

**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, October 6, 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 Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, September 29, 2005, and to approve the Minutes as corrected. Motion carried. For the record, the corrections for the Minutes for the meeting held on Thursday, September 22, 2005 were noted.**

**In re: APPROVAL OF PURCHASE ORDERS**

**Motion by Corliss, second by Tabb to approve the following Purchase Orders for the Week of October 3, 2005, totaling \$10,771.03: 41832, 41834, 41574, 41573, 41776, 41796, 41320, 41833, 41835, 41838, 41840, 41836, 41681 and 41683. Motion carried.**

**In re: APPOINTMENT OF ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS**

**No action was taken on this agenda item.**

**In re: CORRESPONDENCE RECEIVED FROM THE ASSISTANT PROSECUTING ATTORNEY  
          BRANDON SIMS CONCERNING PUBLIC SAFETY AND NUISANCE CONTROL  
          RESEARCH AND DRAFTING OF ORDINANCE**

**The Commission agreed to have a workshop to discuss Public Safety and Nuisance Control Ordinances.**

**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**

Toni Milbourne commented on the Parks and Recreation Contract and that she did not see it on this week's agenda.

**In re: BARBARA MILLER - FIRE GRANT**

Barbara Miller appeared before the Commission to request approval for application for the Fire Grant for Fire Safety and to inform the Commission that there would no grant match needed from the Commission. Motion by Corliss, second by Manuel to authorize the President of the Commission to affix his signature to the grant application documents. Motion carried. For the record, Commissioner Corliss discussed the Public Safety Building and requested that if Barbara Miller finds any grants available to be used for the Public Safety Building, please inform the Commission.

**In re: CONSTRUCTION MANAGER**

Commissioner Surkamp discussed John Norman's comments for a construction manager. Commissioner Surkamp feels that a Construction Manager's job is full time. Commissioner Corliss wants to review the matter further. No action was taken on this matter.

**In re: MANAGEMENT STUDY CONTRACT**

Commissioner Surkamp wanted an update on the Management Study Contract. The Commission informed Commissioner Surkamp that the Commission approved the Management Study Contract with the changes outlined by Assistant Prosecuting Attorney Brandon Sims, last week.

**In re: DECISION ON VOTING SYSTEM**

The Commission will see the system on Friday, October 7, 2005. Jennifer Maghan, County Clerk, informed the Commission that from 1pm - 5pm the system will be in Berkeley County and that she emailed an agenda for the entire day workshop.

The Commission agreed that this item should be on next week's agenda and that the County Clerk will have recommendations at this time.

**In re: BUDGETARY CAPS ON BUILDING PROJECTS**

This item will be discussed in the afternoon workshop.

**In re: GOVERNMENT PUBLIC INFORMATION CHANNEL**

Commissioner Surkamp discussed the Government Public Information Channel for the Jefferson County Commission. Motion by Surkamp, second by Manuel to remain committed to creating a Government Public Information Channel upon condition that the use be determined in detail by the majority of the Jefferson County Commission. Motion failed by a 2-3 vote. Commissioners Tabb, Morgan and Corliss voted no.

**In re: LETTER OF APPRECIATION TO JOHN SHERWOOD FOR COMMUNITY SERVICES**

The Commission agreed to send a Letter of Appreciation to John Sherwood for his community services and to recognize him and to thank him for his dedication and to wish him well in the future. The Commission would like the letter on behalf of the Jefferson County Commission and all Commissioners will sign the letter.

**In re: ANNE CONLAN - FRIENDS IN ACTION OF JEFFERSON COUNTY**

Anne Conlan appeared before the Commission to talk about the Friends in Action of Jefferson County. FIAJC is a network of people of all faiths and ethnic backgrounds whose common interest is to provide caring outreach to needy families in our community. Volunteer mentor teams are linked for one year in a supportive relationship to a family in their community. The goals of the program are to help the family identify their strengths and develop attainable and manageable goals that guide them toward financial independence and personal well being.

The Commission took a 5 minute break at 10:58 a.m.

