AGENDA FOR THURSDAY, SEPTEMBER 10, 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. - Kellie Boles - Agriculture Development Officer
- Farmland Protection Board Annual Report
- Updates to the Farmland Protection Board Program
- Approval to Purchase Easements On: Hockman, Robinson and The Bower

❑❑❑ 5. 10:15 a.m. - Jeffrey Polczynski and Todd Fagan
- E-911 Addressing Ordinance Amendment and Enforcement Plan
- Discussion/Approval for Hiring a Dispatcher

❑❑❑ 6. 10:30 a.m. - Laura Rattenni, Circuit Clerk - Budget Revision, Salary Equity, and Hiring of a New Deputy Clerk - Discussion/Action

❑❑❑ 7. 10:45 a.m. - Al Britton, General Manager - PNGI Charles Town Gaming, LLC

❑❑❑ 8. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report
- Poll Worker Approval
- Probate Matters:
  - Special Session to Approve Interim Accounting for the Estate of Jessie M. Metcalf, Deceased - From Fiduciary Commissioner June K. Jovanelly
  - Petition for Removal of Co-Ancillary Administrator of the Estate of Elva Nellie Crawford, Deceased - From the Law Office of Dale Buck

❑❑❑ 9. 1:30 p.m. - Continuation of the Deliberations on the Salary Equity Issue and a Vote on an Equity Plan (DM)

❑❑❑ 10. 2:30 p.m. - Department Head Evaluation

OLD BUSINESS:

❑❑❑ 11. Legislative Issues

❑❑❑ 12. Report on Federal Stimulus Funds - Discussion

NEW BUSINESS:

❑❑❑ 13. Stephanie Grove - Legal Update and Report

❑❑❑ 14. Mark Schiavone - Recalculation of School Impact Fee - Discussion/Action

❑❑❑ 15. Jennie Brockman - Recommendation on the Hiring of the Public Clerk for the Department of Planning and Zoning - Discussion/Action

❑❑❑ 16. Request for Signature and Submission of 2010 Census New Construction Program Registration Form - Discussion/Action

❑❑❑ 17. West Virginia Housing Development Fund's Low-Income Housing Tax Credit Program - Notification of the Local Jurisdiction and Request for Comment - Discussion/Action

❑❑❑ 18. Department of Health and Human Resources Lease - Discussion/Approval

❑❑❑ 19. Request from John Kusner for the Commission to Send him to the Water Geology Conference - Discussion/Action

❑❑❑ 20. Approval of DUI Grant Application - Discussion/Action

❑❑❑ 21. Community Participation Grant Program - Approval of Resolution, Agreement and Contract - Fisherman's Hall - Discussion/Action

❑❑❑ 22. Decision of Process of Distributing Budget Allocations to Fire Departments - Discussion/Action

❑❑❑ 23. County Administrator Reports

❑❑❑ 24. County Commission Reports

INFORMATION:

❑❑❑ 25. Reminder of Zoning Referendum on November 7, 2009.

❑❑❑ 26. Appointment to be made to the Sheriff's Civil Service Commission on October 1, 2009.

❑❑❑ 27. Day of Remembrance at Independent Fire Company on September 11, 2009 at 9:58 a.m.

❑❑❑ 28. Impact Fee Status Report received for August 2009.

❑❑❑ 29. Memorandums received from the Department of Capital Planning and Management concerning transfers of funds.

❑❑❑ 30. Correspondence received from Senator Byrd concerning HR 2986.

❑❑❑ 31. NACo Prescription Drug Discount Card Program report received.

❑❑❑ 32. Press Release received concerning presentations given by Information and Cyber Security Experts on October 29, 2009 at the West Virginia Culture Center.

❑❑❑ 33. Correspondence received from the Morgan County Commission expressing appreciation for a meeting held with Mark Schiavone concerning the Impact Fee process.

❑❑❑ 34. Correspondence received from Michael Mood concerning Middleway Volunteer Fire Company's CIP request.

❑❑❑ 35. Correspondence received from the West Virginia Development Office concerning a West Virginia ON TRAC application workshop.

❑❑❑ 36. West Virginia County Records Management and Preservation Grant Program information received.

❑❑❑ 37. Correspondence received from the Charles Town Utility Board concerning changes to the water treatment process and billing changes.

❑❑❑ 38. Newsletter received from the Old Opera House.

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

❑❑❑ 40. Miscellaneous

CORRESPONDENCE:

❑❑❑ 41. Postcards received concerning library funding from Barbara Baker and George Baker.

❑❑❑ 42. Correspondence received from Robert Murto concerning telephone taxes.

❑ ❑ ❑ 43. Correspondence received from Paula Frickey concerning neighbors.

❑ ❑ ❑ 44. Correspondence received from Gil N. Garcia concerning the Planning Commission agenda.

❑ ❑ ❑ 45. Correspondence received from John Urciolo concerning elected officials.

At all times the County Commission reserves the right to rearrange agenda times because of time constraints and to accommodate the Commission schedule or the public.

9/10/09 #4
10:00 am

Leslie D. Smith

From: Kellie Boles [Kellie@jcda.net]
Sent: Friday, August 21, 2009 10:38 AM
To: Leslie D. Smith
Subject: FW: Appt at CC

Farmland Protection Board Annual Report
Updates to the Farmland Protection Board Program
Approval to purchase easements on: Hockman, Robinson and The Bower
KB

Kellie S. Boles
Agriculture Development Officer, JCDA
Board Administrator, JCFPB
P.O. Box 237
Charles Town, WV 25414

Phone: 304/728-3255
Fax: 304/728-3133

kellie@jcda.net
www.jeffersonfarms.org
www.wvfarmlandprotection.org

From: Leslie D. Smith [mailto:ldsmith@jeffersoncountywv.org]
Sent: Friday, August 21, 2009 10:16 AM
To: Kellie Boles
Subject: RE: Appt at CC

Sure – How about the 10th at 10:00 AM. What is it for?

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

Appointments

#5

Jefferson County Emergency Communications
DEPARTMENTAL MEMORANDUM

RECEIVED

SEP 03 2009

Jefferson County Commission

TO: Jefferson County Commission
Leslie Smith, County Administrator

FROM: Todd Fagan, GIS Specialist
Jeff Polczynski, Director of Communications

DATE: September 3, 2009

SUBJECT: APPOINTMENT REQUEST for E9-1-1 Addressing Ordinance Amendments and Commission Update on Ordinance Enforcement Plan

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The GIS/Addressing Office has identified necessary changes to the Addressing Ordinance designed to refine the regulations and close possible loopholes. Please consider the following elements regarding these changes to include enforcement and County policies.

Requested Administrative Actions:

1. Review by Commission and Legal Counsel of Ordinance Update and supporting materials
2. Review by Commission and Legal Counsel of Address Posting Enforcement Plan
3. Scheduling of Commission Workshop within 30 days to discuss and act on Ordinance and Policy Issues
4. Guidance on Public Information Policies
5. Commission Vote to enact Addressing Ordinance Amendment #3 per review comments

Outline of Discussion

1. Amendment #3 to E9-1-1 Addressing Ordinance 01-2002
    a. documents include marked up changes to existing ordinance, supporting regulations, policies, guidelines and definitions
    b. already reviewed by Planning/Zoning and Engineering re: impact to their regulations and policies
    c. now needs review by
        i. County Commission
        ii. Legal Counsel
        iii. Municipalities?
        iv. Public Hearing?
    d. culminates in vote to enact amendment to existing ordinance

2. Violations and Enforcement Plan for posting of proper E9-1-1 Addresses
    a. needs review by
        i. County Commission
        ii. Emergency Service Personnel (Sheriff, ESA, Fire Companies, etc)
        iii. USPS
        iv. BOE Bus Routing and Operations
    b. Public Awareness – advertise intent to enforce
    c. Staff in field check addresses
        i. issue 1st time warnings
        ii. issue 2nd time violation notices and fines
    d. GIS/Addressing Office manages project, notifications and fines?
        i. Only deputies can issue fines
3. Policy Guidance
    a. What is "Public Information" regarding physical addressing?
       What data or information can County Staff provide?
        i. Questions:
            1. "Who owns 123 Example Street?"
            2. "Who lives at 123 Example Street?"
            3. "What is the tax information for 123 Example Street?"
            4. "Where does Jane Doe live?"
    b. Should County Staff determine residency?
        i. clear rule needed
        ii. Address verification letters to verify ownership
        iii. Other agencies have responsibility to determine residency

#5.1

Jefferson County Emergency Communications
DEPARTMENTAL MEMORANDUM

TO: The County Commission of Jefferson County

FROM: Jeffrey A. Polczynski, ENP – Director of Communications

DATE: April 17, 2008

SUBJECT: Staff Openings in the 9-1-1 Center

The purpose of this memorandum is to provide the Commission justification for the need to continuously fill positions that may be open for many varied reasons in the Emergency Communications Center. Attached to this letter are two requests for appointments for Public Safety Dispatcher to fill current openings.

The ECC is a continuously staffed 24/7 agency and maintains minimum staffing levels by policy. You never know when a 9-1-1 call may occur. All calls must be answered and response to the emergency must occur.

In the 9-1-1 center, call volume dictates the necessity for a minimum staffing level and after extensive research and calculations; the Emergency Communications Center set minimum staffing which has not changed in three years even though call volume and municipality service has risen. The County Commission has previously endorsed the minimum staffing levels. The ECC does not have the option to push the workload back. Every call is important and all emergencies must be handled appropriately, efficiently, and effectively. The items below detail the necessity to ensure that minimum staffing levels are maintained and that openings, when they occur, must be filled.

- Minimum staffing dictates coverage in the 9-1-1 Center. Minimum staffing is set based upon call volume and dispatch workload.
- The Communications Center figures its workload based upon the call volume of municipalities, the County departments, Fire and EMS agencies, and incoming 9-1-1 call volume from historical data. The municipalities make up a significant part of call volume and management must staff the center to be prepared for call volume and workload. The County does not have control over the amount of officers a municipality fields however, the County is required to service the municipality for its dispatching needs.
- Vacation requests, sick calls, jury duty, mandatory training, and other leave all require backfill of the opening for the shift.
- Having all positions filled may eliminate the necessity to call overtime on top of the overtime that was already posted for the month. Even though all positions are staffed, if the ECC incurs multiple sick calls (three personnel for the same shift last week), the

shifts must be covered so overtime is still a requirement. All positions are figured into the minimum staffing algorithm.

- The training required for a public safety dispatcher is extensive. After a new person is hired, they are not figured into minimum staffing until they are fully trained.
- Training takes approximately nine months (9 month) to fully train the dispatcher on all disciplines (Calltaking, Backup, WEAPON, Fire/EMS, Police).
- The minimum staffing level is set. The ECC will require staff to work overtime to fill open slots in the schedule each day to maintain minimum staffing. *This requires overtime.*
- Management must continuously stay ahead of the open allocated staffing slots filling openings as resignations are received. Resignations can occur for many different reasons and the majority of the last several resignations occurred because the employee wanted to pursue a different career in the field such as a career firefighter.
- An overtime cycle where mandatory overtime is needed can start a cycle of burn-out of staff. By policy, the agency requires a shift be covered. The dispatch staff is tapped to fill the overtime slot. If staff are working inordinate amounts of overtime on top of the regularly scheduled shift, the department starts incurring additional sick leave which requires overtime of staff to fill the overtime slot. This can quickly become a vicious cycle of dispatcher burn-out and management has worked extremely hard to prevent this cycle. *We cannot get into that cycle and the staff allotment in place now prevents this.*
- With the summer months approaching, the call volume rises which requires additional staff to cover workload.
- If the ECC suffers resignations at a staffing level already down by two positions based upon a Commission FY09 decision, at what point is the ECC allowed filling of its openings? Since we are already down two positions, the Commission is making the decision to eliminate positions arbitrarily. The ECC can quickly fall into a cycle of overtime and burn-out.

I highly recommend that the Commission allow the Emergency Communications Department to continuously fill open positions on staff so that minimum staffing levels are maintained.

