

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, May 26, 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 Corliss conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES
Motion by Corliss, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, May 19, 2005, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS
Motion by Corliss, second by Surkamp to approve the following Purchase Orders for the Week of May 23, 2005, totaling \$25,560.61: 41365, 41364, 41428, 41363, 41057, 41292, 41297, 411194, 41384, 40653, 41124, 40700, 41224, 39289, 41034, 41036, 41334, 41344, 41345, 41350, 41351, 41352, 41354, 41355, 41358, 41359, and 41362. Motion carried.

In re: BOARD OF ZONING APPEALS - DRAFT NOTICE OF INTENT TO HIRE
The Commission discussed the Board of Zoning Appeal's draft notice of intent to hire. The Commission agreed to have the County Administrator advertise for the position.

In re: PLANNING COMMISSION ACTIVITY REPORT
Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission to give the Planning Commission Activity Report.

In re: COVENANT BAPTIST CHURCH - REQUEST FOR EXTENSION OF BOND
After discussion and recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Corliss, second by Tabb to extend the Bond for Covenant Baptist Church until July 15, 2006. Motion carried.

In re: WENDI M. KEYES - REQUEST FOR REIMBURSEMENT OF BUILDING PERMIT FEE
After discussion and comment from the Executive Director of Planning, Zoning and Engineering, the Commission agreed to hold off making a decision on the request by Wendi. M. Keyes, for a reimbursement of a building permit fee, until an inspection could be made by the Department of Planning, Zoning and Engineering to make sure that no work had been started on the property.

In re: PUBLIC COMMENT
Marty Kable, from the Jefferson County Public Service District, appeared before the Commission to discuss communication between the Jefferson County Public Service District and the Jefferson County Commission.

In re: SGT. FORMAN - WEST VIRGINIA STATE POLICE
Sgt. Forman from the West Virginia State Police, appeared before the Commission and updated the Commission and answered questions concerning law enforcement in Jefferson County.

In re: PLANNING COMMISSION INTERVIEW
The County Commission interviewed Mary Lehman for appointment to the Planning Commission. The Commission will hold more Planning Commission interviews at their next meeting.

In re: CITY OF RANSON - STATUS OF IMPACT FEE AGREEMENT
The Commission discussed the status of the City of Ranson Impact Fee Agreement.

In re: PRESENTATION BY KUBOTA REPRESENTATIVE
The Commission discussed the possibility of meeting with a representative from Kubota for a presentation. The Commission agreed to try to set up a joint work session meeting with the Jefferson County Public Service District for the presentation.

In re: PARKS AND RECREATION OFFICE TRAILER
The Commission discussed the various options for obtaining a trailer to place at Sam Michael's Park for space for the Parks and Recreation office. After discussion the Commission agreed to acquire more information and place the matter on the agenda next week as old business.

In re: NIELTJE GEDNEY - BIZTECH - REQUEST FOR FUNDING

Nieltje Gedney, from Biztech, appeared before the Commission to request funding. After discussion and comments from Jane Peters, the Commission agreed to take the request under advisement and place the matter on the agenda in two weeks.

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

Jennifer S. Maghan, County Clerk, appeared before the Commission to give the weekly County Clerk’s report.

Ms. Maghan announced the promotion of Sarah Fowler to Deputy Clerk in the Probate Office.

Ms. Maghan requested approval of the employment of Tammy Crockett in the Probate Office. Motion by Tabb, second by Manuel to approve the employment of Tammy Crockett in the Probate Office. Motion carried.

Upon recommendation from the County Clerk, motion by Tabb, second by Surkamp to approve the following replacement of Depository Bonds. Motion carried.

