

**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 Wednesday, May 4, 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 Tabb conducted the Pledge of Allegiance.**

**In re: DISPENSE WITH READING OF MINUTES**

**Motion by Corliss, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, April 28, 2005, and to approve the Minutes as amended. Motion carried.**

**Motion by Tabb, second by Corliss to dispense with the reading of the Minutes for the special session held on Thursday, April 28, 2005, and to approve the Minutes as prepared. Motion carried.**

**In re: APPROVAL OF PURCHASE ORDERS**

**Motion by Corliss, second by Manuel to approve the following Purchase Orders for the Week of May 2, 2005, totaling \$9,901.18: 41307, 40659, 40942, 41118, 41120, 41122, and 41405. Motion carried.**

**In re: RANSON CITY COUNCIL MEETING - MAY 17, 2005**

**The Commission discussed correspondence received from Mayor Hamill from the City of Ranson concerning the Commission being on the agenda for the May 17, 2005, Ranson City Council Meeting to discuss the Impact Fee Agreement.**

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

**Jennifer Maghan, County Clerk, informed the Commission that she was still waiting on information on this matter. The Commission agreed to remove the matter from the agenda.**

**In re: PARTIAL BOND RELEASE - MADDEX FARM SUBDIVISION PHASE II**

**Motion by Manuel, second by Morgan to approve the partial release of a Letter of Credit in the amount of \$162,669.29 for Maddex Farm Subdivision Phase II, with the County to retain \$229,760. Motion carried.**

**In re: PLANNING COMMISSION ACTIVITY REPORT**

Paul Raco, Executive Director of Planning Zoning and Engineering, appeared before the Commission to give the weekly Planning Commission Activity Report.

**In re: PUBLIC COMMENT**

Todd Baldau, Planning Commissioner, discussed the Planning Commission's request to hire a long term planner.

John Sims, Planning Commissioner, discussed the Planning Commission's request to hire a long term planner.

Rosella Kern informed the Commission of her resignation from the Planning Commission and discussed the Planning Commission's request for a long term planner.

**In re: JEFFERSON COUNTY COMMUNITY EDUCATIONAL OUTREACH SERVICE - CEOS WEEK PROCLAMATION**

Jolene Stanton, from Jefferson County Community Educational Outreach Service, appeared before the Commission and requested the Commission approve a Proclamation declaring May 15-21, 2005, CEOS Week in Jefferson County. Motion by Tabb, second by Manuel to approve the Proclamation declaring May 15-21, 2005, CEOS Week in Jefferson County. Motion carried.

**In re: REQUEST FOR PROPOSALS FOR JAIL RENOVATIONS**

The Commission discussed the draft Request for Proposals for the Jail Renovations. The Commission agreed to proceed with the Request for Proposals for the Jail Renovations with the addition of "grant writing" under the list of professional services and date changes, as discussed.

**In re: JANE PETERS - DEVELOPMENT AUTHORITY - REQUEST FOR AN EXECUTIVE SESSION - CONTRACTUAL MATTERS**

Upon the request from Jane Peters, Executive Director of the Development Authority, motion by Corliss, second by Tabb to enter into Executive Session in order to discuss Contractual Matters. Motion carried.

Motion by Tabb, second by Manuel to close Executive Session and return to Regular Session. Motion carried.

**In re: ATLANTIC TECHNOLOGY CONSULTANTS CONTRACT FOR CONSULTING SERVICES RELATED TO COUNTY RADIO COMMUNICATIONS**

Motion by Corliss, second by Tabb to approve the contract for consulting services for county radio communications with Atlantic Technology Consultants in the amount of \$61,000. Motion carried.

**In re: REQUEST FOR PROPOSALS FOR THE WRITING OF SEPARATE SUBDIVISION AND ZONING ORDINANCES BY ONE CONTRACTOR**

The Commission discussed writing a Request For Proposals for the writing of separate Subdivision and Zoning Ordinances by one contractor. The Commission agreed to draft the RFP. The Commission discussed which form of Zoning should be advertised for in the RFP. The Commission agreed to hold a public hearing on May 31, 2005 in order to receive public comment on the various forms of Zoning. Paul Raco was present and commented on the matter.

