

**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 Old Charles Town Library meeting room thereof on Thursday, January 14, 2010 beginning at 9:30 o'clock a.m.

**PRESENT:** Lyn Widmyer; President, Patsy Noland; Vice President  
James Surkamp, Frances B. Morgan, Dale Manuel; Commissioners

**IN RE: PLEDGE OF ALLEGIANCE**

Commissioner Manuel conducted the Pledge of Allegiance

**IN RE: HAITI DISASTER**

Commissioner Widmyer took a moment to express compassion for the victims of the Haiti Earthquake.

**IN RE: AGENDA RESTRUCTURE**

After speaking with Sandra McDonald, Interim County Administrator, Commissioner Widmyer reported on changes to a few agenda items.

“Appointment #3” will be taken up next week so “Unfinished Business #13” will be taken up in its place at 9:45 a.m. “Appointment #7” and “Unfinished Business #14” will be taken up together and “New Business 19” will be discussed under “Appointment #11” during the afternoon workshop.

**IN RE: LAURA RATTENNI, CIRCUIT CLERK – APPROVAL OF PART-TIME EMPLOYEE TO FULL-TIME EMPLOYEE**

This agenda item was tabled for one week.

**IN RE: APPROVAL OF MINUTES**

In accordance to the Commission’s new policy for preparation of minutes; the meeting minutes for January 7, 2010 will be reviewed and approved next week.

**IN RE: APPROVAL OF PURCHASE ORDERS**

Motion by Noland, second by Manuel to approve the following Purchase Orders for the week of January 14, 2010 totaling \$14,435.64: 47905, 47906, 47748, 47649, 47650, 47898, 47900, 47976, 47769, 47899, 47977, 47939, 47940, 47941, 47942, 47703, 47704, 47705, 47706, 47707, 47708, 47709 and 47897. Motion carried.

**IN RE: APPROVAL OF ACCOUNTS PAYABLE**

Motion by Manuel, second by Morgan to approve the list of accounts payable for January 14, 2010 as presented by the County Clerk. Motion carried.

CK#	DEPT	VENDOR	PO#	PO Amt	Amt wo PO	CK Amount
060619	413	ALLEGHENY POWER		\$0.00	\$317.38	\$317.38
060620	424	USA MOBILITY WIRELESS,IN		\$0.00	\$89.28	\$89.28
060620	700	USA MOBILITY WIRELESS,IN		\$0.00	\$206.37	\$206.37
060620	712	USA MOBILITY WIRELESS,IN		\$0.00	\$401.53	\$401.53
060621	425	B-K OFFICE SUPPLY INC	47886	\$1,144.98	\$0.00	\$1,144.98

060622	425	BONDED APPS OF MD	47883	\$468.00	\$0.00	\$468.00
060623	424	BOLAND SERVICES	47288	\$270.00	\$0.00	\$270.00
060623	425	BOLAND SERVICES	47288	\$1,175.99	\$0.00	\$1,175.99
060624	716	BLUE RIDGE VETERINARY	47881	\$43.80	\$0.00	\$43.80
060625	700	COUNTRY ROADS TIRE	47877	\$925.92	\$0.00	\$925.92
060625	712	COUNTRY ROADS TIRE	47877	\$925.92	\$0.00	\$925.92
060626	712	*CREAMERS AUTO SERVICE	47889	\$194.60	\$0.00	\$194.60
060626	716	*CREAMERS AUTO SERVICE	47889	\$148.00	\$0.00	\$148.00
060627	424	CHARLES TOWN UTILITIES		\$0.00	\$114.66	\$114.66
060627	425	CHARLES TOWN UTILITIES		\$0.00	\$785.85	\$785.85
060628	425	LARRY K COLLIER		\$0.00	\$14.99	\$14.99
060629	700	C.A.R.S	47890	\$517.33	\$0.00	\$517.33
060630	424	APPLE VALLEY TIRE	47878	\$70.00	\$0.00	\$70.00
060631	425	DAYCON	47880	\$455.70	\$0.00	\$455.70
060632	412	FRONTIER		\$0.00	\$423.12	\$423.12
060632	415	FRONTIER		\$0.00	\$340.03	\$340.03
060632	424	FRONTIER		\$0.00	\$15,788.14	\$15,788.14
060632	712	FRONTIER		\$0.00	\$1,171.90	\$1,171.90
060633	424	GUTTMAN OIL CO		\$0.00	\$1,099.10	\$1,099.10
060633	440	GUTTMAN OIL CO		\$0.00	\$306.81	\$306.81
060633	700	GUTTMAN OIL CO		\$0.00	\$6,939.15	\$6,939.15
060633	711	GUTTMAN OIL CO		\$0.00	\$49.05	\$49.05
060633	712	GUTTMAN OIL CO		\$0.00	\$160.94	\$160.94
060633	716	GUTTMAN OIL CO		\$0.00	\$506.16	\$506.16
060634	424	HASLER INC.	47285	\$292.50	\$0.00	\$292.50
060635	439	IKON OFFICE SOLUTIONS	47356	\$431.79	\$0.00	\$431.79
060636	716	INWOOD ANIMAL CENTER	47825	\$267.19	\$0.00	\$267.19
060637	428	IBM CORPORATION		\$0.00	\$1,338.00	\$1,338.00
060638	GRANT	IPROMO, LLC	48002	\$884.80	\$0.00	\$884.80
060639	402	JEFFERSON PUBLISH CO INC	47759	\$388.68	\$0.00	\$388.68
060639	401	JEFFERSON PUBLISH CO INC		\$0.00	\$233.64	\$233.64
060640	425	JEFFERSON COUNTY SOLID	47885	\$32.64	\$0.00	\$32.64
060641	712	LANGUAGE LINE SERVICES		\$0.00	\$71.34	\$71.34
060642	402	MATTHEW BENDER & CO	47760	\$93.46	\$0.00	\$93.46
060642	405	MATTHEW BENDER & CO	47937	\$281.94	\$0.00	\$281.94
060643	433	MSAG DATA CONSULTANTS	46767	\$3,500.00	\$0.00	\$3,500.00
060644	700	MCKINNEY'S AUTO REPAIR	47888	\$40.45	\$0.00	\$40.45
060645	424	VERIZON BUSINESS		\$0.00	\$1,127.72	\$1,127.72
060646	425	NORVAC LOCK TECH	47884	\$1,370.50	\$0.00	\$1,370.50
060647	401	JEFF CO PARKS &		\$0.00	\$7,104.90	\$7,104.90
060648	402	PIFER OFFICE SUPPLY, INC	47746	\$285.42	\$0.00	\$285.42
060649	424	CT POSTMASTER	47745	\$185.00	\$0.00	\$185.00
060650	424	BRYAN PERKINS		\$0.00	\$129.99	\$129.99
060651	424	LANDMARK ELEVATOR INC.	47286	\$80.00	\$0.00	\$80.00
060651	425	LANDMARK ELEVATOR INC.	47286	\$240.00	\$0.00	\$240.00
060652	424	SHEN SALES & SERV	47887	\$283.69	\$0.00	\$283.69
060653	401	SOFTWARE SYSTEMS, INC		\$0.00	\$567.50	\$567.50
060653	402	SOFTWARE SYSTEMS, INC		\$0.00	\$911.50	\$911.50