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

Respectfully Submitted,

Jeffrey A. Polczynski, ENP

Digitally signed by Jeffrey A. Polczynski, ENP
DN: cn=Jeffrey A. Polczynski, ENP, o=Jefferson County Commission, ou=Jefferson County Emergency Communications, email=jpolczynski@jeffersoncountywv.org, c=US
Date: 2008.04.17 11:27:04 -04'00'

Jeffrey A. Polczynski, ENP
Director of Communications

10:30 #6

RECEIVED

SEP 0 3 2009

Jefferson County Commission

Circuit Court of Jefferson County
Laura E. Rattenni, Clerk
P.O. Box 1234
Charles Town, WV 25414

304-728-3398 (FAX)

304-728-3231 (PHONE)

MEMORANDUM

TO: County Commission

FROM: Laura Rattenni, Circuit Clerk

DATE: September 3, 2009

RE: Request to be placed on adgenda

I am requesting an appointment time to come before the County Commissioners to discuss a budget revision, salary equity and the hiring of a new Deputy Clerk within the Circuit Clerks office.

#7

CHARLES TOWN RACES & SLOTS

10:45

RECEIVED

SEP 03 2009

Jefferson County Commission

VIA TELECOPIER
AND HAND DELIVERY

September 3, 2009

Dale Manuel, President
Jim Surkamp, Vice President
Lyn Widmyer, Commissioner
Frances Morgan, Commissioner
Patsy Noland, Commissioner
Jefferson County Commission
P.O. Box 250
124 E. Washington Street
Charles Town, West Virginia 25414

Re: Request to be placed on the Agenda for the September 10, 2009 Commission Meeting

Dear Commissioners:

PNGI Charles Town Gaming, LLC t/a "Charles Town Races & Slots" requests to be placed on the County Commission agenda for its meeting on September 10, 2009.

Thank you.

Yours truly,

By: _____
Al Britton, General Manager

Post Office Box 551, Charles Town, WV 25414 Phone: 304.725.7001, Fax: 304.725.6979

#8

JEFFERSON COUNTY DEMOCRATIC EXECUTIVE COMMITTEE

Reva N. Mickey, Chairwoman
377 Roper North Fork Road
Charles Town WV 25414

Phone: 304-725-8363

Email: jrmick@frontiernet.net

August 24, 2009

Nikki Painter, Deputy Clerk
Voter Registration
100 East Washington Street
Charles Town WV 25414

Dear Ms Painter:

In response to the letter received on July 22, 2009, requesting nominations for election workers, the Democratic Executive Committee, assembled in a meeting on August 12, 2009, and recommend the list of poll workers as submitted by your office with only minor changes. Our committee is aware that you are getting many requests from Democrats to be placed on the alternate list; however, additional names have been submitted as you requested.

It is understood the County Commissioners must make the final approval when you submit the list on September 3, 2009. Please contact me if there is a change in this schedule.

If I can be of further assistance to you, do not hesitate to call me.

Very sincerely,

Reva N. Mickey

Reva N. Mickey

Alternate List Democrat

Special Election-Sat. Nov.7, 2009

Amber Perkins	710 S. Church St.	CT	725-7798
Lisa Marie Migliore	33 Holly Springs Dr	CT	728-7922
Alice Sudduth	1052 N. Childs Rd	Kysv	724-5141
Dee Clingan	17 Spring Run Ct, Apt 111	CT	279-6590
Nancy Schaffer	504 W. Liberty St	CT	725-6585
Neil Bellman	715 Morison St	CT	724-6550
Dorcas Ramsburg	801 Morison St	CT	725-5000
Valerie Campbell	513 W Liberty St	CT	724-7144
Martin Burke			876-3883
Sandra Watkins			876-3508
John Streeter			876-9152
Jan Offutt			876-0815

Please note these are additional names to the list of nine.

Alternate List Democrat

Name	Phone	Address
Patricia Mills	725-5489	11993 Leetown Rd Kearneysville
Peggy Turner	725-5792	709 Morison St. Charles Town
Loretta McDonald	728-8111	537 Jefferson Orchard Rd. Kearneysville
Violet Lowery	725-2604	566 Eagle Ave. Charles Town
Katherine Glass	725-6253	17185 Hays Dr. Bluemont WV
Joan Noland	820-4257	316 Redwood Ct Harpers Ferry
Jo McGinnis	725-1418	29 Paddock Pl. Charles Town
Linda Small	728-2211	54 Crabapple Ln Ranson
Charlotte Hernandez	676-2966	1237 Mare St. Ranson

Charles Town District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 4A				
Poll Commissioner # 1				
Mary Mays	725-2863	632 S. George St. Charles Town		Dem
Poll Commissioner # 2				
[redacted]				~~Dem~~ Rep
Supply Clerk				
Jean Roberts	725-7435	404 S Charles St Charles Town		Dem ~~Rep~~
Poll Clerk # 1				
Charlotte Gano	725-7519	485 Jefferson Ave. Charles Town		Dem
Poll Clerk # 2				
				Rep
Precinct # 4B				
Poll Commissioner # 1				
Janet Jeffries	725-4094	432 S. Lawrence St Charles Town		Dem
Poll Commissioner # 2				
				Rep
Supply Clerk				
Vivian Henry	725-0614	302 S. George St Ranson		Dem
Poll Clerk # 1				
Karla Eister	725-0737	PO Box 577 Charles Town		Dem
Poll Clerk # 2				
				Rep

Harpers Ferry District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 12				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Janice Blackford	725-1293	928 King Lear Dr. Charles Town		Dem
Supply Clerk				
Richard Blue	725-2201	3767 Flowing Springs Rd. Shen Jct		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Joan Mercer	725-5587	Po Box 85 Shenandoah Jct		Dem
Precinct # 13A				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Mary Cogle	725-7184	857 Mt Hammond Ln. Charles Town		Dem
Supply Clerk				
Mindy Maye	725-0430	87 Northwinds Dr. Charles Town		No Party
Poll Clerk # 1				Rep
Poll Clerk # 2				
Linda Housden	535-2478	57 Fort Hill Rd. Harpers Ferry		Dem
Precinct # 13B				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Peggy Freeman	535-6597	175 Cheney St Harpers Ferry		Dem
Supply Clerk				
Charles Henry	725-8613	PO Box 263 Charles Town		~~Rep~~ Dem
Poll Clerk # 1				
Jean Dignazio	725-3688	97 Basset Ln Ranson		Dem
Poll Clerk # 2				Rep
Precinct # 16				

~~Need~~ ~~DID~~ ~~more~~ Dem

Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Inez Ridgeway	725-6505	663 Chestnut Hill Rd. Harpers Ferry		Dem
Supply Clerk				
Cathryn Jackson	728-8510	174 Hickory Nut Ln Harpes Ferry		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Debbie Gravatt	876-6212	505 Engle Moler Rd. Harpers Ferry		Dem
Precinct # 17				
Poll Commissioner # 1	~~202 (Cell)~~			~~Dem~~
~~Bobbie Blok~~	~~744-4479~~	~~341 Wren Lane, Box 746 Harpers Ferry~~		~~Rep~~
Poll Commissioner # 2				
Sunshine Drummond	728-9014	408 E. 6th Ave. Ranson		Dem
Supply Clerk				
Craig Yohn	261-3723	218 Devonshire Dr Charles Town		Dem ~~Rep~~
Poll Clerk # 1	202 (cell)	341 Wren Lane, Box 746		Dem
Bobbie Blok	744-4479	Harpers Ferry		Rep
Poll Clerk # 2				
~~Carig Yohn~~	~~261-3723~~	~~218 Devonshire Dr. Charles Town~~		~~Dem~~

Need ~~one~~ ~~more~~ Dem

Kabletown District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 19				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Lorraine Kinder	728-9948	744 Treeline Dr. Charles Town		Dem
Supply Clerk				
Christine Wolf	724-8233	361 Meadowland Way Kearneysville		Dem
Poll Clerk # 1				
Joyce Pifer	725-3678	7417 Queen St. Kearneysville		Dem
Poll Clerk # 2				Rep
Precinct # 20				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Daniel Lutz	725-0966	175 Wheatland Rd Charles Town		Dem
Supply Clerk				
Robert Graf	728-2829	2054 Kabletown Rd Charles Town		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Carolyn Wright	725-7999	276 Hawthornedale Rd. CT		Dem
Precinct # 21A				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Barbara Smith	725-6307	PO Box 165 Ranson		Dem
Supply Clerk				Dem ~~Rep~~
Harriet Monroe Miller	728-6155	201 Cranes Lane Charles Town		
Poll Clerk # 1				Rep
Poll Clerk # 2				
Judy Ott	676-5617	40 Beamer Ln Harpers Ferry		Dem
Precinct # 21B				

Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Virginia Graf	728-2829	2054 Kabletown Rd Charles Town		Dem
Supply Clerk				
Patricia Blevins	725-2234	920 General Rogers Rd. CT		Dem
Poll Clerk # 1				
Samantha Addesa	886-9459			Dem
Poll Clerk # 2				Rep
Precinct # 22A				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Elizabeth Stagner	725-7777	1453 Shirley Rd Summit Point		Dem
Supply Clerk				
Nancy Jo Upwright	725-9229	12260 Leetown Rd Kearneysville		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Gerald Dost	724-0066	732 Turnberry Dr. Charles Town		Dem
Precinct # 22B				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
William Mundey	725-2234	120 Gloucester Dr. Charles Town		Dem
Supply Clerk				
Nance Briscoe	728-2201	22 Cloverdale Pl Charles Town		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Roger Dailey	724-7901	863 Pheasant Hill Rd Summit Point		Dem
Precinct # 23A				
Poll Commissioner # 1				
~~To McGinnis~~	~~725-1418~~	~~29 Pebblebrook Place Charles Town~~		~~Dem~~ ~~Rep~~
Poll Commissioner # 2				

Delete

Vickie Drummond	728-9014	408 E. 6th Ave Ranson		Dem
Supply Clerk				
Gary Henry	725-[redacted] 0614	3025 George St Ranson		Dem ~~Rep~~
Poll Clerk # 1				
				Rep
Poll Clerk # 2				
Debra Durst	725-6794	6546 Middleway Pike Kearneysville		Dem
Precinct # 23B				
Poll Commissioner # 1				
				Rep
Poll Commissioner # 2				
Metha Crouch	728-1081	47 Victoria Ln Charles Town		Dem
Supply Clerk				
Nora Drish	725-5256	PO Box 294 Summit Point		Dem
Poll Clerk # 1				
				Rep
Poll Clerk # 2				
Marie White	725-7674	30 Beekman Pl Charles Town		Dem

Middleway District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 25A				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Dorothy McDonald	725-2601	58 Kings Nest Dr. Kearneysville		Dem
Supply Clerk				
Rosalie Ring	725-8045	277 King St. Kearneysville		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Marsha Gardner	725-1586	259 King St. Kearneysville	Already called said she will wk.	No Party
Precinct # 25B				
Poll Commissioner # 1				
Wanda Huges	725-3243	23 Georgia Ave Charles Town		Dem
Poll Commissioner # 2				Rep
Supply Clerk				
Kenneth Ring	725-8045	277 King St. Kearneysville		Dem
Poll Clerk # 1				
Myrna Kilbane	724-1258	619 S. Church St. Charles Town		Dem
Poll Clerk # 2				Rep
Precinct # 26				
Poll Commissioner # 1				
John Hancock	725-9339	5392 Paynes Ford Rd Kearneysville		Dem
Poll Commissioner # 2				Rep
Supply Clerk				
Jean Spurling	725-9200	12082 Leetown Rd Kearneysville		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Linda Fricke	728-6400	154 East St Kearneysville		Dem
Precinct # 27				

Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Elizabeth Moores	876-6807	108 Libby Ln Kearneysville		Dem
Supply Clerk				
David Painter	283-2122	182 Domer Sq Kearneysville		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
Terri Roberts	728-8562	95 Rural Retreat Dr. Ranson		Dem
Precinct # 28				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Barbara Larrow	596-0102	8 Supreme Ct Charles Town		Dem
Supply Clerk				
Virginia Keeney	728-7149	1994 Wide Horizon Blvd Kearney		Dem
Poll Clerk # 1				
Theresa Jenkins	725-6929	63 Pond Rd Charles Town		Dem
Poll Clerk # 2				Rep

