

AGENDA FOR THURSDAY, JULY 2, 2009

Y/ N/ NA

APPOINTMENTS:

- 1. 9:30 a.m. - Pledge of Allegiance
Approval of Minutes
Approval of Purchase Orders
Approval of Accounts Payable
- 2. 9:40 a.m. - Public Comment
- 3. 9:45 a.m. - Bonding and Activity Report
- 4. 10:00 a.m. - Jefferson County Emergency Services Agency - Budget Considerations
- 5. 10:15 a.m. - Laura Rattenni - Budget Revision Request
- 6. 10:30 a.m. - Jay Watson - Jefferson County Seal Presentation
- 7. 10:40 a.m. - Jay Watson - Jefferson County Fire and Rescue Association - Request for Additional Funding for Fire Departments
- 8. 10:45 a.m. - Stephanie Grove - Legal Update and Report
- 9. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report
- 10. 1:30 p.m. - County Commission Workshop - Budget Priorities for Unencumbered Fund Balance

OLD BUSINESS:

- 11. Legislative Issues
- 12. Zoning and Subdivision Ordinance Amendments - Discussion
- 13. Report of Federal Stimulus Funds - Discussion
- 14. Organizational Planning - Discussion
- 15. Detailed Written Explanation of Causes of Deficiencies in County Procedures Regards Recent Audit Report and Specific Steps Taken to Correct

- 16. Letter to President Obama Inviting him to Speak here during Observance of John Brown Raid 150 Years Ago
- 17. Request to Advertise for Open IT Support Position
- 18. E911 Fees Discussion

NEW BUSINESS:

- 19. Planning Commission's Requested Acquisition of Outside Council Concerning Faraway Farms: Action (DM)
- 20. Scheduling of Hearings for Coal Severance and General Fund Unencumbered Fund Balance Rebudgeting
- 21. Contact All Municipalities for a Date When All (Shepherdstown, Bolivar, Ranson, Charles Town, and Harpers Ferry) Can Attend Council of Governments Meeting to Discuss Urban Growth Boundary (JS)
- 22. County Administrator Reports
- 23. County Commission Reports

INFORMATION:

- 24. Reminder that a joint meeting with the Planning Commission will be held on Monday, July 6, 2009 at 7:00 p.m.
- 25. Reminder that County Offices will be closed Friday, July 3, 2009 for Independence Day.
- 26. The County Commission meeting will be held in the Old Charles Town Library meeting room for the July 2, 2009 meeting.
- 27. Appointments and Interviews to be made to the following on July 9, 2009:
 - Parks & Recreation Commission
 - Board of Health
 - Summit Point Library Committee
 - Potomac Headwaters RC&D Council
 - Eastern Panhandle Regional Planning & Development Council
- 28. Appointment to be made to the Jefferson County Building Commission on July 30, 2009.
- 29. Reply received from Jeffrey Polczynski concerning the employee evaluation

form.

- 30. Correspondence received from Kimberly A. Sisk concerning the County's health insurance.
- 31. Correspondence received from Natalie E. Tennant concerning the 2009 West Virginia County Clerk's Election Conference on August 30 - September 1, 2009.
- 32. Correspondence received from the County Clerk concerning the annual financial statement.
- 33. Financial statement received from the Jefferson County Development Authority.
- 34. Correspondence received from the County Commissioners' Association concerning 2009-10 dues.
- 35. Notification of rescheduling of status conference received from Shenandoah Sales & Service, Inc.
- 36. Meeting agenda and minutes received from the Board of Health.
- 37. Newsletter received from the Old Opera House.
- 38. Correspondence received from the State Auditor concerning the in-service training program on August 2-4, 2009.
- 39. Correspondence received from FEMA concerning the Flood Insurance Rate Map.
- 40. Information received from the County Commissioners' Association concerning the annual meeting.
- 41. E-911 fees received from Level 3 Communications, 8x8, Inc., Vonage America, Inc., and Citizens Communications.
- 42. West Virginia Ethics Reporter received.
- 43. Miscellaneous

CORRESPONDENCE:

☐☐☐ 44. Postcards received from the following concerning public library funding:

Mrs. A.R. Hoxton, Jr.	Robert S. Northrup
Carol A. Collator	Anna K. Zawacki
Marie Becker-Welts	Christie L. Ence
Roger Munro	Anne Munro
Elizabeth S. Walter	Naomi Rohrer
Charlotte Ahalt	Larry Barkdoll
Valerie Weaver	George P. White, Jr.
Matthew Viands	Shelly Carver
Diane E. Ferren	Meghan L. Geary
Renee Jochum	Arthur Wineburg
Tara Bell	Mildred Smith
Stephanie Wallace	Kimberly D. Smeltzer
Robin Summerhill	Adriana Lane
Frances Cloud	Virginia Ngo
Ilan Briggs	Molly Briggs
Richard Ashton	Bonnie Sitman
Sylvia Boyer	Louise McDonald
Frances O'Neal	Rex Barkdoll
Lynn Kubik	Blayne Ott
Traci L. Ott	Donald G. Johnson
Richard D. Raymond	Anne L. Oxford
Susan Tewalt	Charles C. Cheezum

#4



JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

116 E. Washington Street, Suite 101

Charles Town, WV 25414

E-mail – jeffcoamb@citlink.net

Telephone – 304-728-3287

Fax – 304-728-6221

7/2/09
10:00 AM

Fax

To: Leslie Smith	From: Ed Smith
Fax: 304-725-7916	Date: June 22, 2009
Phone: 304-728-3284	Pages: Cover only
Re: Agenda	CC:

Urgent For Review Please Comment Please Reply Please Recycle

Leslie,

The Jefferson County Emergency Services Agency would like to be placed on the agenda for the July 2, 2009 County Commission Meeting. The topic is Budget Considerations.

We appreciate your help with this matter. If you should require any additional information, please don't hesitate to contact us.

Sincerely,

Ed Smith

Operations Manager

Jefferson County Emergency Services Agency

APPT.

#4



JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

116 E. Washington Street, Suite 101

Charles Town, WV 25414

E-mail – jeffcoamb@citlink.net

Telephone – 304-728-3287

Fax – 304-728-6221

June 22, 2009

RECEIVED

JUN 23 2009

Ms. Leslie Smith
County Administrator
Jefferson County
P.O. Box 250
Charles Town, WV 25414

Jefferson County Commission

Dear Leslie:

This letter is to request disbursement of the first quarter funds for the approved FY 2010 Operating Budget for the Jefferson County Emergency Services Agency. We would like to receive these funds as soon as possible as we have payroll coming up and the funds are needed for salaries as well as current bills.

Please don't hesitate to contact me at the number listed above if you require any additional information regarding this matter.

Thank you,

E.D. Smith
Operations Manager

/jls

LAURA E. RATENNI
JEFFERSON COUNTY CIRCUIT CLERK
P.O. BOX 1234
CHARLES TOWN, WV 25414
(304) 728-3231

10515^{#5}
7/2/09

**** MEMORANDUM ****

TO: Leslie Smith
FROM: Laura
DATE: June 22, 2009
RE: Budget Revision

Could I please be put on the agenda for the County Commission Meeting on July 2, 2009, as I would like to address the Commission regarding my 2009/2010 budget.

Thank you.

7/2/09
1030
#6

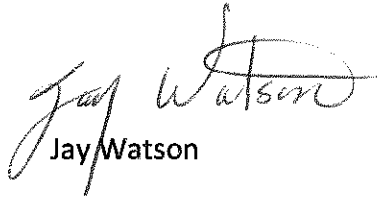
JAMES E. WATSON, III

505 S. MILDRED STREET RANSON, WV 25438
E-MAIL: JEWATSON@CITLINK.NET

RESIDENCE: (304) 725-2570

June 23, 2009

I am requesting to be placed on the Commission's agenda for July 2, 2009. I have a presentation I would like to make to the Commission on adopting a County Seal consisting of the Coat of Arms of Thomas Jefferson. I will present documentation on the Coat of Arms and its use by Jefferson as well as the process I went through to obtain permission for its use.


Jay Watson

RECEIVED

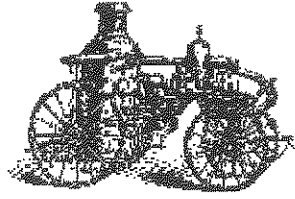
JUN 24 2009

Jefferson County Commission

JEFFERSON COUNTY FIRE & RESCUE ASSOCIATION

7

7/2/09
1040



Organized 1959

RECEIVED

Date: June 23, 2009

JUN 24 2009

To: Jefferson County Commission

From: Jay Watson, President

Jefferson County Commission

Re: Additional Funds for Volunteer Companies

I would like to address the County Commission on July 2, 2009 on the topic of additional funding for the Volunteer Fire Companies of Jefferson County. Due to the reduction in approved funds during the budget process the companies are scheduled to receive \$40,000 each. The original request from the Association was for \$60,000 and we are requesting consideration for this full amount.

#16

Corporation of Harpers Ferry

1000 WASHINGTON STREET

P.O. BOX 217

Harpers Ferry, West Virginia 25425

(304) 535-2206

FAX (304) 535-6520

James Arthur Addy
MAYOR

COUNCIL MEMBERS

CHARLOTTE THOMPSON
DAN RISS
BRENDAN SOENNECKEN
ROBERT JOHNSON
JOE ANDERSON

RECORDER
BETSY BAINBRIDGE

TREASURER
SHERRY CAIN

TOWN CLERK
BRENDA SMITH

April 1, 2009

President Barack Obama
The White House
1600 Pennsylvania Ave, Northwest
Washington, D.C. 20500

Dear President Obama,

The Town of Harpers Ferry, the Harpers Ferry Historic Town Foundation and the Jefferson County NAACP is celebrating the sesquicentennial of John Brown's Raid on the Harpers Ferry Federal Armory and Arsenal during the week of October 12, 2009. Specifically we invite you to attend ceremonies commemorating the event tentatively scheduled for October 16 or 17, 2009 depending on your schedule and of course your availability.

We believe that your presidential presence would be the capstone of the struggle from slavery to freedom in the great redoubt of human freedom - Harpers Ferry. Here the Brown Raid ignited the spark that eventually consumed the evil of slavery. Then in 1906 the first American meeting of the Niagara movement provided the impetus for the civil rights movement that doomed de jure segregation in the United States.

We know that many demands are made on your time, but the significance of your life was the dream of so many who gave their lives and fortunes so that this nation could fulfill its creed of liberty and justice for all.

If you can attend please be advised that you can contact the Mayor's office by telephone at 304-535-2206, fax at 304-535-6520 or Ms. Betsy Bainbridge, Executive Director of the Town Foundation, at 304-535-2030.

Thank you for your consideration of this request.

Sincerely,

James A. Addy
James A. Addy
Mayor

Historic District
Where The Shenandoah Meets The Potomac

Old Business

Dear President Obama:

The County Commission of Jefferson, West Virginia, will be observing the 150th year from the raid on the Harpers Ferry Arsenal by John Brown and his cohorts. We humbly request your presidential presence during the week of October 12, 2009.

This Commission is reminded weekly of this momentous, albeit murderous, blow for freedom because we continue to meet in the very courtroom where Mr. Brown and ~~five~~ ^{six} of his fellow raiders were tried by a jury and hanged for their actions.

Your understanding of our country's constitutional underpinnings would certainly have great relevance during this occasion.

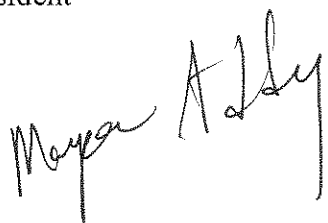
We would rejoice in sharing with you this most beautiful and arguably most historic, rural County in America. Besides the John Brown raid, over a hundred armed conflicts were fought here during the subsequent Civil War. A churchyard in Charles Town is where seventy-two members of the Washington family, the nation's First Family, are buried. Almost an open-air museum, Jefferson County has preserved its heritage carefully. For every five hundred or so residents of some 52,000, there is a structure listed on the National Historic Register. Most of the downtowns of Charles Town and Shepherdstown are formally designated National Historic Districts. The town of Harpers Ferry, of course, is a National Historic Park

If you can attend please be advised that you can contact the County Commission office by phone 304-728-3284, fax 304-725-7916.

Thank you for your consideration of this request.

Sincerely

Dale Manuel,
President



#17

JEFFERSON COUNTY, WEST VIRGINIA
Department of Capital Planning and Management
114 East Washington Street
Charles Town, West Virginia 25414

F. Mark Schiavone
Director
Impact Fee Coordinator

Phone: (304) 728-3331
Fax: (304) 724-2178
mschiavone@jeffersoncountywv.org

MEMORANDUM

TO: Leslie Smith
FROM: F. Mark Schiavone *fm*
DATE: Wednesday, June 17, 2009
SUBJECT: Agenda Request – Regular session 25 June 2009

Leslie,

Please place the following item on the agenda. If other department heads have made similar requests through the time slot open for staff communication please place it there, otherwise it should go on as new business.

- Request to advertise for open IT support position.

I'm also including correspondence from the Shepherdstown Day Care Center along with a copy of my reply. These items should go into their correspondence.

#18

Leslie D. Smith

From: Jeffrey A. Polczynski, ENP [jpolczynski@jeffersoncountywv.org]
Sent: Thursday, June 18, 2009 4:49 PM
To: 'Leslie D. Smith'
Cc: 'Craig Simpson (E-mail)'; 'Ed Anderson (hatteras2@verizon.net)'; 'George Stebbins'; Henry Christie; Jim Surkamp; 'Nancy Dopson'; 'Tom Hansen'; 'William Roper'
Subject: E9-1-1 Advisory Board - 9-1-1 Fees

Leslie,

The Advisory Board met yesterday and discussed the E9-1-1 Fee and made a motion to recommend raising the fee by \$.35 to \$3.25. There were recommendations to the Commission that it was understood that the County Commission budgeted a \$.30 increase in the upcoming FY2010 budget. The Advisory Board strongly recommended that the County Commission reinstitute the requested budget amount from the first "voluntary" cut that I has suggested during the budget hearings/review. I can have the specific motions and minutes of the Advisory Board presented to you and the Commission.

Jeff

Jeffrey A. Polczynski, ENP
Director of Communications
Jefferson County Emergency Communications
Jefferson County, West Virginia
-An EMD Accredited Center of Excellence-

Phone: 304-728-3317
Fax: 304-725-4434
Blackberry: 304-279-1823

Leslie D. Smith

#19

From: Dale Manuel [dmanuel@frontiernet.net]
Sent: Wednesday, June 24, 2009 9:39 AM
To: 'Leslie D. Smith'
Subject: agenda item

Leslie,

Please place the following on this week's agenda:

Planning Commission's requested acquisition of outside council concerning Faraway Farms: Action

I move that the County Commission deny the allocation of any taxpayers' funds in the continuation of the Faraway Farms matter.

Thanks,
Dale Manuel

New Business

#30

JEFFERSON COUNTY, WEST VIRGINIA
Department of Capital Planning and Management
114 East Washington Street
Charles Town, West Virginia 25414

F. Mark Schiavone
Director
Impact Fee Coordinator

Phone: (304) 728-3331
Fax: (304) 724-2178
mschiavone@jeffersoncountywv.org

MEMORANDUM

TO: Leslie Smith
FROM: F. Mark Schiavone *FMS*
DATE: Thursday, June 25, 2009
SUBJECT: Agenda Request – 02 July 2009 – Scheduling for Consideration of unencumbered fund balances.

Leslie,

Please place this on the agenda for the next regular session:

- Scheduling of hearings for Coal Severance and General Fund unencumbered fund balance rebudgeting.