060653	403	SOFTWARE SYSTEMS, INC		\$0.00	\$653.00	\$653.00
060653	404	SOFTWARE SYSTEMS, INC		\$0.00	\$783.00	\$783.00
060654	711	SOFTWARE COMPUTER GR	47171	\$150.00	\$0.00	\$150.00
060655	425	SHEN VALLEY WATER		\$0.00	\$750.95	\$750.95
060656	424	HAGEMEYER	47847	\$710.40	\$0.00	\$710.40
060657	712	TEK TIME SYSTEMS	47775	\$1,180.00	\$0.00	\$1,180.00
060658	403	UNITED SYS & SOFTWARE		\$0.00	\$177.00	\$177.00
060659	433	UNIVERSITY OF VERMONT	46765	\$11,995.50	\$0.00	\$11,995.50
060659	433	UNIVERSITY OF VERMONT	47903	\$820.00	\$0.00	\$820.00
060660	GRANT	VALLEY TWO-WAY, INC		\$0.00	\$12,780.00	\$12,780.00
060661	405	WEST PAYMENT CENTER	47936	\$2,146.63	\$0.00	\$2,146.63
060662	424	WILLIAMS MOTOR PARTS, IN	47580	\$16.38	\$0.00	\$16.38
060662	716	WILLIAMS MOTOR PARTS, IN	47580	\$7.32	\$0.00	\$7.32
060663	412	WVU		\$0.00	\$4,500.00	\$4,500.00
060663	412	WVU		\$0.00	\$5,750.00	\$5,750.00
060664	PAYROLL	WORKTECH		\$0.00	\$100.00	\$100.00
060665	405	WV PROS.ATTYS ASSOC	47938	\$1,000.00	\$0.00	\$1,000.00
060666	PAYROLL	BUREAU OF EMPLOYMENT		\$0.00	\$3,526.75	\$3,526.75
060667	402	XEROX COPORATION	46690	\$1,992.88	\$0.00	\$1,992.88
<b>TOTAL</b>				<b>\$35,017.41</b>	<b>\$69,219.75</b>	<b>\$104,237.16</b>

**IN RE: PUBLIC COMMENT**

Patience Wait appeared before the Commission to discuss the status of PATH Intervention and reported on the status of intervention strategies.

The Commission discussed sending letters to local municipalities proposing a Resolution of Opposition in support of PATH intervention.

The Commission agreed to place this matter on next week's agenda for further discussion.

**IN RE: E-911 ADDRESSING ORDINANCE AMENDMENTS**

Todd Fagan, Addressing/GIS Specialist appeared before the Commission with a presentation of the recommended amendments to the E-911 Addressing Ordinance as a result of comments provided during the public hearing on January 7, 2010.

Mr. Fagan reported on the specifications of the proposed amendments.

Motion by Morgan, second by Noland to adopt the amendments to the E-911 Addressing Ordinance as presented by Mr. Fagan.

Stephanie Grove, Assistant Prosecuting Attorney was present for comments.

Commissioner Manuel recommended additional amendments be made to the E-911 Addressing Ordinance for clarity of street naming and imposed fines.

Motion by Manuel, second by Surkamp to adopt amendments to the E-911 Addressing Ordinance as presented by Mr. Fagan and with the recommended amendments by Commissioner Manuel. Motion carried.

Jeff Polczynski, E-911 Communications Director was present for comments.

**E 9 - 1 - 1 A D D R E S S I N G O R D I N A N C E**

**AN ORDINANCE TO PROVIDE ASSIGNMENT OF NAMES TO STREETS AND ROADWAYS AND IMPLEMENTATION AND MAINTENANCE OF THE POSTING OF STREET SIGNS AND BUILDING NUMBERS IN JEFFERSON COUNTY, WEST VIRGINIA**

In order to uniformly assign and maintain street addresses and provide for easy identification of those numbers for various purposes and to promote the health, safety and welfare of the citizens of the County of Jefferson, the County enacts its E9-1-1 Addressing Ordinance as follows:

WHEREAS, pursuant to W.V. Code § 7-1-3ii, § 24-6-5, and § 24-6-6, the Jefferson County Commission has the authority to provide for the elimination of hazards to public health and safety; to establish and regulate the naming or renaming of roads, ways, streets, avenues, drives and the like, in cooperation with local postal authorities, the division of highways and the directors of county emergency communications centers; and to assure uniform, non-duplicative conversion of all rural routes to city-type addressing on a permanent basis; and,

WHEREAS, the establishment of an Enhanced 9-1-1 Emergency Telephone System in Jefferson County has been approved and implemented by the Jefferson County Commission; and,

WHEREAS, the establishment of such system requires the assignment of names to all streets and roads in the county, the assignment of building numbers to all buildings having telephones and/or occupancies, and the erection of appropriate street signs at intersections; and,

WHEREAS, a professional consultant experienced in comprehensive addressing has been employed to map street and roads in Jefferson County and to assign building numbers to buildings in Jefferson County,

NOW, THEREFORE, BE IT ORDAINED this 25th day of April, 2002 by the Jefferson County Commission of Jefferson County, West Virginia, Ordinance Number 01-2002

Section 1: AUTHORIZATIONS

Section 1.1 The provisions of this Ordinance shall be applicable in all unincorporated areas of Jefferson County. The incorporated cities of Charles Town, Ranson, Harpers Ferry, Bolivar, and Shepherdstown shall have the option to adopt this Ordinance by each respective City and Town Council.

Section 1.2 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to assign names to any public or private road or street in the County which provides access to three or more occupied buildings defined as an "Addressable Structure" in this Ordinance. At any time that three or more addressable structures exist or plan to exist on a right-of-way, a road name shall be applied.

Section 1.2.1 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to approve, assign or change a name to any street, road or subdivision in the County, as defined in the Jefferson County Subdivision Ordinance, in order to eliminate duplicate names or confusing similarity. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.

Section 1.3 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to negotiate with residents along streets or roads bearing duplicate or confusingly similar names in the County and to change the names of such roads or streets to eliminate such duplication or confusing similarity.

- Section 1.4 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to direct the placement of street signs at intersections within the County. The initial costs of such signs and installation were funded by the Jefferson County Commission for all unincorporated areas of Jefferson County only during the countywide readdressing project which ended August 2008. All sign installation, relocation or repair costs for newly created or impacted roads after the date of the third ordinance amendment, January 14<sup>th</sup>, 2010, shall be borne by the owner, resident or land development (subdivision) applicant creating the road name.
- Section 1.5 The “Jefferson County Road Name Index” shall be adopted by the County Commission and filed and maintained in the Jefferson County GIS/Addressing Office. This listing shall be the official listing of names for streets and roads in Jefferson County and such streets and roads are hereby assigned the names listed therein. As used in the Ordinance, the terms “street” and “road” shall have the same meaning and shall also include but not be limited to avenues, boulevards, highways, lanes, ways, and similar street types.
- Section 1.5.1 The Subdivision Name list shall be adopted by the County Commission and filed and maintained in the Jefferson County GIS/Addressing Office. This listing shall be the official listing of names for subdivisions and historic structures in Jefferson County and such subdivision names are hereby assigned the names listed therein.
- Section 1.5.2 The Jefferson County Addressing Coordinator, or his/her duly authorized agent, shall review all requests for new subdivision names within thirty (30) days of receipt in the Jefferson County GIS/Addressing Office. The Jefferson County Addressing Coordinator, or his/her duly authorized agent, shall provide approval or rejection for subdivision names within thirty (30) days of receipt of the request
- Section 1.6 In applying the guidelines specified herein, the Jefferson County Addressing Coordinator shall have the authority to interpret this Ordinance to ensure a logical and efficient numbering and street addressing system.
- Section 1.7 Whenever the Jefferson County Addressing Coordinator, or his/her duly authorized agent, has reason to believe there has been or there exists a violation of this Ordinance, he/she shall give written notice of such violation to the person failing to comply and order the person to take corrective measures within thirty (30) days from date of notification. If such person(s) fail to comply with the duly issued order, the Jefferson County Addressing Coordinator, or his/her agent, shall initiate necessary actions to terminate the violation through criminal or civil measures.
- Section 2 DEFINITIONS AS USED IN THIS ORDINANCE
- Section 2.1 For the purpose of this Ordinance, the following terms, phrases, works and their derivations shall have the meaning that is provided in the National Emergency Number Association (NENA) Standard Guidelines as reference by the United States Postal Service, unless the context clearly indicates otherwise.
- Section 2.2 “Address number” shall mean the number assigned to consecutive intervals along a street or road pursuant to the Number Assignment Formula contained herein. Numbers are always whole. “Half” numbers are not valid, i.e. 515 ½ *Example Street*

Section 2.2.1 “Physical Location Address” is defined as the full address designation of a structure based upon its physical location. It comprises a Primary Address Number, Street Name, Street Suffix, Directional Prefixes or Suffixes (if applicable), Sub-Address (if applicable), and Postal Community (zip code), i.e. *123 South Example Street, Unit 100, Ranson, WV 25438*.

