

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 Jefferson County Courthouse thereof on Thursday, August 18, 2005, beginning at 9:30 o'clock a.m.

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

Commissioner Jane Tabb was absent.

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, August 11, 2005, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Corliss, second by Manuel to approve the following Purchase Orders for the Week of August 15, 2005, totaling \$15,343.36: 41594, 41599, 41565, 41567, 41568, 41184, 41187, 41188, 41190, 41191, 41418, 41715, 41718, 41500, 41595, 41511, 41518, 41459, 41593, 41714, 41716, 41474, 41479, 41667, 41669 and 41670. Motion carried.

In re: BONDING AND ACTIVITY REPORT

Paul Raco appeared before the Commission to give the Planning, Zoning and Engineering report for the week of August 15, 2005. Mr. Raco reported on Planning Commission agenda procedures, community impact statements, staff review procedures, site plan reviews and principle permitted uses.

The Commission expressed their concerns regarding Ordinance rewriting with regard to 8A compliance.

In re: SOLID WASTE AUTHORITY - REQUEST FOR .412 ACRE PARCEL OF PROPERTY

After review and consideration of the Plat Showing Proposed Merger as presented by the Solid Waste Authority, motion by Manuel, second by Corliss to convey the .412 acre parcel of property from the Jefferson County Commission to the Solid Waste Authority as outlined. Motion carried.

In re: PARKS AND RECREATION - SURVEY CONSULTANT RECOMMENDATION

Toni Milbourne of the Parks and Recreation Commission appeared before the Commission to report that the Parks and Recreation Commission decided to contract the services of Management Learning Laboratories from Winston Salem, North Carolina as the Survey Consultants. Ms. Milbourne presented the Commission with a copy of a power point presentation with a detailed explanation on the services that will be provided by Management Learning Laboratories as part of the management consultation.

After discussion, motion by Manuel, second by Corliss to submit the contract to the Prosecuting Attorney's office for legal review and opinion and to approve the contract upon recommendation of the Jefferson County Prosecuting Attorney. Motion carried.

In re: DEVELOPMENT AUTHORITY - RESOLUTION FOR INDUSTRIAL ACCESS ROAD ALLOCATION

Jane Peters, Executive Director, Development Authority appeared before the Commission to request support for the Industrial Access Road Allocation Resolution. Ms. Peters presented the Commission with the Resolution and reported on the benefits of the resolution to the County.

After discussion, motion by Corliss, second by Manuel to approve the Resolution as presented by Jane Peters and authorize the Commission President to affix his signature to the Resolution. Motion carried.

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

No action was taken on this agenda item.

In re: APPOINTMENT OF MUNICIPAL MEMBER TO THE MPO INTERSTATE COUNCIL

No action was taken on this agenda item.

In re: PUBLIC SERVICE CENTER AIR CONDITIONING BIDS

The Commission requested that Bill Polk, Maintenance Director appear before the Commission to discuss the specifications of the \$64,115.00 proposal received from Boland Trane Services.

In re: AMENDMENT TO THE JEFFERSON COUNTY COMMISSION TAPING POLICY/ELECTRONIC RECORDING POLICY

Motion by Manuel, second by Corliss to approve the amendment to the Jefferson County Commission Electronic Recording Policy as presented by Leslie D. Smith, County Administrator. Motion carried.

In re: SET DATE AND TIME FOR INTERVIEW OF FIRMS SUBMITTING JAIL RENOVATION/RESTORATION PROPOSALS

The Commission authorized Leslie D. Smith, County Administrator to schedule the interviews with the firms submitting Jail Renovations and Restoration Proposals.

In re: JEFFERSON COUNTY PUBLIC SERVICE DISTRICT - REQUEST FOR OFFICE AND SHOP SPACE

No action was taken on this agenda item.

In re: PUBLIC SERVICE DISTRICT - SEEKING THREE DOCUMENTS

Commissioner Surkamp withdrew this agenda item.

In re: MIKE CASSELL AND REVA MICKEY - JUNE 25, 2005 SPECIAL ELECTION

Reva Mickey and Mike Cassell appeared before the Commission to discuss the June 25, 2005 Special Election. Reva Mickey requested that the Commission investigate her concerns regarding the issues of precincts and the ballot cans. Motion by Manuel, second by Morgan to contact Betty Ireland, West Virginia Secretary of State and ask for some time with her on her visit in September so the Commission may ask her questions regarding elections. Motion passed by a 3-1 vote. Commissioner Surkamp voted no.

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

Jennifer S. Maghan, County Clerk appeared before the Commission and presented a Resolution from BCT to Increase Security Amount of bond from \$1,500,000 to \$2,000,000 for the Farmland Protection Board. Motion by Manuel, second by Corliss to approve the Resolution. Motion carried.

Ms. Maghan also reported on the State Auditor's Training Seminar that she attended with other office staff.

