

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, January 5, 2006, beginning at 9:30 o'clock a.m.

PRESENT: Gregory Corliss, President;
A.M.S. Morgan, III; Jane M. Tabb;
Dale Manuel; James Surkamp; Commissioners

In re: PLEDGE OF ALLEGIANCE
Commissioner Morgan conducted the Pledge of Allegiance.

In re: MOMENT OF SILENCE - TALLMANSVILLE COAL MINERS
The Commission observed a moment of silence in remembrance of the Coal Miners lost in the tragic explosion in Tallmansville, West Virginia. The Commission is deeply saddened by this tragedy and their thoughts are with the victims and their families.

In re: ELECTION OF COUNTY COMMISSION PRESIDENT
Nomination by Surkamp to elect Gregory Corliss President of the County Commission of Jefferson County for the year 2006.
Nomination by Tabb to elect Dale Manuel President of the County Commission of Jefferson County for the year 2006.
Motion by Tabb, second by Morgan to close nominations.
Gregory Corliss was elected President of the County Commission of Jefferson County for the year 2006. Mr. Corliss received three (3) votes; Mr. Manuel received two (2) votes.

In re: ELECTION OF COUNTY COMMISSION VICE PRESIDENT
Nomination by Morgan to elect Dale Manuel Vice-President of the County Commission of Jefferson County for the year 2006.
By a 5-0 vote, Dale Manuel was elected Vice-President of the County Commission of Jefferson County for the year 2006.

In re: COMMITTEE ASSIGNMENTS

**ASSIGNMENT TO BOARDS, COMMISSIONS & ORGANIZATIONS
FOR CALENDAR YEAR 2006**

ORGANIZATION:	2006:
Approval of Bills	Tabb
Board of Health	Surkamp
Building Repair	Morgan
Community Corrections Committee	Manuel
Development Authority	Tabb/Manuel

Fire/Ambulance/Rescue	Surkamp/Corliss
Local Emergency Planning Committee	Surkamp/Manuel
Emergency Services Council	
E-911 Council	Surkamp/Corliss
Extension Service	Tabb
Farmland Preservation Board	Tabb
Historic Landmarks	Morgan
Legislative Liaison	Manuel
Local Infrastructure Planning Team	
Mental Health Center	Prosecuting Attorney
MPO Interstate Council	Corliss
Parks & Recreation	Manuel/Morgan
Planning Commission	Corliss
Public Service District Liaison	Corliss/Surkamp
Region 9	Tabb
Solid Waste Authority	Morgan
Workforce Investment Act Liaison	Manuel
Commerce Corridor Council	Surkamp
Homeland Security	Surkamp/Manuel
Water Advisory Committee	Corliss/Morgan
Affordable Housing	Morgan/Manuel
Air Quality Control Board	Tabb

In re: DISPENSE WITH READING OF MINUTES

Motion by Manuel, second by Morgan to dispense with the reading of the Minutes for the meeting held on Thursday, December 22, 2005, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Morgan, second by Tabb to approve the following Purchase Orders for the week of January 5, 2006, totaling \$11,076.95: 42056, 42059, 42060, 42063, 42064, 42094, 42029, 42031, 42032, 42036, 41483, 41953, 42135, 42137, 41881, 41980 and 42125. Motion carried.

In re: NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES

Upon presentation by the Assessor's Office, motion by Morgan, second by Tabb 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 \$468.78 for the following.

NAME:	HUSBAND/WIFE:	ASSESSED VALUE:	TAXES DUE:
Gorham, Mark W.	Husband	\$7,800.00	\$195.93
Gorham, Mark W.	Husband	500.00	12.53
Gorham, Mark W.	Husband	7,000.00	175.49
Gorham, Carolyn J.	Wife	3,400.00	85.23

In re: PARITIAL BOND RELEASE - FLOWING SPRINGS, LLC

Motion by Tabb, second by Manuel to approve the partial release of a Letter of Credit for Flowing Springs, LLC in the amount of \$178,796.00 with the County to retain \$36,496.00. Motion carried.

In re: BONDING AND ACTIVITY REPORT

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

Mr. Raco reported on the upcoming Planning Web Conference scheduled for January 18, 2006 and distributed copies of the agenda for Commission review and consideration. A second date for the conference has been scheduled for March 22, 2006.

In re: PUBLIC COMMENT

Fred Blackmer was present with comments regarding the online agenda.