Section 2.2.2 “Primary Address Number” is defined as the principal address number of a structure preceding the Street Name in its full address designation, i.e. “123” Example Street. Each separate structure shall have its own separate and unique primary address number. Separate primary address numbers may be provided for units comprising a complete, contiguous structure, (i.e. townhomes or duplexes that span multiple parcels/lots, commercial centers or retail complexes, or similar types)

Section 2.2.3 “Sub-Address” is defined as a number or letter within the main address of a structure for a unit, suite, apartment, or room number following the Street Name in its full address designation, i.e. 123 Example Street, “*Apartment 202*”, “*Unit 100*” or “*Suite 105*.” Structures that are sublet or divided into multiple, distinct units shall share a common primary address but distinguish themselves by a unit, apartment or suite sub-address. Sub-Addresses must be Alpha (“*Unit A*”) or Numeric (“*Suite 105*”), but cannot be a combination of both, i.e. (“*Apartment 202A*,” “*Unit 100-B*”, and “*Suite A-2*”). Sub-Addresses will replace any invalid “half” address number. Sub-Addresses are not necessary for townhomes, duplexes, or similar types of dwelling units that span multiple parcels or lots.

Section 2.3 The term “Road” or “Street” shall mean any public or private thoroughfare used for vehicular traffic and/or any easement or right-of-way that provides sole access to more than two parcels or lots. This term shall be defined as the “Street Suffix” and shall include, but is not limited to: avenue, drive, way, boulevard, highway, lane, pike or similar street types.

Section 2.3.1 “Street Suffix” is the suffix of the road or street and the only suffixes eligible for use shall be those listed on the “Jefferson County Street Suffix Definitions” document maintained in the Jefferson County GIS/Addressing Office.

Section 2.3.2 “Postal Community” is defined as a United States Postal Service (USPS) Zip Code that provides rural delivery. Access to the structure within such a USPS Zip Code will determine the “Town” portion of the physical location address, not municipal boundaries, unincorporated villages or even State jurisdiction, i.e. *123 South Example Street, Unit 100, Ranson, WV 25438*.

If a property is accessed from a Virginia zip code, that structure will have a Virginia physical location address. In such case, the Tax Map and Tax records will verify Jefferson County and West Virginia jurisdiction or citizenship.

Section 2.4 The “Number Assignment Formula” as found herein is defined as follows:

Beginning from the road’s point of origin a structure number shall be assigned for each interval, with each interval on the right side of the roadway as one leaves the point of origin being assigned an even number, and each interval on the left side as one leaves the

point of origin being assigned an odd number. Left and right shall be determined from the perspective of a traveler moving away from the road point of origin in a forward motion. The southern and western intersection or entry point of each road will be the point of origin. Any road not having an intersecting road along its length, also known as a dead end road, shall be assigned the point of origin at the entry point of the road. Address numbers must be sequential relative to neighboring address numbers on both sides of the road.

- Section 2.5 An “Interval” is defined as the distance along a roadway of 5.28 feet, there being 1000 intervals per mile (5,280 feet).
- Section 2.6 “Point of Origin” shall mean that end point of a road, which is the starting point for a numbering sequence.
- Section 2.7 As used herein, “Primary Structure” shall include but not be limited to a residential building, mobile home park, commercial building, industrial building, office building, public building, utility, or communications tower.
- Section 2.7.1 “Addressable Structure” is defined as any place a person would “live”, “work”, “worship” or “play”. The structure must be permitted, permanently anchored, and in compliance with all applicable impact fee, subdivision, and/or zoning regulations. It shall be the responsibility of the Addressing Coordinator to interpret this definition in accordance to the stipulations of this Ordinance and the Jefferson County Addressable/Non-Addressable Structure Guide.
- Section 2.8 “Display” as used herein is the manner in which the numbers are affixed to a structure or otherwise displayed when affixing to a structure.
- Section 2.9 “Non-Compliance” is any failure to comply with the provisions of this Ordinance including, but not limited to, by way of example: a number out of sequence, odd or even number on wrong side of street, rural box numbers in a 9-1-1 address area, numbers improperly affixed, numbers illegible, numbers unclear, numbers obstructed, numbers not visible, numbers not present, numbers of improper size, numbers not in contrast with immediate background, weatherworn numbers, wrong numbers, non-approved numbers, illegal or non-approved road signs, or illegal attachments to road signs.
- Section 2.10 “Occupant” is any person, firm, entity, partnership, trust, corporation, association, or other organization that is occupying or leasing a building or other property for a period exceeding thirty (30) days.
- Section 2.11 “Owner” is any and all persons, firms, entities, partnerships, trusts, corporation, associations, or other organizations that own the fee title to, or have an undivided interest in, any building or property, which is subject to the provisions of this Ordinance.
- Section 2.12 “Addressing Office”, “GIS Office”, or “Geographic Information Systems” is the County-staffed office responsible for managing and maintaining the responsibilities for addressing, road naming and mapping in Jefferson County. The Addressing Coordinator will work within the confines of this office or department.
- Section 3 STRUCTURE AND LOCATION NUMBERING AND DISPLAY

- Section 3.1 Whenever any house, building, or addressable structure shall be erected or located after the initial establishment of the uniform numbering system as provided herein, it shall be the duty of the property owners to procure the correct number or numbers for the property and to affix these numbers to the building in accordance to this Ordinance. The owner shall place or cause to be placed upon each house or building controlled by him/her the number or numbers assigned under the uniform number system within thirty (30) days of notification of the assigned address. The cost of posting the address shall be the responsibility of the property owner.
- Section 3.1.1 Any structure situated on a “corner lot” and having roads along two sides of the structure may have two possible access points. Consequently, that structure may be addressed from the street facing the primary entry to the center of the structure, or from where the driveway leading to the structure intersects the right-of-way, whichever is more appropriate. It shall be the responsibility of the Addressing Coordinator to determine the appropriateness in this instance.
- Section 3.2 An application for a building permit for a new addressable structure shall be considered an application for an address assignment. The Jefferson County Engineering Department shall coordinate with the Jefferson County GIS/Addressing Office for the assignment of addresses. No address shall be assigned until the structure is permitted, and footer is in place and properly inspected. The address shall be issued not later than thirty (30) days following identification of address and shall be installed on the structure prior to final inspection from the Jefferson County Engineering Department.
- Section 3.2.1 An occupancy permit for any structure erected or repaired shall be withheld until the permanent and proper address numbers have been affixed to such structure in accordance with the requirements of this Ordinance.
- Section 3.3 Display of Number – Residential Structure – Each primary structure shall display the number of the address assigned to it. The street number for residences shall be in accordance with The BOCA National Property Maintenance Code, Section PM-303.3, Exterior Structure, Premises Identification. The numbers shall be in Arabic numerals at least three (3) inches in height, and of a durable and clearly visible material. The numbers shall be placed on, above, or at the side of the main entrance so the number is clearly visible from the public right-of-way. Whenever a residence entrance is greater than fifty (50) feet from a public right of way, or not clearly visible from the public right-of-way, a number shall also be placed along a driveway, or property entrance. Address numbers are to be a contrasting color to the background on which they are mounted.
- Section 3.4 The owner or person in charge of any house, building, mobile home, or other structure to which a number has been assigned shall affix the number as outlined in this Ordinance within thirty (30) days after the receipt or notification of such number.
- Section 3.5 Display of Number – Commercial and Industrial Structure – Address numbers for commercial and industrial structures shall follow BOCA PM 303.3 code regulations of at least six (6) inches in height. The number shall be placed above or on the main entrance to the structure when possible. If such number is not clearly visible from the public right-of-way, the number shall be placed along a driveway or on a sign visible from the same.



