

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

PRESENT: Gregory Corliss, President;
James Surkamp; A.M.S. (Rusty) Morgan, III;
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 Morgan, second by Corliss to dispense with the reading of the Minutes for the meeting held on Thursday, March 23, 2006, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS
Motion by Tabb, second by Manuel to approve the following Purchase Orders for the Week of March 27, 2006, totaling \$68,899.98: 42229, 42515, 41275, 41991, 41993, 41996, 42393, 42463, 42511, 42479, 42512, 42513, 42514, 42228, 42161, 42162, 42163, and 42164. Motion carried.

In re: APPOINTMENT TO THE JEFFERSON COUNTY AMBULANCE AUTHORITY
No action was taken on this agenda item.

In re: APPOINTMENT OF ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS
No action was taken on this agenda item.

In re: LEGISLATIVE ISSUES
Commissioner Manuel reported on information received for a \$50,000 grant for the Eastern Panhandle Transportation Authority.

In re: DEED OF EASEMENT - SOLID WASTE AUTHORITY
The Commission reviewed the sketch of the approved Deed of Easement for the Solid Waste Authority Transfer Station.

In re: DONATED FIRE TRUCK - ASSESSMENT OF DONNIE DAWSON
Commissioner Surkamp summarized a letter sent by Donnie Dawson assessing the donated fire truck.

In re: NOTICE OF INTENT TO APPOINT - TRANSFER OF DEVELOPMENT RIGHTS COMMITTEE
Motion by Morgan, second by Manuel to approve the following members of the Transfer of Development Rights Committee. Motion carried.

County Commission	Jane Tabb
Planning Commission	Arnold Dailey
Planning, Zoning & Engineering Staff	Paul Raco/Sherry Kelly
Farm Bureau	Sam Donley
Public Service District	Sue Lawton
Water Advisory Committee	Joe Hankins
Prosecuting Attorney	Brandon Sims
Development Authority	Eric Lewis
Municipal Nominees: Charles Town Ranson Harpers Ferry	Jeremy Camp Terry Marcus Dan Riss
Development	Mike Shepp

In re: INVITATION TO ATTEND OPENING DAY CEREMONIES - CHARLES TOWN/RANSON

LITTLE LEAGUE

The Commission agreed to have a Commissioner attend the opening day ceremonies for the Charles Town/Ranson Little League.

In re: POOR HOUSE CEMETERY

The Commission discussed the Poor House Cemetery and implementing a policy to identify and preserve the area.

In re: PUBLIC COMMENT

No public comment was made at this time.

In re: DNR RECYCLING GRANT

Commissioner Morgan informed the Commission of a DNR Recycling Grant for the Solid Waste Authority and an opportunity for Keep Jefferson Beautiful to apply for a litter control grant. After discussion, motion by Morgan, second by Manuel to commit to proceeding with a grant application for a litter control grant and to have Commissioner Morgan follow up on the DNR Recycling Grant. Motion carried.

In re: BONDING AND PLANNING COMMISSION ACTIVITY REPORT

Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission to give the Planning Commission Activity Report. Mr. Raco informed the Commission that there was no bonding this week.

In re: FIXING TYPO IN ORDINANCE

Commissioner Surkamp discussed the matter of a typographical error concerning the set back on duplexes. Paul Raco commented on the matter and will present recommendations next week.

In re: DARRELL PENWELL - COUNTY COMMISSION REVIEW OF OFFICE OF EMERGENCY SERVICES RESPONSIBILITIES FOR FIGHTING BRUSH AND STRUCTURAL FIRES

Darrell Penwell appeared before the Commission to review for the Commission the County's responsibilities for fighting brush and structural fires. The Commission also agreed to have a thank you letter sent for the donated fire truck.

In re: SHERIFF BOOBER AND SUSAN SOWERS - SCHOOL RESOURCE OFFICER FOR JEFFERSON HIGH AND THE NINTH GRADE COMPLEX

Sheriff Boober and Susan Sowers appeared before the Commission to ask the Commission to consider the approval of a grant application to provide a School Resource Officer for Jefferson High School and the Ninth Grade Complex. Sherry Hoff, Jefferson High School Principal, commented on the matter also. After discussion, motion by Manuel, second by Surkamp to support the grant application to provide a School Resource Officer for Jefferson High School and the Ninth Grade Complex. Motion carried.

In re: JEFFERSON COUNTY LIBRARIES

Sandra Osbourne and Hali Taylor, from Shepherdstown Public Library, and Curt Mason, from South Jefferson Public Library, appeared before the Commission to discuss the budget allocations made to the Libraries for Fiscal Year 2007. No action was taken on this matter.

The Commission took at a 10- minute break at 11:19 a.m.

In re: ESTATE OF STEPHEN F. GORMAN

Motion by Morgan, second by Tabb to approve an order to appoint a Fiduciary Commissioner for the Estate of Stephen F. Gorman. Motion carried.

