

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, December 30, 2004, beginning at 10:00 o'clock a.m.

PRESENT: Rusty Morgan, President Pro Tem;
James G. Knode; Greg Corliss;
Jane M. Tabb; Commissioners

Commissioner Hooper was absent.

In re: PLEDGE OF ALLEGIANCE

Commissioner Morgan 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, December 16, 2004, and to approve the Minutes as prepared. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Tabb, second by Corliss to approve the following Purchase Orders for the Week of December 27, 2004, totaling \$15,026.79: 40872, 40924, 40931, 40932, 40923, 40925, 40926, 40675, 40765, 40767, 40800, 40801, 40803, 40804, 40830, 40832, 40833, 40961, 40962, 40963, 40964, and 40967. Motion carried.

In re: APPOINTMENT TO THE FARMLAND PROTECTION BOARD

No applications were received for appointment to the Farmland Protection Board.

In re: DECISION ON UNEMPLOYMENT INSURANCE

Motion by Knode, second by Tabb to continue with the process of self insurance for the purposes of unemployment protection. Motion carried.

In re: SET DATE AND TIME OF FIRST MEETING OF 2005

Motion by Tabb, second by Corliss to set the date and time for the first meeting of 2005 for Thursday, January 6, 2005, beginning at 10:00 a.m. Motion carried.

In re: REGION 9 MEETING REPRESENTATIVE

Motion by Corliss, second by Knode to appoint Jane Tabb as the representative for the Region 9 meeting to be held on January 5, 2005. Motion carried.

In re: iTOWN - RESOLUTION TO APPROVE ENROLLMENT AS LOCAL SPONSOR FOR LOCAL COMMUNITY PUBLIC-USE NETWORK

After discussion, the Commission agreed to hold off on a decision on the iTown

matter until a decision is made by the West Virginia Development Office on the Statewide Participation Agreement.

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 informed the Commission that the latest proposed changes to the Zoning Ordinance would be available for the Commission's review today.

In re: JAMES B. CRAWFORD, III - RANSON PETITION FOR ANNEXATION

James B. Crawford, III, appeared before the Commission to request acknowledgment of a Certificate of Annexation for the City of Ranson. After discussion, motion by Corliss, second by Morgan to defer the acknowledgment of the Certificate of Annexation until next week in order to have the Assessor's mapper and the Prosecuting Attorney check for accuracy. Motion failed by a 2-2 vote. Commissioners Knode and Tabb voted no. Motion by Knode, second by Tabb to acknowledge the Certificate of Annexation as presented by the City of Ranson. Motion passed by a 3-1 vote. Commissioner Corliss voted no. For the record, David Mills and David Hamill, from the City of Ranson, both spoke on the matter.

ENTER CERTIFICATE OF ANNEXATION HERE

In re: CITIZENS FIRE COMPANY - ANNUAL FIREFIGHTERS' APPRECIATION BANQUET

The Commission agreed to have the President of the Commission attend Citizens Fire Company's Annual Firefighters' Appreciation Banquet.

In re: INDEPENDENT FIRE COMPANY - ANNUAL MEMBERSHIP RECOGNITION BANQUET

Commissioner Tabb agreed to attend Independent Fire Company's Annual Membership Recognition Banquet.

In re: CITY OF CHARLES TOWN - "GATEWAY REVITALIZATION" - LETTER OF SUPPORT

Motion by Tabb, second by Corliss to ask the County Administrator to draft a Letter of Support for the City of Charles Town's "Gateway Revitalization" project. Motion carried.

In re: DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY COMMISSION OF JEFFERSON COUNTY AND THE CORPORATION OF RANSON

Motion by Corliss, second by Tabb to table the matter of the Draft Memorandum of Understanding between the County Commission of Jefferson County and the Corporation of Ranson until next week. Motion carried.

In re: HAYES, SEAY, MATTERN & MATTERN, INC. - PROPOSAL FOR PROFESSIONAL ARCHITECTURAL SERVICES - PUBLIC SAFETY CENTER

Motion by Corliss, second by Tabb to approve the proposal for professional architectural services from Hayes, Seay, Mattern & Mattern, Inc. Motion carried.

In re: PUBLIC POLICY DETERMINATION - PROPOSED NOISE ORDINANCE

The Commission agreed to work on the public policy determinations for the proposed noise ordinance in a work session. Sheriff Boober and Magistrate Boober commented on the matter.

