

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 Old Charles Town Library Meeting Room thereof on Thursday, September 30, 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 Knode to dispense with the reading of the Minutes for the meeting held on Thursday, September 23, 2004, and to approve the Minutes as prepared. 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 27, 2004, totaling \$38,023.13: 40533, 40535, 40536, 40538, 40539, 40053, 40485, 40486, 40190, 40372, 40378 and 40435. Motion carried.

In re: APPROVAL OF ELECTION WORKERS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION
Motion by Corliss, second by Morgan to approve the list of Election Workers for the November 2, 2004 General Election as presented by John Ott, County Clerk. Motion carried.

In re: ABSENTEE BALLOT BOX KEYS

Distribution of Absentee Ballot Box Keys

We, the undersigned, of Jefferson County, do hereby certify that the ballot boxes used for absentee voting have been locked by two (2) locks on each of the two (2) ballot boxes and one (1) key for each of the ballot boxes is being held by the President of the County Commission and one (1) key for each of the ballot boxes is being held by the Clerk of the County Commission.

Ballot boxes will be locked during the period of September 21, 2004 thru November 1, 2004. Ballot boxes will be opened on November 2, 2004 by two (2) absentee election officials of opposite parties in the presence of the County Clerk and delivered to the center counting center.

SIGNED: /S/

President of the County Commission, Al G. Hooper

/S/

Clerk of the County Commission, John E. Ott

Dated this 30th day of September, 2004.

§3-3-3 West Virginia Code

In re: 2005 LEGISLATIVE ISSUES
Commissioner Corliss reported on the West Virginia County Commission Legislative meeting he and Commissioner Morgan attended. In the interest of the public, the Commission discussed issues concerning the proposed noise ordinance, the Local Powers Act, Land Use Planning and Annexation.

After comments, motion by Tabb, second by Hooper to table discussions until which time, Brandon Sims, Assistant Prosecuting Attorney could be present for comments. Motion carried.

In re: EXECUTIVE SESSION - CONTRACTUAL MATTERS
Motion by Tabb, second by Morgan to enter into Executive Session to discuss Contractual Matters. Motion carried.

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

Motion by Corliss, second by Morgan to authorize the County Administrator to schedule a Special Session, Friday, October 1, 2004 at 1:00 p.m. in the County Commission meeting room at 124 East Washington Street to discuss the impact fee lawsuit with the City of Charles Town.

In re: 2005 LEGISLATIVE ISSUES
Motion by Corliss, second by Hooper to resume discussions pertaining to 2005 Legislative Issues. Motion Carried.

Brandon Sims, Assistant Prosecuting Attorney appeared before the Commission. The

Commission informed Mrs. Sims of previous discussions to include the proposed noise ordinance, the Local Powers Act, Land Use Planning and Annexation.

After discussion, motion by Corliss, second by Hooper to assign Brandon Sims the task to research the legislative issues discussed and provide her legal recommendations of proposed changes to current codes and proposed ordinances. Motion failed, Commissioners Hooper, Knode and Tabb voted no.

Motion by Hooper, second by Tabb to schedule a work session next week for further review and discussion. 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.

After discussion and documentation from Mr. Raco regarding the County Subdivision Ordinance, motion by Morgan, second by Tabb to release an RFP for a contractor to re-write the proposed Subdivision Ordinance. Motion carried.

There was discussion highlighting concerns with the Comprehensive Plan. Mr. Raco informed the Commission that he would address the matter further.

Commissioner Morgan read the letter received from the Planning Commission regarding the chief planner position. After discussion, motion by Corliss, second by Morgan for the County Administrator to draft a response letter to include the minutes of September 2, 2004. Motion carried.

In re: COUNTY ENGINEER POSITION

Paul Raco appeared before the Commission to discuss and present a study of area salary statistics.

After discussion, motion by Corliss, second by Tabb to advertise the County Engineer Position at a starting salary of \$55,000 to \$60,000 annually. Motion carried.

In re: RONALD J. KYPER - REQUEST FOR WAIVER OF BUILDING PERMIT FEE

Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission to discuss the history of Ronald Kyper's building permit. After discussion, motion by Knode, second by Tabb to permit Mr. Kyper to resubmit a new application for a fee of \$50.00. Motion carried.

In re: MAINTENANCE BUILDING

After presentation by the County Administrator, motion by Knode, second by Tabb to authorize the maintenance supervisor to seek a waiver of a site plan for a maintenance building. Motion carried.

In re: BIZ TECH BUDGET CONCERNS

Motion by Corliss, second by Tabb to authorize the County Administrator to draft a letter to Jane Peters, Development Authority Director, expressing funding concerns. Motion carried.

In re: CITY OF CHARLES TOWN - REQUEST FOR THE COMMISSION TO APPOINT A REPRESENTATIVE FOR THE REVITALIZATION PROJECT

Motion by Corliss, second by Tabb to appoint Commissioner Morgan as a County Representative to the City of Charles Town Revitalization Project Committee.

In re: CORRESPONDENCE FROM MAYOR ROGER L. VANCE OF HILLSBORO, VIRGINIA - ROUTE 9 SUMMIT

The Commission discussed the correspondence received from Mayor Vance with an invitation to the Hillsboro Town Meeting. After discussions, Commissioner Tabb reported that she would attend the Town Meeting. Commissioner Corliss reported he would attempt to attend as well as Commissioner Hooper.

In re: APPOINTMENT TO THE FARMLAND PROTECTION BOARD

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

In re: APPROVAL OF EMPLOYMENT - DANIELLE L. SLUSHER - COUNTY CLERK'S OFFICE

Motion by Tabb, second by Corliss to approve the employment of Danielle L. Slusher in the County Clerk's Office as presented by John Ott, County Clerk.

In re: APPROVAL OF EMPLOYMENT - PROSECUTING ATTORNEY'S OFFICE - LINDA MATTHEWS

Leslie Smith, County Administrator, advised the Commission that Ms. Matthews withdrew her acceptance of employment.

Commissioner Morgan discussed his concerns with the Hedgesville Landfill.

Commissioner Corliss expressed interest in scheduling a meeting with Vivian Parsons to discuss legislative issues.

Commissioner Hooper reported on the City of Charles Town meeting with Mayor Hilton.

Commissioner Tabb reported on the Federal Reserve meeting.

Commissioner Tabb reported on the Farmland Protection Board meeting

Commissioner Tabb reported on her attendance at the retirement party for Rita Howell from the Communications Center.

Commissioner Knode reported on the Ranson luncheon with area officials.

The Commission received the following information:

Correspondence received from the Secretary of State concerning a letter from the Department of Justice.

Correspondence received from the Department of Justice concerning the Voting Integrity Program.

Correspondence received from the County Commissioners' Association concerning PEIA premium increase proposals.

Notices received from the Communications Center of dispatcher training sessions.

Financial Report received from the Harpers Ferry/Bolivar Public Service District.

Notice received from the Extension Office of Estate Planning programs on October 12 and November 16, 2004.

Invitation received to attend the dedication of the Anna M. Reedy Senior Center on October 8, 2004.

Notice received from the Executive Director of Planning, Zoning and Engineering of a Subdivision Work Session on October 1, 2004.

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

Oath of Office received from Charles C. Cheezum as a member of the Parks and Recreation Commission.

Upon rising, the Commission recessed until Friday afternoon next beginning at 1:00 o'clock p.m.

PRESIDENT