**In re: REQUEST FOR PROPOSALS TO HIRE AN ARCHITECT FOR THE PUBLIC SAFETY CENTER**

Motion by Surkamp, second by Corliss to approve the Request for Proposal ads to hire an architect for the Public Safety Center. Motion carried.

**In re: APPROVE RAISING THE 911 FEE BY \$1.00**

Motion by Corliss, second by Manuel to approve the increase of the E-911 fee by \$1.00 effective July 1, 2005. Motion carried.

**In re: DISCUSS PLANNING COMMISSION REQUEST FOR A LONG TERM PLANNER**

The Commission discussed the request for the Planning Commission to hire a long term planner. Motion by Surkamp, second by Corliss to approve the proposal, as presented by the Planning Commission, to hire a long term planner that would operate independently of the Department of Planning, Zoning and Engineering and report directly to the Planning Commission, at a salary of \$70,000 per year. Motion by Manuel, second by Tabb to table the motion until after the management study is complete. Motion to table failed by a 2-3 vote. Commissioners Morgan, Corliss and Surkamp voted no. The Commission voted on the original motion, motion failed by a 1-4 vote. Commissioners Tabb, Manuel, Morgan and Corliss voted no. Motion by Corliss, second by Morgan to approve for the hiring of a long term planner to be selected by the Planning Commission and approved by the County Commission with the advice from the Director of Planning, Zoning and Engineering. The Planner will be in direct support of the Planning Commission and will work under the supervision of the President of the Planning Commission. The President of the Planning Commission will, with the Planning Commission's approval, specifically task and prioritize the work of the planner. The planner will not be directly involved with the current subdivision review or zoning process but, will sit and advise the Planning Commission in all meetings of the Planning Commission. The Director of Planning, Zoning and Engineering will be responsible for assisting and coordinating the planner's activities involved in the development of long range plans that require information between Planning, Zoning and Engineering staff support. The planner will assure that all contact with the Planning, Zoning and Engineering staff has been coordinated through the Director of Planning, Zoning and Engineering. Administrative control including office support for the planner will be provided by the Department of Planning, Zoning and Engineering with schedule control

to be decided jointly by the President of the Planning Commission and the Director of Planning, Zoning and Engineering. Motion failed by 2-3 vote. Commissioners Tabb, Manuel and Surkamp voted no.

**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 informed the Commission that Precincts 23A and 23B would be moved to Country Day School for the June 25, 2005 Special Election and that all voters in Precincts 23A and 23B would be notified of the change.

**In re: APPROVAL OF EMPLOYMENT - PART-TIME TELECOMMUNICATOR**

Motion by Tabb, second by Manuel to approve the part-time employment of Robert Amick as a Telecommunicator. Motion carried.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Corliss reported on a Jefferson County Public Service District meeting.

Commissioner Corliss reported on a Planning Commission meeting.

Commissioner Manuel reported on a School Board luncheon with Gail Manchin.

Commissioner Manuel reported on the first meeting of the Eastern Panhandle Transportation Authority.

Commissioner Manuel discussed inviting Danny Ellis, from the Department of Transportation, to meet with the Commission.

Commissioner Manuel discussed inviting Betty Carver, from the Department of Tourism, to meet with the Commission when she is in Jefferson County for the Tourism Conference.

Commissioner Tabb reported on a meeting in Canaan for the Farmland Protection Board.

**The Commission received the following information:**

Correspondence received from the Department of Health and Human Resources concerning the Title XIX MR/DD Waiver Program.

Notice received from Smith & Nadenbousch concerning a Loss Control Seminar on May 24<sup>th</sup>, 2005.

Correspondence received from Charlotte Thompson concerning Ben View Subdivision.

Resignation received from Rosella Kern as a member of the Planning Commission.

Correspondence received from the Libertarian Party of West Virginia concerning Parks and Recreation Impact Fees.

Correspondence received from the Region VII Workforce Investment Board concerning Business Plans and Memorandums of Understanding.

Correspondence received from the State Emergency Planning Committee concerning 2006 Hazardous Materials Emergency Planning Grants.

Stage Whispers Newsletter received from the Old Opera House.

Meeting agenda and minutes received from the Jefferson County Board of Health.

2005 Jefferson County Rate Sheet received.

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

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, May 6, 2005 at 10:00 a.m.

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

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PRESIDENT