

Correspondence received from the Association of Counties concerning Eminent Domain.

Copy of Correspondence sent to Commissioner Surkamp from Cynthia Hale received concerning Animal Control.

Ethics Reporter received.

E-911 fees received from VarTec and Excel.

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

Miscellaneous

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


A.M.S. MORGAN, III, COMMISSION PRESIDENT

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 Jefferson County Courthouse thereof on Thursday, December 8, 2005, beginning at 9:30 o'clock a.m.

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

IN RE: PLEDGE OF ALLEGIANCE

Commissioner Tabb conducted the Pledge of Allegiance.

IN RE: DISPENSE WITH THE READING OF MINUTES

Motion by Corliss, second by Tabb to dispense with the reading of the Minutes for the meeting held on Thursday, December 1, 2005 and to approve the Minutes as presented. Motion carried.

IN RE: APPROVAL OF PURCHASE ORDERS

Motion by Tabb, second by Manuel to approve the following Purchase Orders for the Week of December 1, 2005, totaling \$89,846.35: 41897, 42015, 42047, 42050, 42051, 42052, 41934, 41969, 40704, 41463, 41491, 41972, 42011, 42012, 42013, 42016, 41978, 41979, 41987, 42101, 42103 and 41263. Motion carried.

IN RE: EXONERATION

Upon recommendation from the Assessor, motion by Morgan, second by Tabb to approve the following Exoneration because of erroneous assessment for the year 2005. Motion carried.

NAME	DISTRICT	TYPE	AMOUNT	TICKET NO:
Allen M. & Amira Pavlovich	Harpers Ferry	Personal Property	\$441.20	308233

IN RE: BONDING AND ACTIVITY REPORT

Paul Raco, Director of Planning, Zoning and Engineering appeared before the Commission and gave the weekly Planning Commission activity report.

Mr. Raco discussed the Planning Commission agenda for December 13, 2005. Mr. Raco also discussed the selection process and procedures for the long-range planner vacancy.

IN RE: PUBLIC COMMENT

Bill Lewandowski appeared before the Commission to request Commission support in forming a sub-committee to include County Commission and Planning Commission members with regard to joint participation for the Subdivision ordinance rewrites.

IN RE: CHARLES M. ERVIN – REQUEST FOR FLOODPLAIN VARIANCE

Mr. Charles M. Ervin appeared before the Commission to request a floodplain variance. Mr. Ervin presented the Commission with the Elevation Certificate and discussed the variance history of his property: Lot 233, Section 23D – Avon Bend, Kabletown District Tax Map 9H, Parcel 9.

Paul Raco, Executive Director of Planning, Zoning and Engineer was present with comments regarding base flood elevation standards and FEMA'S CRS standards.

Leslie D. Smith, County Administrator reported on FEMA recommendations and standards.

After discussion, motion by Tabb, second by Manuel to grant Charles M. Ervin's variance request at the same level as the current structure of 375.2 feet. Motion carried.

IN RE: FARMLAND PROTECTION BOARD – ASPEN POOL CONSERVATION EASEMENT

Kellie S. Boles, Agriculture Development Officer appeared before the Commission to request approval on a Deed of Conservation Easement for the Aspen Pool Farm, Incorporated. Motion by Tabb, second by Manuel to approve the Deed of Conservation Easement for 58 acres for the Aspen Pool Farm, Incorporated. Motion carried.

IN RE: E. D. SMITH – AMBULANCE AUTHORITY – FUNDING REQUEST FOR TWO PROJECTS

E.D. Smith, Operations Manager for the Jefferson County Ambulance Authority appeared before the Commission for a funding request.

Mr. Smith reported on Independent Fire Hall's contribution of an ambulance unit which will be used as a reserve Basic Life Support Unit at an expense of \$3,950.00 which includes insurance, equipment and maintenance. Mr. Smith also reported on a recent expenditure that includes specialized training and protective equipment as provided by FEMA with partial expense to the Ambulance Authority in the amount of \$3,117.00

After discussion, motion by Surkamp, second by Manuel to approve the funding request in the amount of \$7,067.00 as requested by E. D. Smith. Motion carried.

IN RE: JENNIFER S. MAGHAN – COUNTY CLERK'S REPORT

- **FINALIZATION OF STORAGE OF ELECTION EQUIPMENT**

Jennifer S. Maghan, County Clerk appeared before the Commission to report on storage options for the new voting systems. Ms. Maghan discussed the importance of accessibility and security for the new voting systems. Available options include the 2nd story storage area of the Courthouse or the Old Charles Town Library. Ms. Maghan reported she would contact library officials with regard to storage availability.

Ms. Maghan reported on the Elections Training she and other voter registration officials recently attended, Secretary of State's training seminar and the status of the Election Advisory Committee.

- **NEW HIRE SPANISH SPEAKING CLERK – MARIA PAGANO**

Motion by Corliss, second by Surkamp to approve the full-time employment of Maria Pagano at the County Clerk's office. Motion carried.

IN RE: RANSOM IMPACT FEE AGREEMENT – EXECUTIVE SESSION WITH LEGAL COUNSEL

No action was taken on this agenda item.

IN RE: APPOINTMENT OF ALTERNATE/MEMBERS TO THE BOARD OF ZONING APPEALS

The County Commission authorized the County Administrator to schedule interviews for applicants to the Board of Zoning Appeals for the week of December 15, 2005.

IN RE: APPOINTMENT TO THE FARMLAND PROTECTION BOARD

No action was taken on this agenda item.

IN RE: APPOINTMENT TO THE AMBULANCE AUTHORITY

No action was taken on this agenda item.

IN RE: LETTER TO DEPUTY STATE AUDITOR REQUESTING AUDIT OF ECONOMIC DEVELOPMENT AUTHORITY

Motion by Manuel, second by Tabb to remove this agenda item from the table as previously ordered the week of December 1, 2005. Motion carried.

Motion by Surkamp, second by Corliss requesting that a letter be sent to the Deputy State Auditor requesting an audit of the Jefferson County Economic Development Authority. Motion failed by a 2-3 vote. Commissioners Tabb, Manuel and Morgan voted no.

Commissioner Morgan reported on his meeting with Jane Peters, Development Authority Director with regard to the Economic Development Authority finances.

IN RE: IMPROVEMENT LOCATION PERMIT STATUS CLARIFICATION

Leslie Smith, County Administrator reported on the letter from Assistant Prosecuting Attorney, Stephanie Grove regarding conflicting opinions. Due to the need for additional research, no action was taken on this agenda item.

IN RE: LANE KENDING CONTRACT

The Commission agreed to schedule a workshop with Planning Commission members on December 15, 2005 at 1:30 p.m. to discuss the Lane Kending Contract.

IN RE: APPROVAL OF 2006 HOLIDAY SCHEDULE

Motion by Manuel, second by Tabb to approve the 2006 County Commission holiday schedule as presented. Motion carried.

IN RE: TRAFFIC SIGN DISCUSSION

Commissioner Morgan reported on the Sheriff's acquisition of renting or leasing speed limit signs to increase traffic safety throughout Jefferson County and requested Commission support during budget deliberations.

Commissioner Tabb recommending inquiring into potential grant funding for the purchase of necessary equipment to ensure traffic safety and control.

IN RE: BUILDING/OFFICE SPACE ACQUISITION DISCUSSION

Leslie D. Smith, County Administrator reported on the owner's of the Henry Morrow's property expressing an interest in entertaining offers for future sale. The County Commission authorized the County Administrator to acquire more information for future consideration.