

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, October 26, 2006, beginning at 9:30 o'clock a.m.

PRESENT: Gregory Corliss, President;
A.M.S. (Rusty) Morgan, III;
Dale Manuel; Jane M. Tabb; Commissioners

Commissioner Surkamp was absent due to a prior commitment.

In re: PLEDGE OF ALLEGIANCE

Commissioner Tabb 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, October 19, 2006, and to approve the Minutes as amended. Motion carried.

Motion by Morgan, second by Manuel to approve the amendments of the Minutes from Thursday, October 12, 2006, 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 October 23, 2006, totaling \$5,620.46: 43126,43310,43311,3314,43208,43088,43089, and 42845. Motion carried.

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

No action was taken on this item.

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

No action was taken on this item.

In re: APPOINTMENT TO THE JEFFERSON COUNTY BUILDING COMMISSION

No action was taken on this item.

In re: LEGISLATIVE ISSUES

Commissioner Manuel reported on a Homeland Security meeting that was scheduled for today. The Commission also discussed tax issues.

In re: 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 this week. Mr. Raco reported on the Planning Commission meeting on Tuesday. The Commission also discussed Kendig Keast with Mr. Raco.

In re: PUBLIC COMMENT

Nancy Lutz commented on annexations, urban growth boundaries and the definition of contiguous.

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

This item was discussed under the Bonding and Activity Report.

In re: APPROVAL OF GRANT AWARD DOCUMENTS - HOMELAND SECURITY SUB-GRANT IN THE AMOUNT OF \$205,000

The Commission discussed NIMS compliance. No action was taken on this matter.

In re: COURTHOUSE ANNEX ENGINEER/ARCHITECT REVIEW RECOMMENDATION

Motion by Morgan, second by Tabb to authorize the County Administrator to enter into contract negotiations with Silling Architects for the Courthouse Annex. Motion carried.

In re: COUNTY COMMISSION CALENDAR - SUBSCRIBE BY EMAIL - RECEIVE EMAIL NOTICE OF COUNTY COMMISSION EVENTS - DISCUSSION AND POSSIBLE ACTION

The Commission discussed the possibility of an email subscription service for notification of County Commission events. The Commission directed staff to come up with a plan to implement an email subscription service.

In re: JEFFERSON COUNTY FAIR ASSOCIATION - REQUEST FOR LAND TRANSFER 13.457 ACRES

Mike Alvarez and Don Mickey, from the Jefferson County Fair Association, appeared before the Commission to request a land transfer of 13.457 acres to the Fair Association. After discussion, motion by Morgan, second by Tabb to approve the request from the Jefferson County Fair Association for a land transfer of 13.457 acres. Motion carried.

In re: SHEILA EVERS, EXECUTIVE DIRECTOR, BIRTHRIGHT - REQUEST FOR FUNDING

Sheila Evers and Melissa Alamas, from Birthright, appeared before the Commission to request funding in the amount of \$8,500. After discussion, the Commission asked that Birthright resubmit their request for funding in February in order to be included in the Commission's budget deliberations.

In re: CITY OF CHARLES TOWN STREET COMMITTEE - GATEWAY REVITALIZATION

Randy Breeden, from the Charles Town City Council, appeared before the Commission with Jane Arnett and Joe Cosentini to request the County Commission's participation in the Gateway Revitalization project. After discussion, motion by Manuel, second by Tabb to become a partner in the process of Gateway Revitalization with the City of Charles Town. Motion carried.

The Commission took a 5 minute break at 10:45 a.m.

In re: COURT FACILITIES - PROPOSED LEASE FOR 3,100 SQUARE FEET AT 201 NORTH GEORGE STREET

The Commission discussed the proposed lease for 3,100 square feet for court facilities. After discussion, the Commission agreed to ask the Prosecuting Attorney and the Sheriff to look at the property and provide the Commission with an opinion.

