

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, September 14, 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 Manuel conducted the Pledge of Allegiance.

In re: DISPENSE WITH READING OF MINUTES

Motion by Morgan, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, September 7, 2006, and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS

Motion by Manuel, second by Tabb to approve the following Purchase Orders for the Week of September 11, 2006, totaling \$107,104.30: 42912, 43194, 43106, 42936, 42911, 42757, 43043, 43188, 43191, 43076, 43077, 42255, 42842, and 43186. Motion carried.

In re: APPOINTMENT OF ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS

No action was taken on this matter.

In re: APPOINTMENT TO THE HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT

No action was taken on this matter.

In re: APPOINTMENT TO THE JEFFERSON COUNTY BOARD OF HEALTH

The Commission discussed the application to the Board of Health by Patrice Flynn. After discussion, the Commission determined that Ms. Flynn was not eligible for appointment to the Board of Health according to statute that limits the number of members from the same political party.

In re: APPOINTMENT TO THE JEFFERSON COUNTY BUILDING COMMISSION

No action was taken on this matter.

In re: PLANNING COMMISSION APPOINTMENT INTERVIEW

The County Commission interviewed Ellen May for the Planning Commission.

In re: PAUL RACO - BONDING AND ACTIVITY REPORT

Paul Raco, Executive Director of Planning, Zoning and Engineering, appeared before the Commission for Bonding and the Planning Commission Activity Report. Mr. Raco informed the Commission that there was no bonding for this week. Mr. Raco reported on the Planning Commission meeting that was held on September 12, 2006. The Commission also discussed blasting with Mr. Raco. Commissioner Corliss discussed the Land Use Legal seminar that he attended.

In re: PUBLIC COMMENT

Toni Milbourne reminded the Commission of the Ribbon Cutting and Grand Opening at the Jefferson County Community Center on Saturday, September 16, 2006.

In re: HISTORIC LANDMARKS COMMISSION - MAPPING PRESENTATION

John Allen, Jr., from the Historic Landmarks Commission, appeared before the Commission to give a presentation on mapping developed by the Historic Landmarks Commission.

**In re: FARMLAND PROTECTION BOARD - ANTHONY AND JAN LORBER PROPERTY -
CONSERVATION EASEMENT**

Kellie Boles appeared before the Commission to request the approval of a conservation easement for the Anthony and Jan Lorber Property. Motion by Tabb, second by Morgan to approve the conservation easement for the Anthony and Jan Lorber Property. Motion carried.

In re: PLANNING COMMISSION APPOINTMENT INTERVIEW

The Commission interviewed Herb Snyder for the Planning Commission.

**In re: JIMMY PEARSON - REQUEST FUNDING FOR YOUTH FOOTBALL LEAGUE NEW FIELD
LIGHTS**

Jimmy Pearson, from the Jefferson County Youth Football and Cheerleading League appeared before the Commission to request funding lights for the new football field. After discussion, motion by Manuel, second by Tabb to allocate \$5,000 from the ½% funds for the lights for the new youth football field. 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. The following agenda items were discussed:

- **West Virginia Federal Sub Recipient Disbursement Agreement for HAVA Voting Accessibility Grant**

Motion by Morgan, second by Manuel to approve the application for the West Virginia Federal Sub Recipient Agreement for HAVA Voting Accessibility Grant for the purchase of a power point projector. Motion carried.

- **Letter to County Offices Regarding Information Needed for County Financial Statement & From Source Records to Financial Statements - Brief Explanation of What Information is Needed and Why**

Motion by Surkamp, second by Manuel to attach a cover letter from the County Commission to support the County Clerk's letters requesting information needed to complete the financial statement. Motion carried.

The Commission took a 5 minutes break at 11:15 a.m.

In re: SHEILA BIRNBACH - MANAGEMENT STUDY INTERIM REPORT

Sheila Birnbach, Management Study Consultant, appeared before the Commission to give an interim report on the Management Study. Ms. Birnbach recommended having a workshop with the Commission in October.

In re: APPOINTMENT TO THE PLANNING COMMISSION

Nomination by Morgan to appoint Ellen May to the Planning Commission for an unexpired term ending March 31, 2007.

