

**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 25, 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 Manuel, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, May 18, 2006, and to approve the Minutes as prepared. Motion carried.**

**Motion by Tabb, second by Morgan to dispense with the reading of the Minutes for the Special Session for the Canvass that began on May 12, 2006, and to approve the Minutes as prepared. Motion carried.**

**Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the Special Session to certify the election results held on Friday, May 19, 2006, and to approve the Minutes as prepared. Motion carried.**

**In re: APPROVAL OF PURCHASE ORDERS**

**Motion by Manuel, second by Tabb to approve the following Purchase Orders for the Week of May 22, 2006, totaling \$15,973.87: 42700, 42319, 42741, 42623, 42704, 42403, 42405, 42477, 42698, 42699, 42756, 42374, 42645, 42375, 42646, 42647, 42648, 42650, 42651, 42652, and 42653. 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**

**There were no legislative issues to report.**

**In re: JEFFERSON COUNTY TRANSFER STATION - REQUEST MADE TO REMAIN OPEN FOR THE ENTIRE MONTH OF MAY**

The Commission discussed the request for the transfer station to remain open. No action was taken on this matter.

**In re: LANE KENDIG MEETING UPDATE**

The County Administrator informed the Commission that the draft analysis may be ready by the end of the week and that the next meeting would probably be around June 15, 2006. The Commission discussed the stakeholders committee and request to be on that committee. The Commission also discussed holding the meetings at various places throughout the County. No action was taken on this matter.

**In re: JAIL RENOVATION INTERPRETATION ASPECTS**

No action was taken on this agenda item.

**In re: GREY SILVER - BOOBER, NOLAND, SENSENEY MEETING - COURTROOM SPACE**

The County Administrator informed the Commission that this meeting is scheduled for June 1, 2006, at 1:30 p.m.

**In re: TABLE TOP EXERCISE: PANDEMIC FLU PREPAREDNESS JUNE 9<sup>TH</sup>**

Commissioner Surkamp discussed an upcoming table top exercise on Pandemic Flu Preparedness on June 9<sup>th</sup>.

**In re: CHARLES TOWN PLAN - LETTER TO PRESENT TO COUNCIL**

Motion by Surkamp, second by Morgan to ask the Charles Town Council to seek advice from their legal counsel on West Virginia Code §8A-3-14. Motion failed by a 1-4 vote. Commissioners Tabb, Manuel, Corliss and Morgan voted no.

**In re: HARPERS FERRY JOBS CUT**

The Commission discussed the job cuts planned for the Harpers Ferry Center. The Commission agreed to put this matter on the agenda next week to review the correspondence.

**In re: PUBLIC COMMENT**

Bob Bageant spoke concerning Cedar Meadows Air Park.

**In re: IMPACT FEE FUNDABLE PROJECTS - JEFFERSON COUNTY CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2007**

Motion by Tabb, second by Manuel to approve the Impact Fee Fundable Projects list for Fiscal Year 2007 as provided by Dr. Schiavone. Motion carried.

**In re: REQUEST ADDITIONAL TEXT TO BE INCORPORATED IN TO POLICY ON  
DISBURSEMENT OF IMPACT FEES**

Motion by Manuel, second by Tabb to approve the proposed language addition to be incorporated in to the policy on disbursement of impact fees as provided by Dr. Schiavone. Motion carried.

**In re: DIANA SUTTENFIELD - PRE BLASTING SURVEYS**

Diana Suttentfield, Amy Amos and Glen Kinser appeared before the Commission to discuss pre blasting surveys near historical structures and springs. After discussion, motion by Surkamp, second by Morgan that when a historic structure or spring in Karst topography is within 1,500 feet of blasting, that the Commission request that the builder voluntarily provide Pre Blast Surveys and to also obtain a copy of the Clarke County Ordinance on blasting. Motion by Manuel, second by Tabb to table the matter for one week. Motion carried.

**In re: JEFF POLCZYNSKI - UHF RADIO UPDATE**

Jeff Polczynski appeared before the Commission and introduced George Condyles, President and CEO of The Atlantic Group. Mr. Condyles gave a presentation to the Commission to update them on the status of the new UHF radio system. Mr. Condyles informed the Commission that the estimated date for the system cut over would be around May 2007.

**In re: J. MICHAEL CASSELL - DAILEY FARM ANNEXATION - CITY OF CHARLES TOWN**

J. Michael Cassell appeared before the Commission with James Crawford, attorney for the City of Charles Town, concerning the 2 Annexations. After discussion, motion by Morgan, second by Tabb to accept the 2 annexations as presented. Motion passed by a 4-1 vote. Commissioner Surkamp voted no.

**In re: ED DUNLEAVY - SHEPHERDSTOWN BATTLEFIELD PRESERVATION ASSOCIATION**

Ed Dunleavy, from the Shepherdstown Battlefield Preservation Association, appeared before the Commission to discuss the possibility of using 305 acres of green space for a Civil War Battlefield Park and for use by Jefferson County Parks and Recreation. Mr. Dunleavy also requested funding for the project in the amount of \$617,500. After discussion, motion by Manuel, second by Tabb to request Mr. Dunleavy to make the same presentation to the Jefferson County Parks and Recreation Commission. Motion carried.

**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 on election information and also presented a new bank signature card for the President's signature.

