

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, April 28, 2005, beginning at 9:30 o'clock a.m.

PRESENT: A.M.S. (Rusty) Morgan, III, President;
James Surkamp; Greg Corliss;
Dale Manuel; Jane M. Tabb; Commissioners

In re: PLEDGE OF ALLEGIANCE
Commissioner Morgan conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES
Motion by Manuel, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, April 21, 2005, and to approve the Minutes as presented. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS
Motion by Tabb, second by Manuel to approve the following Purchase Orders for the Week of April 25, 2005, totaling \$6,615.72: 41055, 41172, 41402, 41403, 41215, 41216, 41217, 40658, 41035, 41049, 41050, 41331 and 401335. Motion carried.

In re: BONDING AND ACTIVITY REPORT
Paul Raco appeared before the Commission to give the Planning Commission Activity Report. In observation of "Take Your Child to Work Day", Paul Raco introduced his daughter, Marina Raco to the County Commissioners and staff.

In re: KEITH STEWART, DIRECTOR - WEST VIRGINIA COALITION FOR HISTORIC PRESERVATION
Keith Stewart, Director, West Virginia Coalition for Historic Preservation appeared before the Commission on behalf of Faraway Farms regarding archeological investigations currently underway. Mr. Stewart cited WV Codes 29-17 and 29-1. With consideration to current County development, Mr. Stewart requested historic preservation be preserved for Faraway Farms. Commissioner Tabb expressed her concerns with the potential legalities of Mr. Stewart's discussion.
Mr. Stewart discussed possible benefits and services available to the County Commission by the Coalition for Historic Preservation. Mr. Stewart presented the Commission with reports regarding grant writing services and discussed the master grant application process.
The Commission decided to schedule a workshop with Mr. Stewart to further discuss services available.
The Commission advised Mr. Stewart to consult with the Planning Commission with regard to Faraway Farms.

In re: ED SMITH - FUNDING REQUEST
Ed Smith, Operations Manager for the Ambulance Authority appeared before the Commission to request \$25,777.00 in funding to meet payroll expenses and other expenditures at the Ambulance Authority. Mr. Smith presented the Commission with a copy of the Ambulance Authority current budget report. After discussion, motion by Corliss, second by Manuel to approve the request of \$25,777.00 as presented by Ed Smith. Motion carried.
Commissioner Manuel inquired as to the insurance plans and services available to Ambulance Authority Employees.
At the request of Commissioner Corliss, Ed Smith expressed his concerns with the projected Public Service Center.

In re: BARBARA MILLER: Assistance to Fire Fighters Grant and Community Rating System Application
Barbara Miller appeared before the Commission to discuss programs be implemented when funds from the Assistance to Fire Fighters Grant are released, which include: Fire Risk and Vulnerability Assessments to area agencies and businesses, Older Adult Public Awareness and Education Campaigning and Fire Safety Education Campaigning for Children and Caretakers of Children under 14.
Barbara Miller appeared before the Commission to present the Community Rating System Application and request a signature and approval. Motion by Tabb, second by Manuel to authorize the President of the Commission to affix his signature to the Community Rating System Application as presented. Motion Carried.

In re: JOHANNA GRDOZICKI - REQUEST FOR FUNDING FOR THE GLOBAL FINALS OF DESTINATION IMAGINATION SCHOOL PROGRAM
Johanna Grdozicki appeared before the Commission to request funding for the Global Finals of Destination Imagination School Program, Meredith Rinehart, Janet Smith and Nancy Donley were also

present. Ms. Grdozicki discussed the challenges and goals of the program with a presentation to the Commission detailing the program's challenges, goals and achievements. Ms. Grdozicki also discussed other funding requests and fund raising efforts with other agencies and non profit organizations.

Several students from South Jefferson County Elementary were also present for comments.

After discussion, motion by Manuel, second by Tabb to provide \$2,000.00 to the Global Finals of Destination Imagination School Program with a challenge to the Jefferson County Board of Education to match County Commission funding. Motion carried.

Commissioner Tabb expressed interest in private donations.

The Commission took a 5 minute break.

