July 8, 2004.

Correspondence received from the Prosecuting Attorneys Institute concerning 2004-2005 County Premiums.

Correspondence received from Sheriff Boober concerning Boober v. Imation v. Spectratech.

Correspondence received from the West Virginia Labor History Association concerning the county jail.

Correspondence received from Elizabeth Frater Allen concerning the county jail.

Correspondence received from Adra M. Thomas concerning the county jail.

Correspondence received from Earl Jackson concerning the county jail.

Correspondence received from Mrs Charles Printz concerning the county jail.

Correspondence received from Anne Barrat concerning Ranson annexations.

Information received from the County Commissioners' Association concerning the 2004 Annual Meeting.

Correspondence received from the County Commissioners' Association concerning a special session, Community Corrections Program, and Jail Standards Commission.

Correspondence received from the West Virginia State Historic Preservation Office concerning approval of National Register Nominations.

Minutes received of a Jefferson County Development Authority progress meeting on a study for alternate sewer capacity for the Burr/Bardane Industrial Park.

Correspondence received from the Workers' Compensation Commission concerning the Workers Compensation Commissioner University.

Weekly Settlement for the Charles town Races received from the West Virginia Lottery.

Correspondence received from the County Commissioners' Association concerning NACO Steering Committees.

Correspondence received from the Association of Counties concerning membership dues.

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

PRESIDENT

