

**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, July 15, 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 amended for the meeting held on Thursday, June 24, 2004, and to approve the Minutes as prepared. Motion carried.

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

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

**In re: APPROVAL OF PURCHASE ORDERS**

Motion by Morgan, second by Tabb to approve the following Purchase Orders for the Week of July 12, 2004, totaling \$89,224.42: 40213, 39715, 39716, 40287, 40288, 40289, 40290, 40291, 39952, 39909, 39910, 40278, 40262, 40263, 40264, 40265, 40266, 40268, 39988, 40334, and 40187. Motion carried.

**In re: APPOINTMENT TO THE FARMLAND PROTECTION BOARD**

The Commission received no applications for the appointment to the Farmland Protection Board.

**In re: APPOINTMENT TO THE JEFFERSON COUNTY AMBULANCE AUTHORITY**

The Commission received no applications for the appointment to the Jefferson County Ambulance Authority.

In re: COAL SEVERANCE BUDGET REVISION

Motion by Tabb, second by Knode to approve the Coal Severance Budget Revision for Fiscal Year 2005 and to authorize the President of the Commission to affix his signature to the following Resolution: Motion carried.

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 15<sup>th</sup> day of July, 2004, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on coal severance budget revision number 1, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by Tabb, and duly seconded by Knode, the vote was as follows:

Al Hooper	<u>YES</u>
Jane Tabb	<u>YES</u>
Greg Corliss	<u>YES</u>
James G. Knode	<u>YES</u>
Rusty Morgan	<u>YES</u>

Whereupon, Commissioner Hooper declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and A.G. Hooper, President of the Jefferson County Commission, is authorized to affix his signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

/s/ \_\_\_\_\_  
A.G. Hooper, President  
Jefferson County Commission

**In re: RESPONSE TO CHARLES TOWN RESOLUTION**

The Commission discussed the Resolution received from the City of Charles Town in support of Jefferson County reinvestment in downtown Charles Town, and the preservation and productive reuse of the historic Jefferson County Jail. After discussion, the Commission instructed the County Administrator to set up a date for a workshop with the City Manager, Council members, Mayor, and the Jefferson County Commission to discuss the resolution.

**In re: DIVISION OF CORRECTIONS - REQUEST FOR LEASE RENEWAL - MASON BUILDING**

The Commission discussed the renewal of lease for the Division of Corrections. After discussion, the Commission agreed to review the lease (COR-043) for the parole rooms located in the Mason Building Room #13 and #15 and to look at the rooms and to place on the Agenda next week.

**In re: PARTIAL BOND RELEASE - MADDEX FARM SUBDIVISION - #02-04**

Motion by Morgan, second by Tabb to approve the partial release of a Letter of Credit in the amount of \$274,929.00 for Maddex Farm Subdivision Phase I Lots 75-112, 184 & Lot A Residue, with the County to retain \$366,453.00. Motion carried.

**In re: COMPLETE BOND RELEASE - DAN RYAN BUILDERS - #01-17**

Motion by Tabb, second by Knode to approve the complete release of a Letter of Credit in the amount of \$77,303.00 for Dan Ryan Builders - Wright Field Subdivision Lots 2-24. Motion carried.

**In re: COMPLETE BOND RELEASE - PENN NATIONAL GAMING, INC. - #S03-03**

Motion by Tabb, second by Knode to approve the complete release in the amount of \$1,140,821.00 for Penn National Gaming, Inc. Motion carried.

**In re: COMPLETE BOND RELEASE - ABELOW FARMS - PHASE 3 - #03-08**

Motion by Morgan, second by Tabb to approve the complete release in the amount of \$188,686.00 for Abelow Farms - Phase 3, Lots 21-37 & Residue. Motion carried.

**In re: EXONERATION**

Upon recommendation from the Assessor, motion by Corliss, second by Tabb to approve the following Exoneration because of erroneous assessment for the year 2004. Motion carried.