RECEIVED

JUN 25 2009

Jefferson County Commission

AGENDA ITEMS

Work Session Regarding Middleway Fire Company: ~~Status and Funding. Include Fire Marshall's Office and All Stakeholders~~ – Mike Mood and Ruritans - Prior to Release of Funding. (JS)

#21

Contact All Municipalities for a Date When All (Shepherdstown, Bolivar, Ranson, Charles Town, and Harpers Ferry) Can Attend Council of Governments Meeting to Discuss Urban Growth Boundary. (JS)

Health Benefits – Meet with Blue Cross Blue Shield Quote Preparer For Discussion, With Employees Invited to Attend and Participate. (JS)

Summit Point Library Committee

Members Currently serving as of June 2009

Name	Address	Phone	Expiration
Carol Del Colle	2045 Leetown Road Summit Point, WV 25446	304-725-5842	6/30/2009
Catherine Burke	1055 Summit Point Road Summit Point, WV 25466	304-725-4231	6/30/2010
Curt Mason	3735 Summit Point Road Charles Town, WV 25414	304-724-7008	6/30/2011
Don Ranelli	895 Summit Point Road Summit Point, WV 25466	304-725-8344	6/30/2012
Linia Overly	712 Brucetown Road Kearneysville, WV 25430	304-725-3268	6/30/2013

Interested Applicants effective June 2009

Name	Address	Phone	Expiration
Carol Del Colle	2045 Leetown Road Summit Point, WV 25446	304-725-5842	6/30/2009

Information

Jefferson County Board of Health

Members Currently serving as of June 2009

Name	Address	Phone	Expiration
Rosamond A. Rutledge-Burns	307 Wildlife Way Harpers Ferry, WV 25425	304-728-1160 301-497-5515	6/30/2009
Mark A. Shields	82 Foster Circle	301-827-6173	6/30/2010
Joseph Osterman	98 Locust Knoll Drive Charles Town, WV 25414	304-725-1874	6/30/2011
Robert Johnson	PO Box 689 Harpers Ferry, WV 25425	304-535-2203	6/30/2012
Willis E. Nowell, Jr.	389 Shenandoah River Drive Harpers Ferry, WV 25425	304-725-2440	6/30/2013

Interested Applicants effective June 2009

Name	Address	Phone	Expiration
Rosamond A. Rutledge-Burns	307 Wildlife Way	304-728-1160 301-975-5819	6/30/2009

Jefferson County Parks & Recreation Commission

Members Currently serving as of June 2009

Name	Address	Phone	Expiration
Toni Milbourne	PO Box 586 Harpers Ferry, WV 25425	304-535-6851 304-725-2046	6/30/2009
Lou Tiano	1127 Willowdale Drive Shepherdstown, WV 25443	304-876-6836 304-268-3703	6/30/2009
Bobby Shirley	567 Hidden Hallow Drive Kearneysville, WV 25430	304-724-5876	6/30/2009
George F. Nichols	PO Box 69 Shenandoah Junction, WV 25442	304-725-7106	6/30/2009
Matthew Knott	200 River Rock Run Harpers Ferry, WV 25425	304-671-7199	6/30/2010
Cheryl D. L. Roberts	PO Box 217 Shepherdstown, WV 25443		6/30/2010
Shawna Molina	1815 Shenandoah River Drive Harpers Ferry, WV 25425	304-728-2777 703-390-6157	6/30/2010
Paul Marshall	409 Oakwood Drive Shepherdstown, WV 25443	304-876-0551 443-871-2574	6/30/2010
Mike Jacobs	1141 Steamboat Road Shepherdstown, WV 25443	304-876-6196	6/30/2011
William R. Hoak	761 Jefferson Orchard Road Kearneysville, WV 25430	304-725-3327	6/30/2011
Daniel McVicer	28 Sunlite Drive Charles Town, WV 25414	304-728-0675	6/30/2011

Interested Applicants effective June 2009

Name	Address	Phone	Expiration
George F. Nichols	PO Box 69 Shenandoah Junction, WV 25442	304-725-7106	6/30/2009
Lou Tiano	1127 Willowdale Drive Shepherdstown, WV 25443	304-876-6836 304-268-3703	6/30/2009
Toni Milbourne	PO Box 586 Harpers Ferry, WV 25425	304-535-6851 304-725-2046	6/30/2009
Bobby Shirley	567 Hidden Hallow Drive Kearneysville, WV 25430	304-724-5876	6/30/2009
Thomas Diehl	502 Eastland Drive Charles Town, WV 25414	304-728-1000	

NOTICE OF INTENT TO APPOINT

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, July 2, 2009, or as soon thereafter as the Commission may decide:

Jefferson County Parks and Recreation Commission - Four 3 year terms ending June 30, 2012

Jefferson County Board of Health - One 5 year term ending June 30, 2014

Summit Point Library Committee - One 5 year term ending June 30, 2014

Eastern Panhandle Regional Planning and Development Council - Region 9 - One 1 year term ending June 30, 2010

Potomac Headwaters RC&D Council - One 2 year term ending July 1, 2011

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

PARKS AND RECREATION COMMISSION

Toni Milbourne
P.O. Box 586
Harpers Ferry, WV 25425
h: 535-6851 w: 725-2046
3 years 6/30/2009

Lou Tiano
1127 Willowdale Drive
Shepherdstown, WV 25443
h: 876-6836 cell: 268-3703
ltiano@frontiernet.net
3 years 6/30/2009

Bobby Shirley
567 Hidden Hallow Drive
Kearneysville, WV 25430
h: 724-5876
3 years 6/30/2009

George F. Nichols
P.O. Box 69
Shenandoah Junction, WV 25442
h: 725-7106
3 years 6/30/2009

Matthew Knott
200 River Rock Run
Harpers Ferry, WV 25425
matt@riverriders.com
304-671-7199
3 years 6/30/2010

Cheryl D. L. Roberts
P.O. Box 217
Shepherdstown, WV 25443
3 years 6/30/2010

PARKS AND RECREATION COMMISSION

Shawwna Molina
1815 Shenandoah River Drive
Harpers Ferry, WV 25425
728-2777 (w) 703-390-6157
shawwna_hughes@yahoo.com
3 years 6/30/2010

Paul Marshall
409 Oakwood Drive
Shepherdstown, WV 25443
876-0551 cell-443-871-2574
pmarshall@ecologyservices.com
3 years 6/30/2010

Mike Jacobs
1141 Steamboat Road
Shepherdstown, WV 25443
h: 876-6196
3 years 6/30/2011

William R. Hoak
761 Jefferson Orchard Road
Kearneysville, WV 25430
h: 725-3327
3 years 6/30/2011

Daniel W. McVicar
28 Sunlite Drive
Charles Town, WV 25414
728-0675
dwmcvicar@frontiernet.net
3 years 6/30/2011

Tim Barr, Director
Parks and Recreation Commission
235 Sam Michaels Lane
Shenandoah Junction, WV 25442
304-728-3207
728-9746 fax
JCPR@frontiernet.net

June 2, 2009

The County Commission of Jefferson County
P.O. Box 250
Charles Town, WV 25414

RECEIVED

JUN 02 2009

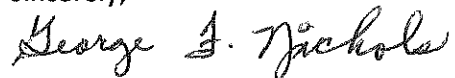
JEFFERSON COUNTY COMMISSION

Dear Madam and Sirs,

I would like to request to be considered for re-appointment to the Jefferson County Parks and Recreation Commission. Over the past 6 years, I have been a loyal supporter of the Parks & Recreation Department and want to be a part of their plans to offer more to the community in the future. Over my tenure, I have volunteered and assisted with events that the Department has held which include the Independence Day Celebration, Gospel Festival and Senior Picnic. If given the opportunity, I will continue to be a loyal member of the Commission and will consider it an honor. I hope that you would consider my request to do so.

Thank you in advance for your consideration and I look forward to your reply.

Sincerely,



George Nichols

May 23, 2009

Leslie D. Smith
PO Box 250
124 East Washington Street
Charles Town, WV 25414

RECEIVED

JUN 03 2009

Jefferson County Commission

Dear Ms. Smith:

I am interested in seeking another term on the Jefferson County Parks and Recreation Commission. I have attached a copy of my resume if needed.

If you have any questions, you may contact me at 304-876-6836.



Lou Tiano

1127 Willowdale Drive
Shepherdstown, West Virginia

304-876-6836 (Home)
304-268-3703 (Cell)

Lou Tiano

Education: Bachelor of Arts, Shepherd College, May 1972

Master of Arts, West Virginia University, August 1977

Experience: 1997-2005 Loudoun County Schools Leesburg, Va.

Athletics, Health & Physical Education Supervisor

- Developed & Maintained Financial Accounts for Athletics, Health, Physical Education and Driver Education.
- *Responsible for interviewing and hiring candidates for employment.
- *Responsible for coordinating the athletic trainer program.
- *Coordinated district meetings with the athletic directors and assistant athletic directors.
- *Scheduled and coordinated the adapted physical education program.
- *Assisted in the placement of student teachers for physical education.
- * Worked with new school construction for athletic and physical education facilities.

1995-1997 Loudoun County Schools Leesburg, Va.

Principal, Hillsboro School; Supervisor of Athletics, Health, Physical Education and Driver Education

- Maintained Student /Coaches Athletic Handbook
- Maintained various financial accounts for health, physical education and athletics.
- Interview and hire teachers, coaches and athletic directors.
- Worked with new school construction for athletic and physical education facilities.

1991-1994 Loudoun County Schools Leesburg, Va.

Principal, Aldie School; Supervisor Athletics, Health Physical Education and Driver Education

- Developed Student/Coaches Athletic Handbook
- Maintained financial accounts for the athletics, health and physical education programs
- Interviewed, hired and placed teachers and coaches.

1986-1990 Loudoun County Schools Leesburg, Va.
Principal, Arcola Elementary

1983-1985 Loudoun County Schools Leesburg, Va.
Principal, Lovettsville Elementary School

1980-1983 Loudoun County Schools Leesburg, Va.
Principal, Waterford Elementary School

1979-1980 Loudoun County Schools Leesburg, Va.

Assistant Principal, Sterling Middle School

1977-1979 Loudoun County Schools Leesburg, Va.
Assistant Principal, Guilford Elementary School

1972 – 1976 Loudoun County Schools Leesburg, Va.
Teacher, Elementary Physical Education

Volunteer Activities:

2005-07 – Jefferson HS, Soccer Program, Statistician

2005-07 – Jefferson HS Baseball, Treasurer, Statistician

2005- Present, Current Board of Directors, Shepherd College Alumni Association

2005-2008-Cress Creek, Men's Golf Association Board of Directors

2005-2007– Shepherdstown Men's Club, Board of Directors

2008 – Present, Caregivers Golf Tournament

2007 – Present, Current member of the Jefferson County Parks and Recreation Board of Directors

2007 –Present, House Committee Chair, Cress Creek Country Club

June 15, 2009

Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414

RECEIVED

JUN 16 2009

JEFFERSON COUNTY COMMISSION

Jefferson County Commissioners:

I am writing to request that my appointment to the Jefferson County Parks and Recreation Commission be renewed for another three year term. I have served the Commission for the past six years and have worked hard to determine the needs of the county, via a survey; organize events (i.e., fireworks celebration) and develop new recreation avenues for the citizens of Jefferson County.

Currently I serve as secretary for the Parks and Recreation as well as chair of the Fundraising and Grants committee and member of the Finance Committee. I am heading the effort to attain 501(3)(c) status for our agency so that we may receive United Way funding as well as seeking out any number of avenues for revenue to maintain the department's efforts to serve the county as well as to increase those services.

I look forward to answering any questions you may have regarding my service on the Parks and Recreation Commission as well as continuing to serve as your commissioner.

Sincerely,



Toni Milbourne

Robert E. Shirley
567 Hidden Hallow Drive
Kearneysville, WV 25430

June 17, 2009

The County Commission of Jefferson County
P.O. Box 250
Charles Town, WV 25414

RECEIVED

JUN 17 2009

JEFFERSON COUNTY COMMISSION

Dear Madam and Sirs,

I would like to request to be considered for re-appointment to the Jefferson County Parks and Recreation Commission. I have always been a strong supporter of the Parks & Recreation Department and want to be a part of their plans to offer more to the community in the future. If given the opportunity, I will continue to be a loyal member of the Commission and would consider it an honor to be able to serve and hope that you would consider my request to do so.

Thank you in advance for your consideration and I look forward to your reply.

Sincerely,

Robert E. Shirley

Leslie D. Smith

From: Jennifer Myers [jmyers@jcprc.org]
Sent: Wednesday, June 17, 2009 11:52 AM
To: Leslie Smith
Cc: tbarr@jcprc.org; 'Diehl, Tom'; Dale Manuel; lynwidmyer@gmail.com
Subject: Tom Diehl Appt. Letter
Attachments: Tom Diehl Letter.pdf

Leslie,

I was asked to forward this request for appointment to the Parks & Recreation Commission to you. If you need a hard copy please let me know and I can print one off and bring it in.

Thanks,

Jennifer L. Myers
Assistant Director
Jefferson County Parks & Recreation Commission
jmyers@jcprc.org
(304) 728-3207

The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this electronic transmission in error, please notify me by telephone at (304) 728-3207 immediately.

Leslie Smith
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Dear Madam & Sirs:

I am writing to request appointment to the Parks & Recreation Commission. I was a loyal member of the Commission for nine years, and I feel that my expertise as a Certified Public Accountant and my knowledge and passion for Parks & Recreation is an invaluable resource to the Commission.

Throughout my tenure as a Commissioner, there have been dramatic changes within the Department. The past few years have been a very exciting time of growth and development and I look forward to continuing to help the Commission set and reach its goals and objectives. I was raised in Jefferson County and now am raising two young children of my own. I have seen firsthand the importance of recreation and the benefits it has to offer.

I feel that my dedication and support over the last nine years shows how important Parks and Recreation is to me, and I hope that you will give my request for appointment serious consideration. I would like the opportunity to continue to help and support the Commission and be a positive influence within my community and the county.

I look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Diehl". The signature is written in dark ink and is positioned above the printed name.

Thomas Diehl

NOTICE OF INTENT TO APPOINT

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, July 2, 2009, or as soon thereafter as the Commission may decide:

Jefferson County Parks and Recreation Commission - Four 3 year terms ending June 30, 2012

Jefferson County Board of Health - One 5 year term ending June 30, 2014

Summit Point Library Committee - One 5 year term ending June 30, 2014

Eastern Panhandle Regional Planning and Development Council - Region 9 - One 1 year term ending June 30, 2010

Potomac Headwaters RC&D Council - One 2 year term ending July 1, 2011

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

BOARD OF HEALTH

Rosamond A. Rutledge-Burns
307 Wildlife Way
Harpers Ferry, WV 25425
h: 304-728-1160 w: 301-975-5819
5 years 06/30/2009

Mark A. Shields
82 Foster Circle
Shenandoah Junction, WV 25442
w: 301-827-6173
5 years 06/30/2010

Joseph V. Osterman
98 Locust Knoll Drive
Charles Town, WV 25414
725-1874
josterman@citlink.net
5 years 06/30/2011

Robert Johnson
P.O. Box 689
Harpers Ferry, WV 25425
h: 535-2203 w: 301-791-3253
5 years 06/30/2012

Willis E. Nowell, Jr.
389 Shenandoah River Drive
Harpers Ferry, WV 25425-604
h: 304-725-2440
willis-nowell@shannondale.org
5 years 06/30/2013

Jim Surkamp - Commission Liaison

§16-2-7

Jefferson County Health Department

ROBERT E. JONES, M.D.
HEALTH OFFICER



1948 WILTSHIRE ROAD, SUITE 1
KEARNEYSVILLE, WV 25430
ENVIRONMENTAL: (304) 728-8415
FAX: (304) 728-3314
MEDICAL: (304) 728-8416
FAX: (304) 728-3319

To the members of the Jefferson County Commission:

I have worked with Rosamond Burns for over a year during her term as a member of the Jefferson County Board of Health. She has demonstrated a wonderful initiative and a positive attitude toward accomplishment. Both qualities that have made her a valuable member of our board. It is with pride that I recommend her for another term as a board of health member.