In re: IT COMMITTEE - NEAL NILSEN

Neal Nilsen appeared before the Commission to give an IT Committee report. Mr. Nilsen presented the Commission with the IT Committee's Mission and Vision Statement for approval.

The Commission agreed to place the IT Committee's Mission and Vision Statement on next week's agenda for approval.

The Commission requested that Mr. Nilsen along with IT Committee members acquire further information regarding GIS, wireless, internet and cable services for review and consideration.

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

Jennifer S. Maghan, County Clerk, appeared before the Commission to give the County Clerk's report. Ms. Maghan reported that all election equipment has arrived and is secured in an adequate storage facility within the County. Ms. Maghan expressed her gratitude to the Commission for their cooperation and purchase of all new election equipment. Ms. Maghan reported on poll worker statistics and recruitment strategies.

In re: APPOINTMENT TO THE FARMLAND PROTECTION BOARD

No action was taken on this agenda item.

In re: APPOINTMENT TO THE AMBULANCE AUTHORITY

No action was taken on this agenda item.

In re: LANE KENDIG CONTRACT

The Commission determined that contract negotiations would convene at the afternoon workshop scheduled with Lane Kending Associates, Planning Commissioners, County Commissioners and legal counsel at 2:00 p.m.

In re: APPOINTMENTS TO THE ZONING BOARD OF APPEALS

The Commission authorized Leslie D. Smith, County Administrator to schedule interviews with interested applicants and to place this matter on next week's agenda.

In re: APPOINTMENT OF AN ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS

The Commission authorized Leslie D. Smith, County Administrator to schedule interviews with interested applicants and to place this matter on next week's agenda.

In re: APPOINTMENT TO THE WEST VIRGINIA EASTERN PANHANDLE TRANSPORTATION AUTHORITY

No action was taken on this agenda item.

In re: SET DATE AND TIMES FOR BOARD OF REVIEW AND EQUALIZATION

The Commission agreed to approve the following notice to set dates and times for Board of Review and Equalization and to advertise. Motion carried.

NOTICE

The County Commission of Jefferson County will convene as a Board of Review and Equalization in the County Commission Courtroom at the Courthouse of said County on Wednesday, February 1, 2006, at 1:30 p.m., for the purpose of reviewing and equalizing assessments returned by the Assessor of Jefferson County for the year 2006.

The Commission will continue to sit as a Board of Review and Equalization on Thursday, February 2, 2006, at 1:30 p.m., Tuesday, February 7, 2006, at 1:30 p.m., Thursday, February 9, 2006 at 1:30 p.m., and thereafter, until all questions concerning assessments are heard.

Persons wishing to appear before the Commission must apply to the Jefferson County Assessor no later than Friday, February 10, 2006, at noon, in order to complete the proper forms and to schedule a hearing date prior to the final date of Wednesday, February 15, 2006.

Given under my hand this 5th day of January, 2006.

/s/

JENNIFER MAGHAN, COUNTY CLERK

In re: APPROVAL OF LOCAL ECONOMIC DEVELOPMENT ASSISTANCE GRANT RESOLUTION - JEFFERSON COUNTY FAIR ASSOCIATION

Motion by Morgan, second by Tabb to approve the following Resolution for a Local Economic Development Assistance Grant for the Jefferson County Fair Association. Motion carried.

RESOLUTION

The Jefferson County Commission met on the 5th day of January 2006 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Gregory Corliss, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Local Economic Development Assistant grant award. This project is to assist in the upgrade and make improvements to the existing reservoir and to upgrade failing waterlines for the Jefferson County Fair Association.

DATED: January 5, 2006

/S/

Gregory Corliss, Commission President

In re: INVITATION TO ATTEND A PLANNING ACTIVITIES EVENT TO BE HELD ON JANUARY 12, 2006 AT 1:00-5:00 P.M. AT THE UNIVERSITY OF CHARLESTON, GEARY AUDITORIUM REGARDING PREPAREDNESS FOR AN INFLUENZA PANDEMIC

Motion by Corliss authorizing the County Administrator to appoint a designated representative to attend the Preparedness for an Influenza Pandemic event scheduled for January 12, 2006.

Due to lack of support Commissioner Corliss withdrew his motion.

The Commission agreed by consensus to authorize Leslie D. Smith, County Administrator to designate a representative to attend the Preparedness for an Influenza Pandemic event.