Shepherdstown District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 31				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Antoinette Ringgold	995-9140	105 Limited Dr. Ranson		Dem
Supply Clerk				
Anita Fleshman	876-1865	5388 Shepherdstown Pike Shen Jct		Dem
Poll Clerk # 1				
Edward Moore	876-3194	PO Box 1969 Shepherdstown		Dem
Poll Clerk # 2				Rep
Precinct # 32				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Terri Sizemore	270-0877	821 N Mildred St 8-104 Ranson		Dem
Supply Clerk			wants to work	~~Rep~~ Dem.
→ Sarah Gabrielson				
Poll Clerk # 1				
Sharon Canfield-Major	876-2935	651 Cherry Run Rd Harpers Ferry		Dem
Poll Clerk # 2				Rep
Precinct # 34				
Poll Commissioner # 1				Rep
Poll Commissioner # 2				
Jim Tower	876-8525	3439 Bakerton Rd Harpers Ferry		Dem
Supply Clerk				
Sarah Fowler	240-367-2844	PO Box 1350 Charles Town		Dem
Poll Clerk # 1				Rep
Poll Clerk # 2				
John Sims	876-8525	3439 Bakerton Rd Harpers Ferry		Dem
Precinct # 35A				

Poll Commissioner # 1				
Harold Stewart	725-7164	9029 Charles Town Rd CT		Dem
Poll Commissioner # 2				
				Rep
Supply Clerk				
→ Jim Watkins	876-3508	PO Box 1381 Shepherdstown		~~Rep~~ Dem.
Poll Clerk # 1				
Margaret Housden	876-0686	466 Ridge Rd Shenandoah Jct		Dem
Poll Clerk # 2				
				Rep
Precinct # 35B				
Poll Commissioner # 1				
				Rep
Poll Commissioner # 2				
Patrick Coyle	728-7365	1208 Wide Horizon Blvd Kearney		Dem
Supply Clerk				
Elizabeth Coyle	728-7365	1208 Wide Horizon Blvd Kearney		Dem
Poll Clerk # 1				
				Rep
Poll Clerk # 2				
Suzanne Schmidt	535-2241	660 Washington St. Harpers Ferry		Dem

Precinct 35A

Jim Watkins 876-3508 -used

Martin Burke 876-3883 - unassigned

alt. Sandra Watkins 876-3508 -

John Streeter 876-9152

Jan Offutt 876-0815

Jefferson County Republican Executive Committee

Box 443, Charles Town, West Virginia, 25414

August 27, 2009

Hon. Jennifer Maghan, County Clerk
Jefferson County, WV

Dear Ms. Maghan,

The Jefferson County Republican Executive Committee met on August 1, 2009 and nominated the attached list of Poll Workers to work the November 7, 2009 Special Election for the Republican Party

Very truly yours,

Jefferson County Republican Executive Committee
Anne Dungan, Chairperson
535-6914

Alternates

1- Lance, Ruth 219 Charles Street, CT 434-249-1963

2- Craker, Trevor 1435 EngleMolers Rd, H.F 703-999-4073

3- Sullivan, Matthew 3892 Bakerton Rd., H.F 304-876-2103

4. Comras, Carolyn 123 Stephanie Way, C.T. 304-728-3687

5- Piedrahita, Amy 12 Pheasant Ln, H.F. 304-728-7152

6- Evangelisti, Dan 555 Skyline Trail, H.F. 304-728-0334

7- Guice, John 84 Upper Clubhouse Dr. H.F 304-8854777

8- Guice, Norman 204 Pebble Beach Dr. C.T. 304-885-4777

9. Klug, Caitlin 222 Heath Dr. C.T. 304-728-9731

10- Klug, Jessica 222 Heath Dr. C.T. 304-728-9731

11- Beitzel, Donna 287 Sawyer Dr. H.F. 304-724-7766

12- Snyder, Colleen 179 Gen. Rogers Rd. C.T. 304-671-3194

13- Boggs, Donald 19219 Charles Town Rd. H.F. 304-886-6865

14- Rissler, Tracey 616 Unita Farm Ln. C.T. 304-725-2476

15- Buscher, Michael P.O. Box 1081 H.F 304-582-8725

16- Turner, Mercie 7933 Summit Pt. Rd, C.T. 304-725-4346

17- Pifer, Christine 64 Victoria Ln C.T. 304-725-9692

Charles Town District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 4A				
Poll Commissioner # 1				Dem
Poll Commissioner # 2				
Phyllis Cadwell	725-0788	30 Crab Apple Tree Ct. Apt 203 CT	yes	Rep
Supply Clerk				
Connor Newlon	725-7683	315 S. Curch St Charles Town	yes	Rep
Poll Clerk # 1				Dem
Poll Clerk # 2				
~~Marty Freeman~~ Julia Downing	725-9085 ~~725-0470~~	605 Eagle Ave, C.T. ~~PO Box 945 Charles Town~~	yes	Rep
Precinct # 4B				
Poll Commissioner # 1				Dem
Poll Commissioner # 2				
Garland Chrisman	728-8138	310 3rd St. Shenandoah Jct	yes	Rep
Supply Clerk				Dem
Poll Clerk # 1				Dem
Poll Clerk # 2				
~~Carolyn Comras~~ Stella Robinson	725-6363 ~~728-3687~~	631 Eagle Ave, C.T. ~~123 Stephanie Way Charles Town~~	yes	Rep

7 Rep. Poll Workers

Harpers Ferry District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 12				
Poll Commissioner # 1				
Peggy Nicodemus	876-3555	109 Paint Horse Rd. Harpers Ferry	yes	No Party
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
Isabelle Ebersole	725-1274	PO Box 34 Shenandoah Jct	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 13A				
Poll Commissioner # 1	725-7152	112 Hilltop Rd., H.F		
~~Deborah Spatola~~ Melodie Williams	~~728-4472~~	~~413 Red Bird Ln Harpers Ferry~~	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				No Party
Poll Clerk # 1				
Tim Collins	535-2626	52 Spring St. Harpers Ferry	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 13B				
Poll Commissioner # 1	725-7152	112 Hilltop Rd, H.F.		
~~Mike Cenate~~ Jack Williams	~~728-6120~~	~~138 Scottie Dr. Charles Town~~	yes	Rep
Poll Commissioner # 2				
~~Peggy Freeman~~				Dem
Supply Clerk				
Karen Olden	728-0140	267 Huckleberry Ln Harpers Ferry	yes	Rep
Poll Clerk # 1				
				Dem
Poll Clerk # 2	535-6914	228 Prospect Ave, H.F		
~~Tracey Cenate~~ Anne Duncan	~~728-6120~~	~~138 Scottie Dr. Charles Town~~	yes	Rep
Precinct # 16				

Poll Commissioner # 1				
Randolph Ridgeway	725-6505	663 Chestnut Hill Rd. Harpers Ferry	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
Monte Ridgeway	728-7669	665 Chestnut Hill Rd. Harpers Ferry	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 17				
Poll Commissioner # 1				
Ramona Thompson	728-8039	PO Box 1269 Harpers Ferry	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
Steven Crowe	724-6404	2582 Chestnut Hill Rd Harpers Ferry	yes	Rep
Poll Clerk # 1				
Jerry Williams	725-9740	78 Bluff Lane Harpers Ferry	yes	Rep
Poll Clerk # 2				
				Dem

Kabletown District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 19				
Poll Commissioner # 1				
Beverly Raines	728-4304	1252 East View Ct Charles Town	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
				Dem
Poll Clerk # 2				
James L. Mann	725-3202	35 Scottie Dr. Charles Town	yes	Rep
Precinct # 20				
Poll Commissioner # 1				
~~Jerry Satherlee~~	728-4831	66 Cypress Point Dr Charles Town	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
Pamela Carroll	725-0030	53 Beekman Pl Charles Town	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 21A				
Poll Commissioner # 1	728-4472	413 Red Bird Ln, H. F	yes	
~~Amy Piedrahita~~ Debra Spotola	~~728-7152~~	~~12 Pheasant Ln Harpers Ferry~~		Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
Alicia White	703-220-8048	93 Clems Dr. Ranson	yes	Rep
Poll Clerk # 1				
Frankie Remaley	728-4549	50 Pheasant Ln Harpers Ferry	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 21B				

Poll Commissioner # 1				
Carol Swiger	268-2418	200 Robin Ln Harpers Ferry	yes	Rep
Poll Commissioner # 2				
				~~Dem~~
Supply Clerk				
				Dem
Poll Clerk # 1				
				No Party
Poll Clerk # 2				
Eugene Pearson	725-1746	109 Fry's Ln, C.T. ~~Po Box 1005 Charles Town~~	yes	Rep
Precinct # 22A				
Poll Commissioner # 1				
~~Trixie Carter~~ Mike Carter	~~728-0900~~	~~135 Scothie Dr, C.T.~~ ~~19459 Charles Town Rd HF~~	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
~~Barbara Turton~~ Sharon Sother	728-4831 ~~725-4366~~	66 Cypress Point Dr. C.T. ~~183 Locust Hill Dr. Charles Town~~	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 22B				
Poll Commissioner # 1				
~~Mason Carter~~ ~~Tracey Carter~~	~~728-0900~~	~~135 Scothie Dr, C.T.~~ ~~19459 Charles Town Rd HF~~	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
Regina Smith	728-0553	1000 Harry Shirley Rd Kearneysville	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 23A				
Poll Commissioner # 1				
~~Judith Cromwell~~ Bradley Oseth	728-0583 ~~202 226 2650~~	70 Gen. Anderson Ct. H.F. ~~254 Turnberry Dr Charles Town~~	yes	Rep
Poll Commissioner # 2				

				Dem
Supply Clerk ~~Jackie Moler~~ Gary Dunogan	535-6914 ~~725-5558~~	228 Prospect Ave, H.F. ~~83 Sunlite Dr. Charles Town~~	yes	Rep
Poll Clerk # 1				
Elizabeth Lademan	724-2083	417 S. Samuel St. Charles Town	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 23B				
Poll Commissioner # 1				
Neil Bellman	279-5200	715 Morison St. Charles Town	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
Martin Durst	725-6794	6546 Middleway Pike Kearneysville	yes	Rep
Poll Clerk # 2				
				Dem

Middleway District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 25A				
Poll Commissioner # 1				
Joan L. Hough	725-5025	12771 Leetown Rd. Kearneysville	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
H. Lavonne Miller	725-7679	277 Joe J. Miller Rd Kearneysville	yes	Rep
Poll Clerk # 2				
				No Party
Precinct # 25B				
Poll Commissioner # 1				
				Dem
Poll Commissioner # 2				
Joe Miller	725-7679	277 Joe J. Miller Rd Kearneysville	yes	Rep
Supply Clerk				
				Dem
Poll Clerk # 1				
				Dem
Poll Clerk # 2	~~725-5184~~	~~38 Gene Kandler~~	yes	
~~Betty Hills~~ ~~Maryanne Harrigan~~	~~728-1149~~	~~PO Box 44~~ Summit Point		Rep
Precinct # 26				
Poll Commissioner # 1				
				Dem
Poll Commissioner # 2				
Iris Chrisman	725-7800	118 Old Leetown Pike Kearneysville	yes	Rep
Supply Clerk				
				Dem
Poll Clerk # 1	304-671-1036	P.O. Box 1142, Shepto		
~~Dan Evangelisti~~ Lee Ann Morgan	~~728-0334~~	~~555 Skyline Trail Harpers Ferry~~	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 27				

Poll Commissioner # 1				
Robin Carper	725-4522	185 Jefferson Terrace Rd CT	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
Robyn Painter	728-8210	PO Box 4 Kearneysville	yes	Rep
Poll Clerk # 2				
				Dem
Precinct # 28				
Poll Commissioner # 1				
Robert Trainor	724-7033	774 Crosswinds Ct Charles Town	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
				Dem
Poll Clerk # 2				
Jackie Shadle	728-5196	405 Paulas Circle Kearneysville	yes	Rep