Ms. Burns has attended more than 90% of the meetings during her term and has added valuable knowledge to the issues pertaining to the Board of Health. Her presents and wisdom complements the other board members and strengthens the board as a whole. She is a self directed person with effective communication skills, both written and verbal. I find myself uniquely qualified to support Ms. Burns' candidacy as I have observed her in a number of situations which have allowed me to witness first hand her dedication to helping the community in her role as a member of the board of health. Mrs. Burn possesses characteristics which lend me to believe you will be hard-pressed to find a more qualified candidate for this position.

I find Mrs. Burns abilities as excellent. I strongly recommend her for another term as a member of the Jefferson County Board of Health

Sincerely,

A handwritten signature in cursive script, appearing to read "Dr. Robert Johnson".

Dr. Robert Johnson, Chairman Board of Health

RECEIVED

JUN 03 2009

Jefferson County Commission

Leslie D. Smith

From: wvrep2@aol.com
Sent: Monday, May 18, 2009 11:47 AM
To: ldsmith@jeffersoncountywv.org
Subject: Fwd: Consideration for Reappointment to the Board of Health

Dear Leslie,

I had your e-mail address wrong, sorry.

Ros Burns

-----Original Message-----

From: wvrep2@aol.com
To: ldsmith@jeffersoncounty.org; dmanuel@frontiernet.net; surkamp@frontiernet.net
Cc: amybjones@wvdhhr.org; Wvrep2@aol.com
Sent: Mon, 18 May 2009 11:35 am
Subject: Consideration for Reappointment to the Board of Health

Dear Ms. Smith, Commissioner Manuel and Commissioner Surkamp,

My appointment to the Jefferson County Board of Health expires June 30, 2009. I wish to be considered for reappointment to this position.

Please let me know if I need to supply you with my current resume, any additional information, or recommendations from the other Board members.

I enjoy serving Jefferson County on the Board of Health and would appreciate consideration for this important position.

Best Regards,

Ros Burns (Rosamond Rutledge-Burns)

304-728-1160 home
301-497-5515 cell

307 Wildlife Way
Harpers Ferry, WV 25425

We found the real 'Hotel California' and the 'Seinfeld' diner. What will you find? [Explore **W**herel**t**s**A**t.com.](http://www.WhereltsAt.com)

We found the real 'Hotel California' and the 'Seinfeld' diner. What will you find? [Explore **W**herel**t**s**A**t.com.](http://www.WhereltsAt.com)

NOTICE OF INTENT TO APPOINT

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Summit Point Library Committee - One 5 year term ending June 30, 2014

Eastern Panhandle Regional Planning and Development Council - Region 9 - One 1 year term ending June 30, 2010

Potomac Headwaters RC&D Council - One 2 year term ending July 1, 2011

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

SUMMIT POINT LIBRARY COMMITTEE

Carol Del Colle
Route I, Box 93B
Summit Point, WV 25446
h: 725-5842
5 years 6/30/2009

Catherine Burke
1055 Summit Point Road
Summit Point, WV 25446
h: 725-4231
5 years 6/30/2010

Curt Mason
3735 Summit Point Road
Charles Town, WV 25414
h: 724-7008
5 years 6/30/2011

Don Ranelli
895 Summit Point Road
Summit Point, WV 25446
h: 725-8344
5 years 6/30/2012

Linia Overly
712 Brucetown Road
Kearneysville, WV 25430
h: 725-3268
5 years 6/30/2013

6/8/09

To Whom it May Concern,

I am responding to a letter I have received informing me that my term on the Summit Point Library Committee will expire on June 30.

I would like to let the County Commission know that I am interested in serving for another term. As a resident of Summit Point, I have enjoyed serving as part of the library board and would like to continue to do so.

Thank you for your attention to this matter.

Carol A. DeLillo

Carol A. DeLillo

2045 Lector Road

Summit Point Wv

25446

RECEIVED

JUN 11 2009

Jefferson County Commission

South Jefferson Public Library



49 Church Street
P. O. Box 17
Summit Point, West Virginia 25446
phone: 304-725-6227 fax: 304-728-2586

Board of Trustees

June 12, 2009

The County Commission of Jefferson County
PO Box 250
Charles Town WV 25414

RECEIVED

JUN 16 2009

Jefferson County Commission

RE: Summit Point Library Commission Appointment

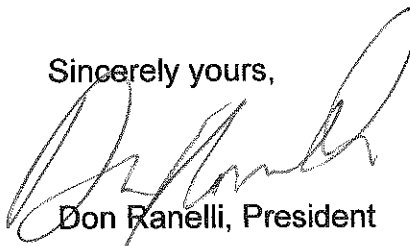
Dear Commissioners,

This letter is to convey our unanimous recommendation for the reappointment of Carol Del Colle to a new term on our Library Board effective 1 July 2009.

Carol has served tirelessly as our Recording Secretary since her service on the board began more than 19 years ago and continues to discharge those duties in an exemplary fashion. In addition, she has been an avid supporter of our library project since its inception. Her dedication to the community is very much appreciated and we would very much like her to continue.

For the Summit Point Library Commission I am

Sincerely yours,



Don Ranelli, President

Cc: Carol Del Colle

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Potomac Headwaters RC&D Council - One 2 year term ending July 1, 2011

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

EASTERN PANHANDLE REGIONAL PLANNING AND DEVELOPMENT COUNCIL
Region 9

Neil D. Carpenter
P.O. Box 40
Shenandoah Junction, WV 25442
876-2874
1 year term 6/30/2009

NOTICE OF INTENT TO APPOINT

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Additional information regarding these appointments may be obtained by calling the Commission Office at (304) 728-3284.

POTOMAC HEADWATERS RC&D COUNCIL

Marian Buckner
104 Wildflower Lane
Shepherdstown, WV 25443
876-0690
2 years July 1, 2009

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, July 30th, 2009, or as soon thereafter as the Commission may decide:

Jefferson County Building Commission - One 5-year term ending July 27, 2014

Persons who may be interested in the above listed agency should submit a letter of interest and a resume or statement of qualifications to the Jefferson County Commission, P.O. Box 250, Charles Town, WV 25414, prior to the proposed date of appointment.

Additional information regarding these appointments may be obtained by contacting the Commission Office at (304) 728-3284 or info@jeffersoncountywv.org.

BUILDING COMMISSION

Eugene D. Pearson
P.O. Box 1005
Charles Town, WV 25414
725-1746
5 years 07/27/09

Marvin Pratt
230 Willis Drive
Shepherdstown, WV 25443
h: 876-1143 c: 786-766-3345 fax: 876-1590
mpratt@processleaders.com
5 years 07/27/2010

Ed Johnson
17 Johns Court
Charles Town, WV 25414
724-1765
5 years 07/27/2011

§8-33-3



WEST VIRGINIA CODE

§8-33-3. Authority vested in board; composition of board; appointment; qualifications and terms of members; vacancies; reimbursement of expenses.

All property, powers and duties and the management and control of each commission shall be vested in a board consisting of representatives appointed by the governmental body or bodies creating and establishing such commission. In the case of a municipal building commission or a county building commission such board shall consist of not less than three nor more than five members and in the case of a municipal-county building commission each participating municipality shall appoint two members and each participating county shall appoint three members. All members of any board shall be appointed for terms of five years. Prior to making the initial appointments to the board, the governmental body or bodies shall make such initial appointments so that approximately one fifth of the total number of members of the board shall be appointed for a term of one year, approximately one fifth of the total number of members of the board shall be appointed for a term of two years, approximately one fifth of the total number of members of the board shall be appointed for a term of three years, approximately one fifth of the total number of members of the board shall be appointed for a term of four years, and approximately one fifth of the total number of members of the board shall be appointed for a term of five years. As the term of each such initial appointee expires the successor to fill the vacancy created by such expired term shall be appointed for a term of five years.

The ordinance or order creating a building commission may provide for the manner of appointments to the membership of such commission by the governmental body creating such commission, which, in the case of a county, shall be the county commission or other tribunal in lieu thereof and, in the case of a municipality, shall be the governing body thereof.

If any member of any board die, resign or for any reason cease to be a member of the board, the governmental body which such member represented shall appoint another individual to fill the unexpired portion of the term of such member. No more than two thirds of the total number of members of the board of each commission shall be from the same political party and no member of any such board shall hold any office (other than the office of notary public) or employment under the United States of America, the state of West Virginia, any county or political subdivision thereof, or any political party. All members of any board shall be residents of the municipality or county for which appointed. No member of any board shall receive any compensation for his services as such, but each member shall be reimbursed by the commission for any reasonable and necessary expenses actually incurred in the discharge of his duties as a member of the board.

Note: Code updated with legislation passed through the 2008 2nd Extraordinary Session

Leslie D. Smith

From: Jeffrey A. Polczynski, ENP [jpolczynski@jeffersoncountywv.org]
Sent: Monday, June 15, 2009 5:32 PM
To: 'Leslie D. Smith'
Subject: RE: Employee Evaluation Form Review

Okay for me. As you indicated, I may add job specific ratings if allowed.

Jeffrey A. Polczynski, ENP
Director of Communications
Jefferson County Emergency Communications
Jefferson County, West Virginia
-An EMD Accredited Center of Excellence-

Phone: 304-728-3317
Fax: 304-725-4434
Blackberry: 304-279-1823

From: Leslie D. Smith [mailto:ldsmith@jeffersoncountywv.org]
Sent: Wednesday, May 20, 2009 8:47 AM
To: Barb Miller; Bill Polk; Jeffrey A. Polczynski, ENP; F. Mark Schiavone; Roger Goodwin
Subject: Employee Evaluation Form Review

Attached is the Jefferson County Employee Evaluation Form utilized by the County. The Commission would like your review and comment of the form for possible future modification. Could you provide your comments back to the Commission office as soon as possible.

Thank you,

Leslie

Leslie D. Smith
County Administrator
Jefferson County Commission
PO Box 250
124 E. Washington Street
Charles Town WV 25414
304.728.3284
304.725.7916 fax

*Rec'd
6/22/09
KAS*

**Engineering
Department**

Memo

To: Jefferson County Commission
From: Kimberly A. Sisk, Permit Technician *KAS*
CC: Leslie Smith, County Administrator
Date: 6/22/2009
Re: Health Insurance Renewal & Benefits

Hi, my name is Kimberly A. Sisk and I have been employed with Jefferson County for almost 7 ½ yrs. In all of those years I can say that I only used the Health Insurance once when I broke my foot back in 2007. It wasn't until August 2008, when I started to have some female problems that I realized how beneficial the Guardian Insurance was and is. It was discovered that I had cervical cancer and was required to have a full hysterectomy, which also involved chemotherapy and radiation. The rest of my life will involve CT Scans and several Doctors Visits every 4 to 6 months.

It was a relief to know that the medical bills I incurred and still accrue were and is covered by Guardian, with little out of pocket expense.

Looking at the New Proposal for Blue Cross and Blue Shield and doing some research, I came to the conclusion that it would be a BIG MISTAKE to switch from Guardian.

Being a Single Mother of 3 children (1 just went to college) the out of pocket expense that would accrue from Blue Cross and Blue Shield would be damaging to my already tight income.

To be honest, I don't know how I will be able to afford the future doctor office visits and the CT scans if you decide to switch from Guardian to another carrier.



Natalie E. Tennant

Secretary of State
State of West Virginia

RECEIVED

JUN 24 2009

Jefferson County Commission

June 22, 2009

County Commissioners
Jefferson County
100 E. Washington St., PO BOX 250
Charles Town, WV 25414

Dear County Commissioners,

Please mark your calendars for the 2009 West Virginia County Clerk's Election Conference. The dates for this year's conference are Sunday, August 30 through Tuesday, September 1, 2009 at Stonewall Jackson Resort in Roanoke, West Virginia.

The registration fee for the conference will be \$200 per person, payable to the WVSOS-Conference Registration by July 31st. This fee includes breakfast, lunch, and refreshments during session breaks, parking and some amenities at the resort. Some of the amenities at the resort include swimming, paddle boats, canoeing, fishing and more. This fee does NOT include lodging. The room rate for single occupancy is \$99 and \$59 for double occupancy per room per night plus local tax. To reserve your lodging and to receive the special rate you must contact Stonewall Resort directly at 1-888-278-8150 before July 24th.

We are planning intriguing workshops and some very exciting evening events such as a dinner cruise. A reminder and finalized agenda will be sent out in the near future. If you have any questions concerning the conference, or any suggestions for topics to be covered, please feel free to contact Tim Richards, Ryan Thorn, or a member of our elections division at (304) 558-6000 or elections@wvsos.com.

Sincerely,

A handwritten signature in cursive script that reads "Natalie E. Tennant".

Natalie E. Tennant
Secretary of State

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, West Virginia 25305
(304) 558-6000
www.wvsos.com



Jennifer S. Maghan, County Clerk

June 24, 2009

TO: Board of Health
Jefferson County Public Libraries
County Economic Development Authority
County Parks and Recreation Commission
County Building Commission
Farmland Protection
Ambulance Authority

RECEIVED

JUN 24 2009

Jefferson County Commission

CC: County Commission
Fred Hess, WVSAB

Greetings:

The time has come once again to prepare the Annual Financial Report for Jefferson County.

These statements are published to provide the County Commission, Taxpayers, and other interested parties with detailed information concerning the financial condition and activities of the County Government. Responsibility for both the accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the County.

The financial statements are prepared in accordance with generally accepted accounting principles for governments as prescribed by the Governmental Accounting Standards Board (GASB 34).

The general purpose financial statements, along with the Vendor's List are published annually in the local newspaper as a Class I-0 legal advertisement in compliance with West Virginia Code 7-5-16. These statements along with the Annual Financial Report must be published no later than the first week of October.

It is requested that the General Ledger, Trial Balances and Revenue and Expense Statements for your organization as of June 30, 2009 be forwarded to my office no later than **Wednesday, July 15, 2009**.

Questions you may have regarding the requested information can be answered by calling 304-728-3347.

Your cooperation and timeliness in your response is appreciated.

Very Truly Yours,


Jennifer S. Maghan

Clerk of the County Commission

100 East Washington Street, Charles Town, West Virginia 25414

304-728-3347 (office) 304-728-1957 (fax)

jmaghan@jeffersoncountywv.org

jeffersoncountyclerkwv.com



Jennifer S. Maghan, County Clerk

June 24, 2009

The Honorable Laura Rattenni, Circuit Clerk
The Honorable Ralph Lorenzetti, Prosecuting Attorney
The Honorable Angela Banks, Assessor
The Honorable Robert Shirley, Sheriff
Jefferson County Animal Control
Capital Planning and Management
Communications: 911
Engineering Office
Homeland Security/ Emergency Management
Maintenance
Extension Office

CC: Jefferson County Commission
CC: Fred Hess, WVSAO

Our office is required to report the cash on hand as of June 30, 2009, for each of the County Offices. I have to include this in our County's Annual Financial Statement.

If your office has cash on hand on June 30, 2009, Please provide the dollar amount. \$ _____

If your office has zero cash on hand, please write \$0.00 or "none." This includes bank accounts for the office.

