

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 Wednesday, November 17, 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 Corliss to dispense with the reading of the Minutes for the meeting held on Wednesday, November 10, 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 November 15, 2004, totaling \$101,253.18: 40237, 40415, 40419, 40561, 40562, 40695, 40603, 40752, 40753, 40615, 40616, 40619, 40620, 40621, 40727 and 40622. Motion carried.

In re: PARTIAL BOND RELEASE - JDM LOCUST HILL, LLC

Motion by Morgan, second by Tabb to approve the partial release of a letter of credit in the amount of \$335,146 for JDM Locust Hill, LLC with the County to retain \$71,981. Motion carried.

In re: COMPLETE BOND RELEASE - MATTHEW KNOTT DBA RIVER RIDERS

Motion by Knode, second by Tabb to approve the complete release of a letter of credit in the amount of \$152,564 for Matthew Knott DBA River Riders. Motion carried.

In re: PARTIAL BOND RELEASE - MURALL LIMITED PARTNERSHIP

Motion by Tabb, second by Knode to approve the partial release of a letter of credit in the amount of \$418,350 for Murall Limited Partnership with the County to retain \$259,000. 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. Mr. Raco presented the Commission with the answers to the second set of RFP questions. Mr. Raco also presented the Commission with Draft Amendments to the Jefferson County Zoning and Development Review Ordinance. The Commission agreed to have Mr. Raco send the draft to the Prosecuting Attorney for review and to have the draft returned by the Commission's December 2, 2004 meeting.

In re: CERTIFY ELECTION RESULTS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION

Motion by Corliss, second by Tabb to certify the results of the November 2, 2004 General Election that were declared from the Canvass. Motion carried.

In re: BARBARA MILLER AND DARRELL PENWELL - DECONTAMINATION TRAILER

Barbara Miller and Darrell Penwell appeared before the Commission to give the Commission an update on the decontamination trailer that was received for Jefferson County. After discussion, motion by Tabb, second by Corliss to authorize the President's signature on the grants to provide the decontamination trailer and equipment from the West Virginia Office of Emergency Services. Motion carried.

In re: JANE PETERS - iTOWN RESOLUTION

Jane Peters appeared before the Commission to discuss the iTown Resolution. Mike Thompson and Brandy Sims appeared before the Commission to give comments on the matter. After discussion, the Commission agreed to have Ms. Peters and Ms. Sims obtain more information on the matter and report back to the Commission at a later date.

In re: MARK SCHIAVONE - AGREEMENT WITH TISCHLER - UPDATE FIRE EMS AND LAW ENFORCEMENT.

Mark Schiavone, Impact Fee Coordinator, appeared before the Commission concerning an agreement with Tischler to update Fire/EMS and Law Enforcement Impact Fees. After discussion, motion by Corliss, second by Tabb to approve the agreement with Tischler to update Fire/EMS and Law Enforcement Impact Fees. Motion passed by a 4-1 vote. Commissioner Knode voted no.

In re: NEAL CARPENTER - REGION 9 UPDATE

Neal Carpenter, the Commission's appointed representative to Region 9, appeared before the Commission to give and update on a Region 9 meeting.

In re: APPOINTMENT TO THE FARMLAND PROTECTION BOARD

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

In re: APPOINTMENT TO THE AMBULANCE AUTHORITY

The Commission agreed to table the appointment to the Ambulance Authority until next week.

In re: REQUEST FOR APPROVAL OF SPECIAL DEPUTY STATUS

Motion by Corliss, second by Tabb to approve the list received from the Sheriff's Law Office for approval of Special Deputy Status for police officers with the City of Charles Town. Motion carried.

In re: RESOLUTION - LOCAL ECONOMIC DEVELOPMENT ASSISTANCE GRANT - JEFFERSON COUNTY DEVELOPMENT AUTHORITY

Motion by Corliss, second by Tabb to approve the President' signature on the Resolution for a Local Economic Development Assistance Grant for the Jefferson County Development Authority. Motion carried.

RESOLUTION

The Jefferson County Commission met on the 17th day of November, 2004 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes A. G. Hooper, Jr., President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and

administer grant funds pursuant to provision of the Local Economic Development Assistance grant award. This project is to assist in a Complex Feasibility Study and Business Plan for the Jefferson County Development Authority.

Dated: November 17, 2004

/s/
A. G. HOOPER, JR., PRESIDENT
JEFFERSON COUNTY COMMISSION

Jim Surkamp commented on the iTown resolution.

Commissioner Knode reported on the 1st presentation of the transportation study.

Commissioner Knode reported on a Workforce Investment Board meeting.

Commissioner Tabb reported on an Animals in Disaster meeting.

Commissioner Tabb reported on the public meeting concerning the East Washington Street buildings.

Commissioner Tabb reported on a Development Authority meeting.

Commissioner Corliss reported on a LEPC meeting.

The Commission received the following information:

Reminder County Commission Does Not Meet Next Week - Courthouse is Closed Thursday, November 25, 2004 and Friday, November 26, 2004 - Thanksgiving.

Correspondence received from the Berkeley County Commission concerning appointments to the Eastern Panhandle Transportation Authority.

Correspondence received from Region 9 concerning the Air Quality Coordinator Program and the Early Action Compact.

Notice received from the Department of Planning, Zoning and Engineering of a Site Plan Review Conference for the Sam Michael's Park Community Center on Friday, November 19, 2004 at 10:00 a.m.

Correspondence received from the Association of Counties concerning Proposed Rules for Workers' Compensation.

Correspondence received from the Board of Risk and Insurance Management concerning renewal of liability and auto policies.

Information received from the County Commissioners' Association concerning the legislative interim meetings.

Meeting minutes and Statement of Receipts and Disbursements received from the Parks and Recreation Commission.

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, November 19, 2004.

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

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

Oath of Office received from Tracy Lynn Edwards as a Deputy Sheriff.

Upon rising, the Commission recessed until Thursday, December 2, 2004, beginning at 10:00 o'clock a.m.

PRESIDENT