Shepherdstown District				
Name	Telephone #'s	Address	Comments	Party
Precinct # 31				
Poll Commissioner # 1				
Bruce Fleshman	876-1865	5388 Shepherdstown Pike Shen Jct	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
				Dem
Poll Clerk # 2				
Cheryl Huff	725-4989	74 Porter Way Charles Town	yes	Rep
Precinct # 32				
Poll Commissioner # 1				
~~Bob Murto~~ Richard Gibson	876-6926 ~~876-0627~~	243 Rabbits Rest Ln, Shep ~~887 Cherry Run Rd Harpers Ferry~~	yes	Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
~~Todd Baldau~~ Bob Murto	876-0627 ~~725-2865~~	887 Cherry Run Rd. H.F ~~182 Coventry Ln Harpers Ferry~~	yes	Rep
Poll Clerk # 1				
				Dem
Poll Clerk # 2				
Carol Gibson	876-6926	243 Rabbits Rest Ln Shep.	yes	Rep
Precinct # 34				
Poll Commissioner # 1				
~~Mary Vickers~~ Mike Cenate	728-6120 ~~876-6727~~	138 Scottie Dr ~~707 Van Clevesville Rd Kearney~~		Rep
Poll Commissioner # 2				
				Dem
Supply Clerk				
				Dem
Poll Clerk # 1				
~~Florence Vickers~~	728-6120 ~~876-6727~~	138 Scottie Dr. ~~707 Van Clevesville Rd Kearney~~		Rep
Poll Clerk # 2				
				Dem
Precinct # 35A				

Pct # 35A

Poll Commissioner # 1				D
Poll Commissioner # 2				
Claire Gibson	202-669-6150	116 Wildwood Farm Ln Shenandoah	yes	R
Supply Clerk				
Tara Morgan	725-2219	10179 Leetown Rd Kearneysville	yes	R
Poll Clerk # 1				D
Poll Clerk # 2				
George Moxley	725-6857	56 Starlight Ln Harpers Ferry	yes	R
Precinct # 35B	[redacted]			
Poll Commissioner # 1				
Mary Trice	728-7873	44 New Sycamore Cir Apt 102, C.T.	yes	R
Poll Commissioner # 2				D
Supply Clerk				D
Poll Clerk # 1	876-6727	707 Van Clevesville Rd. Kearneysville		
~~David Hamill~~ Florence Vickers	~~725-1538~~	~~103 N Preston St. Ran Jem~~	yes	R
Poll Clerk # 2				D

#8.1

Laura Kuhn

From: "Lynn Fields" <lfields@jeffersoncountywv.org>
To: <laura@jeffersoncountywv.org>
Cc: <sslusher@jeffersoncountywv.org>; <kolden@jeffersoncountywv.org>
Sent: Thursday, September 03, 2009 11:51 AM
Subject: Probate Matters on the Agenda

The probate office needs to add two things to the agenda for **THURSDAY, SEPTEMBER 10TH, 2009** please.

(1) Special Session to approve interim accounting for the estate of **Jessie M. Metcalf**, deceased from Fiduciary Commissioner June K. Jovanelly.

(2) Petition for removal of Co-Ancillary Administrator of the estate of **Elva Nellie Crawford**, deceased from the law office of Dale Buck. A representative from Mr. Buck's office should be available for questions/concerns at the time of presentation. If a representative will NOT be available, we may need to reschedule for next week.

Thank you,

Karen and Lynn

9/10/09
130 #9

Leslie D. Smith

From: Dale Manuel [dmanuel@frontiernet.net]
Sent: Wednesday, September 02, 2009 8:12 PM
To: 'Leslie D. Smith'
Subject: Agenda Item: Continuation of the Salary Equity Issue

Please place the following on next week's agenda as an appointment at a time specific. Further, please allow 45 minutes or more for the discussion.

Continuation of the deliberations on the Salary Equity issue and a vote on an equity plan.

Thanks,
Dale Manuel

#10

Jefferson County
Draft Job Description

Position Title:	Director of Capital Planning	**Grade Level:**	VI
Department	Capital Planning and Management	**Date:**	
Reports to:	County Commission	**FLSA Status**	Exempt

Statement of Duties: Employee manages all aspects of the Department of Capital Planning and Management, including all aspects of the County Impact Fee Program, the Capital Improvement Plan, the County Building Program, and the County Information Technology Support program.

Supervision Required: Employee works under the policy direction of the County Commission, and exercises authority over total operations of the county in conformance with general directives and objectives set forth by the governing body. Seeks counsel of governing body on matters of policy adjustment or where required by law.

Supervisory Responsibility: Employee is responsible for the management of three (3) full time employees, two of whom are technical experts in their respective fields (project management and IT support). Responsibilities include the direction and success of department programs, preparing and administering budgets, developing short and long-range objectives; and overseeing personnel, including or effectively recommending hiring, training, and disciplining of employees. Work load is subject to unpredictable fluctuations due to the complex nature of this department's work focus.

Confidentiality: Employee has access to confidential personnel files, law suits, client records, and department records.

Accountability: Consequences of errors or poor judgment may include adverse public relations (for both the general public and other elected officials and appointed boards and commissions), missed deadlines, monetary loss, severe legal repercussions, significant labor/material costs, and may place programs at a risk of failure.

Judgment: Extensive judgment and ingenuity are required to develop new or adapt existing methods and approaches for accomplishing objectives or to deal with new or unusual requirements within the limits of the County's specific needs and mandates. The employee is recognized as the department or functional area's authority in interpreting the guidelines, in determining how they should be applied, and in developing operating policies, practices, training materials, and ordinances. Overall, guidelines only provide limited direction for performing the work. They may be in the form of administrative or organizational policies, general principles, legislation or directives that pertain to a specific department or functional area.

Complexity: The work consists of employing many different concepts, theories, principles, techniques and practices relating to an administrative field. Implementation of the Impact Fee program requires a broad range of high-level skills as there are no other precedents for management this type of program within the State. Assignments range broadly and generally involve decisions on obtaining best data sets to support decisions, analysis of such data sets (including some trend and statistical analysis), presentation of high level summarizations, and reporting on analyzed findings.

Work Environment: The work environment involves everyday discomforts typical of offices, with occasional exposure to outside elements. Noise or physical surroundings may be distracting, but conditions are generally not unpleasant. Employee may be required to work beyond normal business hours to attend evening meetings.

Nature and Purpose of Public Contact: Duties involve constant contact with local, state and federal government officials, community leaders and any other individuals to protect and promote the county's overall interest. At the local level, employee is expected to interact professionally and competently with the following elected officials and their staff: the Board of Education, the Sheriff, the Prosecuting Attorney, the Assessor, and the Clerk of the County. Non-elected entities include the Parks & Recreation Commission, the Fire & Rescue Association, all of the volunteer fire companies, and the Ambulance Authority. Interaction with other boards and commissions may be required on an as-needed basis. Employee must possess a diplomacy and judgment and must be able to work with and influence all types of persons. Duties require a well-developed sense of strategy and timing in representing the county effectively in critical and important situations which may influence the well-being of the county.

Occupational Risk: Duties of the job present little potential for injury, Risk exposure is similar to that found in typical office settings.

Essential Functions:
The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

1. Manage pertinent capital inventories for the fee-enabled entities.
2. Manage other county capital inventories as they relate to the County building program.
3. Manage County based demand demographic data.
4. Calculate impact fees, integrating the capital inventories and the base demand for data for above databases.
5. Author and maintain various impact fee-related ordinances including management of ordinance creation, editing, finalization, admendments, scheduling public hearings, and generating reports.
6. Assess, collect, and ensure the proper accounting and distribution of impact fees.
7. Analyze Capital Improvement Plans for the various fee-enabled entities; summarize projects with impact fee funding potential.
8. Create cash flow analysis from fee collection data, track impact fee expenditures and provide data and reporting to the appropriate governing body and government agencies.

9. Prepare periodic reports of impact fee accounts, collections and expenditures.

10. Review and make determinations regarding requests for Impact Fee exemptions.

11. Work with other County departments for Capital Improvement Plan submissions. Manage CIP submissions and the production of the County Capital Improvement Plan. Provide technical training on CIP preparation and assistance on an as-needed basis.
12. Conduct budget impact analysis for proposed County buildings, as listed on the county CIP.

13. Conduct meetings and training sessions and deliver presentations regarding impact fees and their subsequent distributions.

14. Work with the County Commission and other County departments, commissions and boards to ensure compliance with the Impact Fee Ordinance and to reduce the possibilities and potential for litigation; makes recommendations to the County Commission for exemptions, transfers and credits.

15. Develop and manage a system for the maintenance of records of all aspects for the impact fee program.

16. Provide excellent customer service to members of the public, impact fee-enabled entities, other County departments and commissions and elected officials.
17. Provide oversight for the County Building Program, including financial analyses of revenue and expenditure trends, purchasing programs, construction schedules, and other tasks as required.
18. Provide oversight for the County Information technology support program. Includes analysis of call center performance, throughput for call ticket resolution, and customer satisfaction feedback.
19. Work with other departments and agencies as a member of the Technology Committee to assist in needs assessments, requests for proposals, vendor selection, vendor oversight, and other special projects as directed by the committee or the County Commission..
20. Conduct research on a variety of topics as directed by the County Commission.

Recommended Minimum Qualifications:

Education and Experience: Bachelor's degree in public finance or administration from an accredited college or university with five to seven (5-7) years of related work experience; or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job.

Special Requirements: None required.

Knowledge, Abilities and Skill

Knowledge: Legal documents and procedures, accounting and financial systems, workforce issues, communications, common policies, practices and procedures of the department and office operations; laws and regulations pertinent to position functions. Uunderstanding of Impact Fee law and fee implementation. Broad understanding of principles of construction management. Broad understanding of computer technology issues as they relate to networks, servers, and general purpose desktop work stations and peripherials. Advanced knowledge of information searching techniques using a wide variety of Internet-based data stores.

Abilities: Analyze and summarize complex data sets and effectively report on same in both written and oral formats. Ability to interact with the public and other personnel, perform multiple tasks and maintain confidential information.

Skills: Understanding Federal, State, and County Court ruling and case law, County Ordinances, department policies, and complex reports. Proficient personal computer skills, mathematical, analytic, and statistical skills, recordkeeping and clerical skills, written and oral communication skills, public speaking, interpersonal skills, and attention to detail required.

Physical and Mental Requirements (no mental requirements listed)
Mental Demands: Require ability to maintain a continuity of focus on numeric or text-based data in an environment that requires frequent interruption.
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Physical Demands: Little or no physical demands are required to perform the work. Work effort principally involves sitting to perform work tasks, with intermittent periods of stooping, walking, and standing. There may also be some occasional lifting of objects such as ledger books, photocopy and computer paper (up to 30lbs.).

Motor Skills: Duties are largely mental rather than physical, but the job may occasionally require minimal motor skills for activities such as moving objects, operating a telephone system, computer and/or most other office equipment, typing and/or word processing, filing, and sorting.

Visual Demands: Visual demands include constantly reading documents for general understanding and for analytical purposes.

JEFFERSON COUNTY PERFORMANCE EVALUATION

The Jefferson County written performance evaluation was established to provide, at least annually, a scheduled opportunity for an employee and his/her supervisor to meet and mutually discuss, identify and document the job performance and accomplishments of an employee during a specified period.

Performance review is an integral part of an effective and productive work environment.

The following definitions apply to each criteria.

E Excellent – Performance consistently exceeds established standards and expectations. Requires minimal or no direction.

AA Above Average – Performance usually exceeds established standards and expectations. Minimal direction is required.

S Satisfactory – Performance consistently meets established standards and expectations. Moderate direction is required.

NI Needs Improvement – Performance sometimes meets established standards and expectations but not on a consistent basis. Requires more than moderate direction.

U Unsatisfactory – Performance is consistently below established standards and expectations. Frequent direction is required. Substantial improvement is necessary to maintain employment.

NA Not Applicable

Procedure:

The performance criteria provide a method to evaluate how effectively the employee performs the essential functions outlined in the employee's job description. As such, the evaluator shall refer to the employee's job description when completing the evaluation and share the evaluation results with the employee. In addition, the evaluator shall provide a written explanation in any instance in which the employee is given either a below average or excellent rating. Both the evaluator and the employee should sign the evaluation. The employee signature indicates that he/she has seen the evaluation but does not necessarily indicate the employee concurs with the evaluation. The employee should be given a copy for his/her records. The original evaluation form(s) shall be retained for six years following separation of the employee.