The Commission returned at 11:04 a.m.

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

Jennifer S. Maghan, County Clerk appeared before the Commission to request approval of a Resolution for MVB Bank. Motion by Manuel, second by Tabb to approve the Resolution for the name change of Sasquehanna Bank to MVB Bank for the Depository Bond in the amount of \$4,000,000. Motion carried.

Jennifer S. Maghan, County Clerk also reported on the redistricting and updated maps. She reported on the precinct changes and splits.

**In re: EXECUTIVE SESSION - PERSONNEL MATTERS**

Motion by Commissioner Surkamp, second by Commissioner Manuel to enter into Executive Session with Jennifer S. Maghan, County Clerk to discuss Personnel Matters. Motion carried.

Motion by Tabb, second by Manuel to close Executive Session and return to Regular Session. Motion carried. For the record, no action was taken on this matter.

**In re: BUDGET REVISIONS**

Motion by Manuel, second by Surkamp to authorize preparation of a budget revision in the amount of \$518,000 for the Parks and Recreation Community Center. Motion carried.

**In re: SELECTION OF SUBDIVISION AND ZONING REWRITE CONSULTANT**

Paul Raco, Executive Director of Planning , Zoning and Engineering appeared before the Commission to discuss the selection of a Subdivision and Zoning Rewrite Consultant. Motion by Surkamp, second by Tabb to approve Lane Kendig, inc. for the subdivision and zoning rewrite. After discussion, motion by Surkamp to amend the motion to include review of references pending the approval.

Motion by Morgan, second by Tabb to table the matter and to review the references for Lane Kendig, inc. Motion carried.

**In re: BUDGET REVISIONS - DEPARTMENT OF PLANNING, ZONING AND ENGINEERING**

Paul Raco, Executive Director of Planning, Zoning and Engineering appeared before the Commission to discuss increased salary for his staff. Motion by Corliss to approve the budget revision for increased salary for staff. After discussion, the Commission agreed to discuss this matter in executive session.

**In re: LEGALITY OF PUBLISHING NAMES OF RESIDENTS WITH ILLEGAL OUT OF STATE TAGS**

Commissioner Surkamp discussed the consideration of the legality of publishing names of residents with illegal out of state tags. No action was taken on this matter.

**In re: CONSIDERATION FOR A RESOLUTION ADDRESSED TO THE GOVERNOR REQUESTING THAT ADDITIONAL STATE TROOPERS BE ASSIGNED TO JEFFERSON COUNTY TO PROVIDE FOR THE PUBLIC SAFETY OF OUR COUNTY'S CITIZENS**

Commissioner Manuel discussed the need of additional troopers be assigned to Jefferson County to provide for the public safety of our county's citizens. After discussion, motion by Corliss, second by Manuel for Commissioner Manuel and the County Administrator to prepare a Resolution to send to the Governor requesting that additional State Troopers be assigned to Jefferson County to provide for the public safety of our citizens. Motion carried.

**In re: SET TIME AND DATE FOR COUNTY COMMISSION HEARING TO DETERMINE PUBLIC SUPPORT FOR ESTABLISHMENT OF BATTLEFIELD SITE/PARK AT FARAWAY FARMS**

No action was taken. The Commission agreed to place this matter on next week's agenda.

**In re: EXECUTIVE SESSION - CONTRACTUAL MATTERS**

Motion by Corliss, second by Manuel to enter into Executive Session with Brandon Sims, Assistant Prosecuting Attorney and Mike Thompson, Prosecuting Attorney to discuss Contractual Matters. Motion carried.

Motion by Corliss, second by Manuel to close Executive Session and return to Regular Session. Motion carried. For the record, no action was taken on this matter.

**In re: CORRESPONDENCE FROM THE CITY OF RANSON - PUBLIC EDUCATION  
IMPROVEMENT PROFFER**

Motion by Corliss, second by Tabb to answer the letter received from the City of Ranson, and to send a copy of the Agreement that was approved with the City of Charles Town. Motion carried.