Even if your office had fees/monies that had not yet been paid out to entities, please show the balance of cash and accounts for your office.

Please provide your signature verifying that the information you have provided is accurate.

Name _____ Department _____

Signature _____ Date _____

Please return this letter no later than Wednesday, July 15, 2009 to ensure the timely filing of our Financial Statement FY2009.

Thank you so much for your attention to this matter.

Very Truly Yours,

Jennifer S. Maghan, County Clerk

Jefferson County Development Authority

P.O. BOX 237 • CHARLES TOWN, WV 25414 • (304) 728-3255 • FAX (304) 725-3133 • E-mail: info@jcda.net

Jane K. Peters, CECD
Executive Director

RECEIVED

June 17, 2009

JUN 16 2009

Jefferson County Commission

Ms. Leslie D. Smith
Jefferson County Administrator
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Dear Leslie:

Enclosed please find six (6) copies of the financial statement for the Jefferson County Development Authority for the year ending March 31, 2009.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Thomas Bayuzik, Jr.
Executive Director

Enclosures



**JEFFERSON COUNTY
DEVELOPMENT AUTHORITY**

FINANCIAL STATEMENTS

For the nine months ended March 31, 2009

CONTENTS

	<u>Page</u>
INDEPENDENT ACCOUNTANTS' COMPILATION REPORT ON FINANCIAL STATEMENTS	3
FINANCIAL STATEMENTS	
Statement of Net Assets	4-5
Statement of Revenues and Expenses and Changes in Net Assets	6

1020 Winchester Avenue • Martinsburg, WV 25401

INDEPENDENT ACCOUNTANTS' COMPILATION REPORT ON FINANCIAL STATEMENTS

To the Board of Directors
Jefferson County Development Authority
Charles Town, West Virginia

We have compiled the accompanying statement of net assets of the Jefferson County Development Authority as of March 31, 2009 and the related statement of revenues and expenses and changes in net assets for the nine months then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Jefferson County Development Authority has elected to omit substantially all of the disclosures and the statement of cash flows required by generally accepted accounting principles. If the omitted disclosures and the statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Authority's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

Decker & Company PLLC

May 20, 2009

Jefferson County Development Authority

STATEMENT OF NET ASSETS

March 31, 2009

ASSETS

CURRENT ASSETS

Cash and temporary investments	\$ 563,777
Notes receivable (due in one year)	134,089
Prepaid expenses	<u>3,427</u>
Total current assets	<u>701,293</u>

RESTRICTED ASSETS

Cash - Telecenter	30,438
Cash - Agriculture Development	9,126
Rents receivable - Telecenter	<u>45,219</u>
Total restricted assets	<u>84,783</u>

PROPERTY AND EQUIPMENT

Furniture, fixtures, and equipment	321,651
Less accumulated depreciation	<u>227,822</u>
Total property and equipment	<u>93,829</u>

OTHER ASSETS

Land and development	7,063,274
Loan receivable - daycare	<u>20,000</u>
Total other assets	<u>7,083,274</u>
Total assets	\$ <u>7,963,179</u>

See independent accountants' compilation report.

Jefferson County Development Authority

STATEMENT OF NET ASSETS (continued)

March 31, 2009

LIABILITIES

CURRENT LIABILITIES

Accounts payable - trade	\$ 3,590
Notes payable (due within one year)	4,591,955
Deferred gain	<u>1,395</u>
Total current liabilities	<u>4,596,940</u>

CURRENT LIABILITIES PAYABLE FROM RESTRICTED ASSETS

Accounts payable - Telecenter	8,302
Notes payable - Telecenter	<u>18,853</u>
Total current liabilities payable from restricted assets	<u>27,155</u>

LONG-TERM LIABILITIES

Due to Jefferson County Commission - park infrastructure	200,000
Deferred gain	<u>100</u>
Total long-term liabilities	<u>200,100</u>
Total liabilities	<u>4,824,195</u>

NET ASSETS

Invested in capital assets, net of related debt	2,519,237
Restricted for Telecenter operations	55,874
Restricted for Agriculture Development	9,126
Unrestricted	<u>554,747</u>
Total net assets	<u>3,138,984</u>
Total liabilities and net assets	\$ <u><u>7,963,179</u></u>

See independent accountants' compilation report.

Jefferson County Development Authority

STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN NET ASSETS

For the nine months ended March 31, 2009

OPERATING SUPPORT AND REVENUES

Support from Jefferson County Commission	\$ 278,662
Option Income	20,000
Other	<u>1,620</u>
Total operating support and revenues	<u>300,282</u>

OPERATING EXPENSES

Advertising/Marketing	22,490
Amortization	43,059
Contract labor	(620)
Depreciation	1,966
Dues and subscriptions	4,045
Employee benefits	47,204
Internet	518
Maintenance	2,000
Other operating	16,381
Professional fees	46,636
Rent	3,475
Salaries	149,939
Seminars/conferences	3,001
Supplies	993
Travel	<u>10,997</u>
Total operating expenses	<u>352,084</u>

Operating support and revenues less operating expenses (51,802)

NON-OPERATING SUPPORT AND REVENUES (EXPENSES)

Interest income	58,760
Telecenter interest income	91
Interest expense	(101,680)
Telecenter grants and revenues	212,589
Telecenter expenses	(214,883)
Agriculture Development expenses	<u>(630)</u>
Total non-operating support and revenues (expenses)	<u>(45,753)</u>

Loss before capital contribution (97,555)

Contribution in aid of construction - HUD Grant 223,673

Change in net assets 126,118

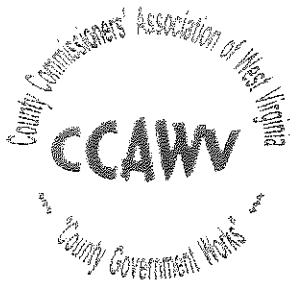
Net assets at beginning of period as previously reported 2,960,534

Prior-period adjustment - posting of prior year audit adjustments 52,332

Net assets at beginning of period as restated 3,012,866

Net assets at end of period \$ 3,138,984

See independent accountants' compilation report.



County Commissioners' Association
of West Virginia

2309 Washington Street, E.F.
Charleston, West Virginia 25311

E-mail ccawv@citynet.net (304) 345-4639 Fax (304) 346-3512

RECEIVED

JUN 22 2009

June 12, 2009

Dear County Commissioners:

Jefferson County Commission

Enclosed is the invoice for the 2009-10 dues to the County Commissioners' Association of West Virginia. The dues schedule has NOT increased for 2009-10 year. It remains the same as adopted by the Board of Directors, January 7, 2001. Any increase in amount is due only to the County's change in classification. Please note that under Article, Section 4. of CCA's by-laws: "*Any county who has not remitted its annual dues within 90 days of the statement date shall be deemed delinquent.*" (CCA's by-laws are contained in your County Commissioners' Directory)

Currently, this Association has 100% membership and with your help we can maintain that goal! Each County's participation in this organization is extremely important to CCAWV and continued membership in this organization should be extremely important to your county. Here's some reasons why...

Through this organization you are kept informed of legislative issues affecting county government. **In the just finished 2009 legislative session, CCAWV pushed for the passage of a bill to clarify that county clerks' fees are to be deposited into the county's general revenue fund rather than into a special account outside the county commissions' jurisdiction! After a technical veto in the regular session, CCAWV was successful in getting the bill passed a second time in special session and the Governor signed it into law on June 5, 2009. Without passage of this legislation (SB 528), the county budget would have suffered a sizeable loss and the responsibility of the office of county commissioner would have been eroded.**

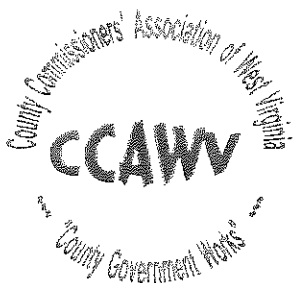
Thru this organization you are provided with valuable training opportunities. CCAWV presents a 3-day basic training workshop for newly elected county commissioners, on election years, to help them familiarize themselves with the duties of the office. We also sponsor the CCAWV continuing educational training series twice each year and other one day workshops as needed.

Thru this organization your interests and concerns are represented on various boards and committees, like the Regional Jail Authority, the State EMS Advisory Committee, the Property Valuation Commission, the Jail Standards Commission, the Courthouse Facilities Authority, the State-wide Mapping and Addressing Board, the Records Management Board and many others.

And probably most valuable of all, thru this organization you are given a forum to exchange ideas and information with fellow commissioners across the state. **CCA is here to protect and enhance the office of county commissioner and your concerns are our number one priority!**

Vivian Parsons, Executive Director

visit our web site www.pulsci.wvu.edu/ccawv



County Commissioners' Association
of West Virginia

2309 Washington Street, East

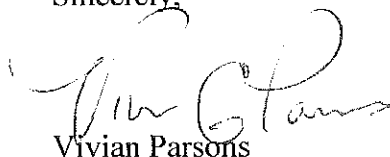
Charleston, West Virginia 25311

E-mail ccawv@citynet.net (304) 345-4639 Fax (304) 346-3512

The CCAWV board has endorsed a procedure for dues reduction for counties enduring an extreme financial hardship. If your county has interest and wants to join CCAWV but is in a financial crisis, please give me a call, the Association wants to work with you.

I hope you will find it valuable and necessary to maintain membership in CCA for FY 2009-10. If you have questions about any of this information, please call me - (304) 345-4639. I look forward to working with you in the coming year!

Sincerely,



Vivian Parsons

Vivian Parsons, Executive Director

visit our web site www.polsci.wvu.edu/ccawv



County Commissioners' Association
of West Virginia

2309 Washington Street, East
Charleston, West Virginia 25311

E-mail ccaww@citynet.net (304) 345-4639 Fax (304) 346-3512

Dues Schedule – FY 2009-2010
County Commissioners' Association of West Virginia
(As Approved by the Board of Directors, January 7, 2001)

Class	Number of counties in each class	Counties in each class	Dues Amount per County
Class X	1	Wirt	\$ 150.00
Class IX	1	Calhoun	800.00
Class VIII	7	Barbour, *Clay, * Gilmer, *Monroe, Summers, Tyler & *Webster	1,200.00
Class VII	4	*Doddridge, Pendleton, *Ritchie, & *Roane	1,500.00
Class VI	4	Taylor, *Braxton, *Lincoln, *Tucker	1,650.00
Class V	1	Pleasants	2,100.00
Class IV	9	Brooke, Grant, Hardy, Lewis, McDowell, Pocahontas, Upshur, *Wetzel, & Wyoming	2,400.00
Class III	11	Fayette, Hancock, Jackson, Logan, *Mineral, *Mingo, *Morgan, *Nicholas, Preston, *Randolph & Wayne	2950.00
Class II	6	*Boone *Greenbrier, *Hampshire, *Marshall, *Mason, & Mercer,	3,350.00
Class I up to 4 billion property values	9	Cabell, Harrison, Jefferson, *Marion, Monongalia, *Ohio, Putnam, Raleigh, & Wood	3,900.00
Class I + over 4 billion property values-- \$300 ea additional billion	1 1	*Berkeley (5,669,943,871) 3,900.00 + 300 *Kanawha (8,998,426,747) 3,900.00 + 1200.00	4,200.00 5,100.00

Please note these counties with an (*) moved up one county classification and counties with () moved up two classifications on July 1, 2008. Classification is re-evaluated on even numbered years by the WV State Auditor's Office and will be revisited July 1, 2010. Please call Vivian if you have any questions - (304) 345-4639**

Vivian Parsons, Executive Director
visit our web site www.polsci.wvu.edu/ccaww

**County Commissioners'
Association of WV**

2309 Washington Street East
Charleston, WV 25311

Invoice

DATE	INVOICE #
6/15/2009	3164

BILL TO
Jefferson County Commission PO Box 250 110 E. Washington Street Charles Town, WV 25414

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Annual Dues to the County Commissioners' Association of West Virginia for FY July 1, 2009 - June 30, 2010 Class I	3,900.00	3,900.00
Payment due with 90 days. Any unpaid dues as of September 15, 2009 will be considered delinquent!		Total	\$3,900.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA

SHENANDOAH SALES & SERVICE, INC.
Petitioner,

v.

Case No.: 09-AA-3
Judge Sanders

ASSESSOR OF JEFFERSON COUNTY WV,
Angie Banks
June Bowers
Rusty Williams

Respondent,

RECEIVED

JUN 22 2009

And

Jefferson County Commission

**THE JEFFERSON COUNTY COMMISSION SITTING AS BOARD OF REVIEW
AND EQUALIZATION,**

Dale Manuel, President
James Surkamp, vice President
Lyn Widmyer, Commissioner
Patsy Noland, Commissioner
Francis Morgan, Commissioner

Respondent,

And

JEFFERSON COUNTY PROSECUTING ATTORNEY
Stephen Grove

Respondent.

NOTIFICATION OF RESCHEDULING OF STATUS CONFERENCE

Prosecuting Attorney Stephen Grove requested a continuance of the June 15th, 2009 at 1pm Status Conference. Judge Sanders has granted the request. The Status Conference will take place in the Magistrate Court Building, 2nd floor on the 29th day of June in the year 2009 at 1pm.

This official notification to all parties was done by the request of Judge Sanders on June 17th in the year 2009.

It is further noted that since issues have been raised dealing with which parties the Prosecuting Attorney can legally represent, all parties need to attend.



David C. Tabb, Vice-President

Shenandoah Sales & Service, Inc.
107 Tabb Lane
Harpers Ferry, WV 25425
(304)725-0423 Telephone
(304)676-5976 Cellular
(304)725-8472 Facsimile

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA

SHENANDOAH SALES & SERVICE, INC.

Petitioner,

v.

Case No.: 09-AA-3

Judge Sanders

ASSESSOR OF JEFFERSON COUNTY WV,

Angie Banks
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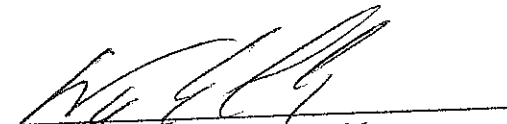
CERTIFICATE OF SERVICE

I, David C. Tabb, Vice-President, Shenandoah Sales & Service, Inc., do hereby
certify that on this 17th day of June, 2009, I have served a true copy of the foregoing

Notification of Rescheduling of Status Conference upon the following by United States

mail addressed as follows:

Jefferson County Commission
Dale Manuel
124 East Washington Street
Charles Town, WV 25414



David C. Tabb, Vice-President

Shenandoah Sales & Service, Inc.
107 Tabb Lane
Harpers Ferry, WV 25425
(304)725-0423 Telephone
(304)676-5976 Cellular
(304)725-8472 Facsimile

Jefferson County Health Department

ROBERT E. JONES, M.D.
HEALTH OFFICER



1948 WILTSHIRE ROAD, SUITE 1
KEARNEYSVILLE, WV 25430
ENVIRONMENTAL: (304) 728-8415
FAX: (304) 728-3314
MEDICAL: (304) 728-8416
FAX: (304) 728-3319

JEFFERSON COUNTY BOARD OF HEALTH MEETING AGENDA

July 10, 2009

1PM

■ PRIORITY BUSINESS

- Payment of bills and review of financial report

RECEIVED

■ UNFINISHED BUSINESS

JUN 22 2009

■ STAFF REPORTS

- **Health Officer, Jones**
 - Monthly Report
- **Administration, Jones**
 - Monthly Report
- **Medical, Torlone**
 - Monthly Report
- **Environmental, Zaleski**
 - Monthly Report

Jefferson County Commission

■ NEW BUSINESS

Members of the Board of Health:

- Robert M. Johnson, Chairman
- Joseph Osterman, Vice-Chairman
- Rosamond Burns, Member
- Willis Nowell, Member
- Mark Shields, Member
- Jim Surkamp, County Commission

Term Expires:

06-30-10
06-30-11
06-30-09
06-30-13
06-30-10
ex officio

Jefferson County Health Department

ROBERT E. JONES, M.D.
HEALTH OFFICER



1948 WILTSHIRE ROAD, SUITE 1
KEARNEYSVILLE, WV 25430
ENVIRONMENTAL: (304) 728-8415
FAX: (304) 728-3314
MEDICAL: (304) 728-8416
FAX: (304) 728-3319

Jefferson County Board of Health Meeting May 29, 2009

Attendees:

Dr. Robert Johnson, Chairman
Joseph Osterman, Vice-Chairman
Mark Shields, Member
Willis Nowell, Member
Rosamond Burns, Member

Dr. Robert Jones, Public Health Officer
Amy Jones, MSN, Administrator
William Zaleski, Sanitarian
Darien Torlone, LPN

Absent: Jim Surkamp, County Commissioner; Dale Manuel, County Commissioner

Call to Order:

Dr. Johnson called the meeting to order at 1PM on May 29, 2009.

