

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, June 15, 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 Morgan conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, June 8, 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 June 12, 2006, totaling \$33,601.66: 42747, 42630, 42631, 42632, 41555, 41557, 41997, 42425, 40706, 42506, 42632, 42381, 42338, 42587, 42550, 42551, 42552, 42553, 42668, 42669, 42670, 42671, 42672, 42673, 42674 and 42247. 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

The Commission discussed the following legislative issues:

- \$11,000,000 approved by the legislature for road paving projects.
- A bill allowing for the transfer of property from the Parks and Recreation Commission to the Blue Ridge Mountain Fire Department.
- A bill allowing for the transfer of the deed for Evitts Run Park from the Parks and Recreation Commission to the City of Charles Town.
- Commissioner Manuel agreed to research and work with counsel on the issue of Ambulance Fees and to research the Governor's flexibility for local government

programs.

In re: NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES

Upon recommendations from the Assessor, motion by Morgan, second by Tabb to approve the Notice of Apportionment of Jointly Owned Motor Vehicles for the following.

Motion carried:

Byron Maghan	99 Nissan Pathfinder	\$145.40
Jennifer Maghan	2000 Toyota Van	\$177.98

In re: BONDING AND ACTIVITY REPORT

Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission. There was no bonding to present this week. Mr. Raco gave the Planning Commission Activity Report for this week.

In re: PUBLIC COMMENT

No public comment was made.

In re: JOINT PLANNING COMMISSION (OLD BUSINESS #4 & NEW BUSINESS #9)

After discussion and comments from Paul Raco, motion by Tabb, second by Manuel to request legal review and review from the Department of Planning, Zoning and Engineering on the joint planning commission concept and to also include the wording of the draft letter to the municipalities in the legal review. Motion carried.

In re: SELECTION OF POINT OF CONTACT OR OTHER REPRESENTATIVES TO FURTHER DISCUSS THE FORMATION OF A CHARLES TOWN-JEFFERSON COUNTY JOINT PLANNING COMMISSION WITH CHARLES TOWN REPRESENTATIVES

The Commission agreed to put this matter back on the agenda next week.

In re: MICHAEL BALL - AIR QUALITY PROGRAM

Michael Ball, Air Quality Program Manager for the Region 9 Planning & Development Council, appeared before the Commission to give a report on the Air Quality Program.

In re: APPROVE RELEASE OF FUNDS FOR THE CLEAN AIR TASK FORCE IN JULY 2006

Motion by Tabb, second by Manuel to approve the release of funds for the Clean Air Task Force in July 2006. Motion carried.

In re: AGREEMENT WITH REGION 9 REGARDING THE EARLY ACTION COMPACT FOR AIR QUALITY

Motion by Tabb, second by Manuel to approve the agreement with Region 9 regarding the Early Action Compact for Air Quality. Motion carried.

In re: DR. STEVEN NICHOLS, DR. LORI STILLEY AND ANDREW SKINNER - IMPACT FEE DISBURSEMENT

Dr. Steven Nichols, Dr. Lori Stilley and Andrew Skinner appeared before the Commission to request that the Commission approve the disbursement of \$6.5 million dollars for the construction of the new high school. Mark Schiavone, Impact Fee Coordinator, was present and commented on the matter. Motion by Surkamp to grant the funds necessary for anything involved in the increase of capacity in old structures and new structures that can be contributed to increased population. Motion died due to a lack of a second. After further discussion, motion by Morgan, second by Tabb to set a Special Session with the School Board on June 21, 2006, at 10:00 a.m. to discuss the disbursement of Impact Fees. Motion carried.

In re: MAYOR JAMES A. ADDY - FIRE HYDRANTS ON BOLIVAR HEIGHTS

Mayor James A. Addy appeared to request that the Commission purchase fire hydrants on in the unincorporated area of Bolivar Heights. After discussion, motion by Morgan, second by Surkamp to approve the purchase of 2 fire hydrants for Bolivar Heights in the amount of \$4,871.84. Motion carried.

In re: CHIEF BURACKER - RADIO/OFFICER SAFETY ISSUES

Chief Donald Buracker appeared before the Commission to discuss Radio/Officer Safety Issues. Sheriff Boober was present and commented on the matter. After discussion, the Commission agreed to refer Chief Buracker's concerns to the 911 director for review.