**In re: EXECUTIVE SESSION - PERSONNEL MATTERS**

Motion by Morgan, second by Tabb to enter into Executive Session to discuss Personnel Matters. Motion carried.

Motion by Corliss, second by Manuel to close Executive Session and return to Regular Session. Motion carried. For the record, no action was taken on this matter.

**In re: BUDGET REVISIONS**

The Commission discussed the budget revisions and directed the County Administrator to prepare the budget revision for the county departments list that was discussed during executive session and also the departments that were discussed last week.

**In re: DENTAL AND VISION COVERAGE**

Motion by Manuel, second by Surkamp to commit to a Dental and Vision Coverage program for county employees and to review the perspective insurers and make a final decision on next week's agenda. Motion passed by a 4-1 vote. Commissioner Morgan voted no.

**In re: BUDGET REVISION FOR HIRING OF FULL-TIME EMPLOYEE - COUNTY CLERK'S  
OFFICE**

Motion by Surkamp, second by Corliss to approve the request received from Jennifer S. Maghan, County Clerk to do a budget revision for the hiring of a full-time employee in the County Clerk's office. Motion passed by a 3-2 vote. Commissioners Tabb and Morgan voted no.

■ **WORKSHOP - BUDGET CONSIDERATIONS**

The Commission held a workshop to discuss budget considerations. Sheriff Boober appeared before the Commission to discuss his department and health insurance issues as well as salaries for deputies. Jesse Jones, Chief Deputy was also present and made comments regarding the salary and health insurance issues. No action was taken during the workshop.

Patsy Noland, Circuit Clerk appeared before the Commission and commented in the recent AS/400 upgrade. She thanked the Commission and the staff also thanks the Commission for the upgrade and that the new system is working great and much faster.

Commissioner Corliss informed the Commission that Mayor Peggy Smith, City of Charles Town resigned from the MPO.

The Commission will hold a workshop next week to discuss Legislative issues and make a list of those issues.

The Commission received the following information:

Reminder Courthouse is Closed on Monday, October 10, 2005 for Columbus Day.

Correspondence received from Stanley and Beverly Belchik concerning excellent service provided by employees of the Department of Planning, Zoning and Engineering.

Correspondence received from National Legal Research Group, Inc. concerning a cost estimate for research on school impact fee exemptions.

Letter of Resignation received from Mary C. Lehman as a member of the Planning Commission.

Notice received of the 5<sup>th</sup> Annual Banquet to recognize police, fire and emergency medical service providers in Jefferson County on *Tuesday*, October 18<sup>th</sup>, 2005.

Notice of a Ribbon Cutting on Tuesday, October 11, 2005, at 9:00 a.m. for Premiere Bank in Shepherdstown.

Correspondence received from the West Virginia Development Office concerning the FY2006 Land and Water Conservation Fund Notice.

Correspondence received from the West Virginia Division of Culture and History concerning Highland Farm.

Correspondence received from the West Virginia Division of Culture and History concerning Tackley Mill North.

Correspondence received from Mrs. Robert E. Allen concerning the Morgan's Grove Historic Preservation Association.

Correspondence received from Loudoun County, Virginia concerning a public hearing on a Comprehensive Plan Amendment.

Correspondence received from the Association of Counties and the County Commissioners' Association concerning legislative agendas.

Copy of a newspaper article received from the County Commissioners' Association concerning 4-day work weeks to cut gas costs.

Correspondence received from the Association of Counties concerning a notice received from the Insurance Commission.

Correspondence received from the Association of Counties concerning a WV CHT Interpretation Demonstration MiniGrants, 2005 grant application.

Correspondence received from the Association of Counties concerning back billing from PEIA.

Harpers Ferry National Historical Park Community Bulletin received.

Agenda received for the Jefferson County Public Service District's October 3, 2005 meeting.

Intent To Apply forms received from the Division of Highways for the Transportation Enhancement Program and the Recreational Trails Program.

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, October 7, 2005.

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

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

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PRESIDENT