Address numbers are to be a contrasting color to the background on which they are mounted.

- Section 3.6 Display of Number – Apartments and Similar – The address number assigned to a single building number shall be displayed on each assigned structure following the BOCA PM 303.3 code. Numbers and/or letters for individual apartments or units within these complexes shall be displayed on, above, or to the side of the main doorway of each apartment or unit.
- Section 3.6.1 Display of Number – Trailer Park and Similar – The address number assigned to a trailer within an organized trailer park shall be one address number for the trailer park with each trailer assigned a lot or space number. The lot or space number must be posted and permanently affixed to the lot identifying the lot or space number. The main address to the trailer park must be posted at the entrance of the park. Address numbers are to be a contrasting color to the background on which they are mounted.
- Section 3.7 The combination of such an address number, the road or street name, applicable sub addresses, and the postal community shall be the official address of such primary structure.
- Section 3.8 All costs to individuals or households in complying with this section of the Ordinance shall be borne by that individual or household.
- Section 3.9 Effective with amendment #3, January 14<sup>th</sup>, 2010, all sub-address numbers assigned to a unit, suite, apartment, etc. shall follow the Jefferson County Addressing Model Guidelines.
- Section 3.10 Temporary addresses will be available only for construction trailer offices and for similar purposes. Anyone desiring a temporary address shall execute an agreement with the GIS/Addressing Office that acknowledges that the address being provided is a temporary address to be used for not more than one year from the date of issuance. Temporary addresses cannot be relocated, reassigned, re-accessed or made permanent at the discretion of anyone other than the Addressing Coordinator or their duly authorized agent.
- To obtain a temporary address, the applicant shall provide a small area map which contains the location of the temporary addressable structure, the nature of the structure and the vehicular path by which one accesses the temporary structure from the closest named road.
- Section 4 ROAD AND SUBDIVISION NAMING
- Section 4.1 The “Jefferson County Road Name Index” shall be the official listing of names for streets and roads in Jefferson County. The Jefferson County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to assign names to roads.
- Section 4.1.1 Road names listed as “reserved” on the “Jefferson County Road Name Index” shall be held in reserve status for no longer than five years from the date the road name was approved and placed into reserve. After such time, the GIS/Addressing Office will review the project status for the purpose of identifying road names for removal from or retention in the official Road Name Index. The reserving entity will be notified of

pending removal or retention whenever possible.

- Section 4.2 No street within the County, currently shown on a recorded deed, subdivision plat or assigned to a new subdivision plat, shall be considered official until such name is registered with the Jefferson County GIS/Addressing Office, approved, and added to the Jefferson County Road Name Index. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.
- Section 4.2.1 The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have final authority exclusive in the area of road naming within the entire County in order to ensure that road names are not duplicated or confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.
- Section 4.2.2 The Jefferson County Addressing Coordinator or his/her duly authorized agent, shall review all requests for new road names within thirty (30) days of receipt in the Jefferson County GIS/Addressing Office. The Jefferson County Addressing Coordinator or his/her duly authorized agent shall provide approval or rejection for road names, within thirty (30) days from receipt of the request.
- Section 4.3 Road names shall not duplicate road names already assigned, regardless of road name prefixes or suffixes, except for roads located within different corporations and grandfathered into the road network and approved by the County Commission as inclusion in the Road Name Index at the time the Road Name Index was first approved by the County Commission, which was on February 23, 2003. The four cardinal points of the compass may be used as a prefix, but not a suffix, to designate portions of a continuous street.
- Section 4.3.1 All named roads must intersect and have defined connections to another named roadway within the road network.
- Section 4.3.2 A “court” shall be considered a road ending in a dead-end, such as a cul-de-sac, and cannot have any other roadway along its length except for the road that the court originally intersects.
- Section 4.4 Identical or confusingly similar road names shall not be differentiated simply by changing the road name suffix. (i.e., Birch Street and Birch Avenue) nor by adding a cardinal point suffix (i.e., Example Street and Example Street North)
- Section 4.5 A road shall have only one name throughout its entire length unless approved as an exception by the County Commission. A road name can only change names at defined intersections where a traffic control device exists, such as at an intersection controlled by a stop light or an intersection controlled by stop signs where the road bearing the name is controlled by the stop sign. An example of this is a 4-way stop sign controlled intersection. The Jefferson County Addressing Coordinator, or his/her duly authorized agent, shall have the authority to interpret and apply as appropriate.
- Section 4.5.1 Wherever possible, a road name shall continue directly straight across at any intersection

and not turn right or left on a different path or direction as it approaches the intersection. Road names that are not continuous in a direct and straight forward path, but rather turn at intersections are opportunities for confusion when travelling along the road.

Section 4.5.2 The third addressable structure built on a right-of-way not otherwise named causes the right-of-way to be named. The GIS/Addressing Office shall coordinate and oversee the naming of the right-of-way. The owners of any parcels accessing a right-of-way required to be named have the naming rights of the right-of-way. The GIS/Addressing Office shall provide road name petitions to all owners of parcels affected by the road name change and shall provide a specific timeframe for response. Through majority vote and within the stipulated timeframe per the petition, the owners of parcels affected by the road name change shall agree upon a road name and submit the road name for approval. The County requires proof, by official County petition form, that all parties involved have a part in the petition process. If agreement of a road name does not occur within the stipulated timeframe, the County shall have the authority to name the road.

Section 4.6 Any change to an existing, official road name in the unincorporated parts of the County must be initiated by a petition requesting the change in name and signed by owners of eighty percent (80%) of the parcels on the street whose name is proposed to be changed. The petition to change shall be filed with and reviewed by the Jefferson County GIS/Addressing Office. Such petition should not be filed until the Jefferson County Addressing Coordinator, or his/her duly authorized agent, confirms the availability of the proposed name, but not later than thirty (30) days following such confirmation.

Documentation such as a tax bill or deed, showing the ownership of each signatory to the petition must accompany the petition at the time of filing.

A non-refundable deposit in the amount of Two Hundred Fifty Dollars (\$250.00) shall accompany the petition. Upon approval of the name change, the petitioner shall be obligated to pay to the County for the actual costs incurred by the name change, including the total costs for all road signs affected by the name change.

Residents along the affected road or street shall be responsible for advising the United States Postal Service of such road or street name change.

Section 4.7 Subdivision name approval is required for all “conventional” subdivision projects as defined by the Jefferson County Subdivision Ordinance. Subdivision names are not required for “minor” or family subdivisions as defined by the Subdivision Ordinance. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have final authority exclusive in the area of subdivision naming within the entire County in order to ensure that subdivision names are not duplicated or confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Jefferson County GIS/Addressing Office.

