

**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 16, 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 Knode, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, September 9, 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 September 13, 2004, totaling \$110,749.38: 40230, 40309, 40311, 39286, 40496, 40523, 39905, 39913, 40526, 40527, 40528, 40529, 40530, 40531, 40476, 40478, 40481, 40483, 40450, 40451, 40479, 40428, 40429, 40432, and 40433. 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: COUNTY ENGINEER POSITION**

The Commission agreed to put this matter back on the agenda in two weeks.

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

No applications were received for the Farmer position on the Farmland Protection Board.

**In re: APPOINTMENTS TO THE WEST VIRGINIA EASTERN PANHANDLE TRANSPORTATION AUTHORITY**

The Commission discussed making appointments to the West Virginia Eastern Panhandle Transportation Authority. After discussion, the Commission agreed to direct the County Administrator to send correspondence to Berkeley and Morgan Counties to find out what their plans are for appointing to the West Virginia Eastern Panhandle Transportation Authority.

**In re: APPOINTMENT TO THE PARKS AND RECREATION COMMISSION**

Nomination by Morgan to appoint Charles C. Cheezum to the Parks and Recreation Commission for an unexpired term ending June 30, 2007.

Nomination by Hooper to appoint Chris Pflieger to the Parks and Recreation Commission for an unexpired term ending June 30, 2007.

Charles C. Cheezum was appointed to the Parks and Recreation Commission by a 4-1 vote. Commissioners Knode, Tabb, Morgan and Corliss voted for Mr. Cheezum. Commissioner Hooper voted for Mr. Pflieger.

**In re: APPROVAL OF EMERGENCY ABSENTEE BALLOT COMMISSIONERS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION**

Motion by Tabb, second by Knode to approve Alice Maxine Scott (Democrat) and Deborah Nagel ( Republican) as Emergency Absentee Ballot Commissioners for the November 2, 2004 General Election. Motion carried.

**In re: APPROVAL OF EMPLOYMENT - RYAN KEYSER - PART-TIME PUBLIC SAFETY DISPATCHER**

Motion by Morgan, second by Tabb to approve the employment of Ryan Keyser as a Part-time Public Safety Dispatcher. Motion carried.

**In re: HELEN KEMP - NOISE ORDINANCE**

Helen Kemp, from Orchard Hills Subdivision, appeared before the Commission to discuss concerns with neighbors creating disruptive noise late at night. After discussion, motion by Corliss, second by Tabb to ask Assistant Prosecuting Attorney, Brandy Sims, to draft a proposed Residential Civil Noise Ordinance for consideration by the Commission. Motion carried.

**In re: BOB BURCH**

Bob Burch appeared before the Commission to request that the Commission waive the bond requirement for the driveway and storm water management on 4 lots, in the amount of \$28,000. The Commission denied the request.

**In re: DEPARTMENT OF IMPACT FEES - APPROVAL TO PROCEED WITH PARKS AND RECREATION IMPACT FEE STUDY**

Mark Schiavone, Impact Fee Coordinator, appeared before the Commission to request authorization to proceed with the Parks and Recreation Impact Fee Study. After discussion, motion by Corliss, second by Morgan to authorize the Impact Fee Coordinator to proceed with the Impact Fee Study for the Parks and Recreation Commission. Motion passed by a 4-1 vote. Commissioner Knode voted no.

**In re: EXECUTIVE SESSION - CONTRACTUAL MATTERS**

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

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

For the record, an update was received from Mike Cassell regarding the negotiations. No action was taken by the Commission.

**In re: DARRELL PENWELL - HURRICANE IVAN**

Darrell Penwell appeared before the Commission to give an update on the possibility of a severe weather situation in Jefferson County caused by Hurricane Ivan passing through the area.

The County Administrator reminded the Commission that their meetings would be moving to the Old Charles Town Library next week until the General Election was over in November.

The County Administrator informed the Commission that the Vote Tabulation Test for the General Election would be on Tuesday, October 26, 2004 at 9:30 a.m.

The County Administrator informed the Commission of meetings with the Commerce Corridor Council for the Brownfield properties.

The County Administrator informed the Commission that the Final Construction Completion Report for the Jefferson County Transmitter and Receiver Stations had been received.

Commissioner Knode reported on a phone poll he participated in for the MPO concerning the George Washington Trail.

Commissioner Knode reported on a Workforce Investment Board meeting.

Commissioner Tabb reported on an E-911 Board meeting.

Commissioner Tabb reported on the 5-year Anniversary Celebration for the Ambulance Authority.

Commissioner Hooper reported on a meeting at the Shepherdstown Men's Club concerning Morgan's Grove Park.

Commissioner Corliss reported on an USGS Study involving the testing of wells in Jefferson County.

Commissioner Morgan reported on a Planning Commission meeting.

Commissioner Morgan gave an update on the Solid Waste Authority.

**The Commission received the following information:**

Reminder - Meeting next week will be in the Library Meeting Room and thereafter until November 11, 2004.

Notice of a Special Session on October 26, 2004, at 9:30 a.m. for the Public Test of the Automatic Tabulating Equipment in the Old Charles Town Library Meeting Room.

Invitation received from the City of Charles Town to participate as a member of the "Commerce Corridor Council" at meetings on September 17, October 19 and October 20, 2004.

Notice received of a Potomac Tributary Stakeholder Meetings on September 20 and September 21, 2004.

Correspondence received from the County Commissioner's Association concerning the passing of Rick Handley's wife after a long battle with cancer and news on Jim Waybright's recuperation progress from heart problems.

Notice received from the Division of Highways concerning proposed projects available for public review.

Invitation received from the Eastern Panhandle Conservation District's Annual Awards Dinner on Wednesday, September 22<sup>nd</sup> at 6:00 p.m.

Invitation received from The Department of Education and The Arts and The Division of Culture and History to attend an Open Forum on September 21, 2004 and September 22, 2004.

Notice received of an Eastern Panhandle Economic Outlook Conference on October 5, 2004.

Information received from the Secretary of State concerning Poll Worker Appointments.

Electoral College Reference Guide received from the Secretary of State.

Information received from the Secretary of State concerning Inspection for Punch Card Ballot Voting Systems.

Final Construction Completion Report for the Jefferson County Transmitter and Receiver Stations received from the Department of the Army.

Notice received of a Subdivision Work Session on September 17, 2004.

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

Meeting minutes received from the Harpers Ferry/Bolivar Public Service District.

Oaths of Office received from Dave Donahue and John Joseph Quinn, Jr.

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

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PRESIDENT