In re: RESOLUTION BY COUNTY COMMISSION OF JEFFERSON COUNTY IN REGARD TO WAIVER OF SCHOOL IMPACT FEE FOR AGE-RESTRICTED COMMUNITY

Leslie D. Smith, County Administrator reported on the letter received from the Prosecuting Attorney's office with regard to drafting a Resolution for Waiver of School Impact Fee for Age-Restricted Communities.

The Commission agreed to draft a resolution containing the wording from the minutes of December 22, 2005 with signature lines for all Commissioners.

In re: DEED OF MERGER FROM THE COUNTY COMMISSION OF JEFFERSON COUNTY TO THE JEFFERSON COUNTY SOLID WASTE AUTHORITY

Motion by Morgan, second by Tabb to approve the Deed of Merger of .412 acre merger parcel owned by County Commission of Jefferson County to the Jefferson County Solid Waste Authority. Motion carried.

In re: SET DATE AND TIME FOR PETITION FOR PROBATE OF WILL IN SOLEMN FORM - ESTATE OF DAVID RAY DEVILBISS

Motion by Morgan, second by Tabb to place the Petition for Probate of Will in Solemn Form for the Estate of David Ray Devilbiss for Thursday, January 26, 2006 at 11:15 a.m.. Motion carried.

In re: SET TIME FOR QUARTERLY FIDUCIARY REVIEW

The Commission agreed by consensus to set the date and time for the Quarterly Fiduciary Review on Thursday, January 12, 2006 at 11:15 a.m.

In re: COUNTY COMMISSION REPORTS

Commissioner Morgan reported on the Ranson City Council meeting he attended.

Commissioner Morgan reported on the Affordable Housing Committee meeting he attended.

Commissioner Manuel reported on the Council of Governments meeting he attended.

The Commission discussed annexation laws, procedures and policy.

The Commission discussed effects of Impact Fee procedures on neighboring towns and municipalities. Leslie D. Smith, County Administrator reported that Assistant Prosecuting Attorney, Brandon Sims will be present at next week's County Commission meeting for discussion and presentation.

The Commission received the following information:

Correspondence received from the City of Ranson concerning School Impact Fee/Public Education Improvement Proffer.

Correspondence received from Deborah Royalty concerning Impact Fees for Huntfield.

Correspondence received from John D. Rockefeller, IV United States Senator regarding the plan to close the Jefferson County Farm Service Agency Office.

Correspondence received from John D. Rockefeller, IV United States Senator regarding the Shepherdstown Battlefield.

Correspondence received from Robert C. Byrd United States Senator regarding the plan to close the Jefferson County Farm Service Agency Office.

Correspondence received from Cynthia F. Soltis, Program Coordinator for the Quad State Emergency Preparedness Program regarding courses that will be held at the Shenandoah University and History and Tourism Center.

Resignation received from Deborah A. Lancaster, Administrative Assistant for the Jefferson County Sheriff's Office effective December 29, 2005.

Notification and request for review and comments for two new annexation petitions received from the City of Charles Town.

Copy of a newspaper article received from the County Commissioners' Association concerning Mickey Brown's father passing away.

Copy of a newspaper article received concerning donations without ok.

Correspondence received from Potomac Headwaters RC&D Executive Committee regarding Executive Committee Meeting on January 10, 2006 at 6:00 p.m.

Correspondence received from Loudoun County Department of Planning regarding a public hearing on Comprehensive Plan Amendment on January 10, 2006 at 6:30 p.m. at the Board of Supervisors Meeting Room, County Government Center, 1 Harrison Street, S. E., Leesburg, VA.

E-911 Remittance received from AT&T Communications of West Virginia and Citizens Communication. .

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

Field Inspection Report received from the Department of Planning, Zoning and Engineering regarding the Sam Michael's Park Project.

Bond Acceptances received from the following: Applebee's Restaurant, Shepherdstown Speciality Storage and The Preserve at Barleywood.

Notice of Subdivision Work Session received from the Department of Planning, Zoning & Engineering on Friday, January 6, 2006 at 10:00 a.m.

Community Bulletin received from the Harpers Ferry National Historical Park.

West Virginia Ethics Reporter received for the month of December, 2005.

Oath of Office received by Lisa Kay Reed Palmer as a member of the Bolivar-Harpers Ferry Public Library.

Miscellaneous

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

GREGORY CORLISS, COMMISSION PRESIDENT