

**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, May 11, 2006, beginning at 9:30 o'clock a.m.**

**PRESENT: Greg Corliss, President;  
James Surkamp; A.M.S. (Rusty) Morgan, III;  
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, May 4, 2006, and to approve the Minutes as prepared. Motion carried.**

**In re: APPROVAL OF PURCHASE ORDERS**

**Motion by Morgan, second by Corliss to approve the following Purchase Orders for the Week of May 8, 2006, totaling \$3,846.50: 42584, 42619, 42620, 42579, 41998, 42691, 40956, 40957, 40958, 42473, 42688 and 42689. 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 informed the Commission that he had received the information from the County Commissioners' Association regarding Annexations.**

**The Commission agreed to hold a work session next week at 2:30 p.m. to discuss proposed annexation legislation.**

**In re: BONDING AND PLANNING COMMISSION ACTIVITY REPORT**

**Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission and informed the Commission that there was nothing to report this week.**

**In re: MEETING WITH CITY OF CHARLES TOWN MAYOR AND COUNCIL - URBAN GROWTH BOUNDARY DISCUSSION**

The Commission informed the Press and everyone that the meeting scheduled this evening with the City of Charles Town Mayor and Council regarding Urban Grown Boundary had been cancelled.

**In re: PUBLIC COMMENT**

Fred Blackmer asked the Commission for an update on the Long Range Planner.

**In re: SEEK OPINION FROM WACO STAFF ATTORNEY JACK MCCLUNG ON COUNTY POWERS UNDER WV CONSTITUTION 9-11**

Motion by Surkamp, second by Morgan to have the staff prepare a letter to send to Jack McClung, Staff Attorney for WACO regarding the clarification of the powers and duties of the County Commission under WV Constitution 9-11. Motion Carried.

**In re: MEETING DATE FOR WEEK OF JULY 3, 2006**

Motion by Morgan, second by Tabb to cancel the Jefferson County Commission Regular Meeting for the week of July 3, 2006. Motion carried.

**In re: LITTER CONTROL GRANT PROGRAM APPLICATION**

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

**In re: NIMS PREPAREDNESS PLAN FOR PUBLIC HEALTH DISASTER - SCHEDULE REVIEW SESSION RE PANDEMIC FLU THREAT  
APPROVE EXISTING EMERGENCY PREPAREDNESS PLAN - SET DATE FOR OES BRIEFING PRIOR TO APPROVAL**

The Commission agreed to set a workshop with Darrell Penwell and Barbara Miller to discuss the NIMS Preparedness Plan for public health disaster, pandemic flu threat and the existing Emergency Preparedness Plan.

**In re: BRANDON SIMS & JEFF POLCZYNSKI - INPUT TO PUBLIC SERVICE COMMISSION - VERIZON 911 SERVICE**

Brandon Sims, Assistant Prosecuting Attorney and Jeff Polczynski, Director of Emergency Communications appeared before the Commission to discuss the input to the Public Service Commission and Verizon 911 Service.

After discussion, motion by Manuel, second by Tabb to have Ms. Sims prepare a briefing for the Public Service Commission and place this item in next week's agenda for approval. Motion carried.

**In re: APPROVAL OF EMPLOYMENT - TODD LESSER - PUBLIC SAFETY DISPATCHER - 911  
EMERGENCY COMMUNICATIONS**

Motion by Morgan, second by Tabb to approve the employment of Todd Lesser as a Public Safety Dispatcher for the 911 Emergency Communications. Motion carried.

**In re: PAT MCMILLAN - FORMATION OF HOME CONSORTIUM FOR THE EASTERN  
PANHANDLE**

Pat McMillan, Community Development Director appeared before the Commission to discuss the outline of the proposed formation of a HOME Consortium for the Eastern Panhandle. The purpose of the consortium is to qualify to receive a direct annual allocation of HOME Investment Partnership Program funding from the US Department of Housing and Urban Development.

After discussion, motion by Manuel, second by Morgan to prepare a Resolution approving the HOME Consortium and to authorize the President of the Commission to affix his signature to the Resolution. Motion carried.

**In re: CABLE FRANCHISE AGREEMENT - COMMENT**

Commissioner Surkamp discussed the upcoming renewal of the Cable Franchise Agreement.

No action was taken on this agenda item.