Nomination by Manuel to appoint Herb Snyder to the Planning Commission for an unexpired term ending March 31, 2007.

Commissioners Corliss, Morgan and Surkamp voted for Ellen May.

Commissioners Tabb and Manuel voted for Herb Snyder.

Ellen May was appointed to the Planning Commission for an unexpired term ending March 31, 2007.

The Commission agreed to ask Mr. Snyder if he would be interested in applying for the appointment open for an alternate on the Board of Zoning Appeals.

In re: LEGISLATIVE ISSUES

Commissioner Manuel reported on the public meeting with Governor Manchin at Shepherd University. The Commission discussed legislative issues to put on the list requested by the County Commissioners' Association for the legislative board meeting at Canaan Valley. Motion by Tabb, second by Manuel to send the legislative issues discussed to the County Commissioners' Association for the legislative board meeting at Canaan Valley. Motion carried.

In re: KENDIG KEAST UPDATE/ORDINANCE REWRITE DISCUSSION AND DIRECTION

The Commission discussed the schedule for Kendig Keast's visit next week. The Commission agreed to schedule their last meeting with Kendig Keast for Wednesday at 3:00 p.m. The Commission also agreed to schedule Jefferson County Citizens for Economic Preservation for 11:00 on Wednesday with Kendig Keast, as requested on agenda new business item #7.

In re: ESTABLISH A DAYBOOK POLICY

The Commission discussed establishing a daybook policy. Commissioner Corliss suggested that Commissioner Surkamp put the policy in writing for the Commission to review.

In re: PERMISSION FOR JEFFERSON COUNTY TO PARTICIPATE IN THE STATE OF WEST VIRGINIA 457 DEFERRED COMPENSATION PLAN

Motion by Manuel, second by Tabb to allow County employees to participate in the voluntary 457 deferred compensation plan. Motion carried.

In re: PENDLETON COUNTY COMMISSION - REQUEST FOR FINANCIAL SUPPORT TO FUND THE WEST VIRGINIA PREDATOR CONTROL PROGRAM

The Commission agreed to inform the Pendleton County Commission that they did not want to provide financial support for the West Virginia Predator Control Program at this time.

In re: APPROVAL OF EMPLOYMENT - JAMES CASIMIRO, III, ESQUIRE - ASSISTANT PROSECUTING ATTORNEY - CIVIL DIVISION

Motion by Surkamp, second by Morgan to approve the employment of James Casimiro, III, Esquire as and Assistant Prosecuting Attorney in the Civil Division. Motion carried.

In re: GRANT CONTRACT AGREEMENT & RESOLUTION - DIVISION OF CRIMINAL JUSTICE SERVICES - ENFORCING UNDERAGE DRINKING PROGRAM

Motion by Morgan, second by Tabb to approve the grant contract agreement and resolution with the Division of Criminal Justice Services for the Enforcing Underage Drinking Program. Motion carried.

In re: APPROVAL OF DEPUTY RESERVES - CHARLES HEAFER, BRAD SHORT AND CRYSTAL AYLWARD

Motion by Tabb, second by Morgan to approve Charles Heafer, Brad Short and Crystal Aylward as Deputy Reserves. Motion carried.

In re: APPROVAL OF EMPLOYMENT - RONALD J. MOLTERE - COURT BAILIFF/BUILDING SECURITY OFFICER

Motion by Surkamp, second by Manuel to approve the employment of Ronald J. Moltere as a Court Bailiff/Building Security Officer. Motion carried.

In re: WORK SESSION - DARRELL PENWELL & BARBARA MILLER - RE: BIG EMERGENCIES

The Commission agreed to schedule a work session with Darrell Penwell and Barbara Miller.

In re: ANY MONEY IN THE GENERAL FUND THAT IS UNATTACHED TO BE PLACED IN A SAVINGS ACCOUNT AND THEN RE-BUDGETED

Motion by Morgan, second by Corliss to put \$2.5 million into an account for the building fund and to consider how to allocate the remaining unencumbered funds. Motion passed by a 4-1 vote. Commissioner Surkamp voted no.