Priority Business:

No corrections or additions were added to the May 1, 2009 minutes. Minutes stand as recorded.

Motion made by Mr. Osterman to approve the financial report, second by Mr. Shields, motion carried.

Staff Reports:

Administration:

Annual Program Plan for fiscal year 2010 presented to the board.

Motion made by Ms. Burns to approve the 2010 Program Plan, second by Mr. Osterman, motion carried.

Motion made by Mr. Osterman to approve the 2010 Program Plan Budget, second by Mr. Shields, motion carried.

Motion made by Mr. Shields to approve the 2010 Organizational Chart, second by Ms. Burns, motion carried.

Ms. Jones gave a completed monthly activity report, discussion followed.

Medical:

Monthly medical activity report given by Ms. Torlone, discussion followed.

Environmental:

Mr. Zaleski gave the monthly environmental activity reports, discussion followed

Adjournment:

The meeting adjourned to reopen July 10, 2009 at 1PM.

Respectfully submitted,

Dr. Robert Johnson, DDS, MPH
Chairman of the Board of Health



**THE
OLD OPERA
HOUSE**
THEATRE COMPANY

RECEIVED

JUN 22 2009

Return Services Requested

Non Profit Org.
Us Postage
PAID
Martinsburg, WV
25404
Permit #125

204 N George St., Charles Town, WV 25414
www.OldOperaHouse.org
304.725.4420 or 888.900.SHOW

Jefferson County Commission

2/212*****AUTO**5-DIGIT 25414
LESLIE SMITH, COUNTY ADMINISTRA
PO BOX 250
CHARLES TOWN WV 25414-0250



*New Voice
2009
Play Festival*

The Old Opera House Theatre Company is proud to announce the winners of the 9th Annual New Voice Play Festival. This year over 65 playwrights from across the country entered their new one-act plays into the festival and this years winners include:

- | | |
|--|--|
| <p>1 Golden Curtain Award
<i>Drinks with Charles</i>
by Jim Gordon, E Norwalk CT
Directed by Shannon Potter</p> | <p>2 Silver Stage Award
<i>The Enlightenment of Mrs. Carlwell</i>
by Daniel Damiano, Astoria NY
Directed by Heather Rager</p> |
| <p>3 Spotlight Award
<i>Objects of Value</i>
by Joan Dunayer, Champaign, IL
Directed by Liam Potter</p> | <p>3 Spotlight Award
<i>Portrait of a Mannequin</i>
by Carl L. Williams, Houston, TX
Directed by Andy Kiser</p> |

The Old Opera House Theatre Co. is on the National Register of Historic Places and qualifies as a 501(c)3 corporation under the Internal Revenue Code. Talk with your tax advisor about the possible income and estate tax benefits of contributing to the Old Opera House.



**All 4 Showing: June 26 & 27 at 8:00pm
June 28 at 2:30pm**
(Tickets are \$12 for Adults, \$8 for Students/Children)

Read more details about the 4 shows on the back!

Coming Soon...

the Old Opera House's
3rd Annual SummerTime Arts Soiree
July 31 & August 1

Tickets are now on sale for the
Opening Night Gala on Friday, July 31
(starting at 6:00pm).

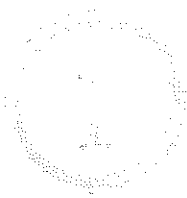
Enjoy a wonderful evening immersed
in fine art and music, while enjoying
wine, delicious appetizers and great
company.

Saturday, August 1: FREE Public art
show and sale 10am to 4pm.

***Registration** for the 2009 **Summer Dance Classes** are now
underway. An intensive five-week summer session begins June 23.
Classes are offered for young dancers in Ballet and Jazz.

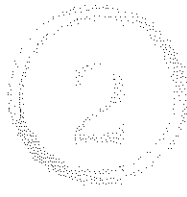
Space is still available in the Old Opera House's **Summer Acting Studio**
class, Unmasked (July 20-24). For further information see the OOH
webpage at www.oldoperahouse.org or contact the OOH office.

The Old Opera House Theatre Company is proud to announce the winners of the 9th Annual New Voice Play Festival. This year over 65 playwrights from across the country entered their new one-act plays into the festival and this years winners include:



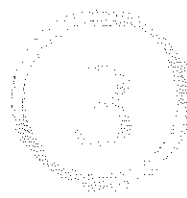
Golden Curtain Award
Drinks with Charles
 by Jim Gordon, E Norwalk CT
 Directed by Shannon Potter
Featuring: Meaghan Barry, Winky Francis, Cari Ann Hupke & Dan Rice

This darkly humorous play might have been taken directly from the headlines of your local newspaper; but of course the names have been changed to protect the innocent and guilty alike. When an investment banker is invited to the home of a client, to meet with her and discuss her investing in his newest venture, the tables are turned and the client and her friends get their satisfaction, while the banker gets his just desserts.



Silver Stage Award
The Enlightenment of Mrs. Cartwell
 by Daniel Damiano, Astoria NY
 Directed by Heather Rager
Featuring: Christine Brewer, Ed Conn , Elizabeth Egan & Kiersten Harris

This lighthearted romp revolves around four delightful busybodies in 18th Century England . When one of the ladies overhears what she thinks is a biting insult directed at her, she becomes outraged; only later to find out that one needs to be careful what one hears while eavesdropping on an innocent conversation. Wonderful roles for women with a sense of humor and elegance.



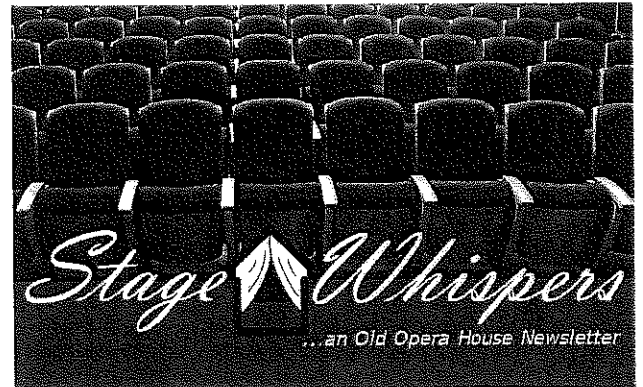
Spotlight Award
Objects of Value
 by Joan Dunayer, Champaign , IL
 Directed by Liam Potter
Featuring: Chelsea Clark, Ashley Elizabeth Kidder & Nader Bouberhan

Set in 1940's Europe, two young Jewish women are forced to work as appraisers for the Nazi regime. Before their enslavement, one was a doctoral student in art history and the other the owner of a jewelry store. They must appraise the valuables (jewelry, artwork, etc) that the Nazis have confiscated from their Jewish neighbors. In this bleak environment their discussions move between art, beauty and humanity as they attempt to find meaning in their former lives and a reason to go on living



Spotlight Award
Portrait of a Mannequin
 by Carl L. Williams, Houston , TX
 Directed by Andy Kiser
Featuring: Betsy Crutcher, Kiersten Harris & John-Michael Rolnick

When a young painter's wife learns that her husband has made two major sales, her excitement is tempered when she learns only one of the two paintings is of her, the other is of her close friend posing partially nude. How does her husband view her, as the cold image in his painting or as his loving wife? Miscommunication and insecurities abound in this comedy.



Upcoming Events:

New Voice Play Festival
 June 26, 27 & 28

2009 Summer Youth Productions

Up the Down Staircase
 Comedy by Christopher Sergel
 From the book by Bel Kaufman
 July 24, 25, & 26

&
Snow White and the Seven Dwarfs
 Adapted from the Tale by Brothers Grimm
 by Judith Baker Kase
 July 23 & 25

Summertime Arts Soiree
 July 31 & August 1

Sweet Charity
 Book by Neil Simon
 Music by Cy Coleman & Lyrics by Dorothy Fields
 September 10, 11, 12, 13, 17, 18, 19 & 20

Annual Autumn Auction (Fundraiser)
 October 3, at the Clarion Hotel in Shepherdstown

Doubt, A Parable
 Pulitzer Prize & Tony Award winning Drama by John Patrick Shanley
 October 23, 24, 25, 30, 31 & November 1

The Bennett Agency Presents:
Miracle on 34th Street
 Adapted by Will Severin, Patricia Di Benedetto Snyder, and John Vreeke from the novel by Valentine Davies
 December 4, 5, 6, 10, 11, 12 & 13

Honorable Mentions

Couple a Dead White Guys, Sitting Around Talking (And One Dead White Chick, Walking Through)
 by Martha Humphreys Huntsville , AL

The Forgiveness Tree
 by Kathleen Tomko, Brooks, OR

His New Best Friend
 by Diane Sampson, San Francisco , CA

Jack's Dream
 by Jessica Brielle Kawalek, Bunker Hill , WV

Metaphorical Shoes
 by Judith Pratt, Ithaca NY



State of West Virginia

Office of the State Auditor
1900 Kanawha Boulevard, East
State Capitol Complex, Building 1, Room W-100
Charleston, West Virginia 25305

Telephone: (504) 558-2251
FAX: (504) 558-5200
www.wvsao.gov

Glen B. Gainer III
State Auditor

RECEIVED

June 15, 2009

JUN 16 2009

Jefferson County Commission
100 E Washington Street
Charles Town, WV 25414

Jefferson County Commission

Dear County Commissioners:

The State Auditor's in-service training program for all County Commissioners will be held on August 2-4 at the Resort at Glade Springs in Daniels, West Virginia. WV Code §7-7-2 requires that each County Commissioner and, at his or her option, one or more of his or her employees must participate in the program established by the State Auditor. We are currently working on the agenda and will send you a copy at a later date.

Each year, the State Auditor presents the Thelma J. Stone Memorial Achievement Award to a County Commission that has demonstrated excellence and professionalism in county government during the previous year. Enclosed is a copy of the Charter for the Thelma J. Stone Memorial Achievement Award. **Nominations must be received by Friday, July 17, 2009.** If you would like to make a nomination for this award, please submit your letter of recommendation to Mr. Ora L. Ash, Director, Local Government Services, WV State Auditor's Office, 200 West Main Street, Clarksburg, West Virginia 26301.

Again, I encourage you to attend this year's State Auditor's in-service training program for County Commissioners and take advantage of the training being offered and the opportunity to exchange ideas with other Commissioners with similar interest and problems. If you have any questions concerning this training program, please feel free to contact Ora at 627-2415, extension 5114, or email at ora.ash@wvsao.gov.

Sincerely,

Glen B. Gainer III
State Auditor

GBGIII:cc

CHARTER

STATE AUDITOR'S ANNUAL SPECIAL ACHIEVEMENT AWARD FOR COUNTY COMMISSIONS

I. TITLE

In 1981 the "State Tax Commissioner's annual Achievement Award for County Commissions" was established. The State Tax Commissioner renamed the Award in 1985 "The Thelma J. Stone Memorial Achievement Award", herein called "The Award", in honor of a tenured employee of the Department who had won the admiration and respect of all county officials. As of July 1, 1999, this procedure was transferred with the Chief Inspector Division to the office of State Auditor.

II. GENERAL

The Award shall be presented annually by the State Auditor to a County Commission of the State of West Virginia. Nominees shall be judged and the recipient chosen by a Selection Board appointed by the State Auditor.

III. SELECTION BOARD

The State Auditor shall appoint five (5) persons, who, when appointed, shall constitute the Selection Board for the Purpose of selecting a recipient for the Award. Those appointed shall include the State Auditor, the President of the West Virginia County Commissioners' Association and his/her designee, the Director of the Chief Inspector Division of the State Auditor's Office or his/her designee, the Director of the Property Tax Division of the State Tax Department or his/her designee, and one (1) other person appointed by the State Auditor.

IV. TERMS OF BOARD

The Selection Board will be appointed on or before June 1 of each year. The members of the Selection Board shall serve until such time as the recipient of the Award for the year designated is chosen and announced.

V. BOARD MEETINGS

The Selection Board will meet at the call of the State Auditor for the purpose of selecting a recipient at or before the Annual In-Service Training Meeting for the County Commissioners sponsored by the State Auditor each year.

The deliberations of these meetings will be kept confidential by the Selection Board.

VI. AWARD CONSIDERATIONS

In choosing a recipient for the Achievement Award, the Selection Board shall consider the following criteria:

1. Compliance with laws governing actions and conduct of county commission.
2. Effective collective leadership exhibited by harmonious relations by members of the county commissions.
3. Innovation in office procedures.
4. Administration
5. Responsible fiscal conduct.
6. Cooperation with the various departments of county government.
7. Effective communications with taxpayers in the county.
8. Effective communications with state, federal and city governments.
9. Progressive personnel management policies.
10. Demonstrated achievement in county government through effective means.

VII. NOMINATIONS

Each county commission shall be considered nominated for the Award as of July 1 of each fiscal year. The time period for which the commissions shall be judged will be specified by the State Auditor.

VIII. LETTERS OF RECOMMENDATION

The Selection Board shall accept letters of recommendation for a particular county commission from any county commission, commissioner or individual member of the public. The letters may be from a commission recommending themselves or other commissions.

Letters of special recommendation should address the criteria upon which the Award is based and may include attachments such as newspaper clippings and pictures.

Letters of recommendation should be sent to the State Auditor, c/o Chief Inspector Division, 1900 Kanawha Blvd. E., Bldg. 1, W-420, Charleston, WV 25305.

IX. SELECTION BY BOARD

The Selection Board shall select one recipient for the Award. Two additional Honorable Mention Awards may be awarded for particular special projects by a county commission worthy of praise by the Selection Board.

X. PRESENTATION OF AWARD

The State Auditor or his/her designee will present the Achievement Award at the annual In-service Training Meeting, if feasible.

XI. PUBLIC ACKNOWLEDGEMENT

The State Auditor shall remind the public of this Achievement Award by letters to the county commissions, general press releases, and other appropriate means.



Federal Emergency Management Agency **RECEIVED**
Washington, D.C. 20472

JUN 23 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P-N **Jefferson County Commission**

June 18, 2009

The Honorable Dale Manuel
President, Jefferson County Commission
P.O. Box 250
124 East Washington Street
Charles Town, West Virginia 25414

Community: Jefferson County, West Virginia
(Unincorporated Areas)
Community No.: 540065
Map Panels Affected: See FIRM Index

Dear Mr. Manuel:

This is to formally notify you of the final flood hazard determination for your community in compliance with Title 44, Chapter I, Part 67, Code of Federal Regulations. On January 6, 1999, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued a Flood Insurance Rate Map (FIRM) that identified the Special Flood Hazard Areas (SFHAs) the areas subject to inundation by the base (1-percent-annual-chance) flood in Jefferson County. Recently, FEMA completed a re-evaluation of flood hazards in your community. On December 31, 2008, FEMA provided you with Preliminary copies of the Flood Insurance Study (FIS) report and FIRM that identify existing flood hazards in your community.