REPLACEMENT OF DEPOSITORY BOND - UNITED BANKSHARES, INC

A Security Pledged to Jefferson County Commissions (Cusip # 3128GVDZ0) has been sold, and therefore must be released. In its place, the following securities will be pledged as collateral for Jefferson County Commission Deposits:

Cusip	Description	Original Face	Market Value	Bond Rating
109025TT3	BRIGATINE NJ	235,000	243,385.48	AAA
729501CP9	PLYMOUTH CNTY MA	250,000	252,156.98	AAA
22410BAR4	CRAB ORCHARD-MAC	231,000	238,587.07	AAA
31392HZ89	FNM03007 PB	448,000	447,134.67	AAA
31394PLD3	FHR2747 HM	332,500	290,923.09	AAA
31394TPP4	FHLMC REM SER 2762	300,000	296,703.48	AAA

The Replacement Securities are acceptable; therefore the depository Bond (Cusip # 3128GVDZ0) can be released.

/s/

A.M.S. Morgan, III
President, Jefferson County Commission

Karen Olden, from the County Clerk’s office, made a presentation to the Commission concerning the County’s health insurance plan.

In re: RICHARD G. GAY, ESQ. - PETITION FOR EXEMPTION OF SCHOOL IMPACT FEES - FOUR SEASONS ACTIVE ADULT COMMUNITY

Richard G. Gay, Esq., appeared before the Commission to request the approval of a petition for the exemption of school impact fees for the proposed Four Seasons Active Adult Community in Huntfield. Jim Duszynski, CEO of Huntfield LC, and Mark Steemin, President of Four Season Active Adult Division, were present and commented on the request. After discussion the Commission agreed to have a work session to include the County Commission’s counsel and Mark Schiavone, Impact Fee Coordinator, to discuss the request for exemption of school impact fees further. The Commission agreed to hold the work session on June 8, 2005, beginning at 9:00 a.m. in the Hunter House.

In re: CONFLICTS OF INTEREST POLICY

The Commission discussed creating a Conflicts of Interest Policy for the County. After discussion, motion by Manuel, second by Corliss to provide the members of all county boards, commissions and authorities under the jurisdiction of the County Commission with West Virginia Ethics and Open Government training with an ethics and open government seminar and workshop. Further, that we contact the West Virginia State Ethics Commission to ascertain if they can provide us with said training. Motion carried.

In re: MOTION TO HIRE A LONG RANGE PLANNER FOR PLANNING COMMISSION

Motion by Morgan, second by Corliss that the Department of Planning, Zoning and Engineering hire a Planner to assist the Planning Commission in developing long range plans for the county. The Planning Commission, by a majority vote, will identify and prioritize tasks for the Planner and such tasks will be supported and reinforced by the Executive Director of the Department of Planning, Zoning and Engineering by providing other materials, data, and staff support necessary to the success of the mission. The Planner will be a Department of Planning, Zoning and Engineering staff member assigned to the Planning Commission and will receive all benefits of the Department of Planning, Zoning and Engineering and be

under the personnel policies of the Department. The Planner will be recommended to the County Commission by a committee of three Planning Commissioners, two County Commissioners and the Executive Director. The Director's role will be advisory only and will not include a vote on the committee. The County Commission will approve (or reject) the committee's choice at a regular meeting following the recommendation. Motion carried.

In re: APPROVAL OF VICTIMS OF CRIME ACT (VOCA) ASSISTANCE GRANT CONTRACT
Motion by Tabb, second by Corliss to approve the Victims of Crime Act (VOCA) Contract. Motion carried.

In re: RANSON SQUARE SHOPPING CENTER - OFFICE SPACE

The Commission discussed correspondence received inquiring if the County would be interested in office space at the Ranson Square Shopping Center. The Commission agreed to respond to the inquiry and inform them that they have no need for the space at this time.

In re: GENERAL COUNTY FUND BUDGET REVISION

Motion by Corliss, second by Tabb to approve the following Resolution to approve a General County Fund Budget Revision. Motion carried.

RESOLUTION

At a regular session of the Jefferson County Commission, held on the 26th day of May, 2005, the following Order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered.

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the Jefferson County Commission does hereby direct that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists, as shown on budget revision number 2, a copy of which is entered as part of this record.