In re: DOUG ESTEPP - GRANT SUBMISSIONS AND HISTORY CHANNEL PROGRAM ON COUNTY JAIL

Doug Estep appeared before the Commission to discuss grant submissions and the future History Channel Program on the County Jail. After discussion, the Commission agreed to have Mr. Estep to go forward with the grant process and to have him give reports to the Commission on the status.

In re: DARRELL PENWELL - BRIEF THE COUNTY COMMISSION ON THE CURRENT OES OPERATIONAL CAPABILITIES AND SHORTFALLS

Darrell Penwell appeared before the Commission to report on the current OES operational capabilities and shortfalls. After discussion, the Commission agreed to have a work session with Mr. Penwell to discuss his operational capabilities and shortfalls.

In re: PUBLIC SERVICE CENTER AIR CONDITIONING BIDS

Bill Polk, Maintenance Director appeared before the Commission to discuss the bids for the Public Service Center Air Conditioning. Motion by Manuel, second by Corliss to accept the bid received from Boland in the amount of \$64,115.00. Motion carried.

In re: CORRESPONDENCE FROM VICKI DRUMHELLER - HARPERS FERRY VISITOR'S CENTER

The Commission discussed the correspondence received from Vicki Drumheller regarding the Harpers Ferry Visitor's Center. The Commission agreed to contact the Department of Highways regarding this matter. The Commission took no action on the correspondence received from Ms. Drumheller.

In re: SCHEDULE WORK SESSION WITH PAUL RACO - UTILITIES AND SITE REVIEWS

Commissioner Surkamp discussed with the Commission the utilities and site reviews. Commissioner Surkamp will meet with Mr. Raco to discuss this matter.

In re: DISCUSSION AND CLARIFICATION - ROLE OF LEGISLATIVE LIAISON

Commissioner Surkamp asked Commissioner Manuel his role as the Legislative Liaison. Commissioner Manuel informed Commissioner Surkamp that he was appointed by the Commission in January 2005 as the Legislative Liaison. Commissioner Manuel also reported that he monitors the Legislative issues when in session and would update the Commission on issues affecting the County.

In re: IT COMMITTEE - APPOINTING MEMBER FROM THE COUNTY COMMISSION

Commissioner Surkamp informed the Commission that he was interested in being appointed to the IT Committee. Motion by Surkamp, second by Corliss to appoint Commissioner Surkamp to the IT Committee. The Commission discussed the motion. Commissioner Surkamp withdrew his motion. The Commission discussed the IT Committee and Commissioner Corliss commented and said that he would like for the IT Committee to keep meeting. The Commission agreed to place this matter on next week's agenda.

In re: FUTURE OF IT COMMITTEE AND ROLE IN PURCHASE AND INSTALLATION OF NEW AS-400 COMPUTER

The Commission agreed to place this matter on next week's agenda.

In re: SENATE BILL 700 EMERGENCY REGULATIONS REGARDING ROLE OF GOVERNING AUTHORITY

Commissioner Corliss commented on Senate Bill 700 regarding Emergency Regulations regarding the role of a Governing Body. After discussion, motion by Corliss, second by Manuel to ask the Prosecuting Attorney to review and comment on Senate Bill 700 and give the interpretation of the governing body authority. Motion carried.

In re: COUNTY COMMISSION REPORTS

Commissioner Manuel informed the Commission that the senior picnic will be on September 15, 2005 and that all Commissioners are invited. Invitations will be sent out soon.

The County Administrator gave the Commission a written message received from Rob Steptoe and informed the Commission that it would be placed on next week's agenda.

The Commission received the following information:

Appointment to be made to the Eastern Panhandle Regional Planning and Development Council on September 1, 2005.

Appointment to be made to the Jefferson County Building Commission on August 25, 2005.

Notices received from the Jefferson County Public Service District of the following meetings:

- Notice of Special Meeting - Thursday, September 1, 2005, at 1:00 p.m.
- Notice of Special Meeting - Thursday, September 8, 2005, 1:00 p.m.
- Notice of Meeting Change - The September 12, 2005 regular monthly meeting has been changed to Thursday, September 1, 2005, at 7:00 p.m.

Report on Costs of Operating Regional Jails received from the Association of Counties.

Financial Statements received from the Jefferson County Development Authority.

Information received from Atlantic Technology Consultants.

Correspondence received from A. Kathie Kiss and Gary G. Smith concerning a variance request.

Copy of a newspaper article concerning excess levy elections received from the Association of Counties.

Franchise fee check received from Adelphia.

Correspondence received from the Board of Risk and Insurance Management concerning a boiler inspection.

Correspondence received from the Division of Homeland Security and Emergency Management concerning the approval of a 2005 SERC Grant.

Harpers Ferry/Bolivar Public Service District minutes received.

Check received from Citizens Telecommunications for the E-911 fee.

Oath of Office received from Marian Buckner as a member of the Potomac Headwaters Resource, Conservation and Development Council.

Notice received of a Subdivision Work Session on August 19, 2005.

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

Miscellaneous

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

A.M.S. MORGAN, III, COMMISSION PRESIDENT