In re: RAD SAKHAMURI - LAND RANGE PLANNER LABOR CERTIFICATION REQUIREMENTS

The Commission discussed this matter and agreed that the position would be re-advertised and that Ms. Sakhamuri would be welcome to reapply.

In re: GYPSY MOTH BUDGET CUTS

The Commission discussed the gypsy moth suppression budget cuts. The Commission agreed to put the matter on the agenda next week for a presentation by the gypsy moth committee.

In re: PUBLIC COMMENT

No public comment was made at this time.

In re: COUNTY COMMISSION MEETINGS - CHANGE OF LOCATION

Motion by Tabb, second by Morgan to change the location of the County Commission meetings to the Old Charles Town Library Meeting Room from April 13, 2006 until May 18, 2006 in order to accommodate early voting for the primary election. Motion carried.

In re: COUNTY COMMISSION REPORTS

Commissioner Surkamp reported on a conversation he had with Dennis Frye concerning the Niagara Movement. Commissioner Surkamp suggested the Commission sponsor a lunch with the Governor as the kick-off for the event.

Commissioner Tabb reported on being a judge for the coloring contest for elementary school students that was put on by the Jefferson County Office of Homeland Security.

Commissioner Tabb reported on a Development Authority special meeting.

Commissioner Tabb commented on a 10 year old Journal article concerning Rt. 9.

Commissioner Manuel reported on a visit to Sam Michaels Park.

Commissioner Corliss mentioned that Lane Kendig and Mac Birch were here.

Commissioner Morgan reported on a Gateway New Economy meeting.

Commissioner Morgan reported on a Health and Human Services meeting.

In re: STEPHANIE GROVE - ASSISTANT PROSECUTING ATTORNEY - LEGAL COUNSEL UPDATE

In re: PROPERTY PURCHASE DISCUSSION

Motion by Tabb, second by Manuel to enter into Executive Session with Assistant Prosecuting Attorney, Stephanie Grove as per West Virginia Code §6-9A-4 to discuss the above 2 agenda items. Motion carried.

Motion by Tabb, second by Manuel to return to Regular Session. Motion carried.

The Commission received the following information:

Reminder of Public Hearings on Thursday, March 30, 2006, at 7:00 p.m. and Saturday, April 1, 2006, at 10:00 a.m. - Jail Restoration.

Appointments to be made on April 6, 2006 - Jefferson County Development Authority.

Appointments to be made on April 6th, 2006 - Jefferson County Planning Commission.

Correspondence received from Kit McGinnis regarding interest in being appointed to the Stakeholder Committee that will work with Lane Kendig Planning Consultants in rewriting the zoning and subdivision ordinances.

Correspondence received from Pedro W. Kazaniwsky, P.E., Senior President, Chief Geotechnical Engineer regarding blast zones and limits of vibration.

Correspondence received from Ryan Hagerty regarding flooding issues related to the storm water management pond adjacent to his property.

Correspondence received from Christy Huddle regarding library funding.

Correspondence received from the West Virginia Association of Counties regarding the legislative session, March 10th and 11th, 2006

Correspondence received from the County Commissioners' Association of West Virginia regarding Senate Bill 370 - Farm Equipment Exemption.

Memorandum received from the West Virginia Development Office regarding Small Cities Block Grant Action Plan.

Correspondence received from the U.S. Department of Justice regarding supplement to the 2006 National Crime Victims' Rights Week Resource Guide.

Invitation received from the National Humane Education Society to attend the "Violence Prevention & Intervention: How to Help Animals and Children" on April 21, 2006 from 8:30 a.m. to 3:30 p.m. at the Clarion Hotel & Conference Center.

Invitation to attend the Eastern Panhandle Home Builders Association New Office Building Open House on Thursday, April 13, 2006 from 4pm to 6:30 pm located at 430 Randolph Street, Martinsburg, WV.

Correspondence received from the Jefferson County Ambulance Authority regarding comments on the preliminary plans of the Kabletown Subdivision.

Correspondence received from Loudoun County, Virginia, Department of Planning regarding a public hearing before the Loudoun County Board of Supervisors on a Comprehensive Plan Amendment to amend the Purcellville Urban Growth Area Management Plan.

Notice received of the Local Government Leadership Academy Spring 2006 Conference at a Glance - The Radisson Hotel at Waterfront Place on April 22-23, 2006.

Notice received from the United States Bankruptcy Court Southern District of New York - In re Adelpia Communications Corporation, et al., - Notice of Adjournment of Section 341 Meeting of Creditors.

E-911 fees received from AT&T Communications of West Virginia.

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

Correspondence received from Adelpia regarding channel changes.

Correspondence received from Frank van Hilst regarding Property Taxes.

Correspondence received from Andrew Arnold, President, Shepherdstown Fire Company regarding fire and rescue services in Jefferson County.

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

GREGORY A. CORLISS, COMMISSION PRESIDENT