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

Jennifer S. Maghan, County Clerk, appeared before the Commission to give her weekly report. Ms. Maghan reported on the County Clerk's Seminar and informed the Commission that Auditor Glen Gainer would be in Jefferson County in September. Upon request from the County Clerk, motion by Manuel, second by Tabb to approve the employment of Victoria Gaston in the Probate Office. Motion carried.

In re: MICHAEL POND - BAKERTON FIRE DEPARTMENT

Michael Pond appeared before the Commission to discuss the new Bakerton Fire Department. Mr. Pond discussed obtaining radios for the department.

The Commission took a break at 11:25 a.m.

The Commission reconvened at 11:32 a.m.

In re: KENDIG KEAST INFORMATION UPDATE

The Commission discussed the draft report received from Kendig Keast. The Commission agreed to make the information available to the Subdivision and Zoning Ordinance Committee and to post the report on the web. The Commission also agreed to

have copies available in their office as well as in the County libraries and to send copies to the municipalities.

In re: COUNTY BUILDING PROGRAM INFORMATION UPDATE AND ARCHITECT/ENGINEER RFP

The County Administrator presented the Commission with a Draft Architect/Engineer RFP for the proposed Courthouse Annex new construction and renovations to the existing buildings on the Courthouse block. The Commission agreed to add parking to the RFP. The Commission also discussed having Kirk Davis to look at the existing buildings and provide information on those buildings. After discussion, motion by Morgan, second by Manuel to authorize the President's signature on the Architect/Engineer RFP upon completion by the County Administrator. Motion carried.

In re: REQUEST DIGITAL COVERAGE OF COUNTY ZONING AND LAND USE PLAN FOR GREEN INFRASTRUCTURE STUDY

The Commission discussed implementing a policy for the disbursement of digital coverage of County Zoning and Land Use Plan for the Green Infrastructure Study. The Commission agreed to have a policy drafted for approval.

In re: REQUEST APPOINTMENT - MS. STACI HOVERMALE - PUBLIC SAFETY DISPATCHER

Motion by Tabb, second by Manuel to approve the employment of Ms. Staci Hovermale as a Public Safety Dispatcher. Motion carried.

In re: JAILHOUSE CITIZEN ADVISORY COMMITTEE - COUNTY COMMISSION IDEAS OF PREFERENCES ON HOW BEST TO RECEIVE SUGGESTIONS FROM THE ADVISORY COMMITTEE

The Commission discussed the Jailhouse Citizen Advisory Committee. After discussion, the Commission agreed to invite the Committee the next time the Architect meets with the Commission.

In re: LETTER OF SUPPORT FOR COMPLETION OF THE STATE SOIL SURVEY MAP IN DIGITAL FORM

Motion by Tabb, second by Morgan to approve a letter of support for the completion of the State Soil Survey Map in digital form. Motion carried.

In re: ANNUAL UTILIZATION REPORTS

Motion by Manuel, second by Tabb to approve the Annual Utilization Reports for the Jefferson County Receiver Site. Motion carried.

In re: APPROVAL OF FIRE COMPANY CONTRACTS

Motion by Morgan, second by Manuel to approve the Fire Company Contracts for Friendship Fire Company, Citizens Fire Company, Blue Ridge Mountain Fire Company,

Independent Fire Company and Shepherdstown Fire Company in the amount of \$20,000. Motion carried.

In re: EMERGENCY FUNDING FOR EMERGENCY SERVICES

The Commission discussed emergency funding for the Ambulance Authority. After discussion, motion by Morgan, second by Tabb to draft a letter to the municipalities that the Commission will provide matching funds up to \$115,000 and to recommend the municipalities provide a suitable level of funding based on demographics and to put this letter on next week's agenda for approval. Motion carried.

In re: COVENANT BAPTIST CHURCH - REQUEST FOR EXTENSION

After discussion and comments from Paul Raco, motion by Manuel, second by Tabb to approve a six month bond extension for Covenant Baptist Church. Motion carried.

In re: COUNTY ADMINISTRATOR REPORT

The County Administrator discussed request from the auditor's. Motion by Surkamp, second by Tabb to approve a contract extension for the Auditor's until August 15, 2006. Motion carried.

Motion by Manuel, second by Tabb to approve the change order from the auditor for additional services. Motion carried.

The County Administrator informed the Commission that the agenda closes on Monday at noon.

The County Administrator reminded the Commission of the meeting with race track representatives on Monday at 10:00 a.m.

In re: COUNTY COMMISSION REPORTS

Commissioner Tabb reported that there was a committee meeting for the Charles Town Comprehensive Plan but there wasn't a quorum.

