

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 22, 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 Tabb conducted the Pledge of Allegiance.

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, June 15, 2006, and to approve the Minutes as prepared. 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 19, 2006, totaling \$100,848.12: 42505, 42633, 42930, 42580, 42588, 42802, 42804, 42676, 42678, 42680, 42776, and 42249. 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 CHAMBER OF COMMERCE - LEADERSHIP JEFFERSON - REQUEST FOR COUNTY COMMISSION AND COUNTY STAFF TO PARTICIPATE

The Commission agreed to send a letter to the Chamber of Commerce to inform them that the Commission and the County Administrator will participate in the Leadership Jefferson program.

In re: HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT - REQUEST TO BE ALLOWED INPUT ON THE APPOINTMENT TO THEIR BOARD

The Commission agreed to send a letter to the Harpers Ferry/Bolivar Public Service District to inform them that the Commission will report to them on any applications received for appointment to their board.

In re: "ZONING NOW" - CONSIDER EXPEDITION OF LAND KENDIG CONTRACT TO COMPLETE ZONING ORDINANCE BEFORE SEPTEMBER 30

Motion by Manuel, second by Tabb to set a meeting date of the Jefferson County Subdivision & Zoning Ordinance Steering Committee for June 28, 2006, at 7:00 p.m. in order for the steering committee to meet and organize before their meeting with Lane Kendig. Motion carried.

In re: COMPLETE BOND RELEASE - VICTORY FREEWILL BAPTIST CHURCH

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Manuel, second by Tabb to approve the complete release of an escrow account in the amount of \$55,366 for Victory Freewill Baptist Church. Motion carried.

In re: PARTIAL BOND RELEASE - FELLOWSHIP BIBLE CHURCH

Upon recommendation from the Executive Director of Planning, Zoning and Engineering, motion by Tabb, second by Morgan to approve the partial release of a letter of credit in the amount of \$239,017.48 for Fellowship Bible Church, with the County to retain \$340,377.28. Motion carried.

In re: PLANNING COMMISSION ACTIVITY REPORT

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

In re: PUBLIC COMMENT

Toni Milbourne inquired if there would be interviews for the upcoming Parks and Recreation appointments. The Commission agreed to conduct interviews for the various upcoming appointments on July 13, 2006.

In re: KEEP JEFFERSON BEAUTIFUL AWARD PRESENTATION

John Degurse, from Keep Jefferson Beautiful, appeared before the Commission to present an award to Boy Scout Troop #142 for their participation in picking up litter from the County roadways.

In re: JEFFERSON COUNTY AMBULANCE AUTHORITY - FUNDING DISCUSSION

Ed Smith, from the Jefferson County Ambulance Authority, appeared before the Commission to discuss funding for the Ambulance Authority. Mr. Smith presented a resolution from the Ambulance Authority supporting the Commission's query of the municipalities for funding. After discussion, motion by Morgan, second by Manuel to send a letter to the municipalities requesting matching funds for the Ambulance Authority and to also send a copy of the Ambulance Authority's resolution with the letter. Motion carried.

The Commission took a break at 10:23 a.m. The Commission reconvened at 10:30 a.m.

In re: JAMIE P. FRANCOMANO - EASTERN PANHANDLE BUILDERS ASSOCIATION - 2003 IRC BUILDING CODE

Jamie P. Francomano, from the Eastern Panhandle Builders Association, appeared before the Commission to discuss the 2003 IRC Building Codes which were adopted by the West Virginia State Legislature on May 15, 2006. After discussion and comments from Paul Raco, motion by Surkamp, second by Tabb to request that Mr. Raco draft a letter to the Secretary of State supporting their current efforts for an emergency fix of the 2003 IRC Building Code pertaining to stair geometry. Motion carried.

In re: KENNETH I. "KIP" PAGE - CHARLES TOWN COMPREHENSIVE PLAN

Kenneth I. "Kip" Page appeared before the Commission to discuss the Charles Town Comprehensive Plan. No action was taken on this matter.

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 presented depository bonds for approval. Motion by Tabb, second by Manuel to accept the new depository bond from BB&T Bank in the amount of \$5,000,000. Motion carried. Motion by Morgan, second by Tabb to approve the release of the formal collateral. Motion carried.

Ms. Maghan informed the Commission that she would be participating in the Leadership Jefferson program.

