

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, October 20, 2005, beginning at 9:30 o'clock a.m.

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

IN RE: PLEDGE OF ALLEGIANCE

Commissioner Morgan conducted the Pledge of Allegiance.

IN RE: DISPENSE WITH THE READING OF MINUTES

Motion by Manuel, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, October 13, 2005 and to approve the Minutes as amended. Motion carried.

IN RE: APPROVAL OF PURCHASE ORDERS

Motion by Corliss, second by Tabb to approve the following Purchase Orders for the Week of October 20, 2005, totaling \$18,936.39: 38993, 41577, 41578, 41779, 41780, 41781, 41461, 41908, 41909, 41910, 41485, 41684, 41685, 41687, 41688, 41783, 41852, 41854, 41855, 41558, 41861 and 41864. Motion carried.

IN RE: NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES

Upon presentation by the Assessor, Motion by Tabb, second by Manuel to approve the Notice of Apportionment of Jointly Owned Motor Vehicles filed by a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, in the amount of \$363.50 for the following:

NAME:	HUSBAND/WIFE	ASSESSED VALUE	TAXES DUE
Russell K. Morrison	Husband	\$100.00	\$2.51
Russell K. Morrison	Husband	\$1,300.00	\$32.59
Patti K. Morrison	Wife	\$13,100.00	\$328.40

IN RE: BONDING AND ACTIVITY REPORT

Paul Raco, Executive Director, Planning, Zoning and Engineering appeared before the commission to give the Planning, Zoning and Engineering activity report for the week of October 20, 2005.

IN RE: PUBLIC COMMENT

Jessica Lashtosh appeared before the Commission to express her concerns with County spending and budgetary limitations with regard to hiring outside consultants.

William Lewandowski appeared before the Commission to express his concerns with all Planning Commission members having equal opportunity to review revisions made to the Subdivision and Zoning Ordinance consultant contract prior to approval. Leslie D. Smith, County Administrator explained the procedures implemented for contract approval.

IN RE: SHERRY KELLY – GREEN INFRASTRUCTURE CLASS REPORT

Sherry Kelly appeared before the Commission to report on the Green Infrastructure Class she attended. Ms. Kelly discussed the presentation given by a Prince George's County Maryland Planner, the strategies and benefits of GIS mapping with regard to green infrastructure planning, preservation easements, theories on how to preserve green space and needs assessment strategies. Ms. Kelly recommended the Commission incorporate green infrastructure measures into the Subdivision and Zoning Ordinance.

IN RE: JENNIFER S. MAGHAN – COUNTY CLERK'S REPORT: PRECINCT 13 – APPROVAL OF SPLIT PRECINCT

Jennifer S. Maghan, County Clerk appeared before the Commission to request approval of a split precinct due to overcrowding in the Shipley School District.

Motion by Morgan, second by Manuel to approve the splitting of Precinct 13 to Precinct 13A and 13B due to overcrowding. Motion carried.

Ms. Maghan reported on the Election Advisory Committee Resolution adopting the purchase of new voting equipment and asked for Commission input and consideration. Commissioner Corliss requested a financial report with regard to the purchase of new equipment. Commissioner Morgan recommended conducting a work session to discuss options further.

The Commission agreed to place the matter of purchasing new voting equipment on next week's agenda.

IN RE: PAUL WOODS – BROAD BAND TECHNOLOGY FOR JEFFERSON COUNTY

Bob Smith, Software Developer for Sudley Place Software and Paul Woods appeared before the Commission to discuss the advantages of Broad Band Fiber Optic Technology for Jefferson County. Mr. Wood commented on the economic advantages of Broad Band as opposed to dial-up or DSL services currently offered.

Commissioner Surkamp reported on the Adelphia Franchise agreement, which will be subject to renewal in 2006. Jane Peters was present for comments regarding affordability.

IN RE: APPOINTMENT OF ALTERNATE/MEMBERS TO THE BOARD OF ZONING APPEALS

No action was taken on this agenda item.