Employee Name:	
Job Title:	
Department:	
Supervisor:	
Date Hired:	
Last Review Date:	
Date:	

Please evaluate the employee's job performance by checking the appropriate box next to each attribute based on the following scale.

U=unsatisfactory; NI=needs improvement; S=satisfactory; AA=above average; E=excellent; NA=not applicable

***To insert a checkmark on this form press "CTRL and C"*

PERFORMANCE CRITERIA	U	NI	S	AA	E	NA
Knowledge of Work – Learns, understands & retains aspects of work assignments & duties. Remembers & grasps instruction of job tasks without repeated orders of supervisor.						
Productivity – Volume of work regularly produced, speed & consistency of output, uses time effectively & efficiently.						
Quality of Work – Extent to which employee carries out assignments to completion & accurately accomplishes job duties. Results are consistently dependable.						
Adaptability – Capacity to adapt to new situations. Readily adapts to changes in routines, work load and work assignments.						
Initiative – Capacity to undertake & perform job duties independently in obtaining objectives of the job. Self-starter & only seeks guidance when necessary. Contributes new ideas & improved methods to the job.						
Dependability – Reliability in following assigned work schedules & attendance standards. Satisfactorily completes assignments in a timely manner & can be relied upon.						
Ability to Work With Others – Extent to which employee effectively interacts with others in the performance of job duties.						
Supervisory Ability – Ability to effectively delegate & monitor work & follow up with employees; effectively communicate with, reward & discipline employees						
Planning – Develops plans & goals to meet department requirements consistent with established priorities.						
Organization of Work – Structures work in order to promote productivity, analyze work, effectively allocate resources & schedules, and implement tasks.						
Decision Making – Ability to identify problem/issue, make decision and act to rectify said problem/issue.						
Overall Employee Performance						

EVALUATOR COMMENTS:

What are employee's shortcomings and weaknesses?

What are the employee's outstanding and strongest points?

Significant changes or accomplishments since last evaluation.

What can the employee do to be more effective or make needed improvements?

EVALUATOR COMMENTS (CONTINUED)

What additional training or equipment would be helpful?

In what way could the job be modified to make better use of employee skills and abilities?

Additional evaluator comments:

EMPLOYEE COMMENTS:

What are your most important job accomplishments since the last review?

What are your weakest areas, or those that need improvement?

What steps could you take to improve?

What can your supervisor do to support your efforts to improve?

EMPLOYEE COMMENTS (CONTINUED)

What are your supervisor's strengths and weaknesses in managing your work?

Work related issues you would like to discuss?

General comments concerning the evaluation of your performance?

Additional employee comments:

Next Review Date: _____

Areas targeted for improvement:

Evaluator Signature: _____ Date: _____

Employee Signature: _____ Date: _____

Employee signature indicates that he/she has seen the evaluation and does not necessarily indicate concurrence with the evaluation.

#14

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) 728-3281
Fax: (304) 724-2173
mschiavone@jeffersoncountywv.org

MEMORANDUM

TO: Leslie Smith

FROM: F. Mark Schiavone

DATE: Thursday, September 03, 2009

SUBJECT: Proposals submitted for proposed school impact fee recalculation

Leslie,

Please place this on the agenda as a regular appointment for the upcoming 10 September 2009 Regular Session: Recalculation of the School Impact Fee.

Attached are two proposals submitted in response to the request for proposals for recalculation of the school impact fee as authorized by the County Commission on 13 August 2009. The deadline for submission of proposals is tomorrow, 4 September. Should any additional proposals be submitted after today's agenda deadline, I will provide a copy for inclusion in the Commission's information packets which are distributed on Monday.

The financial bottom line between the attached proposals:

Vendor	Comment	Proposed Cost
TischlerBise Bethesda, MD	Former consultant for all impact fee calculations. Includes one meeting.	Student generation: $9,300 School Fee recalculation: $16,900 (total project cost: $26,200)
Duncan Associates Austin, TX	No meetings included in cost proposal. All data communication electronically.	Student generation/school fee recalculation (did not itemize): $22,500

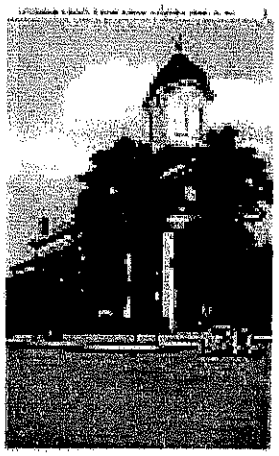
New Business

PROPOSED SCOPE OF WORK FOR

UPDATE OF SCHOOL IMPACT FEES

Prepared For:

JEFFERSON COUNTY, WEST VIRGINIA



Prepared By:

TischlerBise

Fiscal, Economic & Planning Consultants

AUGUST 24, 2009

4760

TischlerBise
Fiscal, Economic & Planning Consultants

4701 SANGAMORE ROAD I SUITE S240 I BETHESDA, MD 20816
T: 800.424.4318 I F: 301.320.4860

43460 RIDGE PARK DRIVE I SUITE 200W I TEMECULA, CA 92590
T: 951.719.8478 I F: 301.320.4860

WWW.TISCHLERBISE.COM

August 24, 2009

F. Mark Schiavone
Director
Department of Capital Planning and Management
Jefferson County
114 E. Washington St.
P.O. Box 250
Charles Town, WV 25414

RE: Request for Price Quotation to Update School Impact Fees

Dear Mark:

It is our pleasure to submit this proposal to update the County's School Impact Fees. We would like to note several points making our proposal unique.

1. TischlerBise has prepared more impact fees than any other firm (over 600). Our in house staff of seven impact fee professionals ensures quality internal review.

2. TischlerBise has worked with Jefferson County since 1991. Dwayne Guthrie and Chris Cullinan, both Principals with TischlerBise, will work on this assignment. Dwayne is the author of the County's original impact fee study in 1991, while Chris is the author of the County's current impact fee study. Dwayne and Chris are two of TischlerBise's most senior impact fee experts.

3. Our business focuses on impact fees and fiscal impact analysis. These two activities, which account for over 90% of our business, reflect our expertise in capital facility needs and revenue strategies.

4. We understand the minefields. We occasionally conduct work for the private sector which ensures that we prepare impact fees that are understandable and defensible.

5. Our impact fees have never been litigated in court. None of our clients has ever had to spend considerable time, effort and money to defend the fees in court.

6. We routinely provide "what if" methodological policy alternatives. Each community is unique and needs to understand alternatives. Likewise, communities change over time and their impact fees must be revised on a regular basis to reflect current conditions.

7. Our costs are reflected in the impact fees. As we did with the County's current impact fees, our costs will be included in the impact fees. The County will recover its investment in the fee study.

We look forward to the opportunity to discuss our approach, qualifications and work scope with you. If selected, we will commit the resources necessary to fulfill the assignment efficiently and expeditiously. Please contact me if you have any questions regarding this proposal at (800) 424-4318.

Sincerely,
TischlerBise, Inc.

L. Carson Bise II, AICP
President

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- INTRODUCTION -

PROJECT UNDERSTANDING

It is our understanding that the County is interested in interested in conducting an update of its school impact fees. Specifically, the County seeks expertise in three specific areas:

1. Inclusion of the recently completed Washington High School which has sufficient capacity to serve future development and was funded using a variety of revenues.
2. Determination of the need and calculation of credits for the recently issued high school bond.
3. Analysis of the feasibility of calculating the school impact fee based on housing unit size versus type of housing unit.

BRIEF PROJECT DESCRIPTION

The following proposal presents TischlerBise's recommended approach and methodology for the preparation of school impact fees for County. This scope includes analyzing demographic characteristics, ascertaining levels of service, evaluating different impact fee approaches, forecasting the capital improvements needed to accommodate new growth, calculating appropriate credits, and preparing a cash flow analysis. This thorough approach has led to the successful implementation of hundreds of impact fees across the country, including the County's current impact fees. We are confident that at the conclusion of our assessment we will have identified for the maximum justifiable school impact fee.

We are proposing two phases for this project. Phase 1 is the analysis and evaluation of different methods of calculating public school pupil generation rates. Once there is agreement upon the pupil generation methodology, the school impact fees will be calculated as a part of Phase 2. Given the County's desire to explore different pupil generation rate methodologies, this phased approach will ensure that there is adequate time for analysis and discussion of the pupil generation rates alternatives and provide for a separate "sign off" process on this portion of the study. This separate "sign off" process should make sure there is common agreement and understanding on the chosen pupil generation rate approach which will expedite the calculation of the school impact fees in Phase 2.

- FIRM QUALIFICATIONS -

TISCHLERBISE QUALIFICATIONS

TischlerBise, Inc., formerly Tischler & Associates, Inc., is a fiscal, economic and planning consulting firm that specializes in impact fees, fiscal impact analysis, and revenue strategies. The firm has been providing consulting services to both the public and private sectors for over 30 years. In this time, TischlerBise has prepared over 700 impact fees, and over 600 fiscal impact analyses. Through our detailed approach, proven methodology and comprehensive product, TischlerBise is established as a national expert on impact fees. The map below illustrates the broad geographic diversity of our client base.

TischlerBise has worked with Jefferson County since 1991.

- PERSONNEL QUALIFICATIONS -

TISCHLERBISE QUALIFICATIONS

TischlerBise's widespread success can be attributed to its highly experienced staff of analysts whose relevant experience is unsurpassed. Carson Bise, Dwayne Guthrie and Chris Cullinan are anticipated to comprise the project team for this assessment and collectively bring over 60 years of impact fee experience to the assignment.

Carson Bise, AICP, President of TischlerBise, has eighteen years of professional experience in fiscal, economic and planning activities, holds BS degrees in Geography and Political Science, an MBA in Economics and is a member of the American Institute of Certified Planners. Mr. Bise has completed over 125 impact fees in 12 different states for the following infrastructure categories: parks and recreation, open space, police, fire, schools, water, sewer, roads, municipal power and general government facilities. Recognized as an expert, Mr. Bise sits on the Board of Directors for the National Impact Fee Roundtable and frequently gives lectures and conducts workshops on impact fees, infrastructure finance and fiscal impact analysis for various groups

and organizations including the American Planning Association, the National Association of Homebuilders, National Impact Fee Roundtable and the Government Finance Officers Association. Mr. Bise has also authored numerous articles on infrastructure finance and fiscal impact analysis. His most recent publication is a chapter on fiscal impact analysis in the book *Planning and Urban Design Guidelines,* published by the American Planning Association. Mr. Bise will oversee this engagement as project manager.

Dwayne Guthrie, Ph.D., AICP, is a Principal with TischlerBise and holds a Masters of Arts in Urban and Regional Planning and a Ph. D in Urban Planning. Mr. Guthrie has 26 years of experience in the areas of impact fees, capital improvements programming, fiscal evaluations and comprehensive planning. He has prepared impact fees for approximately 70 jurisdictions in 21 states/provinces and served as an expert witness on the topic. He was a co-author of *"An Introduction to Infrastructure Financing,"* ICMA IQ Service Report. Mr. Guthrie's will conduct Phase 1 of the project. Mr. Guthrie was the author of the County's first impact fee study in 1991.

Chris Cullinan, Principal of TischlerBise, has a B.A. in Political Science from Earlham College and a M.P.A. in Public Financial Administration from Indiana University. He has over 10 years of public finance experience in both the public and private sectors. As a former Budget Director, he has financial management experience including budgeting, cost analysis, revenue analysis and forecasting, long-term financial planning, and capital improvement planning. Mr. Cullinan has prepared impact fees for approximately 50 jurisdictions in 8 states. He recently spoke at the National Impact Fee Roundtable on "Alternative Impact Fee Calculations" and "Including Interest Costs in Impact Fees". Mr. Cullinan will assist Mr. Guthrie in Phase 1 and will complete the impact fee calculations in Phase 2. Mr. Cullinan was the author of the County's current impact fee report and has worked extensively with the County over the past several years on implementation and administration issues.