**In re: SHERIFF ED BOOBER - APPROVAL OF 2005 DELINQUENT LIST**

Sheriff Ed Boober appeared before the Commission to present the 2005 Personal and Real Estate Delinquent List.

Motion by Morgan, second by Tabb to accept the 2005 Personal and Real Estate Delinquent List as presented by Sheriff Ed Boober and to authorize the President of the Commission to affix his signature to the 2005 Delinquent List after review. Motion carried.

**In re: PUBLIC HEARING ON IMPOSITION AND COLLECTION OF SPECIAL AMBULANCE  
SERVICE FEE**

The Commission discussed the possible imposition and collection of a Special Ambulance Service Fee. The Commission agreed to get on the Jefferson County Ambulance Authority's Agenda to discuss this matter.

**In re: DISCUSSION OF DISTRIBUTION OF MATERIAL AND COLLECTION OF DONATIONS  
ON ROADS AND HIGHWAYS**

Motion by Manuel, second by Corliss to have a work session with counsel to discuss the nuisance ordinance. Motion carried.

Leslie D. Smith, County Administrator reminded the Commission of the Canvass on Friday, May 12, 2006 at 10:00 a.m.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Surkamp discussed the election.

Commissioner Morgan reported on an Affordable Housing meeting.

Commissioner Tabb reported on the Ribbon Cutting at Applebee's.

Commissioner Tabb reported on the Farmland Protection Board meeting.

Commissioner Manuel reported on the Ribbon Cutting at Applebee's.

The Commission took a break at 10:50 a.m.

The Commission reconvened at 11:00 a.m.

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

Jennifer S. Maghan, County Clerk, appeared before the Commission to give the weekly County Clerk's report.

Ms. Maghan discussed the Election and the equipment and ballots. Commissioner Corliss suggested that the Technician that was there for Election night, Adam should be retained for the General Election and Commissioner Corliss commended Adam's knowledge of election equipment.

Ms. Maghan also discussed the upcoming Audit. The County Administrator informed Ms. Maghan that the County Commission is waiting for the signed contract by the State.

Ms. Maghan asked the Commission for a copy of the FY2007 Budget.

**In re: BRANDON SIMS - ASSISTANT PROSECUTING ATTORNEY LEGAL COUNSEL UPDATE AND REPORT**

Brandon Sims, Assistant Prosecuting Attorney appeared before the Commission and reported that she received three annexation petitions for review.

**In re: PUBLIC COMMENT**

Kanika J. G. Georges, Journal Staff Writer asked the Commission if any FOIA had been received regarding sludge.

**In re: COUNTY COMMISSION WORKSHOP - MARK SCHIAVONE IMPACT FEE BANKING PROPOSALS, CIP PROJECT IDENTIFICATION**

The County Commission conducted a workshop with Mark Schiavone, Impact Fee Coordinator, to discuss Impact Fee bank proposals and CIP Project Identification.

The Commission received the following information:

Reminder of Canvass on Friday, May 12, 2006.

Memorandums received from the Department of Impact Fees concerning transfer of funds.

**Copy of correspondence received from Senator Byrd concerning the F.O. Day Property.**

**Correspondence received from Community Ministries concerning their budget allocation.**

**Correspondence received from Alpha Associates concerning Colonial Hills Subdivision Phase II.**

**Correspondence received from the Division of Criminal Justice Services acknowledging receipt of the application for the FY 2006 Justice Assistance Grant Program funds.**

**Correspondence received from the Division of Culture and History concerning the National Register of Historical Places.**

**Correspondence received from Carl Tribble, Jr. concerning the budget allocation to the Charles Town Library.**

**Fiscal Year 2007 budget received from the Public Service District.**

**Training Announcement for Chemical Immobilization Certification Course on August 1-2, 2006 received.**

**Correspondence received from Patricia E. McMillan concerning the proposed HOME Consortium.**

**Correspondence received from Telamon Corporation concerning the Housing Preservation Grant program.**

**Notice of a Groundbreaking at President's Pointe on Wednesday, May 31, 2006.**

**Legislative information received from the Association of Counties.**

**Stage Whispers newsletter received from the Old Opera House.**

**Meeting minutes received from the Public Service District.**

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

Upon rising, the Commission recessed until Friday morning next beginning at 10:00 o'clock a.m.

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PRESIDENT