IN RE: DENTAL AND VISION COVERAGE

Leslie D. Smith, County Administrator reported on the quotes received from Guardian on October 13, 2005 at which time the commission decided to table the matter for further consideration. Motion by Corliss, second by Manuel to take this matter off the table. Motion carried.

Motion by Manuel, second by Corliss to approve Individual Dental and Vision Coverage to County employees as proposed by Guardian Insurance with family coverage to be an option to employees at their expense. Motion carried.

IN RE: OFFICE OF EMERGENCY MANAGEMENT UPDATE

Leslie D. Smith, County Administrator presented the Commission with copies of the Office of Emergency Management Procedures and Guidelines and reported everything is in order with operations of the Jefferson County Office of Emergency Management.

IN RE: MANAGEMENT CONSULTANT STUDY

At the request of Commissioner Surkamp, Leslie D. Smith, County Administrator reported that the Management Consultant Contract is currently under review by Assistant Prosecuting Attorney, Brandy Sims and should be ready for execution in the near future.

IN RE: 100% IMPACT FEES

Delores Milstead, Vice President of the Jefferson County Board of Education appeared before the Commission and requested they take into consideration Allen Sturm's comments at the Public Hearing held on October 17, 2005.

After discussion, motion by Surkamp to increase the Impact Fees to 100% as discussed at the public hearing. This motion died due to a lack of a second.

Motion by Corliss, second by Surkamp to adopt the changes to the Impact Fee Ordinance as provided in the modifications to the County Commission to reflect 100% of impact fees at a cost of \$8,597.00 for single family homes, \$6,686.00 for townhouses/duplexes and \$4,858.00 for multi-family homes effective December 1, 2005. Motion carried by a 4-1 vote, Commissioner Tabb voted no.

Commissioner Tabb expressed her concerns with the adverse effects to County residents as a result of the Impact fee increase.

IN RE: ENGINEERING TECHNICIAN/CONSTRUCTION MANAGEMENT ADVERTISEMENT

The Commission decided to table this matter until Thursday, October 27, 2005.

IN RE: WV ETHICS COMMISSION, ADVISORY OPINION 005-14 – ADOPTION OF POLICY

The Commission decided to table this matter pending research of the record.

IN RE: PROPOSED CHANGES TO SCHOOL IMPACT FEE ORDINANCE

This matter was discussed under 100% Impact Fees.

IN RE: OCTOBER 26, 2005, COUNCIL OF GOVERNMENTS MEETING

The Commission decided that the Council of Governments meeting will be held as scheduled on October 26, 2005 at 7:00 p.m. at the Charles Town Visitors Center.

IN RE: ARNOLD, CESARE & BAILEY, PLLC – CORRESPONDENCE CONCERNING JEFFERSON COUNTY 911 ISSUES

Leslie D. Smith, County Administrator reported on the letter received from Gregory A. Bailey, Esquire regarding Jefferson County 911 issues. Ms. Smith reported that she, Communications Center Director Jeff Polczynski and Assistant Prosecuting Attorney Brandy Sims are working together to resolve the 911 issues.

Motion by Surkamp to enter into Executive Session with Jeff Polczynski to discuss personnel issues. Motion died due to lack of a second.

IN RE: COMMON PURPOSE OF THE PANHANDLE – COMMUNITY ALTERNATIVE TO VIOLENCE – 2ND ANNUAL LUNCHEON

Leslie D. Smith, County Administrator reported on the annual luncheon hosted by the Common Purpose of the Panhandle to be held Wednesday, October 26, 2005 from Noon-1 p.m. Commissioner Manuel expressed an interest in attending the luncheon. By Commission consensus, it was agreed Commissioner Manuel would be the Commission representative at the Common Purpose of the Panhandle annual luncheon.

IN RE: MAINTENANCE BUILDING # 2 BID PROPOSAL

Bill Polk, Maintenance Director appeared before the Commission to report on the Maintenance Building Bid received. The Commission agreed a thorough cost analysis and estimate for all components of the new maintenance building needs to be completed and considered before approving any contracts.

IN RE: PROPOSED CLOSING OF JEFFERSON COUNTY FARM SERVICE AGENCY OFFICE

The Commission agreed to send a letter of encouragement to the USDA with copies to our Congressional Delegation supporting the operations of the Jefferson County Farm Service Agency Office.