- APPROACH & METHODOLOGY -

APPROACH

TischlerBise's national reputation for preparing impact fees can be attributed in large part to our approach to *quality control.* The firm will conduct a thorough evaluation of relevant information and data in terms of its being supportable and sustainable. Another part of the quality control consideration is TischlerBise's national expertise in the areas of revenue strategies, capital improvement planning, growth policy analysis, demographics and economics. Finally, we play "devil's advocate" in terms of ensuring the information and resulting fees will withstand close scrutiny. This is particularly important in light of recent Florida court cases.

Our relevant experience will allow us to discuss various technical approaches with the County. For impact fees, it is critical that the impact fees pertain to the existing levels of service, unless there is a financial plan to provide the desired level of service for existing residents. Another important component of the impact fee analysis is to evaluate actual capital costs, as well as credits, in order to make sure that the impact fee meets the requirements of state and national case law.

METHODOLOGY

There are three basic methodologies that can be applied in the calculation of impact fees. These are the plan-based, incremental expansion and cost-recovery approaches. The *plan-based* approach is usually based on a master plan or facility study that indicates the future facility needs over a certain time frame to service certain population thresholds. The *incremental expansion* approach reflects the methodology in which capital items are added incrementally to meet growth. The *cost-recovery* methodology is a third approach. This occurs when the jurisdiction has already oversized capital facilities from which new growth will benefit. This approach can be utilized with either of the first two approaches.

The selection of the particular methodology for each component of the impact fee category will be dependent on which is most beneficial for the County and most accurately depicts new development's demand for additional school capacity. In a number of cases we will prepare the impact fees for a particular infrastructure category using several methodologies and will discuss the various trade-offs with the County.

- WORK SCOPE -

The following phases and tasks are recommended to achieve the County's desired outcomes and provide a defensible impact fee study. In summary, TischlerBise proposes the study be conducted in two phases. Phase 1 will

PHASE 1 – STUDENT GENERATION RATE

Task 1: Agreement on Public School Student Generation Rate Methodology

Working with the County, we will review various approaches to calculating public school student generation rates. This could include, if the data is supportive, variations in pupil yields based on the housing unit size or number of bedrooms. The expected outcome is to reach agreement on the methodology and data to be used by the consultant in its analysis.

TischlerBise will review the County's efforts to link pupil count by residential address with assessor data on housing unit size. This task will include reviewing the statistically validity of the data. TischlerBise will also utilize our national impact fee experience to provide insight into the feasibility of administering an impact fee system based on housing unit size. The County will review drafts of proposed methodologies and data sources and provide feedback.

Work Product: *Upon approval of the County, the consultant will produce with a memorandum summarizing the methodology that will be used to calculate student generation rates.*

Task 2: Development of Public School Student Generation Rate

Based on the selected methodology from Task A above, we will recalibrate the pupil generation factors as needed for residential development. We will then consider growth trends, and in consultation with appropriate County staff, project likely future enrollment.

Work Product: *Upon approval of the County Project Team, the consultant will produce a memorandum reformatting the data to be included in the impact fee analysis report.*

PHASE 2 – IMPACT FEE CALCULATION

Task 1: Ascertain Level of Service for School Facilities

Once agreement on the memorandums produced in the tasks outlined above has been reached, the next step involves calculating the appropriate level of service for the schools. The consultant will determine the appropriate current level of service through additional on-site interviews and analyze state and local data to determine any extenuating circumstances. During these interviews, the County will provide the following:

- Capital inventory of all pertinent Board of Education assets to include land, buildings, and equipment. This information will be further broken down into the service categories of elementary, middle, and high schools, administrative and support facilities.
- Capacity status of the above capital inventory items.
- Current valuation of the above capital inventory items.
- Current enrollment for the entire school system, broken into elementary, middle, and high school categories.

There are two important components to this task that are outlined below.

1) ***Evaluate Existing Levels of Service*** – It is important to note that impact fees should use existing levels of service for the purpose of calculating the new demand, unless there are extenuating circumstances. We will determine the existing level of service by conducting onsite interviews, evaluating the appropriate studies and analyzing relevant local data.

2) ***Determine Geographic Service Area*** – The appropriate geographic service area for purposes of calculating the impact fees will be determined.

The above subtasks will enable us to ensure that three important impact fee requirements are met; namely the proportionate share, substantial benefit and rational nexus.

Task 2: Evaluate Different Allocation Methodologies

TischlerBise will consider different possible allocation methodologies to determine which is the most appropriate for each component of the school impact fee. This comprehensive approach will allow maximization of impact fee revenue.

Task 3: Identify Capacity Needs and Costs

This task will culminate in the relevant capital needs and costs due to new residential development.

1) *Long Range Capital Need* - In this subtask, TischlerBise will further review the various studies and other data germane to school capital facilities. The discussions may include not only an understanding of the specific costs, but also whether these capital facilities needs were due to normal replacement, catch-up or new demand. The issue of catch-up will be discussed in the context of new development paying for higher levels of service than those that currently exist.

2) *Review Cost Estimates* - In this subtask TischlerBise will review, as relevant, the various capital costs. As part of this subtask, we will ascertain whether school facilities are likely to be financed and, if so, the amortization schedule.

As part of calculating the fee, the jurisdiction may include the construction contract price; the cost of acquiring land, improvements, materials and fixtures; planning, surveying, and engineering fees for services provided for and directly related to the construction system improvement; and debt service charges, if the County will use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the cost of system improvements. All of these components will be considered in developing an equitable allocation of costs.

Task 4: Determine Need for and Calculate "Credits" to be Applied Against Capital Costs

A consideration of "credits" is integral to the development of a legally valid impact fee methodology. There is considerable confusion among those who are not immersed in impact fee law about the definition of a credit and why it may be required.

There are, in fact, two types of "credits" each with specific, distinct characteristics, but both of which will be included in the development of impact fees. The first is a credit due to possible double payment situations. This could occur when future contributions are made by the property owner toward the capital costs of the public facility, which is covered by the impact fee. The second is a credit toward the payment of an impact fee for the required dedication of public sites and improvements provided by the developer and for which the impact fee is imposed.

The County will provide TischlerBise with the mean residential dwelling valuation, current bond value, future value, bond term, and a breakdown of bond funding for various renovation and expansion projects at the high school level.

Task 5 Complete Impact Fee Methodology and Calculation

The completion of the above task will enable the impact fee methodology and calculations to be finalized. The maximum justifiable fee that can be charged and conform to fee requirements will be calculated. (The County will subsequently decide what percentage of the maximum justifiable fee it wants to charge.)

Task 6: Conduct Funding and Cash Flow Analysis

In order to prepare a meaningful capital improvement plan, it is important to evaluate the anticipated funding sources. In this task, TischlerBise will prepare a cash flow analysis, which indicates the sources of funding, independent of the school impact fee amounts. This calculation will allow the County to better understand the various revenue sources possible and the amount, which would be needed if the impact fees were discounted. It will also provide a good understanding of the cash flow needed to cover the infrastructure costs both for existing and new development.

The initial cash flow analysis will indicate whether additional funds might be needed or whether the capital improvements plan might need to be altered. This could also affect the total credits calculated in the previous task. Therefore, it is likely that a number of iterations will be conducted in order to refine the cash flow analysis reflecting the capital improvement needs.

Task 7: Preparation of School Impact Fee Report

TischlerBise will prepare a draft report that summarizes the need for school impact fees, the relevant methodologies employed and documents all assumptions and cost factors. The report will include at a minimum the following information:

- Executive Summary
- A detailed description of the methodologies used during the study
- A detailed description of all level of service standards and cost factors used and accompanying rationale
- A detailed schedule of the proposed school construction impact fees by land use type
- Other information which adequately explains and justifies the resulting recommended fee schedule

TischlerBise's fee report will have flow diagrams clearly indicating the methodology and approach, a series of tables for each activity showing all of the data assumptions and figures, and a narrative explaining all of the data assumptions, sources and the methodologies. The report will be a stand-alone document clearly understood by interested parties. Because of the firm's extensive experience in calculating impact fees and preparing such reports, we have developed a very succinct written product that leaves a well-understood paper trail.

Task 8: Presentations/Meetings

We will attend one meeting/public hearing to explain the analysis and conclusions.

Task 9: Additional Presentations/Meetings (Optional)

On a per diem basis, we will meet with additional committees/groups designated by the County at mutually agreed upon times.

- SCHEDULE -

The time estimated to complete the impact fee report is approximately four months from the start of Phase 1. This assumes prompt receipt of requested materials and data from the County, as well as allowing sufficient time for County staff to review the appropriate products.

Phase/Task	Month 1	Month 2	Month 3	Month 4
Phase 1 - Student Generation Rate				
Task 1: Agreement on Methodology				
Task 2: Development of Rate				
Phase 2 - Impact Fee Calculation				
Task 1: Ascertain Levels of Service				
Task 2: Determine Methodologies				
Task 3: Identify Capacity Needs and Costs				
Task 4: Determine Need and Calculate Credits				
Task 5: Complete Methodologies and Fees				
Task 6: Cash Flow Analysis				
Task 7: Prepare Impact Fee Report				
Task 8: Presentations/Meetings				
Task 9: Additional Presentations/Meetings (Optional)				

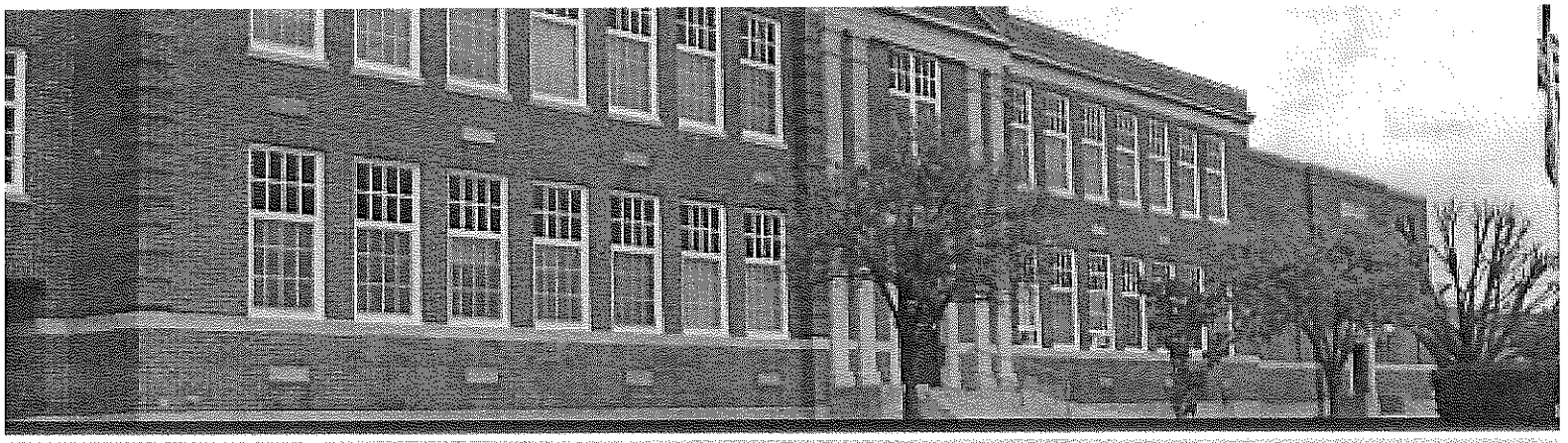
- COST-

The estimated cost for the study is indicated below broken down by phase and task.

