

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, September 9, 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 WITH READING OF MINUTES

Motion by Morgan, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, September 2, 2004, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Tabb, second by Knode to approve the following Purchase Orders for the Week of September 9, 2004, totaling \$21,072.60: 40228, 40229, 40308, 40565, 40555, 40464, 39912, 40106, 40467, 40553, 40554, 40448, 40449, 40381, 40394, 40396, 40397, 40398 and 40399. Motion carried.

In re: PAUL RACO - PLANNING COMMISSION ACTIVITY REPORT

Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission to give a Planning Commission Activity Report.

In re: COMMUNITY CENTER SITE PLAN - DEWBERRY

The Commission discussed the Site Plan for the Community Center. Motion by Corliss, second by Morgan to accept and authorize the President to affix his signature to the proposal presented by Dewberry. Motion carried.

In re: APPROVAL OF ABSENTEE CLERKS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION

Motion by Tabb, second by Corliss to approve Eunice Lloyd (Democrat), Shirley Rockwell (Republican), Alicia White (Republican), Ruth McDaniel (Democrat), Mattie Hardee (Republican), Catherine Smallwood (Democrat) and Frankie Denise Remaley (Republican) as absentee clerks for the November 2, 2004 General Election. Motion carried.

In re: TIM POWNELL - RESIDENT NOISE ORDINANCE

Mr. Tim Pownell, Mr. Collin Pope; President of the Glenn Meadows Subdivision Home Owners Association, Kimberly Brannon and other members of the Glenn Meadows Subdivision Home Owner's Association appeared before the Commission.

Mr. Pownell and Mr. Pope discussed concerns with a neighbor creating erratic noise and commotion at unreasonable hours that disrupt the neighborhood. Also discussed was alternative action including; contacting law enforcement officials, speaking with legal counsel, speaking with the resident and his wife as well as a written correspondence in an attempt to resolve the problem.

Assistant Prosecuting Attorney, Brandy Sims was present and provided comments.

After discussions, motion by Corliss, second by Morgan to table this matter for one week to allow Brandy Sims the opportunity to conduct further research. Motion carried.

In re: APPOINTMENT TO THE FARMLAND PROTECTION BOARD

The Commission proceeded to make appointments to the Farmland Protection Board. The applicants for the Farmland Protection Board include: John "Jack" Quinn; farmer, Phillip Cox; non-farmer, Peter Fricke; non-farmer, Robert Henshaw; farmer, and Martin Burke; non-farmer.

Nomination by Corliss to appoint Peter Fricke to the Farmland Protection Board as a non-farmer.

Motion by Corliss, second by Tabb to close nominations. Motion Carried.

Peter Fricke was appointed to the Farmland Protection Board as a non-farmer for an unexpired term ending September 7, 2008 by unanimous vote.

Nomination by Morgan to appoint John "Jack" Quinn to the Farmland Protection Board as a farmer and a member of the Soil Conservation District. Nomination by Morgan to appoint Robert Henshaw to the Farmland Protection Board as a farmer and a member of the Farm Bureau.

Motion by Tabb, second by Knode to close nominations. Motion carried.

Robert Henshaw was appointed to the Farmland Protection Board as a farmer for a four

year term. John "Jack" Quinn was reappointed to the Farmland Protection Board as a farmer and a member of the Soil Conservation District for a four year term.

In re: ZONING AND SUBDIVISION AMENDMENTS

Paul Raco appeared before the Commission with document presentation and discussion. Discussion included Planning and Zoning procedures including the application submission, LESA scoring and neighborhood capability standards.

After review and comments, motion by Corliss, second by Morgan to present the proposed procedures to the Planning Commission for their comments and/or recommendations. After further discussion, Commissioner Morgan withdrew his second.

Amended motion by Corliss, second by Tabb to discuss the matter further in the afternoon work session for consideration of any modification before presentation of proposed procedures to the Planning Commission. Motion carried with a 4 to 1 vote, Commissioner Morgan voted no.

In re: EXECUTIVE SESSION - CONTRACTUAL MATTERS

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

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

Commissioner Hooper reported on the email correspondence received from Mayor Hamill.

Commissioner Knode reported on the Region 9 Executive Committee meeting.

Commissioner Tabb discussed the Impact Fee Report.

Commissioner Corliss reported on the Counter Terrorism meeting.

Commissioner Morgan discussed correspondence he received concerning the MARC train service.

The Commission received the following information:

Impact Fee Status Report received for August 2004.

Notice received from Independent Fire Company of the 3rd annual 9-11 Remembrance Ceremony on Saturday, September 11, 2004, at 10:00 a.m.

Notice received of a West Virginia Affordable Housing Legislative Reception on October 5, 2004, at 6:00 p.m.

Correspondence received from Adelphia concerning a local emergency contact number.

Public Notice received from the West Virginia Division of Labor concerning determining the prevailing hourly rate of wages.

Invitation received from the Jefferson County Ambulance Authority to attend their 5th Anniversary Celebration on September 15, 2004.

Harpers Ferry National Historical Park Bulletin received.

Meeting minutes received from the Jefferson County Public Service District.

Correspondence received from the West Virginia Division of Culture and History concerning Records Management and Preservation Grant Information.

Oath of Office received from Henry B. Christie as a member of the E-911 Advisory Board.

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

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

PRESIDENT