FEMA has addressed all comments received on the Preliminary copies of the FIS report and FIRM. Accordingly, the FIS report and FIRM for your community will become effective on December 18, 2009. Before the effective date, FEMA will send you final printed copies of the FIS report and FIRM.

Because the FIS for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to December 18, 2009, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations (44 CFR 59, etc.). These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and the other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish eligibility in the NFIP. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);
 2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations;
- or

3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 as amended.

In addition to your community using the FIS report and FIRM to manage development in the floodplain, FEMA will use the FIS report to establish appropriate flood insurance rates. On the effective date of the revised FIRM, actuarial rates for flood insurance will be charged for all new structures and substantial improvements to existing structures located in the identified SFHAs. These rates may be higher if structures are not built in compliance with the floodplain management standards of the NFIP. The actuarial flood insurance rates increase as the lowest elevations (including basement) of new structures decrease in relation to the Base Flood Elevations established for your community. This is an important consideration for new construction because building at a higher elevation can greatly reduce the cost of flood insurance.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the SFHA as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based is being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM and FIS report for your community have been prepared in our countywide format, which means that flood hazard information for all jurisdictions within Jefferson County has been combined into one FIRM and FIS report. When the FIRM and FIS report are printed and distributed, your community will receive only those panels that present flood hazard information for your community. We will provide complete sets of the FIRM panels to county officials, where they will be available for review by your community.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our Map Service Center, toll free, at 1-800-358-9616. In addition, your community

may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If your community is encountering difficulties in enacting the necessary floodplain management measures, we urge you to contact Robert L. Perry, CFM, State NFIP Coordinator, at (304) 957-2571 for assistance. The FEMA Region III staff is also available to assist you with your floodplain management measures and may be contacted by telephone at (215) 931-5530. If you have any questions concerning mapping issues in general or the enclosed Summary of Map Actions, please call our Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627). Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the National Flood Insurance Program*, *Frequently Asked Questions Regarding the Effects that Revised Flood Hazards have on Existing Structure*, *Use of Flood Insurance Study (FIS) Data as Available Data*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling our Map Assistance Center.

Sincerely,



William R. Blanton Jr., CFM, Chief
Engineering Management Branch
Mitigation Directorate

Enclosure:
Final Summary of Map Actions

cc: Jefferson County Engineering Department
110 East Washington Street
Charles Town, West Virginia 25414

Mason Carter
Ordinance Compliance Officer, Jefferson County
110 East Washington Street
Charles Town, West Virginia 25414

FINAL SUMMARY OF MAP ACTIONS

Community: JEFFERSON COUNTY

Community No: 540065

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on December 18, 2009.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMR	07-03-0242P	01/24/2008	HARPERS FERRY FLOODPLAIN DELINEATION (WV)	5400650036 5400650036C 5400650038 5400650038C	54037C0135E 54037C0145E
LOMR	07-03-0824P	03/20/2008	HARVEST HILLS SUBDIV (WV)	5400650020B 5400650035C	54037C0130E 54037C0135E

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	00-03-0910A	03/07/2000	30 BEACH DRIVE	5400650066B	54037C0230E
LOMA	00-03-1342A	01/05/2001	PACKHORSE FORD SUBDIVISION, LOT 3 - RIVER ROAD	5400650010B	54037C0045E
LOMA	01-03-0548A	03/14/2001	NORTH SIDE OF ELK STREET, PARCELS 2, 3 & 6 (SHASTA CORPORATION PROPERTY)	5400650035C	54037C0130E
LOMA	01-03-1254A	10/10/2001	141 RIVER SIDE DRIVE (ROUTE 3)	5400650025B	54037C0135E
LOMA	03-03-0114A	03/31/2003	LOT 15, SOUTH HILLS SUBDIVISION, CRESS CREEK DEVELOPMENT--102 SYCAMORE CIRCLE	5400650010B	54037C0035E
LOMA	03-03-0938A	04/07/2003	MAP 22, PARCEL 24, OLD MIDDLEWAY ROAD	5400650044B	54037C0115E
LOMA	03-03-0896A	05/27/2003	RESIDUE- LOT B, TRACT 2--MERGER PARCEL FOR THE MORROW PROPERTY	5400650005B 5400650015C	54037C0030E

FINAL SUMMARY OF MAP ACTIONS

Community: JEFFERSON COUNTY

Community No: 540065

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	03-03-1786A	10/14/2003	LOT 3, SECTION 4-B, SHANNONDALE--6 RIVERSIDE DRIVE, GATE 4	5400650066B	54037C0230E
LOMA	04-03-0616A	03/25/2004	12294 LEETOWN ROAD	5400650029B	54037C0110E
LOMA	04-03-1282A	06/17/2004	LOT 7, BLOCK 9 -- 400 JEFFERSON AVENUE	5400650050C	54037C0136E
LOMA	04-03-1764A	09/23/2004	LOT 6, HIGHPOINT SUBDIVISION - 136 NELSON ROAD	5400650065B	54037C0225E
LOMA	05-03-0190A	12/21/2004	HIDDEN RIVER FARM SECTION 3, LOTS 30-31 -- 1539 HIDDEN HOLLOW DRIVE	5400650042B	54037C0105E
LOMA	05-03-0625A	01/17/2006	PROPERTY OF HV HUNTER, LLC	5400650020B	54037C0130E
LOMA	06-03-B419A	06/13/2006	766 JOHN RISSLER ROAD (WV)	5400650051B	54037C0139E
LOMA	08-03-0563A	03/27/2008	DAVIS SUBDIV, LOT 2 -- 6383 KABLETOWN ROAD	5400650053C	54037C0230E
LOMA	08-03-0553A	05/08/2008	GLEN HAVEN SUBDIV, SECTION 2, LOT 7 -- 31 NATALIE LANE	5400650025B	54037C0175E
LOMA	09-03-0423A	01/15/2009	Lots 8 through 10 East, Pack Horse Ford Development -- 3079 RIVER ROAD	5400650010B	54037C0045E
LOMA	09-03-0254A	01/22/2009	LOTS 46, 47, 48, SECTION 2-G, SHANNONDALE -- 58 WHITE POPLAR LANE	5400650067B	54037C0230E
LOMA	09-03-0313A	01/29/2009	Lot 4, Section 1, Eastland -- 123 TERRACE VIEW	5400650053C	54037C0138E

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
102A	199307065D&D	04/23/1987		1
102A	3-89-60	10/18/1989	CRESS CREEK, TRIB OF POTOMAC RIVER - CRESS CREEK DEVELOPMENT	1

FINAL SUMMARY OF MAP ACTIONS

Community: JEFFERSON COUNTY

Community No: 540065

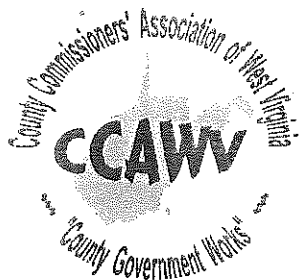
LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
102A	3-90-25	05/03/1990	PORTION OF ELK BRANCH - NORWOOD SUBD.	1
102A	92-03-043P	08/06/1992	BULLSKIN RUN - WILMAR DAVIS PROPERTY	1
LOMA	98-03-055A	06/17/1998	GILPIN PROPERTY - 10 ACRE SITE ALONG RT. 17/1	1
LOMA	98-03-1170A	08/17/1998	OPEQUON FOREST PARK - LOTS 54, 55 & PART (1/2) OF LOT 53 - R.R.#2, BOX 218	1

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		



County Commissioners' Association of West Virginia

2309 Washington Street, East

Charleston, WV 25311

(304) 345-4639 fax (304) 346-3512

June 12, 2009

RECEIVED

To: All County Commissioners & Assistants
From: Vivian Parsons & Jennifer Webb
Re: Annual Meeting Registration—*"Here's the Skinny..."*

JUN 22 2009

Jefferson County Commission

Included in this package are forms for county attendee registration and guest registration for the *"totally gnarly"* County Commissioners' *"Get Your Groove On."* Annual Meeting. Also included in this mailing is a tentative agenda. Please note registration deadline dates. Registration forms received after **July 24, 2009**, are considered late registrations and will be charged a higher fee. Cancellations, in writing, are accepted through **July 24, 2009**. After that date all no-shows will be charged the full registration amount. (See form).

Room reservations should be made by calling **Glade Springs Resort @ 1-866-546-2117**. Check-in is 4:00 PM, check out is 11:00 a.m. The cut-off date for the reserved block of rooms is **June 30, 2009**. The room rate for the conference is \$135.00 per night Singles/\$270 per night for 2 Bedroom villas and \$405 per night for 3 bedroom villas. Please see video enclosed for a description of all accommodations. A **10% service fee is added to all rooms for resort services, such as shuttles, fitness centers and pools. Be sure to tell the reservations department that you are with the county commissioner's conference. A major credit card will be required upon reservation of rooms. A (7) Seven day cancellation policy is in effect.**

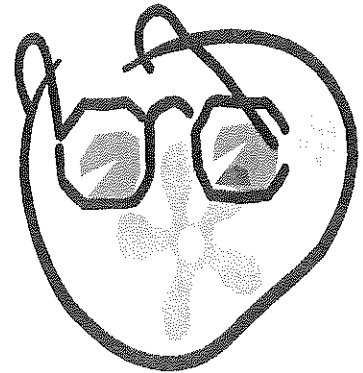
Don't forget your county door prizes!!! As usual we are asking each county to bring a door prize, something representative of your county, to the meeting. We'll distribute the prizes at the *"Get Your Groove On"/Retro Dance/Door prize Dinner* on Monday evening. Don't forget to put your county's name on the package so that the winner of that prize will know where it came from! This has been such a fun and interesting process — the ideas are always great! *So put on your psychedelic duds and boggie on down! It's going to be a great rocking good time!*

County Commissioners & Administrators should remember to bring your permanent name tags with you to the meeting. If you don't have one, give us a call and we'll get you one. If you have questions or need further information, please feel free to call. You may reach me at 345-4639. We are looking forward to a great meeting.

"BE THERE OR BE SQUARE!"

Also enclosed is a **"CCA Legislative Issues Nomination form"**. This form will aid the association in our legislative endeavors. Please return completed forms, with your registration. You may also bring them with you to the August meeting!

“Tentative Agenda”
County Commissioners’ Annual Training & In-Service Seminar
“Get Your Groove On”
Glade Springs Resort, Daniels WV



Saturday, August 1, 2009

4:00 PM County Commissioners’ Board of Director’s Meeting
(Board will need to include Saturday night August 1, 2009, in their room reservations)

Sunday, August 2, 2009

10:00—11:00 AM Vendor Set-up time

11:00-5:00 PM Registration for Series XXXX Training Session And State Auditor’s In-Service Training

1:00 - 5:00 PM ***“Get Your Groove On”***
Commissioners’ Education Training Series XXXX
Roundtable sessions on the following topics — you pick 3 to attend:

“Can you dig it?”...NACO – what am I missing out on for my county?

“What it is”...Addressing and Mapping – How to catch up; how to keep up.

“Keepin’ it Real”... Courthouse Issues/Personnel polices– Who’s in charge here anyway?

“Outta Sight”...Salary administration – techniques, strategies and comparison shopping.

“Totally Righteous” ...Creative Budgeting — tricks of the trade.

6:00 pm Dinner on your own at one of Glade Springs four restaurants

8:000 PM ***“Get Down at the Boogie Night Bash”***
Glade Springs Recreation Center

(Be there or be square!)

(See other Side)

**“Tentative Agenda”
(Continued)**

Monday, August 3, 2009

- 8:00 AM - 12:00 NOON Registration for County Commissioners’
Annual State Auditor’s Training Seminar
- 8:00 AM - 8:45 AM Continental Breakfast
- 8:45 AM - 10:30 AM State Auditor’s Training (Topics to include: OPEB, Embezzlement,
Fraud Awareness, Budget Process Update, The Audit, etc.)
- 10:30 AM - 12:30 PM County Commissioners’ Association Business Meeting**
- 10:30 AM - 12:30 PM County Administrators/Coordinators/Managers Roundtable
Discussion - an opportunity for administrators to discuss com-
mon goals & problems
- 12:30 PM - 1:30 PM Thelma J. Stone Memorial Achievement Award Luncheon
- 1:30 PM - 5:15 PM State Auditor’s Training (continued)
- 7:00 PM County Commissioners’ Door Prize Dinner—

“Get Your Groove On”

*(Please remember to wear your psychedelic groovy duds
and come ready to boogie on down.)*



Tuesday, August 4, 2009

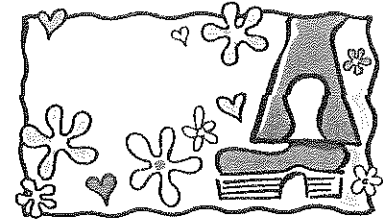
- 8:00 AM - 9:00 AM Continental Breakfast
- 9:00 AM - 12:00 noon State Auditor’s Office Training wraps up!
- 12:00 noon Adjournment for general membership



- 12:00 noon 2009-2010 CCAWV Board of Directors’ Luncheon/Meeting
- 12:30 PM WV Counties Insurance Pool Annual Membership Meeting**

**Please make room reservations as soon as possible --
*Remember June 30th is the cut-off date!***

County Commissioners' Association of West Virginia
2309 Washington Street, East
Charleston, WV 25311
(304) 345-4639 Fax (304) 346-3512



Registration Form

County Commissioners' Training Series Program

"Get Your Groove On!!!"

Conducted by County Commissioners' Association and WVU's Institute for Public Affairs
Glade Springs Resort, Daniels, WV Sunday, August 2, 2009

&

West Virginia State Auditor's Office Annual In-Service Training Seminar

(as mandated by WV Code §7-7-2)

Glade Springs Resort, Daniels, WV Monday - Tuesday, August 3-4, 2009

*****Please Mail or Fax this completed form*****

Name: _____ County: _____

Title: _____

Please check the appropriate registration below:

ADVANCED Registration (*received on or before July 24, 2009*)

Training Series (Sunday only) _____ \$ 50.00 member
Auditor's In-service Training (Mon-Tue only) _____ \$225.00 member
Both (Training Series/ Auditor's In-Service) _____ \$275.00 member

LATE Registration (*received after July 24, 2009*)

Training Series (Sunday only) _____ \$ 60.00 member
Auditor's In-service Training (Mon - Tues Only) _____ \$245.00 member
Both (Training Series/Auditor's In-Service) _____ \$305.00 member

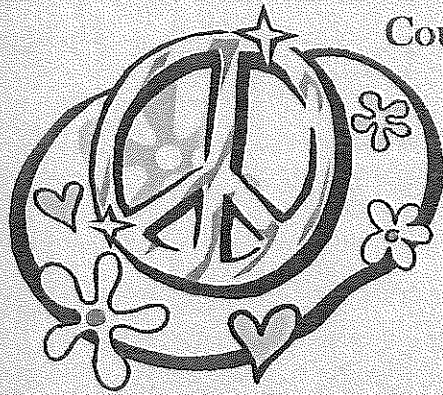
Payment Method:

Check Enclosed (*payable to County Commissioners' Assoc.*)

_____ Please bill my county (**due & payable within 30 days of billing**)

All sessions are open to all county employees and their participation is encouraged.
Please copy this form to register each person planning to attend from your county.