IN RE: EXECUTIVE SESSION – 911 ISSUE WITH JEFF POLCZYNSKI

No action was taken on this agenda item.

IN RE: SCHEDULE WORK SESSION – LISA DUNN, PUBLIC HEALTH ISSUES AND POLICIES

The Commission authorized Leslie D. Smith, County Administrator to schedule a work session with Lisa Dunn and Randy DeHaven to discuss public health issues and policies.

IN RE: SCHEDULE BRIEFING GREEN INFRASTRUCTURE SEMINAR

This matter was discussed under Sherry Kelly's Green Infrastructure report.

IN RE: CITIZEN COUNTY EMERGENCY PREPAREDNESS REVIEW COMMITTEE

Commissioner Corliss requested that a public hearing be scheduled with Office of Emergency Management and FEMA officials to establish evacuation and emergency preparedness strategies for Jefferson County. Leslie D. Smith, County Administrator reported on evacuation and emergency preparedness plans currently being coordinated by County officials.

IN RE: QUALITY OF INSPECTIONS OF STORM WATER SYSTEMS

The Commission decided to table this matter until October 27, 2005 to allow Roger Goodwin the opportunity to report on Storm Water Systems inspections.

IN RE: COUNTY COMMISSION REPORTS

Leslie Smith reported on the \$15,000.00 price estimate she received for the Community Center Generator.

Leslie D. Smith reported on Secretary Spear's visit scheduled for November 3, 2005.

Commissioner Surkamp reported on the Fire Association meeting he attended.

Commissioner Tabb reported on the Development Authority meeting she attended.

Commissioner Tabb reported on the Emergency Service Banquet she attended.

Commissioner Manuel reported on the Parks and Recreation meeting he attended.

Commissioner Manuel reported on the Social Studies fair that he attended at Charles Town Middle School.

Commissioner Morgan reported on the Affordable Housing Forum he is scheduled to attend.

Commissioner Morgan reported on the upcoming Free Clinic Banquet he will be attending.

Commissioner Morgan reported on his meeting with Shepherdstown Library officials.

Commissioner Corliss inquired about the status of the Public Service District vacancy.

Commissioner Corliss reported on the Metropolitan Planning Organization meeting he attended.

IN RE: EXECUTIVE SESSION

Motion by Corliss, second by Manuel to enter into Executive Session to discuss personnel matters. Motion carried.

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

The Commission recessed at 12:55 p.m.; The Commission returned at 1:30 p.m.

IN RE: WORKSHOP – PARKS AND RECREATION FOCUS GROUP SESSION

Mr. Ananda Mitra, President of Management Learning Laboratories appeared before the Commission to report on the research strategies Management Learning Laboratories will implement for completion of the Parks and Recreation community wide needs assessment.

The Commission received the following information:

Scheduling Order received concerning Jefferson County Citizens for Economic Preservation vs. Jefferson County Commission.

Copy of a thank you letter sent to Barbara Miller received from the Texas Engineering Extension Service.

Acceptance of Bond - Fellowship Bible Church (PC File #S04-20).

Correspondence received from Andrea Aguilar concerning Animal Control.

Notice received from the Division of Culture and History of a discussion regarding the development of a historic preservation plan on October 21, 2005, at 11:00 a.m.

Invitation received from the Eastern Panhandle Free Clinic of a Volunteer Recognition Reception on Monday, October 24th, at 6:30 p.m.

Correspondence received from the West Virginia Infrastructure & Job Development Council concerning Burr Ridge.

Correspondence received from the Chamber of Commerce concerning a High School-Business Symposium on Tuesday, November 1, 2005.

Notice received from Loudoun County of a public hearing on Comprehensive Plan Amendments on Tuesday, October 11, 2005.

Correspondence received from the Courthouse Facilities Improvement Authority concerning the Application for Funding Assistance.

Disbursement of Wireless E-911 Subscriber Fee received from the Public Service Commission.

Meeting minutes received from the Harpers Ferry/Bolivar Public Service District.

Weekly settlement for Charles Town 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