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 updated the Commission on election information. Ms. Maghan requested the Commission approval of the accounts payable for October 26, 2006. Motion by Manuel, second by Tabb to defer action on the approval of the accounts payable list until after having a meeting with the Auditor's office, to be coordinated by the County Administrator, to review the audit recommendations made by the County Clerk. Motion failed by a 2-2 vote. Commissioners Morgan and Corliss voted no. Motion by

Corliss, second by Tabb to have the County Administrator coordinate a meeting with the State Auditor's office to review the recommendations made by the County Clerk with the exception of the approval of the accounts payable list. Motion carried. Motion by Morgan, second by Corliss to approve the Accounts Payable list dated October 26, 2006, as presented by the County Clerk. Motion carried.

Check Number	Vendor Number	Vendor Name	PO #	Amount
50607	10006	Allegheny Power		\$ 5,648.63
50608	10082	Around the Clock Cleaning		\$ 4,275.00
50609	11082	B-K Office Supply	43304	\$ 573.84
50610	12000	CT Walls & Floors, Inc.	43057	\$ 14,943.73
50611	12008	Casto & Harris	43125	\$ 4,434.32
50611	12008	Casto & Harris	42976	\$ 308.00
50611	12008	Casto & Harris	43127	\$ 172.08
50612	12042	Creamers Auto Service	43313	\$ 89.95
50612	12042	Creamers Auto Service	43306	\$ 42.99
50612	12042	Creamers Auto Service	43312	\$ 72.75
50613	13008	Dayton Legal Service	43007	\$ 139.14
50614	13041	Div. Criminal Justive Svc.	43240	\$ 1,000.00
50615	13048	Daycon	43303	\$ 472.67
50616	13065	Shanna D. Nicodemus		\$ 257.21
50617	13108	Dept. Of Motor Vehicles	43012	\$ 75.00
50618	14022	J.C. Ehrlich		\$ 250.00
50619	16038	Roger Goodwin		\$ 23.07
50620	16048	Stephen V. Groh		\$ 37.85
50621	17085	Cox Hollida LLP		\$ 3,750.00
50622	19017	The Journal	43124	\$ 121.45
50622	19017	The Journal	43242	\$ 347.81
50623	19063	Jefferson Co. Fair Assoc.		\$ 20,000.00
50624	19074	Dr. Robert Jones		\$ 1,000.00
50625	20033	Key Transcripts, Inc.	43087	\$ 129.00
50626	22004	Matthew Bender & Co.	43011	\$ 130.00
50627	22047	Home Depot Credit Services		\$ 274.02
50628	22060	McKinney's Auto Repair	43307	\$ 26.95
50629	22108	Markl Supply Co.	43245	\$ 4,935.00
50630	23024	Natl Emergency Nbr Assoc	43335	\$ 120.00
50631	25007	Pifer Office Supply, Inc.	42846	\$ 15.95
50631	25007	Pifer Office Supply, Inc.	43110	\$ 870.15
50631	25007	Pifer Office Supply, Inc.	43120	\$ 99.95
50632	25011	Postmaster Charles Town		\$ 15.75
50633	25085	PFC Product, Inc.	43118	\$ 300.95
50634	27000	Paul J. Raco		\$ 204.70
50635	27045	Roach Oil Company		\$ 6.01
50636	28015	Smith-Nadenbousch Ins.		\$ 376.00
50637	28025	Staples Credit Plan	43086	\$ 281.56
50638	28085	Stewarts Men's Wear	43241	\$ 252.60
50639	28122	Sprint PCS		\$ 17.32
50640	28126	Southern Pub/Safety Equip	43244	\$ 65.37
50641	28128	Scotts Auto Body	43308	\$ 800.00
50642	28161	Shannon Business System	42761	\$ 369.38
50643	28183	Shenandoah Air Cond/Htng	43302	\$ 1,497.00
50644	28188	Kimberly Sisk		\$ 53.24
50645	29002	Thomassen Ford Mercury	43309	\$ 47.02
50645	29002	Thomassen Ford Mercury	43305	\$ 273.30
50646	31018	Panhandle Accident Recon	42919	\$ 1,200.00

50647	32034	WV Sheriffs Association	43243	\$ 230.00
Total Without PO's				\$ 36,188.80
Total With PO's				\$ 70,626.71

In re: IMPROVEMENTS TO JEFFERSON COUNTY WEBSITE - RECOMMENDATIONS FROM PUBLIC, STAFF & VOLUNTEERS

The Commission discussed possible improvements to the County's website. After discussion, the Commission agreed to have the County Administrator review the website.