Cancellation Policy: There will be no penalty for cancellations received in writing, on or before July 24, 2009! July 24, 2009, and there after, all no-shows will be charged the full registration amount. We apologize for the need to adopt this policy, but on this date, the costs for rooms, meals, entertainment, etc. are incurred on your behalf even when you cancel and the Association is stuck with covering the cost. Thanks for your cooperation!



County Commissioners' Association of West Virginia

2309 Washington Street, East
Charleston, WV 25311
(304) 345-4639 Fax (304) 346-3512

Guest Registration Form

**WV State Auditor's Office Annual In-Service Training Seminar
for County Commissioners' & Assistants**

(as mandated by WV Code §7-7-2)

Glade Springs Resort, Daniels, WV - August 2-4, 2009

*****Please Mail or Fax this completed form*****

County Attendee: _____ County: _____

Title: _____ Guest(s) Name: _____

In order to guarantee these events, we must know how many guests to expect. Please register your guests in advance. You may send a check with this registration or purchase tickets at the door.

# Guest tickets Needed	Event	Ticket Price
_____	Monday Luncheon - Thelma J. Stone Memorial Achievement Award Banquet August 3, 2009 - 12:30 p.m.	\$30.00 each
_____	Monday Dinner-County Door Prize Dinner & "Get Your Groove On!!!" Retro Dance, August 4, 2009 - 7:00 p.m. <i>(Door prizes will be distributed)</i>	\$60.00 each

County Commissioners' Association of West Virginia

Legislative Issue Nomination

submitted for CCA Legislative Committee consideration

Submitted by: _____ Date: _____
(County) (Commissioner)

Topic: _____

1. Is this primarily an authority/responsibility issue? _____ or a funding issue? _____

2. To your knowledge, has this issue been introduced before? (*yes or no*): _____

a. If yes, provide year and House and/or Senate bill numbers: _____

b. If yes, what happened, and why? (*e.g. passed House; died in Senate Finance*): _____

3. What this proposed legislation would do: _____

4. Reason(s) this initiative is needed: _____

5. Does this initiative have the support of your County Commission? (*yes or no*): _____

6. Does your county have the resources to "draft" a bill on this issue? (*yes or no*): _____

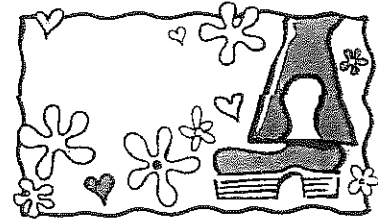
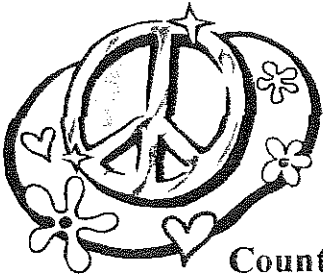
7. Does this initiative have the support of your Legislators? (*yes or no*): _____

a. If yes, please identify sponsor/co-sponsors: _____

8. WV Code citation(s) for this issue: _____

Signature of Submitting Commissioner

County Commissioners' Association of West Virginia
2309 Washington Street, East
Charleston, WV 25311
(304) 345-4639 Fax (304) 346-3512



Registration Form

County Commissioners' Training Series Program
"Get Your Groove On!!!"

Conducted by County Commissioners' Association and WVU's Institute for Public Affairs
Glade Springs Resort, Daniels, WV Sunday, August 2, 2009
&

West Virginia State Auditor's Office Annual In-Service Training Seminar
(as mandated by WV Code §7-7-2)

Glade Springs Resort, Daniels, WV Monday - Tuesday, August 3-4, 2009

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Name: _____ County: _____
Title: _____

Please check the appropriate registration below:

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Both (Training Series/Auditor's In-Service) _____ \$305.00 member

Payment Method

_____ Check Enclosed (*payable to County Commissioners' Assoc.*)
_____ Please bill my county (**due & payable within 30 days of billing**)

All sessions are open to all county employees and their participation is encouraged.
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000004BTCH

FEIN:

470807040

Reporting Period:

05/01/2009 to 05/31/2009

Amount:

185.60

Level 3 Communications LLC
Level 3 Communications LLC
c/o Tax Partners, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339

RECEIVED

JUN 23 2009



0000000000

Jefferson County Commission

Drawer: Returns
Company: Level 3 Communications LLC
Entity ID: 001219
Entity Name: Level 3 Communications LLC
Return Code: WV_JEFF_E9
Return Description: West Virginia, Jefferson County E911
Due Date: 20
Year: 2009
Month: 05
Sequence Number: 1
Indexed Time: 6/3/2009 12:01:00 PM
Printed By: LANSEL
Printed Time: 6/11/2009 11:03:24 AM

0002044079

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

Level 3 Communications LLC
C/O TAX PARTNERS, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339
(877) 829-4141

WACHOVIA, NA
64-022/610

0002044079

VOID AFTER 120 DAYS FROM DATE 6/11/2009

PAY One Hundred Eighty Five and 60/100*****

185.60

TO JEFFERSON COUNTY COMMISSION
P.O. Box 250
Charlestown, WV 25414

Sandra Mithersbough
TWO SIGNATURES REQUIRED IF \$250,000 OR OVER

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ORIGINAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈0002044079⑈ ⑆061000227⑆ 2000016945827⑈

WV

West Virginia, Jefferson County E911
Reporting Period: May 1, 2009 to May 31, 2009

Level 3 Communications LLC
Level 3 Communications LLC
c/o Tax Partners, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339
8778294141 - Phone
7709560700 - Fax

Tax Identification Number
47-0807040

Return Due: 06/20/2009

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County					
E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	64	0	64	\$2.90	185.60
Return Totals:	64	0	64		185.60

REMIT TO:

Jefferson County Commission
P.O. Box 250
Charlestown, WV 25414

Total Gross Tax Due:	185.60
Less: Vendor's Compensation:	(0.00)
Change in Prepayments:	0.00
Less: Tax Credits:	(0.00)
Net Tax Amount to be Remitted:	185.60

Dena Willis Dena Willis, Attorney-in-Fact

6/12/2009

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.



FEIN: 770142404
 Reporting Period: 05/01/2009 to 05/31/2009
 Amount: 113.10

8x8, Inc.

c/o Tax Partners, L.L.C.
 3100 Cumberland Boulevard, Suite 900
 Atlanta, GA 30339

RECEIVED

JUN 23 2009

Jefferson County Commission



Drawer: Returns
 Company: 8x8, Inc.
 Entity ID: 014006
 Entity Name: 8x8, Inc.
 Return Code: WV_JEFF_E9
 Return Description: West Virginia, Jefferson County E911
 Due Date: 20
 Year: 2009
 Month: 05
 Sequence Number: 1
 Indexed Time: 6/9/2009 12:08:00 PM
 Printed By: LANSEL
 Printed Time: 6/16/2009 8:00:11 AM

0000013076

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

8x8, Inc.
 C/O TAX PARTNERS, L.L.C.
 3100 Cumberland Boulevard, Suite 900
 Atlanta, GA 30339
 (877) 829-4141

WACHOVIA, NA
 64-022/610

0000013076

VOID AFTER 120 DAYS FROM DATE 6/16/2009

PAY One Hundred Thirteen and 10/100*****

113.10

TO JEFFERSON COUNTY COMMISSION
 P.O. Box 250
 Charlestown, WV 25414

Sandra Muthersboege
 TWO SIGNATURES REQUIRED IF \$250,000 OR OVER

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ORIGINAL WATERMARK - HOLD AT AN ANGLE TO VIEW

0000013076 0610002271 200004171758311

WV

West Virginia, Jefferson County E911
Reporting Period: May 1, 2009 to May 31, 2009

8x8, Inc.

Tax Identification Number

77-0142404

c/o Tax Partners, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339
8778294141 - Phone
7709560700 - Fax

Return Due: 06/20/2009

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	39	0	39	\$2.90	113.10
Return Totals:	39	0	39		113.10

REMIT TO:

Jefferson County Commission
P.O. Box 250
Charlestown, WV 25414

Total Gross Tax Due:	113.10
Less: Vendor's Compensation:	(0.00)
Change in Prepayments:	0.00
Less: Tax Credits:	(0.00)
Net Tax Amount to be Remitted:	113.10

Shannon Bryant, Attorney-in-Fact

6/11/2009

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.

RECEIVED

Jefferson County Commission - E911
110 E. Washington Street
Charles Town, WV 25414

JUN 16 2009

Jefferson County Commission

E911

May 2009

FEIN: 20-2758841
Company Name: Vonage America, Inc.
c/o BillSoft Services, Inc.
10100 West 87th Street, Suite 200
Overland Park, KS 66212
Phone: 913.859.9674 Ext. 145
Fax: 913.438.9260

Return Due: June 15, 2009
Contact Name: Sarah Sturm
Date Remitted: June 4, 2009

Lines	<u>1,052</u>
Deductions	<u>-</u>
Net Sales	<u>1,052</u>
Tax Rate	<u>2.90</u>
Tax Amount Due	<u>3,050.80</u>

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.

Signed: *Sarah J Sturm* 06/04/09
Date

Name & Title: Sarah Sturm
Preparer

VONAGE TAX ACCOUNT
23 MAIN STREET
HOLMDEL, NJ 07733

JPMORGAN CHASE BANK, N.A.
SYRACUSE, NEW YORK
50-997-213

6/12/2009

PAY TO THE ORDER OF Jefferson County Commission- E911

\$ **3,050.80

DOLLARS

Three Thousand Fifty and 80/100*****

Jefferson County Commission
110 East Washington Street
Charles Town, WV 25414



AUTHORIZED SIGNATURE

MEMO 05/09, E911, 20-2758841

⑆027691⑆ :021309379⑆

⑆027691⑆ :021309379⑆

27691

Security features. Details on back.

USD

CITIZENS CHKREOTAX 3021823 001 CHECK DATE: 6/03/2009 CHECK NO: 56197575

INVOICE NO.	DATE	GROSS AMOUNT	DISCOUNT AMOUNT	NET AMOUNT
45557 004 WVHS11JHFF	6/15/2009	53,305.67	00	53,305.67
		53,305.67	.00	53,305.67

QUESTIONS? PLEASE CALL 1-800-209-9963.

REMOVE DOCUMENT ALONG THIS PERFORATION

THIS IS WATERMARKED PAPER - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

CITIZENS communications
Citizens Communications Company
3 High Ridge Park
Stamford, CT 06905

HSBC BANK USA 50-682
ONE HSBC CENTER 215
BUFFALO, NEW YORK 14203

DATE: 6/03/2009
56197575
NET AMOUNT

*** VOID AFTER 1 YEAR ***

\$ 53,305.67
DOLLAR FIVE THREE COMMA THREE ZERO FIVE PERIOD SIX SEVEN

PAY Fifty Three Thousand Three Hundred Five and 67/100 Dollars

PAY TO JEFFERSON COUNTY COMMISSION
PO BOX 250
CHARLESTOWN WV 25414

C1077941

⑈56197575⑈ ⑆021305822⑆ 797⑈02973⑈7⑈

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

CITIZENS communications
180 SOUTH CLINTON AVENUE
ROCHESTER, NY 14646-0300

RECEIVED

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
ROCHESTER, NY
Permit No. 1006

JUN 22 2009

Jefferson County Commission

JEFFERSON COUNTY COMMISSION
PO BOX 250
CHARLESTOWN WV 25414


Telecommunications Company
CTC of West Virginia
3 High Ridge Park
Stamford, CT 06905

County of Jefferson E-911, WV

Jefferson County
P. O. Box 250
Charles Town, WV 25414

FEIN No: 06-1449041
Report Month: May-09

A. Gross Line Count	18,354.00
B. Less Adjustments	0.00
C. Net Line Count	18,354.00
D. Line Rate	2.90
E. Surcharge Billed	53,226.60
F. Centrex Line Count	2,383.03
G. Centrex Line Rate	0.725
H. Surcharge Billed	1,727.70
I. Administrative Fee Rate	0.03
J. Administrative Fee Taken	1,648.63
K. Net Surcharge Remitted	53,305.67

Signature: 
Name: Gary Gangi
Title: Lead Tax Accountant
Phone: 203-614-5139

Date: 6/2/2009

West Virginia

RECEIVED
June, 2009

Ethics Reporter

June 29, 2009

Jefferson County Commission

Since the Last Reporter

Since the April edition of the **REPORTER**, the West Virginia Ethics Commission has published two new Advisory Opinions interpreting the West Virginia Governmental Ethics Act and the law governing boards of education. The Commission issued no Advisory Opinions in May.

The Commission considered requests for opinions at its June 4 meeting on the permissibility of a part-time county prosecuting attorney contracting with a local extension service and on the permissibility of a member of a city county voting on matters benefiting the church to which he belongs.

ADVISORY OPINION REPORT

Advisory Opinion

2009-05 concerned the permissibility of a part-time county prosecuting attorney contracting with a local extension services agency.

In this case, the part-time prosecutor maintains a private law practice and owns other businesses in addition to his service to the county. One of the businesses the prosecutor owns is a storage facility. The local extension agency, which receives funding from the county, desires to rent space in the storage facility. The county processes and pays the bills for the extension service, meaning that the county would be directly paying the company owned by the prosecutor.

The Ethics Commission examined the provisions of 6B-2-5(d)(1) prohibiting a public official from having an interest in a contract over which the official may have control or

authority. The Commission also reviewed sections of the law pertaining to the duties of a prosecuting attorney, as well as the Chapter 61-10-15 prohibitions against a county official from having direct or indirect pecuniary interests in matters over which they exercise voice, influence or control. The 61-10-15 standards also contain power for the Ethics Commission to grant exemptions if certain conditions are met.

In its opinion, the Commission determined that the proposed arrangement whereby the prosecuting attorney's private business contracted with the extension service indirectly through the county commission would not constitute a violation of the Ethics Act because the prosecutor holds no authority over the extension service. However, the Commission also ruled that the proposed

June, 2009
Page Two

business arrangement would violate the 61-10-15 pecuniary interest prohibitions given the fact that the extension service receives funding from the county and the county administers the business activities of the service. The Commission indicated that it would entertain a request for an exemption from these standards.

Advisory Opinion 2009-06 addressed the permissibility of a city council member voting on matters benefiting the church to which he belongs. Multiple abandoned streets border the church's property and a request has been made for the city to formally remove these streets from the city's control and enable the church to expand its parking facilities.

While the councilman attends the church and his father sits as an unpaid member of its governing council, neither receives any compensation from the church.

The Ethics Commission analyzed the language of 6B-2-5(b) prohibiting the use of a public office to generate a private gain for oneself or another, along with that contained in 6B-1-3(f) which defines "immediate family." In addition, the Commission also analyzed the provisions of 6B-2-5(j) governing limitations on voting and the exemptions available.

In its opinion, the Ethics Commission ruled that the proposed voting on matters affecting the church by the city council member would not violate the Ethics Act because there is no pecuniary benefit being enjoyed by either the councilman or his father by virtue of their involvement with the church. However, the Commission also indicated that the council member could also choose to declare that he was in conflict in this situation and to recuse himself from the decision-making and voting processes of the council in connection with this matter if he were concerned about the perceived impropriety.