<b>NAME:</b>	<b>DISTRICT:</b>	<b>TYPE:</b>	<b>AMOUNT:</b>	<b>TICKET #:</b>
Bonnita S. Cockrell	Harpers Ferry	Personal	\$652.82	9555153

**In re: EXONERATION**

Upon recommendation from the Assessor, motion by Corliss, second by Tabb to approve the following Exoneration because of erroneous assessment for the year 2004. Motion carried.

<b>NAME:</b>	<b>DISTRICT:</b>	<b>TYPE:</b>	<b>AMOUNT:</b>	<b>TICKET #:</b>
Karen M. Nelson	Ranson Corp.	Personal	\$79.02	314018

**In re: PLANNING COMMISSION APPOINTMENT INTERVIEWS**

Commissioners conducted Planning Commission interviews of the applicants present, Steve Stolipher and Leigh Koonce. After the interviews were conducted, the Commission agreed to place the appointments on the agenda in two weeks and to accept applications until that time.

**In re: ROGER DAILEY - FARMLAND PROTECTION BOARD - LATTERELL PROPERTY EASEMENT**

Roger Dailey, from the Farmland Protection Board, appeared before the Commission to request approval on the Conservation Easement on the Richard L. and Frances M. Latterell Property. After discussion, motion by Tabb, second by Corliss to authorize the Farmland Protection Board to move forward with the Conservation Easement on the Richard L. and Frances M. Latterell Property subject to the easement issues described by the Assistant Prosecuting Attorney being resolved. Motion carried.

**In re: CORPORATION OF HARPERS FERRY - REQUEST FOR FINANCIAL SUPPORT TO PROVIDE A 2005 FIREWORKS DISPLAY**

Mayor James Addy, Corporation of Harpers Ferry appeared before the Commission to request funding to support a 2005 fireworks display. After discussion, the Commission agreed to review the matter and have Mayor James Addy appear before the Commission at a future meeting with a proposal.

**In re: APPROVAL OF FULL-TIME EMPLOYMENT - JOHN M. SHREWSBERRY - ANIMAL CONTROL**

Motion by Tabb, second by Corliss to approve the full-time employment of John M. Shrewsberry as an Animal Control Officer. Motion carried.

The County Administrator discussed the upcoming appointments.

The County Administrator discussed the letter regarding deer crossing in Bakerton.

A member of the Bolivar Lions Club discussed the policy with renting the Sam Michael Park. Commissioner Hooper advised him to attend the upcoming meeting with the Parks and Recreation Commission.

Carol Dunleavy discussed concerns regarding barking dogs.

Commissioner Corliss reported on the Public Service District meeting.

Commissioner Tabb reported on the Farmland Protection Board meeting.

Commissioner Tabb reported on the selection of an Agriculture Development Officer/Farmland Protection Board Administrator.

Commissioner Knode reported on the Workforce Board meeting.

Commissioner Knode reported on the Region 9 Executive Committee meeting.

Commissioner Knode reported on the Air Quality Task Force Agreement Action Group meeting.

Commissioner Morgan reported on the Solid Waste Authority Meeting.

The Commission received the following information:

Appointments to be made on July 22, 2004 to the Summit Point Library Committee and the Eastern Panhandle Regional Planning and Development Council.

Correspondence received from the West Virginia Office of Emergency Services concerning FY2004 Department of Homeland Security Grants.

Correspondence received from Tony Hayes concerning deer crossing on Bakerton Road.

Correspondence received from the State Auditor concerning the annual in-service training seminar for County Commissioners and Assistants on August 8-10, 2004.

Financial Statements received from the Development Authority for the quarter ended September 30, 2003.

Correspondence received from Earl Jackson concerning the Solicitation of Charitable Funds Act.

Letter of resignation received from Rebecca Willingham as a member of the Parks and Recreation Commission.

Letter received from Mike Jacobs requesting reappointment to the Parks and Recreation Commission.

Correspondence received from the following in support of county offices remaining in downtown Charles Town and adaptive reuse of the county jail building:

- Debra Cornwell
- Ellen May, ECGC Distributors, LTD
- John C. Allen, Jr.
- Allegra Wright
- Jennifer Miller
- Gabriele Rainey

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

Oath of Office received from Carl W. Wiley, Jr. as a member of the Solid Waste Authority.

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

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PRESIDENT