Commissioner Tabb reported on the flag raising at the Courthouse on Flag Day.

Commissioner Tabb reported on reading stories about storm readiness to students at Shepherdstown Elementary.

Commissioner Tabb reported on a Region 9 meeting.

Commissioner Tabb reported on an Air Quality meeting.

Commissioner Surkamp reported on a Flu Pandemic Table Top exercise he attended with Commissioners Morgan and Corliss.

Commissioner Morgan commented on a letter from United Propane. The Commission agreed to invite United Propane to a Commission meeting.

Commissioner Morgan commented on a memo from Sheriff Boober to the County Clerk concerning payroll issues.

Commissioner Morgan requested that Darrell Penwell meet with the Commission for an update.

Commissioner Corliss reported on the Planning Commission meeting.

Commissioner Manuel reported on the Development Authority meeting with Frontier concerning wireless.

Commissioner Manuel informed the Commission that they had been invited by school superintendent, Dr. Nichols, to attend a meeting in support of ROTC at the new high school.

Commissioner Tabb informed the Commission that bio-diesel was available at the Inwood Farmers Market.

The Commission received the following information:

Reminder Agenda Closes at Noon on Monday, June 19, 2006.

Reminder Courthouse is closed, Tuesday, June 20, 2006 - West Virginia Day.

Reminder of meeting/workshop Monday, June 19, 2006 at 10:00 p.m. with representatives from Charles Town Races & Slots.

Notice of change in the National Response Plan (NRP) as of May 26, 2006.

Press Release received from South Jefferson Public Library concerning Local Artist Premier at First "Art In the Library" Exhibition.

Open House invitation received from Campbell, Miller Zimmerman, P.C. for Thursday, June 29, 2006 from 4:00-8:00 p.m.

Correspondence received from Joe Manchin, III, Governor concerning the Land and Water Conservation Fund program.

Correspondence received from Joe Manchin, III, Governor concerning the Enforcing the Underage Drinking Laws program.

Correspondence received from the Office of the State Auditor concerning the State Auditor's annual in-service training program on July 30-August 1, 2006.

Correspondence received from the County Commissioner's Association of West Virginia concerning the County Commissioner's Annual meeting registration.

Correspondence received from The Conservation Fund concerning the Great Green Opportunities project for Jefferson County.

Stage Whispers received from the Old Opera House Theatre Company, Inc.

Correspondence received from United Propane concerning Franchise for Distribution of Propane Gas.

Correspondence received from the Department of Military Affairs and Public Safety concerning Bakerton Volunteer Fire Department, Inc.

Correspondence received from the Division of Criminal Justice Services concerning Direct Service Mileage.

Correspondence received from Ed Boober, Sheriff concerning reconciliation of Payroll Accounts for May 2006.

E-911 fees received from Citizens Communications Company.

Correspondence received from the WV Association of Counties concerning Severance tax upheld.

Correspondence received from County Commissioners' Association of West Virginia concerning Coal Severance Lawsuit.

Correspondence received from County Commissioners' Association of West Virginia concerning Governor Joe Manchin seeking tax moneys for roads.

June Legislative Interim Schedule received from the County Commissioners' Association of West Virginia.

Correspondence received from County Commissioners' Association of West Virginia concerning U.S. Supreme Court's refusing tax challenge from coal, steel.

Invitation received from West Virginia Association of Counties for the Third Annual Regional Community and Economic Development Summit Saturday, July 15, 2006.

Correspondence received from Eastern Panhandle Regional Planning and Development Council - Region 9 concerning Fiscal Year 2007 Annual Assessment.

Correspondence received from West Virginia Prosecuting Attorneys Institute concerning WVPAl 2006 premiums.

Correspondence received from Loudoun County Virginia Department of Planning concerning Comprehensive Planning and Regulations.

Correspondence received from West Virginia Division of Culture & History

concerning proposed Tackley Mill Development.

Acceptance of Bond received from the Department of Planning, Zoning & Engineering for R & L Lawn Care and Landscape, Inc.

Notice received from Sherry Kelly, Planner of Subdivision Work Session on Friday, June 16, 2006 at 10:00 a.m.

Notice of 2006 Permit Activity received from the Department of Planning, Zoning and Engineering.

May 1, 2006 meeting minutes received from the Jefferson County Public Service District.

Correspondence received from United States Bankruptcy Court concerning Adelpia Communications Corporation.

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

PRESIDENT