**TOPICAL INDEX
UPDATE
WEST VIRGINIA
ETHICS
COMMISSION
ADVISORY
OPINIONS**

(Only includes opinions published since the April edition of THE REPORTER)

**BOARDS AND
COMMISSIONS**

NONE PUBLISHED

**BOARDS OF
EDUCATION**

NONE PUBLISHED

**COUNTY
GOVERNMENT**

2009-05:
Permissibility of a part-time prosecuting attorney's business contracting with a local extension services agency

LEGISLATURE

NONE PUBLISHED

**MUNICIPAL
GOVERNMENT**

2009-06:
Permissibility of a member of a city council voting on matters benefiting the church to which he belongs

June, 2009
Page Three

STATE GOVERNMENT

NONE PUBLISHED

TRADE
ASSOCIATIONS AND
LOBBYISTS

NONE PUBLISHED

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**WEST VIRGINIA ETHICS COMMISSION
ADVISORY OPINIONS
2009 TOPICAL INDEX
(Covering actions through June 4)**

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2008-10:

Permissibility of a county authority maintaining a business contract with a company controlled by an elected county commissioner (See also COUNTY GOVERNMENT)

BOARDS OF EDUCATION

2009-04:

Permissibility of a county board of education member voting on the superintendent's employment contract when his employer has pending civil action against the superintendent personally

COUNTY GOVERNMENT

2008-10:

Permissibility of a county authority maintaining a business contract with a company controlled by an elected county commissioner (See also BOARDS AND COMMISSIONS)

2009-01:

Permissibility of the spouse of an elected county commissioner being employed by a county hospital

2009-02:

Permissibility of a county employee wellness program being extended to elected county officials

2009-03:

Permissibility of a county commission reimbursing county officials or employees for government related calls made on personal cellular phones

2009-05:

Permissibility of a part-time prosecuting attorney's business contracting with a local extension service agency

LEGISLATURE

NONE PUBLISHED

MUNICIPAL GOVERNMENT

2009-06:

Permissibility of a member of a city council voting on matters benefiting the church to which he belongs

STATE GOVERNMENT

NONE PUBLISHED

TRADE ASSOCIATIONS AND LOBBYISTS

NONE PUBLISHED

MISCELLANEOUS

NONE PUBLISHED

ADVISORY OPINION NO. 2009-05

FILED

Issued On June 4, 2009 By The

2009 JUN -9 AM 9:45

WEST VIRGINIA ETHICS COMMISSION

OFFICE WEST VIRGINIA
SECRETARY OF STATE

OPINION SOUGHT

A Prosecuting Attorney asks whether his business may contract with a local extension service agency.

FACTS RELIED UPON BY THE COMMISSION

A Part-Time Prosecuting Attorney is the owner of various small businesses. One of these businesses is a storage facility which is solely owned and operated by the prosecuting attorney and his wife. The business is organized as a Limited Liability Company.

A local extension service agency desires to rent a storage unit from the company. The County Commission provides funding for the local extension agency through excess levy funds which are transferred into a general fund which has the express purpose of funding the extension agency. The extension agency is overseen by a service extension committee, comprised of various leaders in the community including a County Commissioner who is statutorily required to serve on the committee. See W.Va. Code § 19-8-1. The purpose of these local extension agencies is to provide outreach services in accordance with the mission of West Virginia University, a land grant institution.

In the Requester's County, the extension agency is housed in the County Annex. The County Commission pays for two of the extension agency's employees. The director of the extension agency is paid through other funding sources. The County Commission also processes the extension agency's bills. If the agency rents the storage building, the County Commission would pay the bill directly to the part-time prosecuting attorney's business.

CODE PROVISIONS RELIED UPON BY THE COMMISSION

W. Va. Code § 6B-2-5(d)(1) reads in relevant part:

no elected or appointed public official or public employee or member of his or her immediate family or business with which he or she is associated may be a party to or have an interest in the profits or benefits of a contract which the official or employee may have direct authority to enter into, or over which he or she may have control: *Provided*, That nothing herein shall be construed to prevent or make unlawful the employment of any person with any governmental body...

W. Va. Code § 7-4-1 provides in relevant part:

It shall be the duty of the prosecuting attorney to attend to the criminal business of the state in the county in which he is elected and qualified... Every public officer shall give him information of the violation of any penal law committed within his county. It shall also be the duty of the prosecuting attorney to attend to civil suits in such county in which the state, or any department, commission or board thereof, is interested, and to advise, attend to, bring, prosecute or defend, as the case may be, all matters, actions, suits and proceedings in which such county or any county board of education is interested.

W. Va. Code § 61-10-15(a) reads in relevant part:

It is unlawful for any...county or district officer to be or become pecuniarily interested, directly or indirectly, in the proceeds of any contract or service or in the furnishing of any supplies in the contract for or the awarding or letting of a contract if, as a member, officer, secretary, supervisor, superintendent, principal or teacher, he or she may have any voice, influence or control: *Provided*, That nothing in this section prevents or makes unlawful the employment of the spouse of a member, officer, secretary, supervisor, superintendent, principal or teacher as a principal or teacher or auxiliary or service employee in the public schools of any county or prevents or makes unlawful the employment by any joint county and circuit clerk of his or her spouse...

(h) Where the provisions of subsection (a) of this section would result in the loss of a quorum in a public body or agency, in excessive cost, undue hardship, or other substantial interference with the operation of a governmental body or agency, the affected governmental body or agency may make written application to the West Virginia Ethics Commission pursuant to subsection (d), section five, article two, chapter six-b of the code, for an exemption from subsection (a) of this section.

ADVISORY OPINION

The Ethics Act

Pursuant to W.Va. Code § 6B-2-5(d)(1) a public official may not have more than a limited interest in the profits or benefits of a public contract over which he or she has direct authority or control. A limited interest is an amount not to exceed one thousand dollars in the gross revenues in a public contract or contracts per calendar year.

In the present case, the Prosecutor does not normally render legal advice to the extension agency. Further, it is the extension agency, not the county commission,

which would be contracting with his company for services. Based upon these facts, the Commission finds that for purposes of the Ethics Act, he does not have direct authority over the public contract in question. Hence, pursuant to the Ethics Act, the contract would be permissible. However, this analysis is purely academic in light of the stricter limitations imposed by W.Va. Code § 61-10-15.

West Virginia Code § 61-10-15

WV Code § 61-10-15, a separate criminal statute, contains a stricter standard than the Ethics Act, and imposes criminal penalties against County officials who are pecuniarily interested, either directly or indirectly, in the proceeds from a public contract over which the public official may exercise voice, influence or control. Any person who violates this provision is guilty of a misdemeanor and may be removed from public office.

In this case the Commission must examine whether pursuant to W.Va. Code § 61-10-15, the Prosecutor exercises voice, influence, or control over the extension agency contracts. As the County Prosecutor, the Requester must provide legal advice to the County Commission. W.Va. Code § 7-4-1.¹ While the Requester does not provide legal advice to the extension agency, or exercise direct control over its contracts, the extension agency is intertwined with the County Commission through its shared office space and funding. Moreover, two extension agency employees are paid by the County. If the County Commission were to have a question about the operation of the extension agency and whether it was legally expending public funds, the County Commission would look to the County Prosecutor for advice. Due to the interrelationship between the Prosecutor, County Commission and local extension agency, the Commission finds that the Prosecutor exercises voice, influence or control over extension agency contracts. Hence, his business may not contract with the extension agency.

The extension agency may seek a contract exemption from the Ethics Commission if it believes that other suitable storage space is not available in the county. Pursuant to W. Va. Code §61-10-15, the Ethics Commission may grant an exemption from the prohibitions in this code section if the extension agency demonstrates that the prohibition will result in excessive cost, undue hardship, or other substantial interference with the operation of a governmental body or agency.

This advisory opinion is limited to questions arising under the Ethics Act, W. Va. Code

1 The Prosecutor states that historically he has not provided legal advice to the extension agency. Based upon information and belief, the majority of these local agencies seek legal advice from West Virginia University's Legal Services Department. It does not appear to be clear in the code whether prosecutors have a legal duty to provide legal advice to extension agencies. However, the answer to this question is not outcome determinative to the Commission's analysis in the present case.

§ 6B-1-1, *et. seq.*, and does not purport to interpret other laws or rules. In accordance with W.Va. Code § 6B-2-3, this opinion has precedential effect and may be relied upon in good faith by other public agencies unless and until it is amended or revoked, or the law is changed.



R. Kemp Morton, Chairman

ADVISORY OPINION NO. 2009-06

FILED

Issued On June 4, 2009 By The

2009 JUN -9 AM 9:45

WEST VIRGINIA ETHICS COMMISSION

OFFICE WEST VIRGINIA
SECRETARY OF STATE

OPINION SOUGHT

An Elected City Council Member asks if he may vote on a matter or otherwise take action to benefit a church in which he is a member.

FACTS RELIED UPON BY THE COMMISSION

An Elected City Council Member attends a local church and has been approached by various church members about having surrounding streets annulled. The reason for the annulment would be to provide the church with additional room to possibly increase its sanctuary for its growing congregation. These streets exist only on paper, and have not been usable for numerous years.

The City Council Member attends the church in question, but only as an attendee and not a registered member. In addition, he has no participation within the ministry of the church. However, the Council Member does have a father who sits on the church council and is active within the ministry. The father receives no monetary compensation for his services.

CODE PROVISIONS RELIED UPON BY THE COMMISSION

W.Va. Code § 6B-1-3(f)

...

(f) "Immediate family", with respect to an individual, means a spouse with whom the individual is living as husband and wife and any dependent child or children, dependent grandchild or grandchildren and dependent parent or parents.

W. Va. Code § 6B-2-5(b) reads in relevant part:

A public official or public employee may not knowingly and intentionally use his or her office or the prestige of his or her office for his or her own private gain or that of another person. Incidental use of equipment or resources available to a public official or public employee by virtue of his or her position for personal or business purposes resulting in de minimis private gain does not constitute use of public office for private gain under this subsection. The performance of usual and customary duties

associated with the office or position or the advancement of public policy goals or constituent services, without compensation, does not constitute the use of prestige of office for private gain.

W. Va. Code § 6B-2-5(j) reads in relevant part:

(j) *Limitations on Voting.*

(1) Public officials, excluding members of the Legislature who are governed by subsection (i) of this section, may not vote on a matter:

(A) In which they, an immediate family member, or a business with which they or an immediate family member is associated have a financial interest. Business with which they are associated means a business of which the person or an immediate family member is a director, officer, owner, employee, compensated agent, or holder of stock which constitutes five percent or more of the total outstanding stocks of any class.

(B) If a public official is employed by a financial institution and his or her primary responsibilities include consumer and commercial lending, the public official may not vote on a matter which directly affects the financial interests of a customer of the financial institution if the public official is directly involved in approving a loan request from the person or business appearing before the governmental body or if the public official has been directly involved in approving a loan for that person or business within the past 12 months: *Provided*, That this limitation only applies if the total amount of the loan or loans exceeds fifteen thousand dollars.

(C) A personnel matter involving the public official's spouse or relative;

(D) The appropriations of public moneys or the awarding of a contract to a nonprofit corporation if the public official or an immediate family member is employed by the nonprofit.

(II) A public official may vote:

(A) If the public official, his or her spouse, immediate family members or relatives or business with which they are associated are affected as a member of, and to no greater extent than any other member of a profession, occupation, class of persons or class of businesses. A class shall consist of not fewer than five similarly situated persons or businesses; or

(B) If the matter affects a publicly traded company when:

(i) The public official, or dependent family members individually or jointly own less than five percent of the issued stock in the publicly traded company and the value of the stocks individually or jointly owned is less than ten thousand dollars; and

(ii) Prior to casting a vote the public official discloses his or her interest in the publicly traded company.

(3) For a public official's recusal to be effective, it is necessary to excuse him or herself from participating in the discussion and decision-making process by physically removing him or herself from the room during the period, fully disclosing his or her interests, and recusing him or herself from voting on the issue.

ADVISORY OPINION

The Ethics Act sets forth specific rules regarding when elected and appointed public servants may vote. The overriding purpose of the rules on voting is to ensure that a public official does not vote or take action on a matter in which he or she has a financial interest.

The Requester has no financial interest in the church or property, nor does his relative. As such, there is no prohibition in the Ethics Act against him voting or taking action on matters which affect the church or his membership.

The Legislative findings in the Ethics Act state:

...

(c) The Legislature finds that the state government and its many public bodies and local governments have many part-time public officials and public employees serving in elected and appointed capacities; and that certain conflicts of interest are inherent in part-time service and do not, in every instance, disqualify a public official or public employee from the responsibility of voting or deciding a matter; however, when such conflict becomes personal to a particular public official or public employee, such person should seek to be excused from voting, recused from deciding, or otherwise relieved from the obligation of acting as a public representative charged with deciding or acting on a matter.

...

W.Va. Code § 6B-1-2(c)

The Legislative finding recognizes that due to the interrelationships of part-time public

servants with their constituents and communities, oftentimes they may have to vote on matters in which they have a relationship with a party. Indeed, if public servants sought to recuse themselves on every vote because they know one party or the other, government would not function.

The Ethics Act specifically states that "[T]he performance of usual and customary duties associated with the office or position or the advancement of public policy goals or constituent services, without compensation, does not constitute the use of prestige of office for private gain." W.Va. Code § 6B-2-5(b). It is not unexpected that those who serve on City Council may be asked to take action by a church or other nonprofit organization. Even if the Council Member is a member of the organization or has a personal, but not financial, interest in a cause supported by the organization, that relationship does not preclude the Council Member from taking action on a request from the church or nonprofit organization. Instead, the Ethics Commission finds that fielding these requests and advancing them through the proper channels constitutes the performance of constituent services, so long as the Council Member or his immediate family members has no financial interest therein.

As the City Council Member is serving his constituency in the capacity of which he is elected, and as there is no language in the Ethics Act which prohibits the Council Member from voting on a matter which affects a church in which he is a member, but has no financial interest, the Ethics Commission finds that the Council Member may vote on matters involving the closure of the streets in question. In the interest of open government, the Ethics Commission does recommend that the council member disclose the fact he attends the church and that his father sits on church council prior to voting or taking any action on the issue.

While the Ethics Act does not prohibit the Requester from voting, there is nothing in the Ethics Act which prohibits the Requester from recusing himself if he believes that he cannot fairly decide the issues presented due to his attendance of the church. The Ethics Commission takes no position on whether he should or should not vote.

This advisory opinion is limited to questions arising under the Ethics Act, W. Va. Code § 6B-1-1, *et. seq.*, and does not purport to interpret other laws or rules. In accordance with W.Va. Code § 6B-2-3, this opinion has precedential effect and may be relied upon in good faith by other public agencies unless and until it is amended or revoked, or the law is changed.


R. Kemp Morton, Chairman



32 Canterbury Trail
 Charles Town, WV
 25414
 Phone: (304)724-1705
 EMail: ccchzm@wmconnect.com



Retired

>>> -Speed Message-- >>

From: Charles C. Cheezum
 Date: 062209

To: Pres. Dale Manuel
+ Co. Comm. Members

Dear County Comm. Members

The enclosed "call for help" is indeed more urgent than ever. I rely on the Shepherdstown Library for "Books on Tape" because of my failing eyesight. I do not know what I would do without their help.

Please do what you can for all our Librarians.

Thanks

Signed

ccchzm
RECEIVED

JUN 24 2009

Jefferson County Commission

Dear County Commissioners:

As a patron of the SHEPHERDSTOWN Public Library, I am asking you to reinstate the \$20,000 in funding that was cut from our library's budget for fiscal year 2010. A cut in funding such as this will result in fewer materials, shorter hours and cuts in the programs that are so important to our community. Please consider restoring this money to our public library. It is money well spent, and benefits the entire community, from children's programs to job searches to Internet access.

We need our free, public libraries now more than ever!

Thank you,

Signature

C. Cheezum

Printed Name

CHARLES C. CHEEZUM

Address

32 CANTERBURY TRAIL

City, State, Zip

CHARLES TOWN, WV 25414

(Paid for by Friends of Shepherdstown Library)