In re: JENNIFER S. MAGHAN - COUNTY CLERK'S REPORT

Jennifer S. Maghan, County Clerk, appeared before the Commission to give the County Clerk's weekly report. Ms. Maghan reported on the newly appointed Chief Deputy Clerk, Gail Magaha after the resignation of Debra Pittinger. Ms. Maghan also reported on events scheduled for the children participating in "Take Your Child to Work Day", the current Assistant Clerk vacancy, the Administrative Professionals Day County Clerk's Appreciation Breakfast and precinct and poll workers report.

In re: KURT MCCOY - USGS WATER STUDY UPDATE

Kurt McCoy appeared before the Commission to discuss the USGS Water Study Update. Mr. McCoy spoke of three primary goals: data research, field testing, and well analysis. Mr. McCoy concluded that imagery results are forthcoming which will include GIS layers with map specifications, test locations, and water level and outflow.

In re: SHERIFF BOOBER AND JEFF POLCZYNSKI - PUBLIC SAFETY BUILDING

Motion by Corliss, second by Manuel authorizing the County Administrator to draft an RFP for Architect services for the Public Safety Center with review and final approval of RFP by the Commission on May 4, 2005. Motion carried.

In re: SHEPHERDSTOWN - RADIO TRANSMISSION DIFFICULTIES

Jeff Polczynski appeared before the Commission to report that TWR did not respond to his inquiries therefore he contacted Virginia Two-Way radio for a quote. Mr. Polczynski presented the Commission with the quote received from Virginia Two-Way with a detailed explanation of the quote and FCC requirements.

Motion by Manuel, second by Surkamp to authorize the County Administrator to draft an RFP for Emergency Radio Services for the Corporation of Shepherdstown. After discussions Commissioner Manuel withdrew his motion.

Motion by Corliss, second by Manuel to remedy the Shepherdstown radio transmission difficulties to the extent of appropriating \$6,753.75 to provide services listed in the quote as presented by Virginia Two-Way subject to the Corporation of Shepherdstown agreeing to purchase the necessary radio equipment supporting the services of Virginia Two-Way.

In re: DISCUSSION OF PUBLIC SAFETY CENTER AND COUNTY BUILDING PROGRAM

Sheriff Ed Boober and Jeff Polczynski appeared before the Commission to discuss the Public Safety Center and County Building Program.

Sheriff Boober discussed the need for a new Public Safety Center to provide adequate services to the citizens of Jefferson County as well as to meet with the growth demands with projections of growth into the year 2020.

Jeff Polczynski reported on a 15-20 year projection and needs assessment at the Jefferson County Communications Center. Mr. Polczynski expressed his concerns with current space inadequacies and stressed the importance of the new Public Safety Center to provide sufficient services to the community.

In re: DUTIES OF THE COUNTY CLERK UNDER WEST VIRGINIA LAW

Jennifer Maghan, County Clerk, requested that this matter be placed on the agenda at a later date because no report has been received from the Attorney General's Office. Commissioner Morgan requested she put her issues in writing to the County Commission.

Motion by Tabb, second by Manuel to permit County Commission staff under the direction of the County Administrator to continue preparing the official minutes of the County Commission and after approval store them at the County Clerk's Office. Motion carried by a 4-1 vote, Commissioner Surkamp voted no.

In re: APPROVAL OF POLL WORKERS FOR JUNE 25, 2005 SPECIAL ELECTION

Motion by Dale Manuel, second by Greg Corliss to approve the additional poll workers for the June 25, 2005 Special Election. Motion carried.

In re: APPROVAL OF TEMPORARY EMPLOYMENT - LARISSA HAYES - EXTENSION

OFFICE

Motion by Tabb, second by Manuel to approve the temporary employment of Larissa Hayes as Secretary at the Extension Office. Motion carried.

In re: MAGISTRATE COURT - REQUEST FOR SALARY INCREASE FOR WORTHLESS CHECK DEPUTY CLERK

Motion by Manuel, second by Corliss to approve the salary increase from the Worthless Check Deputy Clerk in Magistrate Court from \$6.50 hourly to \$7.00 hourly and to schedule a meeting with Bonnie Seal, Magistrate Clerk to discuss an additional increase. Motion carried.