Section 4.7.1 No subdivision name currently shown on a subdivision plat or land development application filed with the County shall be implemented by a subdivision owner or developer until such name has been registered with the Jefferson County GIS/Addressing Office, approved, and added to the Jefferson County Subdivision Name Index. The Jefferson County GIS/Addressing Office, or the duly authorized agent, shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed

inappropriate by the Jefferson County GIS/Addressing Office.

Section 4.7.2 The Jefferson County Addressing Coordinator or his/her duly authorized agent, shall review all requests for new subdivision names within thirty (30) days of receipt in the Jefferson County GIS/Addressing Office. The Jefferson County Addressing Coordinator or his/her duly authorized agent shall provide approval or rejection for subdivision names, within thirty (30) days from receipt of the request.

## Section 5 STREET SIGNS

Section 5.1 All new street signs erected within Jefferson County shall be in conformance with the specifications of this section. Basic dimensions are illustrated in the Jefferson County Subdivision Ordinance Standard Details. A typical street sign installation will designate two streets using four nameplates.

Section 5.2 The owner of any subdivision or other development where a street sign is required shall erect or cause to be erected street signs in conformance to the exact standards of street sign specification in this Ordinance. To ensure uniformity of street signs throughout Jefferson County, the signs shall be in conformance to the type, size, style, color, material, placement, and any other specifications mandated by the County Commission or its representatives. The owner of any subdivision, any property, or any other development where a street sign is required shall provide funds per the street sign fee schedule and the County will initiate the installation of the street sign(s). Any signs not in conformance to the specifications of this ordinance shall be removed and signs that are in conformance shall be erected, all at the expense of the owner or party responsible for the subdivision, property, or other development.

Section 5.2.1 The owner of the newly built addressable structure or newly subdivided lot shall be responsible for any and all fees to install any and all signs on the newly named road and shall provide the funds to the County per the street sign fee schedule. The County will initiate the installation of the street sign(s). All signs shall conform to the Manual on Uniform Traffic Control Devices and to the specifications of this Ordinance.

Section 5.2.2 Except as approved by the County Commission, no other object or sign of any type shall be attached, permanently or temporarily, to any road name signpost. At no time shall a stop sign be mounted to a road name signpost. All stop signs on state-maintained or private/subdivision roadways shall be individually mounted to its own post.

Section 5.2.3 Any sign displaying the name of a subdivision, property name, family name, or structure name (i.e. historic structure) shall not resemble a street name sign and in any way be confused with a Jefferson County street sign. Any such sign shall not have in it any street name suffix.

Section 5.3 Sign Specifications – State Maintained Roadway - All signs erected on a roadway adopted by the West Virginia Department of Transportation, Division of Highways shall be in conformance at minimum to the West Virginia Department of Transportation, Division of Highways as defined in the “Standards for the Design and Installation of Road Name Signing” published March 1999 (Appendix A). Ideally, all signs placed within Jefferson County shall be in conformance to the United States Department of Transportation, Federal Highway Administration rules as published in the current edition of the Manual of Uniform Traffic Control Devices however the State of West Virginia shall have the final authority as to the type and size of sign erected on their right-of-way.

For signs placed in conformance to the FHWA, all nameplates shall use aluminum sign blanks of .080 thickness, alloy to be 5052H38, degreased and etched, ready to accept pressure sensitive materials. Corners shall be radius and six mounting holes shall be punched prior to application of the reflective sheeting. The sheeting shall be 3M brand High Intensity Scotchlite applied using either the 3M silk screening process or the 3M ElectroCut (EC) method.

The sign size for a primary roadway shall be nine (9") inches high x 30", 36", 42", 48", or 54".

The sign size for a secondary roadway shall be six (6") inches high x 24", 30", 36", 42", or 48".

The sign color (reflective sheeting) shall consist of white lettering on a green background for any state-maintained roadway.

The letter size and type shall conform to the FHWA "Standard Alphabets for Highway Signs", Series C, uppercase. Should the road name not fit on the longest sign length, the Series shall be reduced to a "B" width. Should the road name still not fit on the longest sign length, the text height shall be reduced by ½" increments until the road name fits. Abbreviations may be used as a suitable alternative however the GIS/Addressing Office shall have final inspection and approval on signs that require a reduced letter size or abbreviation. The normal spacing between words shall be the width of the letter "H" in the same series and height used in the street name.

For a primary roadway, the standard text height of the road name shall be six (6") inches for the primary road as well as for those roads intersecting the primary roadway. The standard text height of the prefix and suffix shall be three (3") inches.

For a secondary roadway, the standard text height of the road name shall be four (4") inches for the secondary road as well as for those roads intersecting the secondary roadway. The standard text height of the prefix and suffix shall be two (2") inches.

Section 5.3.1 Sign Specifications – Private / Subdivision – All signs erected shall be in conformance to the United States Department of Transportation Federal Highway Administration current edition of the Manual on Uniform Traffic Control Devices. The County Commission shall have final authority for the size, style, and color of the sign to be erected.

All nameplates shall use aluminum sign blanks of .080 thickness, alloy to be 5052H38, degreased and etched, ready to accept pressure sensitive materials. Corners shall be radius and six mounting holes shall be punched prior to application of the reflective sheeting. The sheeting shall be 3M brand High Intensity Scotchlite applied using either the 3M silk screening process or the 3M ElectroCut (EC) method.

The sign size for a roadway intersecting a state-maintained primary roadway shall be nine (9") inches high x 30", 36", 42", 48", or 54".

The sign size for a roadway intersecting a state-maintained secondary roadway or intersecting another private/subdivision roadway shall be six (6") inches high x 24", 30", 36", 42", or 48".

The sign color (reflective sheeting) shall consist of white lettering on a brown background.

The letter size and type shall conform to the FHWA "Standard Alphabets for Highway Signs", Series C, uppercase. Should the road name not fit on the longest sign length, the Series shall be reduced to a "B" width. Should the road name still not fit on the longest

sign length, the text height shall be reduced by ½” increments until the road name fits. Abbreviations may be used as a suitable alternative however the GIS/Addressing Office shall have final inspection and approval on signs that require a reduced letter size or abbreviation. The normal spacing between words shall be the width of the letter “H” in the same series and height used in the street name.

For a roadway intersecting with a primary roadway, the standard text height of the road name shall be six (6”) inches for the roadway, as well as the intersecting primary roadway. The standard text height of the prefix and suffix shall be three (3”) inches.

For a roadway intersecting with a secondary roadway or another private/subdivision roadway, the standard text height of the road name shall be four (4”) inches for the roadway, as well as the intersecting secondary road and intersecting private/subdivision road. The standard text height of the prefix and suffix shall be two (2”) inches.

**Section 5.3.2 Sign Post Specifications** – For both state-maintained and private/subdivision roadways, the nameplate signpost shall consist of an upper signpost and a lower base post or anchor. The upper signpost shall be a two-inch by two-inch (2” x 2”) square post ten (10’) feet in length. The signpost can either be the QUIK PUNCH post or 4-hole post as manufactured by Allied Tube and Conduit. The initial sign project signposts shall be the 4-hole post specification.

The base post shall be a thirty-six (36”) inch, 2 ¼” x 2 ¼” anchor, driven into the earth to a depth of at least thirty-two (32”) inches. The base post shall not extend more than four (4”) inches above grade.

The street name signs shall be fastened utilizing four aluminum pop-rivets, plastic washers and plastic sign spacers. One pop-rivet shall be fastened through each corner of each sign face, through the plastic sign spacer, then through the second (back to back) street name sign plate. Two 3/8” drive rivets and two plastic sign washers shall be utilized to fasten each street name sign to the 2” x 2” x 10’ signpost. The signpost shall be fastened to the base post with one 3/8” drive rivet and one special corner bolt. The corner bolt shall be utilized to secure the signpost to the base post while the drive rivet is utilized to reduce vandalism. A pyramid rain cap shall be installed at the top of the signpost.