**In re: BONDING AND ACTIVITY REPORT**

**COMPLETE BOND RELEASE - SHENANDOAH AIR CONDITIONING AND HEATING**

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Manuel to approve the complete release of a letter of credit in the amount of \$65,140 for Shenandoah Air Conditioning and Heating. Motion carried.

**PARTIAL BOND RELEASE - AMERICAN ACREAGE**

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Manuel to approve the partial release of an escrow account in the amount of \$82,540 for American Acreage for the Lake Forest Subdivision with the County to retain \$270,400. Motion carried.

**CEDAR MEADOWS AIR PARK**

Paul Raco, Executive Director of Planning, Zoning and Engineering, informed the Commission that the Storm Water Basin was not complete for this project. Bob Bageant, from the Cedar Meadows Air Park Homeowners's Association was present and commented on the matter. After discussion, motion by Corliss, second by Morgan to allow 2 weeks for the storm water basin to be completed. Motion carried.

**ROSEHILL SUBDIVISION**

Paul Raco, Executive Director of Planning, Zoning and Engineering, informed the Commission that the Storm Water Management for the Rosehill Subdivision was not complete. Mr. Raco also informed the Commission that the bond surety was short by \$35,000. After discussion, motion by Tabb, second by Morgan to allow 2 weeks to complete the storm water management on the project and also under the condition that the bond amount be increased to \$85,948 within one week. Motion carried.

**PLANNING COMMISSION ACTIVITY REPORT**

Paul Raco, Executive Director of Planning, Zoning and Engineering, gave the weekly Planning Commission Activity Report.

**In re: DARRELL PENWELL - EMERGENCY OPERATIONS PLAN AND NIMS COMPLIANCE**

Darrell Penwell, Director of the Office of Emergency Management, appeared before the Commission to discuss the Emergency Operations Plan and NIMS Compliance. After discussion, motion by Morgan, second by Surkamp to approve the current Emergency Operation Plan. Motion carried.

**In re: COX HOLLIDA LLP - APPROVAL OF AUDIT TERMS AND CONDITIONS**

Motion by Manuel, second by Tabb to approve the audit terms and conditions as presented by Cox Hollida LLP. Motion carried.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Tabb informed the Commission of a tour made by Russian farmers which occurred due to a contact made through the agricultural office's website.

Commissioner Tabb reported on a Farmland Protection Board meeting.

Commissioner Tabb reported on a Conservation Coordinator Committee Meeting. Commissioner Tabb commented on a letter in the agenda packet recognizing Barb Miller for her work on coordinating the storm weather courses with the National Weather Service.

Commissioner Tabb informed the Commission that the Farm Day Brochures were available.

Commissioner Manuel reported on a call he made to Charleston to inquire into obtaining machinery for posting driver's speed on the side of roadways.

Commissioner Manuel informed the Commission of an email received from Tim Barr requesting the services of Kirk Davis to provide a cost estimate for an indoor pool design. The Commission agreed to put this matter on the agenda for next week.

Commissioner Morgan commented on letters in the agenda packet from DEP and Shelley Moore Capito.

The County Administrator reminded the Commission of the Council of Governments meeting on Wednesday, May 31, 2006.

The County Administrator informed the Commission of the new high school groundbreaking ceremony and of various ribbon cuttings.

The County Administrator commented on the letter recognizing Barb Miller.

The Commission received the following information:

Reminder Courthouse is Closed on Monday, May 29, 2006 - Memorial Day.

Reminder of Council of Governments meeting on Wednesday, May 31, 2006 at 5:00 p.m.

Notice of Intent to Appoint on June 29, 2006 to the Parks and Recreation Commission, Harpers Ferry/Bolivar Public Service District, Summit Point Library Committee, Jefferson County Board of Health, Solid Waste Authority, West Virginia Eastern Panhandle Transportation Authority, and the Eastern Panhandle Regional Planning and Development Council.

Correspondence received from the Fire and Rescue Association concerning their support of the Jefferson County Ambulance Authority.

News release received from Congresswoman Shelley Moore Capito concerning a \$37,627 Grant for Leetown Park.

Correspondence received from Carol Gallant concerning the Jail Citizen Advisory Committee.

Invitation received to attend the Groundbreaking Ceremony for the New Jefferson

County High School on June 17, 2006, at 10:00 a.m.

Notice of a Ribbon Cutting at the Daily Grind on Friday, June 2, 2006.

Notice of a Ribbon Cutting at Jefferson Security Bank on Monday, June 5, 2006.

Correspondence received from James Brotherton, Senior Meteorologist of the National Weather Service, concerning his positive experience in working with Barb Miller on SKYWARN weather courses.

Copy of correspondence sent to Stephanie R. Timmermeyer from the the Department of Health and Human Resources received concerning the tonnage limit for the LCS North Mountain Landfill.

Correspondence received from Steven Mitchell, President of JCCEP, concerning the Lane Kendig stakeholders committee.

Correspondence received from the West Virginia Department of Environmental Protection concerning the draft WV/NPDES Water Pollution Control Permit.

Correspondence received from Congresswoman Shelley Moore Capito concerning aquatic wildlife.

Notice received from Loudoun County of comprehensive plan public hearings on June 7<sup>th</sup> and June 10<sup>th</sup>, 2006.

Weekly settlement for Charles Town Races 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