In re: HARPERS FERRY JOB CORPS- REQUEST APPOINTMENT OF REPRESENTATIVE FOR THE CENTER INDUSTRY COUNCIL

Motion by Corliss, second by Manuel to appoint Commissioner Jane Tabb as Representative to Center Industry Council at Harpers Ferry Job Corp. Motion carried.

In re: APPOINTMENT OF ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS

Motion by Corliss, second by Tabb to authorize the appointment of three alternate members to the Zoning Board of Appeals. Motion carried.

In re: GREAT VALLEY WATER - RESOURCES SCIENCE FORUM - THURSDAY, MAY 5, 2005 COUNTY COMMISSION MEETING DAY CHANGE

Motion by Corliss, second by Tabb to reschedule the County Commission meeting of Thursday, May 5, 2005 to Wednesday, May 4, 2005 so Commissioners can attend the Great Valley Water Resources Science Forum. Motion carried.

In re: WATER ADVISORY COMMITTEE - TERMS MODIFICATION

Motion by Tabb, second by Corliss to approve the new Water Advisory Committee schedule of terms for Sherry Kelly, Peter Vila and Robert Schnably to expire January 31, 2008. Motion carried.

In re: SENATE BILL 736 ON PROFFERS

No action was taken on this item. This item was dismissed from the agenda prior to the meeting.

In re: AUTHORITY ON AGENDA ITEMS

Commissioner Surkamp expressed his concerns and read from a personal statement concerning the authority on agenda items. Commissioner Manuel and Commissioner Corliss expressed their concerns with Commission voting procedures and execution of agenda items.

No action was taken.

In re: COUNTY COMMISSION REPORTS

Commissioner Corliss reported on the Planning Commission meeting he attended.

Commissioner Manuel reported on the Eastern Panhandle Transportation Authority meeting scheduled for May 3, 2005.

Commissioner Manuel reported on his teleconference with the Workforce Investment Board.

Commissioner Tabb expressed her concerns with Commissioner Surkamp's message posted online April 25, 2005 and the nature of the message. Commissioner Surkamp expressed his apologies.

Commissioner Morgan reported on the Solid Waste Authority meeting he attended.

Commissioner Morgan reported on the Public Service District meeting he attended.

Commissioner Morgan reported on the Landmarks Commission meeting he attended.

The Commission received the following information:

Advanced Agenda received from the Planning Commission for the meeting on May 3, 2005.

Invitation received from the Morgan County Commission to attend a meeting concerning election information.

Correspondence received from the Prosecuting Attorney concerning Senate Bill 700.

Correspondence received from the West Virginia State Police concerning the request for a meeting with the Commission.

Memorandum received from the Department of Planning, Zoning and Engineering concerning the resignation of Holly Ruth.

Correspondence received from Shepherdstown Day Care, Inc. concerning their allocation of funds.

Correspondence received from the Old Charles Town Library concerning their allocation of funds.

Correspondence received from the West Virginia Development Office concerning the Synthetic Fuel Non-Producing Counties Fund.

Correspondence received from Independent Fire Company concerning billing for fire and rescue services.

Correspondence received from Charles E. Thompson concerning the Benview Subdivision.

Correspondence received from the County Commissioners' Association concerning dues.

Correspondence received from the Association of Counties concerning Homeland Security Grants.

Correspondence received from Donald and Betty Nuttall concerning property tax assessment.

Correspondence received from the Division of Culture and History concerning Faraway Farms.

Correspondence received from the Civil War Preservation Trust concerning Benview Subdivision.

Correspondence received from Loudoun County, Virginia concerning a public hearing on a comprehensive plan amendment on May 10, 2005.

Correspondence received from the Chesapeake Bay Program concerning an invitation to a work session on urban storm water programs and capabilities on May 11- 12, 2005

E-911 fees received from AT&T Communications of West Virginia.

Solid Waste Authority minutes and financial report received.

Oath of Office received from William W. Weston as a member of the Solid Waste Authority.

Oath of Office received from Howard Mills as a member of the Development Authority.

Oath of Office received from Conrad C. Hammann as a member of the Development Authority.

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

Miscellaneous

Upon rising, the Commission recessed until Wednesday morning next beginning at 9:30 o'clock a.m.

A.M.S. MORGAN, III, PRESIDENT