**Section 5.3.3 Sign Post Installation** – On all roadways, all street name signs shall be located on diagonally opposite corners and mounted with their faces parallel to the streets they identify. Only the sufficient amount of street name signs is needed to properly identify the roadway. The GIS/Addressing Office shall have the authority to identify and cause installation of the proper amount of signs at a given intersection as deemed necessary.

The Miss Utility locating service shall be notified to mark all locations where a street name sign is placed.

For a roadway identified as a “dead end” roadway not having any other intersection with any other road, only the name of the “dead end” roadway shall have a sign installed, commonly referred to as a one-way sign.

Street name signs shall be located to assist the motorist in locating the street name while

not blocking the view of motorists exiting onto the street from which they are traveling.

Where possible, the County or its contractor shall place signs within established rights-of-way. If a sign cannot be placed within a right-of-way due to general guidelines involving safety and line of sight, the County may place a sign on private property.

- Section 5.4 Signage which is damaged or destroyed shall be the responsibility of the individual(s) causing such damage or destruction, whether by negligence or otherwise. The agency or individual(s) responsible for maintenance of the damaged sign shall have the authority to recover the costs of replacing the sign from the individual(s) causing such damage or destruction.
- Section 5.5 Any such person found to be responsible for damage or destruction of any road or street sign shall pay to the County all of the costs for such damage or destruction, including but not limited to, costs for sign removal and replacement. Failure to pay for damage or destruction may result in legal action against the responsible party for all costs, such as court costs and reasonable attorney fees.
- Section 6 MAPS
- Section 6.1 All properties or parcels of land within Jefferson County shall hereafter be identified by reference to a uniform numbering system, as shown on maps maintained in the Jefferson County GIS/Addressing Office. The maps and explanatory matter thereon may be amended, modified, or changed at the direction of the Jefferson County Addressing Coordinator, or his/her duly authorized agent.
- Section 7 APPEALS, AMENDMENT, CONFLICT WITH OTHER LAWS, VALIDITY
- Section 7.1 Any requests concerning road name changes, addressing complaints and/or general administration of this ordinance, will first be directed to the Jefferson County Addressing Coordinator within thirty (30) days from the time of road name or address assignment. If the initial contact does not satisfy the individuals concern, he or she may appeal the decision to the Jefferson County Commission for final disposition provided, however, that all such appeals must be filed no later than 10 days after the decision. The Commission may, at its discretion, hear such appeals as oral argument or may rule based upon the written appeal. All such appeals shall be decided on or before 30 days after the appeal is heard.
- Section 7.2 After implementation of the address conversion system, any concerns, problems, or complaints regarding the naming and numbering system will be handled on a case-by-case basis by the Jefferson County Addressing Coordinator.
- Section 7.2.1 Mapping accuracy and consistency in the application of this ordinance is imperative for delivery of emergency services. As the Addressing Coordinator strives to improve such accuracy and consistency, he/she or the duly authorized agent, is authorized to correct any found errors or inconsistencies.
- Section 7.2.2 Past decisions by the Addressing Coordinator do not set precedent for future determinations in mapping, addressing or administration of this ordinance.

- Section 7.3 Amendment - By legislative procedure, the Jefferson County Commission may, from time to time, amend, supplement or change the provisions of this Ordinance.
- Section 7.4 Conflict With Other Laws - Where the provisions of this Ordinance impose greater restrictions than those of any other ordinance or regulation, the provision of this Ordinance shall be controlling. Where the provision of any statute, other ordinance or regulation imposes greater restrictions than this Ordinance, the provisions of such statute, ordinance or regulations shall be controlling.
- Section 7.5 Validity – If any article, section, subsection, paragraph, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of this Ordinance as a whole or any other part thereof.
- Section 7.6 Relationship between physical location address and tax map or legal Deed description – The physical location address is a label to identify an addressable structure or unit(s) within a structure. This address may function as a mailing address for onsite or rural delivery services. It does not legally designate a property, parcel or lot by itself. It may support the identity of a property in conjunction with the Tax District, Map and Parcel number of the lot as defined by the Jefferson County Assessor’s Office. The legal description of a property shall be identified by the boundary description in the Deed first and then the Tax District, Map and Parcel number second. The physical location address of any structure on said lot is non-essential to the legal description. Where a physical location address exists in any legal document that does not match the correct physical location address, the GIS/Addressing Office can provide the correct address to the proper authority.
- Section 7.7 Cross References –  
National Emergency Number Association (NENA) Standard Guidelines  
BOCA National Property Maintenance Code, Section PM-303.3  
Standard for the Design & Installation of Road Name Signing (March 1999 Appendix A).  
Standard Alphabets for Highway Signs (FHWA)  
Manual of Uniform Traffic Control Devices (USDOT, FHWA)  
Jefferson County Subdivision Ordinance  
\*Jefferson County Addressable/Non-Addressable Structure Guide  
\*Jefferson County Addressing Model guidelines.  
\*Jefferson County Street Suffix Definitions  
\*Jefferson County Road Name Index  
\*Jefferson County Subdivision Name Index  
\* maintained as policy documents in the Jefferson County GIS/Addressing Office
- Section 8 PENALTIES
- Section 8.1 It is unlawful for any person to violate this Ordinance. When it appears that a violation of this Ordinance has occurred, the responsible party shall be notified by means of a written Violation Notice. The Violation Notice shall specify the nature of the violation and shall request that the violation be terminated within 30 days from the date appearing on the notice. After thirty (30) days of non-compliance from the time of written notification, the violation of any section of this Ordinance shall be deemed a



misdemeanor punishable by a fine of not to exceed five hundred dollars (\$500.00). Each day a violation continues shall constitute a separate offense.

Section 9 ADOPTION AND SIGNATURES

Section 9.1 This Ordinance shall be effective July 1, 2002.

Adopted on the 25<sup>th</sup> day of April, 2002.

Amended on the 12<sup>th</sup> day of December, 2002.

Amended on the 24<sup>th</sup> day of July, 2003.

Amended on the 14<sup>th</sup> day of January, 2010.

BY: \_\_\_\_\_

Lyn Widmyer, President of the Commission

**IN RE: DISCUSS SECTION 8.1 – E-911 ADDRESSING ORDINANCE**

Todd Fagan, Addressing/GIS Specialist was present and reported on the specifications of Section 8.1 of the E-911 Addressing Ordinance.

Stephanie Grove, Assistant Prosecuting Attorney was present and reported that any fines are at the discretion of the Jefferson County Magistrates up to \$500.00 if imposed.

No action was taken on this agenda item.

**IN RE: HOME CONSORTIUM PUBLIC HEARING**

Patricia McMillan, Community Development Director for the City of Martinsburg appeared before the Commission to provide an overview of the HOME Consortium program. Ms. McMillan also reported on the statistics of the Home Buyer's Assistance Program affiliated with the HOME Consortium program.

Ms. McMillan reported on funding allocations received from Morgan, Jefferson and Berkeley Counties in support of the HOME Consortium program.

Annette Van Hilst, Affordable Housing Secretary was present and reported on the programs strategies and objectives. Ms. Van Hilst reported on the distribution of funds received from the Jefferson County Commission and requested the Commissions support for the HOME Consortium application totally approximate \$50,000.00-\$60,000.00.

Katie See, Charles Town City Planner was present for comments.

Ms. McMillan requested the Commission consider appointing a representative from Jefferson County to the HOME Consortium Council.