In re: JAMES B. CRAWFORD - ANNEXATIONS

James B. Crawford appeared before the Commission with the following annexations:

- RANSON ANNEXATION - SCOTT'S AUTO BODY

After discussion, motion by Tabb, second by Manuel to accept the Ranson Order for Annexation for Scott's Auto Body. Motion carried.

- CHARLES TOWN ANNEXATION - LANGLETT PROPERTY

After discussion, motion by Manuel, second by Corliss to delay the Charles Town Annexation for the Langlett property for one week in order to receive verification from legal counsel. Motion carried.

In re: BRANDY SIMS - LEGAL UPDATE AND REPORT

Ms. Sims discussed the following agenda items with the Commission:

- REQUEST FOR REZONING - LAST CHANCE USED CARS

After discussion with Ms. Sims, motion by Morgan, second by Manuel to have a hearing date set for the request for rezoning for Last Chance Used Cars contingent on legal counsel contacting the petitioners for clarification.

- PROPOSED PLANNING COMMISSIONER REMOVAL ORDINANCE

Ms. Sims reported to the Commission that she was finalizing the definitions in the draft and should have the document ready for next week.

Ms. Sims presented the Commission with her list of items to be completed for the Commission and requested that the Commission prioritize them.

Ms. Sims then requested that the Commission enter into an Executive Session in order to discuss personnel matters. Ms. Sims requested that the Commission include the County Administrator in the Executive Session. Motion by Morgan, Second by Tabb to enter into Executive Session to discuss personnel matters. Motion carried.

Motion by Morgan, second by Tabb to return to Regular Session. Motion carried.

Motion by Manuel, second by Tabb to establish a grievance review board, consisting of appointed employees, in order to hear any grievances from employees that may be before the County and to have legal counsel set up the grievance board. Motion carried.

In re: COUNTY ADMINISTRATOR

The County Administrator commented on an Information item on the agenda concerning the National Flood Insurance Program's Community Rating System.

In re: PUBLIC COMMENT

John Piwowarski provided public comment on court issues.

The Commission received the following information:

Appointments to be made to the Ambulance Authority and the North Eastern Regional EMS, Inc on

November 2, 2006.

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

Region IX Coordination Survey received from RLS and Associates.

Living the Dream Award Nomination Form received from the West Virginia Martin Luther King, Jr. Holiday Commission.

News Release received concerning the kickoff of an air quality and meteorological factors tower at Blandy Experimental Farm.

Status report of the Shenandoah Valley Water Resources Strategic Plan and the NSF Grant Proposal received.

Correspondence received from the KLH Engineers, Inc. concerning the Mountain Water System.

Correspondence received from Circuit Clerk Patricia Noland concerning visiting judge date change.

Correspondence received from the Chamber of Commerce concerning the new teachers banquet on November 15, 2006.

Correspondence received from Don J. Orser concerning the delinquent real estate tax list.

Correspondence received from FEMA concerning the National Flood Insurance Program's Community Rating System.

Correspondence received from Craig Foster, President of Gap View Village Homeowner's Association, concerning bonding matters.

Correspondence received from the West Virginia Division of Homeland Security and Emergency Management concerning acceptance of the Jefferson County Local Emergency Planning Committee By-Laws by the State Emergency Response Commission.

Disbursement of Wireless E-911 fees received from the Public Service Commission.

Disbursement of E-911 fees received from AT&T Communications.

Notice received from the Department of Planning, Zoning and Engineering of Final Plat Public Hearings.

Oath of Office received from Patrice Flynn as a member of the Board of Health.

West Virginia Ethics Reporter received for October 2006.

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

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