Commissioner Tabb inquired into some travel expenses that were made by the County Clerk's office. The Commission discussed possibly implementing a travel policy.

The Commission took a break at 11:15 a.m. The Commission reconvened at 11:20 a.m.

In re: DISCUSS JEFFERSON COUNTY COMMISSION ACCEPTING OR REJECTING THE CHARLES TOWN MONDAY NIGHT PROPOSAL TO REFER THE PROPOSED ESTABLISHMENT OF A JOINT CHARLES TOWN JEFFERSON COUNTY PLANNING COMMISSION TO THE COUNCIL OF GOVERNMENT

After discussion and comments from Brandon Sims, the Commission agreed to send the joint planning commission letter to the municipalities with the amendments provided by the Commission and Brandon Sims.

In re: BRANDON SIMS - LEGAL COUNSEL UPDATE AND REPORT

Brandon Sims, Assistant Prosecuting Attorney, appeared before the Commission to give a legal counsel update and report. Motion by Tabb, second by Manuel to enter into Executive Session with legal counsel in order to discuss current and pending litigation. Motion carried. Motion by Tabb, second by Morgan to return to Regular Session. Motion carried. No action was taken during or after Executive Session.

In re: COUNTY COMMISSION REPORTS

Commissioner Corliss reported on the Water Advisory Committee meeting.

Commissioner Tabb reported on the Charles Town City Council meeting on the new draft comprehensive plan.

Commissioner Tabb reported on a Development Authority meeting.

Commissioner Tabb reported that there was no quorum for the TDR Committee meeting.

Commissioner Tabb reported on Farm Day.

Commissioner Manuel commented on Farm Day.

Commissioner Manuel reported on an open house at Burr Industrial Park.

Commissioner Manuel reported on a Parks and Recreation Commission meeting.

The Commission received the following information:

Notice of County Commission meeting cancellation on July 6th, 2006.

Appointments to be made to the following boards on June 29, 2006:

- Jefferson County Parks and Recreation Commission
- Harpers Ferry/Bolivar Public Service District
- Summit Point Library Committee
- Jefferson County Board of Health
- Jefferson County Solid Waste Authority
- Eastern Panhandle Regional Planning and Development Council
- West Virginia Eastern Panhandle Transportation Authority

Change Order - For Additional Services received from Cox Hollida LLP.

Audit Contract Extension received for Cox Hollida LLP.

Notice received of the Workforce West Virginia Annual Conference on August 30 - September 1, 2006.

Notice received from the Public Service Commission of the appointment of Robert Graf to the Solid Waste Authority.

Information received from Allegheny Power concerning Briar Run.

Notice received from the National Environmental Services Center at WVU of the 7th Annual Environmental Training Institute for Small Communities on July 25-28, 2006.

Notice received of a Country of Origin Labeling & Lot Tracking Seminar on June 27, 2006.

Notice received from the Virginia Cooperative Extension of a Farming 101 Class on August 8-31, 2006.

West Virginia Ethics Act - Gift Guidelines received from the Association of Counties.

Dues invoice for 2006-2007 received from the County Commissioners' Association.

Copy of newspaper article concerning pay raises for correctional officers received from the County Commissioners' Association.

Notice of Ribbon Cutting for the Grand Re-Opening of Food Lion at the Somerset Plaza on June 21, 2006, at 10:00 a.m.

Harpers Ferry National Historical Park Community Bulletin received.

Information received from Curt Mason concerning Friends of Happy Retreat.

Notice received of a public hearing on Monday, June 19, 2006 before the Loudoun County Planning Commission for a Comprehensive Plan Amendment.

Copy of correspondence sent to the State Historic Preservation Office from Linda Case, of Citizens Reclaiming Our County, received requesting a review in the Bullskin Historic District.

Copy of correspondence sent to the U.S. Department of Housing & Urban Development from the City of Martinsburg received concerning the formation of Eastern Panhandle HOME Consortium of West Virginia.

Correspondence received from the National Park Service concerning the approval of a Land and Water Conservation Fund Grant.

Notice of Presentment of Stipulation and Agreed Order with Respect To Second Modified Fourth Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code for Adelpia Communications.

Harpers Ferry/Bolivar Public Service District Meeting Minutes received.

Weekly settlement for the 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.

PRESIDENT