**IN RE: ALAN STURM – COMPLETE COUNTY CENSUS COMMITTEE – REQUEST FOR SUPPORT FOR MAILING TO INCREASE PUBLIC PARTICIPATION**

Allen Sturm, 2010 Census Committee Chairman appeared before the Commission to report on the goals and objectives of the Committee and reiterated the importance of the Committee obtaining accurate results from the census.

Mr. Sturm reported on the timeline of Committee objectives and the specifications for funding.

Mark Schiavone, Capital Planning and Management Director was present to report on the availability of county funding.

Mr. Sturm reported on funding strategies in support of acquiring accurate data and citizen participation.

Commissioner Surkamp suggested Commissioner Widmyer serve as an alternate member to the 2010 Census Committee as a representative of the Jefferson County Commission. Commissioner

Widmyer concurred.

Motion by Surkamp, second by Manuel to allocate \$8,000.00 to the 2010 Census Committee to facilitate expenses for public education materials and outreach. Motion carried.

The Commission instructed Mr. Schiavone to complete a budget summary for their review and consideration by February 2010 prior to budget deliberations.

The Commission agreed by consensus to instruct County Commission administrative staff to draft a letter to the Governor reiterating Jefferson County's commitment to the 2010 Census.

**IN RE: RALPH LORENZETTI – CASE MANAGEMENT SOFTWARE**

Ralph Lorenzetti, Prosecuting Attorney appeared before the Commission to report on the Prosecuting Attorney's office need of a case management software system.

Mr. Lorenzetti reported on the five proposals received and proposed cost projections and requested financial support from the Commission.

Mark Schiavone, Capital Planning and Management Director was present for comments.

Motion by Surkamp, second by Morgan to appropriate \$34,941.00 to Mr. Lorenzetti as requested for acquisition of a new case management software system pending availability of a less expensive system. Motion carried.

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

**IN RE: INTERVIEWS: JEFFERSON COUNTY PLANNING COMMISSION APPOINTMENT AND JEFFERSON COUNTY BOARD OF APPEALS APPOINTMENT**

Stephen Alemar appeared before the Commission for an interview as a candidate to the Jefferson County Planning Commission.

Jennifer Brockman, Department of Planning and Zoning Director was present for comments.

W. Matthew Harris, Sr. and Tiffany Hines appeared before the Commission for an interview as candidates to the Jefferson County Board of Appeals.

**IN RE: APPOINTMENT TO THE JEFFERSON COUNTY PLANNING COMMISSION**

Motion by Surkamp, second by Morgan to appoint Stephen Alemar to the Jefferson County Planning Commission for one unexpired term ending January 14, 2013. Motion carried.

**IN RE: APPOINTMENT TO THE JEFFERSON COUNTY BOARD OF ZONING APPEALS**

Upon completion of interviews for Jefferson County Board of Zoning Appeals candidates the following nominations were made:

NOMINEE	Noland	Manuel	Widmyer	Surkamp	Morgan
W. Matthew Harris, Sr.				✓	✓
Tiffany Hine	✓	✓	✓		

Tiffany Hine was reappointed to the Jefferson County Board of Zoning Appeals by a 3-2 vote for one three-year term ending January 14, 2013.

The Commission agreed by consensus to keep Mr. Harris' resume on file for future consideration.

**IN RE: LEGISLATIVE ISSUES**

Commissioner Noland reported on the Legislation's Opening Day on January 13, 2010.

Commissioner Manuel reported on Governor Manchin's State of The State Address on January 13, 2010.

Commissioner Widmyer reported on the Chesapeake Bay Initiatives two-day Conference she attended.

**IN RE: HEARING – ESTATE OF GREGORY L. BALLENGER, DECEASED**

Samuel Bryer, Esquire appeared before the Commission on behalf of Earl Ballenger, Petitioner for the Estate of Gregory L. Ballenger and requested the Commission appoint a Neutral Executor to the estate.

Mr. Bryer reported on the status of the Ballenger estate.

Lynn Fields, Probate Officer was present for comments.

Perry Michael Ballenger, Co-Petitioner for the Estate of Gregory L. Ballenger was present for comments.

The Commission instructed Ms. Fields, Probate Officer to provide recommendations for proposed neutral executors for the Commission's review and consideration and agreed to table this matter for one week.

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

Jennifer S. Maghan, County Clerk appeared before the Commission for the weekly County Clerk's report.

Ms. Maghan reported on candidate filing's for the 2010 election and filing requirements.

**IN RE: STEPHANIE GROVE & JAMES CASIMIRO – LEGAL UPDATE AND REPORT**

Stephanie Grove, Assistant Prosecuting Attorney appeared before the Commission for the weekly update and report.

Ms. Grove provided the Commission with the weekly "to do list" and reported on upcoming hearings and her meeting with Jeff Polczynski, Communications Director and Todd Fagan, Addressing/GIS Specialist with regard to the E-911 Addressing Ordinance.

Ms. Grove reported on the Circuit Court order received regarding the case with Sheriff Shirley concerning the termination of a Deputy.

Shawna Molina was present to discuss concerns regarding Pan Tran's distribution of funds to the Jefferson County Council on Aging with regard to the Freedom Grant and the partnership agreement previously executed between the Jefferson County Commission, Jefferson County Council on Aging and Pan Trans as set forth in the Freedom Grant application.

Ms. Molina reported on the status of her membership and involvement with the Eastern Panhandle Transit Authority Committee.

Fred Blackmer, former Eastern Panhandle Transit Authority Committee member was present for comments.

The Commission agreed by consensus to authorize Sandra McDonald, Interim County Administrator to coordinate a meeting between Shawna Molina, Ms. Grove, Pan Tran officials and grant administrator for the Freedom Grant to discuss this matter further.

James Casimiro, Assistant Prosecuting Attorney was present and reported on the status of the Jefferson Utility rate case and requested an Executive Session.

The Commission agreed to conduct an Executive Session with Mr. Casimiro upon completion of pending agenda items.

**IN RE: DISCUSSION AND ACTION: I MOVE THAT THE COMMISSION REDIRECT THE FUND ALLOCATED FOR A WATER STUDY IN THIS YEAR'S BUDGET TO THE ENGINEERING DEPARTMENT AND HAVE THEM IMPLEMENT AN INDEPENDENT COUNTY-WIDE WATER STUDY WITH THE INTENT OF IDENTIFYING THE EXTENT OF WATER RESOURCES AVAILABLE FOR RESIDENTIAL AND COMMERCIAL USE IN JEFFERSON COUNTY**

Motion by Manuel, second by Morgan that the Commission redirect the funds allocated for a water study in this year's budget to the Engineering Department and have them implement an independent county-wide Water Study with the intent of identifying the extent of water resources available for residential and commercial use in Jefferson County.

Amended motion by Morgan to include directing the Engineering Department to draft a "Work Program" for review and consideration in three weeks prior to allocating funding.

The Commission agreed to table this matter until 1:30 in order to discuss it further with Roger Goodwin, Chief County Engineer.

The Commission also discussed obtaining an opinion from the Water Advisory Committee prior to taking action on this matter.

**IN RE: STEPHANIE GROVE & JAMES CASIMIRO – LEGAL UPDATE AND REPORT – CONTINUED**

Motion by Morgan, second Manuel to enter into Executive Session with James Casimiro, Assistant Prosecuting Attorney. Motion carried.

Upon conclusion of Executive Session the Commission agreed to recess for lunch until 1:30 p.m.

**The Commission recessed for lunch at 12:44 p.m. The Commission reconvened at 1:30 p.m.**

**In re: STAFF REPORTS**

Upon recommendation from Roger Goodwin, Chief County Engineer the Commission voted on the following bonding:

Motion by Manuel, second by Morgan to approve the partial release of a letter of credit for Mark Alexander Smith Homes – Old Route 340 Business Center in the amount of \$26,266.00. Motion carried.