The adoption of the foregoing Resolution having been moved by Corliss, and duly seconded by Tabb, the vote was as follows:

A.M.S. Morgan, III	<u>Yes</u>
Jane M. Tabb	<u>Yes</u>
Dale Manuel	<u>Yes</u>
Gregory Corliss	<u>Yes</u>
James Surkamp	<u>Yes</u>

Whereupon, Commissioner Morgan declared said Resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said Resolution be, and the same is, hereby adopted as so stated above, and A.M.S. Morgan, III, President of the Jefferson County Commission, is authorized to affix his signature to the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

/s/ _____
A.M.S. Morgan, III, President
Jefferson County Commission

In re: SHERIFF BOOBER - CONTINUING EDUCATION

The Commission discussed a request from Sheriff Boober to provide continuing education for County employees. The Commission agreed to check with the County Commissioners' Association about the request.

In re: APPROVAL OF EMPLOYMENT - TOM DAVIS

Motion by Manuel, second by Tabb to approve the employment of Tom Davis as an Appraiser in the Assessor's Office. Motion carried.

The Commission recessed until 1:40 p.m.

In re: CONFLICTS OF INTEREST POLICY

The Commission discussed the proposed creation of a Conflicts of Interest Policy for the County with Assistant Prosecuting Attorney, Brandy Sims. Ms. Sims agreed to review the wording of the policy and provide the Commission with an opinion after review.

In re: REQUEST FOR APPROVAL OF CONTRACT FROM DEWBERRY - SAM MICHAELS PARK

After discussion and comments from Tim Barr, Roger Goodwin and Paul Raco, motion by Manuel, second by Corliss to approve the contract from Dewberry in the amount of \$8,000 for the raising of the building elevation at Sam Michaels Park. Motion carried.

In re: COUNTY COMMISSION REPORTS

Commissioner Tabb reported on a trip with the West Virginia Air Guard.
Commissioner Tabb reported on a Farmland Protection Board meeting.
Commissioner Tabb reported on a tour of the Harpers Ferry Job Corps.
Commissioner Manuel reported on the pre bid conferences for the renovation of the jail and the public safety building.
Commissioner Morgan reported on a Solid Waste Authority meeting.
Commissioner Corliss reported on a Development Authority meeting.
Commissioner Corliss reported on a Jefferson County Public Service District meeting.
Commissioner Surkamp reported on a Jefferson County Public Service District meeting.

The Commission received the following information:

Reminder Courthouse is Closed, Monday, May 30, 2005 - Memorial Day.

Notice - County Commission will meet in the Old Charles Town Library Meeting Room for their regular meetings beginning June 2, 2005 - June 30, 2005.

Notice of Public Hearing on Tuesday, May 31, 2005, at 7:00 p.m. to receive public comment on different zoning methods.

Notice of Public Hearing on Thursday, June 9, 2005, at 7:00 p.m. concerning proposed changes to the Zoning and Land Development Ordinance/Map.

Appointment to be made to the Planning Commission on Thursday, June 2, 2005.

Information received from Commissioner Corliss concerning polluted runoff.

Correspondence received from Governor Joe Manchin, III concerning the approval of a Victims of Crime Assistance Grant.

Correspondence received from Governor Joe Manchin, III concerning the approval of a grant through the Enforcing the Underage Drinking Laws Program.

Correspondence received from Senator John R. Unger, II concerning funding for the Jefferson County Affordable Housing Authority.

Correspondence received from David Walters, Vice-President of the Charles Town HBPA, concerning Charles Town Races.

Correspondence received from the West Virginia Housing Institute, Inc concerning affordable housing.

Correspondence received from Herman and Loretta Fischer concerning holding tanks for sewage.

Summaries of Legislation 2005 received from the Association of Counties.

Notice received from Loudoun County, Virginia of a Public Hearing on June 16, 2005 concerning proposed amendments to the Loudoun County General Plan.

Correspondence received from Somerset Development Company concerning development potential in downtown Charles Town.

Notice received from the Department of Planning, Zoning and Engineering concerning Final Plat Public Hearings.

Invitation received from the Eastern Panhandle Rural Tourism Alliance to attend a “Taste of Local West Virginia” reception on June 17, 2005.

Meeting minutes received from the Jefferson County Solid Waste Authority.

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

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

PRESIDENT