Phase/Task	Cost
Phase 1 - Student Generation Rate	
Task 1: Agreement on Methodology	$6,200
Task 2: Development of Rate	$3,100
Subtotal Phase 1	$9,300
Phase 2 - Impact Fee Calculation	
Task 1: Ascertain Levels of Service	$3,400
Task 2: Determine Methodologies	$4,100
Task 3: Identify Capacity Needs and Costs	$1,900
Task 4: Determine Need and Calculate Credits	$2,100
Task 5: Complete Methodologies and Fees	$1,100
Task 6: Cash Flow Analysis	$1,400
Task 7: Prepare Impact Fee Report	$1,900
Task 8: Presentations/Meetings	$1,000
Subtotal Phase 2	$16,900
TOTAL	$26,200
Task 9: Additional Presentations/Meetings (Optional)	TBD

***As we did with the County's current impact fees, TischlerBise's consultant cost can be recovered by an added component cost in the fee calculation.**

School Impact Fee Study



Jefferson County, West Virginia

Submitted by

duncan associates

with

Dr. Julian Juergensmeyer
and Dr. James C. Nicholas

September 4, 2009

duncan | associates

land development regulations
growth management
impact fees

September 1, 2009

F. Mark Schiavone, Director
Department of Capital Planning and Management
Jefferson County Government
114 E. Washington Street
Charles Town, WV 25414

Re: Request for Proposal -- School Impact Fee Study

Dear Mr. Schiavone:

On behalf of **Duncan Associates**, **Dr. Julian Juergensmeyer** and **Dr. James C. Nicholas**, I am pleased to submit our proposal to assist Jefferson County in updating your school impact fees. We think you will see that our team has unparalleled qualifications for such an assignment, including the following:

- Our firm is **one of the nation's leading impact fee consulting firms.** Duncan Associates has prepared more than 300 impact fee studies and ordinances for over 80 cities and counties in 22 states. Along with Dr. Nicholas, we have completed school impact fee studies for a combined total of 29 jurisdictions, including two for the State of Hawaii.

- Our team includes one of the **nation's leading land use attorneys** in the field of impact fees. Dr. Juergensmeyer helped to develop the legal theory of impact fees in support of pioneering fee implementations in Florida in the 1980s. He also assisted Jefferson County in its defense of its school impact fees in recent litigation.

- Our team includes one of the **pioneers of "progressive rate" residential impact fees** that vary by the size of the dwelling unit. Dr. Nicholas assisted us in developing a variable-rate school impact fee for Miami-Dade County in 1991.

- We **work exclusively for the public sector**. This prevents even the appearance of a conflict of interest.

- Our impact fee studies are **produced in a timely manner**. We do not take on more assignments than we can expect to complete within client-desired schedules. Please check our references.

We look forward to your review of our proposal and qualifications. Thank you for your consideration.

Very truly yours,
DUNCAN | ASSOCIATES

James B. Duncan, FAICP
President

Contents

For this project, we have assembled a team uniquely tailored to the needs of Lake County. Our multi-disciplinary team, consisting of **Duncan Associates, Dr. Julian Juergensmeyer** and **Dr. James C. Nicholas,** includes specialists in impact fee development, urban planning, economics and land use law. Our team has all of the needed expertise to evaluate and update the County's school impact fee study and ordinance.

Our team members have worked together on numerous other impact fee projects. Duncan Associates and Dr. Nicholas have worked together on many Florida school impact fee studies, including those for Miami-Dade, Lee, Hillsborough, Citrus and Indian River Counties. All three team members are currently working together on an impact fee update for Atlanta, Georgia. Our combined experience in developing and updating impact fee studies is unsurpassed.

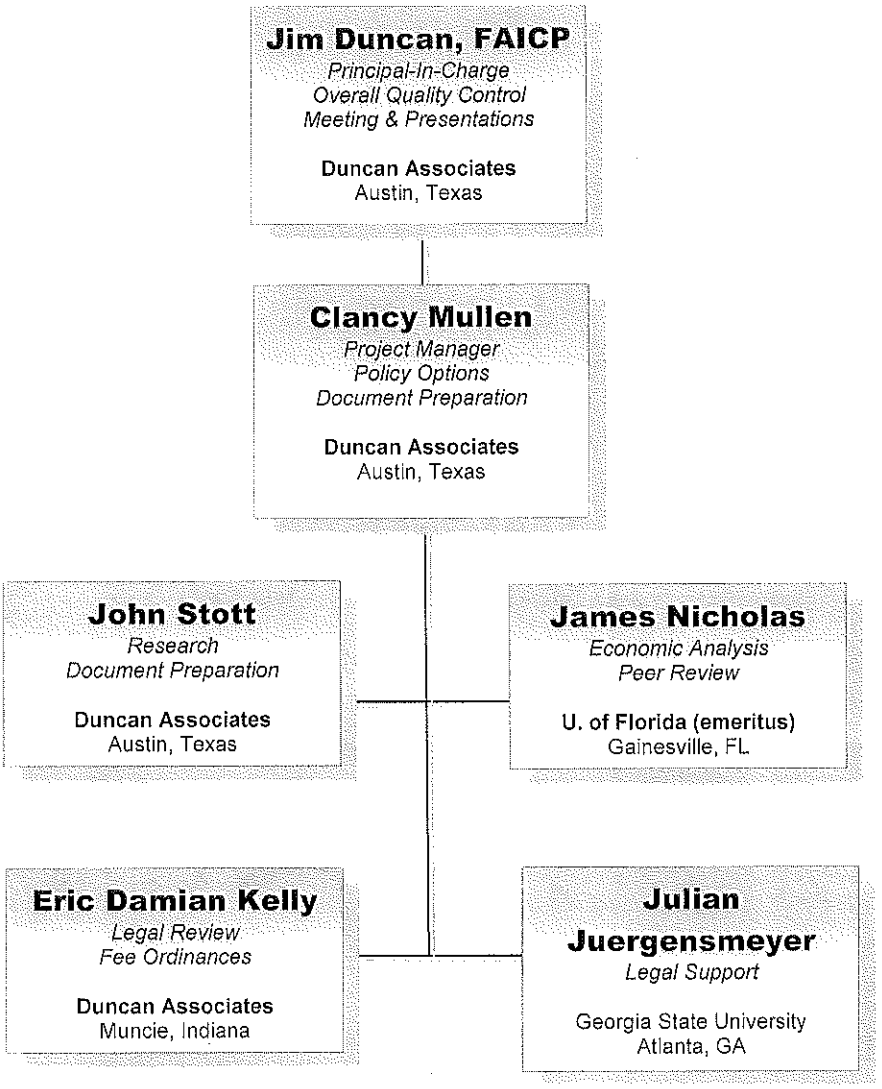
Duncan Associates, a public sector consulting firm with an extensive national impact fee practice, will be the lead firm. Duncan Associates has prepared over 340 impact fee studies for 100 clients in 22 states. **James B. Duncan,** president of Duncan Associates, will be principal-in-charge. Mr. Duncan is one of the pioneers of impact fee development, having administered the first non-utility impact fee in Florida and co-authored the nation's first impact fee enabling act for Texas. A former national president of the American Planning Association, Mr. Duncan will personally oversee the project, make key presentations, and manage overall client relations. **Clancy Mullen**, director of infrastructure financing, will be the day-to-day project manager and principal author of the study, with assistance from senior associate, **John Stott**. Legal associate **Eric Damian Kelly** will provide legal review and recommendations for any needed changes to the impact fee ordinance. The project will be managed from our Austin office.

Dr. Julian Juergensmeyer, professor of law at Georgia State University College of Law in Atlanta, will provide additional legal review and be available to assist in the event of litigation. Dr. Juergensmeyer is a national authority on impact fee law, having helped defend pioneering impact fee efforts in Florida courts in the 1980s and having written extensively on the subject. He recently assisted Jefferson County in defending its school impact fees.

Dr. James C. Nicholas, economist and professor emeritus of planning with the University of Florida, will provide peer support and review of all draft documents. Dr. Nicholas is one of the pioneers of impact fees, being one of the co-authors, along with Dr. Juergensmeyer, of the seminal 1991 book, *A Practitioner's Guide to Development Impact Fees*. He has assisted numerous jurisdictions to establish and adopt impact fee systems, including school impact fees in Ann Arundel County, MD and Virginia Beach, VA.

An organization chart for the consultant team is provided on the next page.

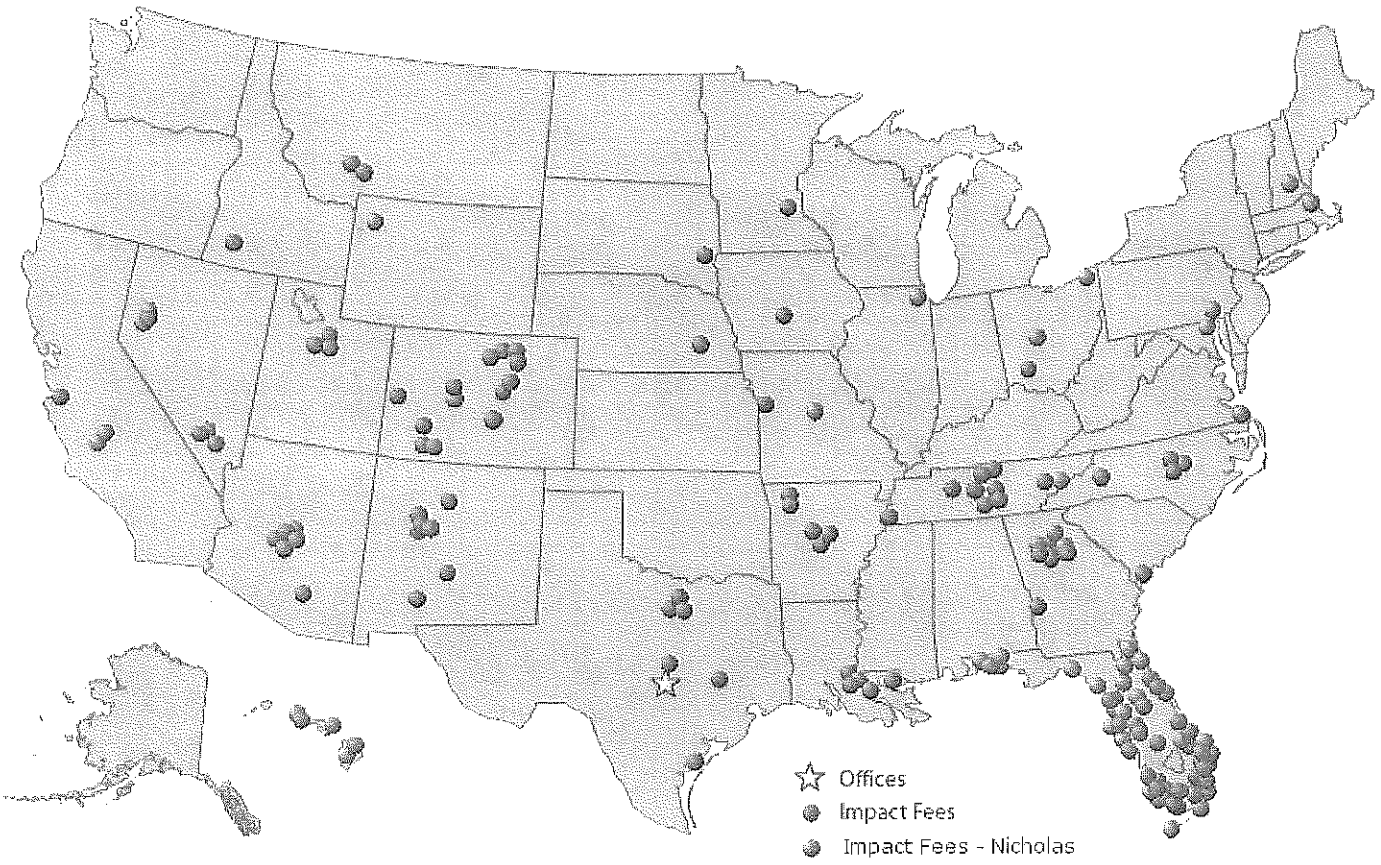
Consultant Team Organization Chart



Duncan Associates Profile

Duncan Associates is a planning and growth management consulting firm that specializes in the preparation of studies relating to impact fees. Founded by James B. Duncan, former president of the American Planning Association, the firm has served many of the nation's fastest growing cities, counties, regions and states. Founded in 1977 in Fort Lauderdale, Duncan Associates has become one of the nation's leading consultants in the field of impact fees. From its principal office in Austin, the firm has drafted 346 impact fee studies for 100 clients in 22 states. In addition, the firm was selected by a Special Governors Task Force in Florida to study the fiscal impact of alternative development scenarios throughout the state; by the State of Minnesota to study the cost of urban sprawl on adjacent farmlands; by the State of Hawaii to evaluate the State's practice of using developer exactions to provide for schools; by the Puget Sound Council of Governments to evaluate alternative facility financing strategies; and by Montgomery County, Maryland to conduct a national survey of adequate facility programs. For more information, please visit the firm website at www.duncanplan.com

Below is a map showing the locations of our past impact fee clients, as well as those of our team member Dr. James C. Nicholas. Lists of our clients and Dr. Nicholas' clients appear on the following pages.