Motion by Morgan, second by Manuel to approve the complete release of a letter of credit for Shannondale, Inc. – Blue Ridge Mini Storage, Building I in the amount of \$11,640.00. Motion Carried.

Motion by Noland, second by Manuel to approve the complete release of a letter of credit for Mathew Cockerham – North Star Foundations, Inc. in the amount of \$51,802.00. Motion carried.

Mr. Goodwin reported on the Bonding Policy Review Committee.

Mr. Goodwin reported on the Property Safety Enforcement Ordinance.

Mr. Goodwin reported on the Dalb Expansion project.

Mr. Goodwin reported on the Chesapeake Bay Initiative.

Mr. Goodwin reported on the Subdivision Ordinance Amendments.

Mr. Goodwin reported on the upcoming permit fee schedule meeting on January 22, 2010.

Mr. Goodwin reported on the Building Code Enforcement Ordinance.

Mr. Goodwin reported that Mike Monaghan, Building Inspector was appointed to the West Virginian Code Officials Association.

**In re: DISCUSSION AND ACTION: I MOVE THAT THE COMMISSION REDIRECT THE FUNDS ALLOCATED FOR A WATER STUDY IN THIS YEAR'S BUDGET TO THE ENGINEERING DEPARTMENT AND HAVE THEM IMPLEMENT AN INDEPENDENT COUNTY-WIDE WATER STUDY WITH THE INTENTION OF IDENTIFYING THE EXTENT OF WATER RESOURCES AVAILABLE FOR RESIDENTIAL AND COMMERCIAL USE IN JEFFERSON COUNTY.**

Motion by Manuel, second by Widmyer to approve that the Commission redirect the funds allocated for a underground water study and include existing studies in this year's budget to the Engineering department and have them implement an independent county-wide water study with the intention of identifying the extent of water resources available for residential and commercial use in Jefferson County. Motion carried.

The Commission advised Mr. Goodwin to develop a work program and then come back before the Commission.

**In re: STAFF REPORTS CONTINUED**

Jennifer Brockman, Planning and Zoning Director reported on the status of her Work Plan.

Ms. Brockman reported that Leadership Jefferson is scheduled in April.

Ms. Brockman reported that the Annual report is due.

Commissioner Surkamp reported that Todd Fagan, GIS Specialist will be scanning all the old septic maps of the mountain.

Barbara Miller, Director of Homeland Security reported a list of individuals to be approved for appointments to the Jefferson County Homeland Security and Emergency Management Steering Committee.

Motion by Morgan, second by Noland to approve appointment for Tom Bayuzik as the Development Authority representative, Amy Grove as the Red Cross representative, Paul Espinosa as the Utilities representative, Ed Smith as the Fire and Rescue representative, along with reappointments of John Sherwood, Chamber of Commerce representative, Jeff Polczynski as the Communication representative, and Katherine Dunbar (Good Shepherd Inter-Faith Caregivers) as the Non-Profit representative to the Jefferson County Homeland Security and Emergency Management Steering Committee. Motion carried.

Ms. Miller reported that the Annual Partnership meeting is at the EPIC Buffet at the Charles Town Races and Slots.

Ms. Miller reported that the NIMS classes were held this past Monday.

Commissioner Morgan reported that she attended the classes and will be getting her certificates in the mail.

Mark Schiavone, Director of Capital Planning and Management reported that the books closed on Tuesday, January 12, 2010.

Mr. Schiavone presented the mid-year report.

Kirk Davis, Sr., Capital Projects Manager reported on the Energy Grant.

Mr. Davis reported that the Chesapeake Bay Sediment is in the hands of the Engineering Department.

Mr. Davis reported on the use and update of rates of the Bond Program.

**In re: RELOCATION OF COUNTY COMMISSION STAFF IN THE HUNTER HOUSE**

Mr. Davis gave a power point presentation on the relocation of the County Commission staff and the Civil Law division offices.

Unanimous consent to the move the County Commission staff as long as the Administrator is on the same floor and to move the Civil Division as long as it is discussed with the Sheriff.

**In re: ROB STEPTOE – CRUISE AND ASSOCIATES – DISCUSSION ON THE USE AND UPDATE ON RATES OF THE ARRA BOND PROGRAM – POWER POINT PRESENTATION**

Rob Steptoe asked if the Commission was interested in full bonding.

Unanimous consent was given to vote no to full bonding.

Mr. Steptoe reported on rates for partial bonding.

The Commission gave permission for the precertification application to be completed for the ARRA bond and will have the letter of engagement sent to our Attorney for review.

Motion by Morgan, second by Widmyer to approve precertification for ARRA Bonds as recommended by staff. Documents are to be reviewed by legal. Motion carried 4-1. Commissioner Surkamp voted in the negative.

**In re: SILLINGS ASSOCIATES – PRELIMINARY DESIGN FOR NEW JUDICIAL BUILDING – POWER POINT PRESENTATION**

Tom Potts presented final design on the New Judicial Center.

Mr. Potts reported on the reviews of the Historic Landmarks Commission.

Mr. Potts reported that they wanted to preserve the 138 year old history dating back to 1872.

The Commission agreed to hold public meetings to present the new design at a date set by staff.

**In re: COUNTY ADMINISTRATOR REPORTS**

Sandra McDonald, Interim County Administrator reported that the office will be closed on Monday, January 18, 2010 for Martin Luther King, Jr. Day.

Ms. McDonald reported that one interview scheduled for 10:30 a. m. was canceled and needs to be rescheduled.

Ms. McDonald reminded the Commission of a County Administrator interview at 1:30 p. m. on Wednesday, January 20, 2010.

**In re: COUNTY COMMISSION REPORTS**

Commissioner Noland reported she was unable to attend the Affordable Housing meeting.

Commissioner Noland reported on the concerns made during the Hite Road Park Public Meeting.

Commissioner Manuel reported on the Affordable House meeting.

Commissioner Manuel reported on the Hite Road Master Plan and comments were made regarding the concept of an indoor pool.

Commissioner Manuel reported on the Governor's Community Corrections.

Commissioner Widmyer reported on the Choose Clean Water Conference.

Commissioner Widmyer reported on the increase commitment to raise funds for Crimes against Children.

Commissioner Surkamp reported on the Board of Health meeting.

Commissioner Morgan reported on the Planning Commission meeting.

Commissioner Morgan reported on the Day Report Center.

**The Commission received the following information:**

Reminder that County offices are closed Monday, January 18, 2010 for Martin Luther King Day.

Invitation to Attend a Retirement Luncheon Honoring Ed Smith on Wednesday, January 20, 2010 12:00 Noon at the Epic Buffet at the Charles Town Races and Slots.

Invitation to attend a Ribbon Cutting on Saturday, February 20, 2010 at the Ranson Civic Center.

Impact Fee Status Report received for December 2009.

Memorandums received from the Department of Capital Planning and Management concerning transfer of funds.

Correspondence received from Insurance Services Office concerning Public Protection Classification Summary Report for Middleway Fire Department.

Correspondence received from Telamon Corporation concerning the yearly Point in Time Study.

Notice received of the Community Alternatives to Violence dinner fundraiser on Thursday, February 11, 2010, 6-9 p.m.

National Watershed Coalition newsletter received.

Correspondence received from the Jefferson County Council on Aging concerning budget policies.

Information received from the County Commissioners' Association concerning the 2010 Census "Portrait of America" Road Tour.

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

Meeting minutes received from the Jefferson County Public Service District.

**The Commission received the following correspondence:**

Correspondence received from Gil Narro Garcia concerning the Planning Commission agenda.

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

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LYN WIDMYER, COMMISSION PRESIDENT