In re: REQUIREMENT FOR A STOP LIGHT NEAR HALLTOWN AT HIGHWAY 340 AND HIGHWAY 230

After discussion, motion by Corliss, second by Tabb to draft a letter to the Division of Highways concerning the requirement for a stop light near Halltown at Highway 340 and Highway 230 and request for long term plans for that area. Motion carried.

In re: SWEARING IN OF ELECTED OFFICIALS

John E. Ott, County Clerk, swore in the following elected officials:

Dale Manuel	County Commissioner
James Surkamp	County Commissioner
Patsy Noland	Circuit Clerk
Ed Boober	Sheriff

In re: APPROVAL OF PRESIDENT PRO TEM SIGNATURE

Motion by Tabb, second by Knode to approve the signature of the President Pro Tem on various documents to be signed before the end of the year. Motion carried.

In re: DISCUSSION OF COUNTY GOVERNMENT LEGAL SUPPORT

Mike Thompson, Prosecuting Attorney, appeared before the Commission and reported on the status of the county's legal support.

In re: IMPACT FEE PROCEDURES ORDINANCE AMENDMENTS

After discussion and comments from Mark Schiavone, motion by Corliss, second by Tabb to set a public hearing for January 20, 2005 for the Impact Fee Procedures Ordinance Amendments, as amended by the County Commission. Motion carried.

The County Administrator reminded the Commission of appointments to the Zoning Board of Appeals next week. The Commission agreed to request the applicants to appear next week for interviews.

The County Administrator informed the Commission that a response had been received from the Jefferson County Public Service District concerning the sludge question.

The County Administrator reminded the Commission of the reception following the swearing in of the new County Clerk, Jennifer Maghan.

James Surkamp commented on the definition of storage facilities.

The Commission received the following information:

Appointments to be made to the Zoning Board of Appeals on Thursday, January 6, 2004.

Correspondence received from the Sheriff concerning his Capital Improvement Request.

Withdrawal of Petition for Probate of Will in Solemn Form received for the Estate of Lawrence A. Jacobs.

Invitation received from County Clerk Elect, Jennifer Maghan, to attend a reception following her swearing in at 4:00 p.m. on December 30, 2004.

Correspondence received from the Secretary of State's office concerning the transition of new administration.

Correspondence received from Smith Nadenbousch concerning Board of Risk insurance.

Notice received of a Community Meeting at the Mt. Wesley United Methodist Church on Sunday, January 16, 2004 concerning residential development.

Correspondence received from FEMA concerning a Community Assistance Visit.

Correspondence received from the State Agency for Surplus Property concerning payment of purchases.

Audit Reports of the Jefferson County Board of Health received for the fiscal years ended June 30, 2003 and June 30, 2002.

Fall 2004 Under the Headset Newsletter received from Jefferson County Emergency Communications.

Financial Statements received from the Public Service District for the year ended June 30, 2004.

Correspondence received from the Association of Counties concerning Senate Bill 100.

Correspondence received from the Senator Robert C. Byrd concerning the Fiscal Year 2005 Consolidated Appropriations Act.

Correspondence received from the State Tax Department concerning compliance

of assessment standards.

Correspondence received from Richard A. Zigler concerning the rewrite of the Zoning Ordinance.

Correspondence received from Patricia M. Sanderson concerning the rewrite of the Zoning Ordinance.

Notice received from the Association of Counties of the passing of former Marshall County Sheriff, Forrest "Matt" Clark.

Notice received from the County Commissioners' Association of the passing of Commissioner Jason Padlow's wife, Lori Padlow.

Copy of a newspaper article receive from the County Commissioners' Association concerning the approval by PEIA of an increase in health insurance premiums.

Meeting minutes received from the Jefferson County Public Service District.

Harpers Ferry National Historical Park Community Bulletin received.

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

West Virginia Ethics Reporter received for December 2004.

Oath of Office received from Philip P. Cox as a member of the Farmland Protection Board.

Oath of Office received from Archibald M.S. Morgan III as a member of the North Eastern Regional Emergency Services Inc.

Oath of Office received from Michael D. Thompson as the Prosecuting Attorney of Jefferson County.

Oath of Office received from Mary R. Bordier as the Assessor of Jefferson County.

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

RUSTY MORGAN, PRESIDENT PRO TEM