In re: COUNTY ADMINISTRATOR REPORTS

The County Administrator informed the Commission that 8 RFQ's were received for the Mountain Water System. The Commission agreed to have the same evaluation committee review the RFQ's.

The County Administrator informed the Commission that 3 bids were received for the annual audit.

The County Administrator informed the Commission that Mr. Crawford would be sending annexation information to the Commission at the same time that he sends the information to legal counsel for review.

The County Administrator reminded the Commission of various meeting and invitations.

The County Administrator discussed the 2 term limit for the Farmland Protection Board. The Commission agreed to add this matter to the list of legislative issues to send to the County Commissioners' Association.

In re: COUNTY COMMISSION REPORTS

Commissioner Surkamp reported on a zoning issues legal seminar.

Commissioner Morgan reported on a Karst Seminar at NCTC.

Commissioner Tabb reported on the following:

- Opening Day for the Youth Football League
- Parade for the Firemen's Association Convention
- Development Authority meeting
- TDR meeting
- Board of Education Meeting concerning release procedures for impact fees
- Region 9 meeting

Commissioner Manuel reported on the following:

- **Opening Day for the Youth Football League**
- **Parade for the Firemen's Association Convention**
- **Charles Town Annexation Proposal Presentation**
- **Senior picnic**

Commissioner Manuel discussed providing Betty Ireland with election questions.

Commissioner Corliss reported on the following:

- **Public Service District meeting**
- **Development Authority meeting**
- **Land Use Legal Seminar**
- **Hagerstown MPO meeting**

Commissioner Morgan reported on a rotary meeting discussion concerning a water line to NCTC.

The Commission received the following information:

Notice of Special Meeting on October 7, 2006, at 9:30 a.m. for public comment and discussion concerning issues and topics in Jefferson County.

Appointment to be made to the Farmland Board on September 21, 2006.

Memorandum received from the Executive Director of the Department of Planning, Zoning and Engineering concerning document safety.

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

Notice received from the Department of Planning, Zoning and Engineering of a Subdivision Work Session on Friday, September 15, 2006.

Correspondence received from James B. Crawford, III concerning an annexation request by Ranson for Scott's Auto Body & Collision Center, LLC.

Correspondence received from The Senate of West Virginia Committee on Finance concerning insurance coverage.

Correspondence received from Peter G. Smith concerning the proposed regulation of amateur radio antennas in the draft zoning ordinance.

Commissioner's Orders received from the Division of Highways concerning Meadow Drive.

Correspondence received from James J. Gianato concerning All Hazards Planning.

Correspondence received from Carol Gallant concerning the production of "The Anvil."

Correspondence received concerning the Transportation Enhancement Project Announcements.

Invitation received to attend the CERT picnic on Sunday, September 17, 2006, from 1:00 p.m. - 3:00 p.m., at Jefferson Memorial Park.

Correspondence received from Bea Barrat concerning a swimming pool in Jefferson County.

Correspondence received from Darren and Laura Bryan concerning a swimming pool in Jefferson County.

Correspondence received from the Jefferson County Health Department concerning document safeguarding.

Correspondence received from Independent Fire Company concerning donations.

Information received from Blake Business Services, Inc. concerning their products and services.

Information received from the Division of Highways concerning the Transportation Enhancement Program.

Correspondence received from the Division of Highways concerning traffic control at the intersection of Flowing Springs Road and West Virginia 230.

Invitation received to attend The Journey Through Hallowed Ground Exhibit and Reception on September 21, 2006, at 6:00 p.m.

Invitation received to attend the annual Awards Banquet hosted by the Eastern Panhandle Conservation District on October 4, 2006, at 6:00 p.m.

Invitation received to attend the Ribbon Cutting and Grand Opening Celebration for the Jefferson County Community Center at Sam Michael's Park on Saturday, September 16, 2006, beginning at 11:00 a.m.

Notice received of a Brownfields West Virginia: Risk and Rewards Seminar on

September 26, 2006.

Information and copies of newspaper articles received from the County Commissioners' Association concerning annexation issues and regional jail issues.

Information received from the County Commissioners' Association concerning the Governor's Conference on Housing.

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

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

PRESIDENT