Duncan Assoc. Impact Fee Clients

State	Client	Feasibility	Roads	Water	Waste-Water	Storm-Water	School	Parks	Trails/Open Sp	Library	Fire	EMS	Police	Jails	Public Bldg	Solid Waste
AR	Cabot	X	X		X			X		X	X					
	Conway		X					X								
	Elkins			X	X											
	Fayetteville		X	X	X			X			X		X			
	Farmington			X	X											
	Greenland			X	X											
	Little Rock		X													
	Rogers		X													
AZ	Apache Junction	X	X				X	X					X		X	
	Chandler		X					X		X	X		X		X	
	Mesa	X	X	X	X	X		X		X	X		X		X	
	Phoenix	X	X					X	X	X	X		X			
	Tucson	X	X					X			X		X		X	
CO	Adams County		X													
	Colorado Springs	X	X					X			X		X			
	Commerce City		X													
	Eagle County		X				X									
	Greeley	X	X								X					
	Larimer County	X	X					X								
	La Plata County		X													
	Mesa County		X													
	San Miguel County						X									
	Weld County		X													
	Windsor		X													
FL	Bonita Springs		X					X								
	Broward County						X									
	Cape Coral		X	X	X											
	Citrus County		X				X	X			X	X	X		X	
	Collier County							X						X		
	Daytona Beach	X	X					X			X		X		X	
	Destin		X					X		X			X			
	Fort Lauderdale							X								
	Fort Myers Beach	X														
	Highlands County		X				X	X		X	X	X	X	X		
	Hillsborough County		X				X	X			X					
	Indian River County		X				X	X		X	X		X	X	X	X
	Lee County		X				X	X			X	X				
	Miami/Dade County						X									
	North Bay Village												X			
	North Port		X					X			X		X		X	X
	Orange County		X				X	X					X			
	Palm Beach Gardens		X					X			X		X			
	Polk County							X		X	X	X	X	X		
	Sarasota County		X					X		X	X	X	X	X	X	
	Volusia County		X													
	Weston							X			X		X		X	
	Winter Haven		X	X	X			X			X		X			
GA	Atlanta		X	X	X	X		X			X		X			
	Columbus		X	X	X											
	Gwinnett County		X					X								
	Milton		X													
HI	Hawaii County		X		X			X			X		X			X
	Maui County			X	X		X				X		X			X
	State of Hawaii						X									
IA	West Des Moines							X								
ID	Boise/Ada County		X													
LA	Ascension Parish	X	X													
	East Baton Rouge Parish		X													
	LA Dept. of Transp.	X	X													
	St. Tammany Parish	X	X			X										
	West Feliciana Parish	X		X												
MN	Mpls./St. Paul Met Council				X											
MO	Kansas City		X													
MT	Bozeman		X	X	X						X					
	Gallatin County		X				X				X					
NC	Apex							X								
	Cary		X													
	Hickory	X	X	X	X			X								
	Raleigh		X					X								
NE	Lincoln	X	X	X	X			X								
NM	Albuquerque	X	X			X		X	X		X		X			
	Bernalillo County	X	X			X		X	X		X		X			
	Las Cruces	X	X			X					X		X			
	Rio Rancho	X	X			X		X	X		X		X			
	Ruidoso	X	X	X	X											
	Santa Fe	X	X	X	X			X			X		X			
NV	Clark County		X					X			X		X			
	Las Vegas	X	X													
	Reno/Sparks/Washoe Co	X	X													
OH	Hamilton Twp/Warren Co		X					X			X		X			
SC	Hilton Head	X	X					X			X		X		X	
SD	Sioux Falls	X	X	X												
TN	Dickson County	X														
	Farragut		X													
	Franklin		X				X	X		X	X		X		X	X
	LaVergne		X	X				X								
	Memphis/Shelby County	X														
	Nolensville		X													
	Portland			X	X			X			X		X			
	Smyrna		X					X			X					
	White House		X					X			X		X			
TX	Arlington		X	X	X											
	College Station	X		X	X											
	Corpus Christi	X														
	Denton	X		X	X											
	Flower Mound			X	X	X										
	Georgetown	X		X	X											
UT	Sandy City		X	X		X		X	X		X		X			
	Wasatch Front		X													
	West Valley City		X			X		X			X		X			
Total		**32**	**74**	**25**	**24**	**10**	**15**	**49**	**5**	**10**	**39**	**5**	**36**	**5**	**12**	**5**

Dr. Nicholas' Impact Fee Clients

State	Client	Road	Waste-Water	Storm-Water	School	Park	Fire/ EMS	Police	Public Bldg
AZ	Scottsdale			X					
CA	Bakersfield	X							
	Kern County	X							
CO	Pitkin County								
FL	Alachua County	X				X	X	X	X
	Bradenton					X	X	X	
	Bradford County	X				X	X	X	X
	Broward County				X	X			
	Charlotte County	X				X	X	X	X
	Citrus County	X			X	X	X	X	X
	Coconut Creek					X	X	X	
	Collier County	X					X		
	Cutler Bay	X				X	X	X	X
	Dade County				X	X		X	
	Destin	X						X	
	Hernando County	X			X	X	X	X	X
	Hillsborough County						X		
	Homestead					X	X	X	X
	Indian River County	X							
	Key West	X	X						
	Lake County	X				X	X	X	
	Lee County	X				X	X		X
	Levy County	X							
	Martin County	X			X	X	X	X	
	Monroe County	X				X	X	X	
	Nassau County	X							
	Palm Beach County	X			X	X	X	X	X
	Pasco County	X			X				
	Sanibel						X		
	Santa Rosa County	X							
	St. Johns County	X			X	X	X	X	X
	St. Lucie County	X			X	X	X	X	X
	Taylor County	X				X	X	X	X
	Volusia County				X				
	Walton County	X		X		X	X		
	West Palm Beach	X							
GA	Alpharetta	X				X	X	X	
	Canton					X	X	X	
	Cobb County								
	DeKalb County	X				X	X	X	
	Forsyth County					X	X	X	
HI	Hawaii County	X				X	X	X	
	Honolulu	X							
IL	DuPage County	X							
MA	Franklin				X				
MD	Anne Arundel County	X			X				
MO	Portland	X				X	X	X	
NH	Concord				X				
NM	Albuquerque		X			X	X	X	
NV	Clark County	X							
	Reno	X							
	Washoe County	X							
OH	Beavercreek	X							
	Chardon		X						
PA	Montgomery County	X							
TN	Gatlinburg	X							
VA	Virginia Beach	X			X	X	X	X	
WY	Teton								
Total		**40**	**3**	**2**	**14**	**28**	**29**	**26**	**12**

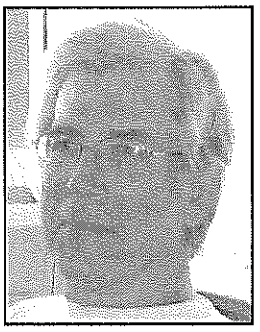
Key Personnel

PRINCIPAL

Education
M.S. in Regional and City Planning
University of Oklahoma
B.A. in Journalism and Political Science
University of Texas at Austin

James B. Duncan, FAICP

Firm president James B. Duncan, past president of the American Planning Association and its Florida Chapter, was a pioneer in the development of impact fees in Florida and a co-author of the first state impact fee enabling act. Jim's career as a city planner has spanned over four decades of service to more than 200 cities, counties, regions and states throughout the nation. During his career, he has also held several key public positions, including director of land development services for the City of Austin, Texas; director of growth management for the City of Hollywood, Florida; director of development management for Broward County, Florida; and chief of local planning services for Miami-Dade County, Florida. Throughout his career, Jim has focused his primary interests and energies on the development of innovative growth management techniques, the streamlining of land-use controls and the advancement of development impact assessment methodologies. He has prepared a series of award-winning comprehensive plans and development codes that were honored by the Florida, Texas and Louisiana Chapters of the American Planning Association. Jim served as a growth management advisor to two Florida Governors, co-wrote the nation's first state impact fee enabling act (Texas), prepared one of the first comprehensive plans to embody the dual concepts of consistency and concurrency, and introduced many user-friendly, easy-find techniques to simplify regulations. For APA, Jim has also served as vice-chair of its Chapter Presidents Council, as professional development liaison of its Texas chapter; and as a member of its national governance committee. Jim is the co-author of the best-selling APA publication, *Growth Management Principles and Practices*, and is a frequent conference speaker on growth management, land-use regulations, infrastructure financing and impact fees.

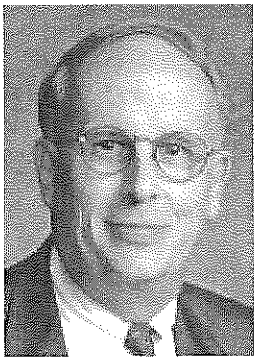


VICE-PRESIDENT INFRASTRUCTURE FINANCE

Education
M.S. in Community and Regional Planning
University of Texas at Austin
B.S. in Sociology
University of Houston

Clancy J. Mullen

Clancy is Duncan Associates' vice-president for infrastructure finance. As a member of the firm's Austin office since 1989, he has been project manager and principal author of most of the firm's impact fee studies. He has prepared alternative capital financing studies and developed impact fee systems for nearly 100 cities and counties throughout the nation. The types of projects he specializes in include cost of growth studies, alternative infrastructure financing studies, impact fee feasibility studies, impact fee studies and ordinances, and transportation and drainage utility fee studies. By their nature, infrastructure financing projects tend to involve several professional disciplines. Clancy has considerable experience managing multidisciplinary project teams that include planners, engineers, economists and attorneys. In addition to impact fee studies, Clancy has prepared studies that examined alternative infrastructure financing and other growth management techniques for the Minnesota Department of Agriculture; the State of Florida; State of Hawaii; Montgomery County, Maryland; the Minneapolis/St. Paul Metropolitan Council; Charlotte/Mecklenburg County, North Carolina and the Puget Sound Council of Governments (Seattle) in Washington. Clancy was a National Merit Scholar as an undergraduate student at Rice University in Houston and he holds a masters degree in community and regional planning from the University of Texas at Austin. He is a contributing author of the best-selling American Planning Association (APA) publication, *Growth Management Principles and Practices*. He is also a frequent speaker on impact fees and related topics at professional conferences, and currently serves on the Board of Directors of the National Impact Fee Roundtable.

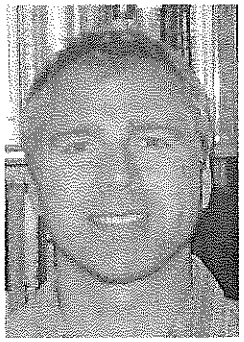


LAND USE ATTORNEY

Education
Ph.D. in Public Policy
The Union Institute
Juris Doctor and
Master of City Planning
Univ. of Pennsylvania
B.A. Political Economy
Williams College

Eric Damian Kelly, FAICP

Eric, director of legal services for Duncan Associates, is one of the nation's foremost land-use attorneys and a noted specialist in the areas of exactions, impact fees, adequate public facilities, signs and adult use regulations. Eric has recently drafted unified development codes for Alachua, Sumter and Citrus counties in Florida and numerous other regulations for counties and cities, such as Las Vegas, Nevada; Atlanta, Georgia; Kansas City, Missouri; Durham, North Carolina; Toledo, Ohio and Biloxi, Mississippi. In all, he has drafted new land-use controls for communities in over 25 states and has conducted many training sessions for public officials. From 1976 to 1990, Eric operated his own land use law firm in Pueblo, Colorado. During the last ten years, he has served as chair of the Department of Urban Planning at Iowa State University in Ames and as dean of the College of Architecture and Urban Planning at Ball State in Muncie, Indiana, where he still teaches several planning courses, while engaging in an active consultant role with Duncan Associates. Eric is general editor of the 10-volume Matthew Bender series on Zoning and Land Use Controls. Other publications include *Managing Community Growth* (Preager, 1993), the "Zoning" chapter in the ICMA *Planner's Greenbook*; Planning Advisory Service reports on zoning enforcement and adequate public facilities; and numerous articles on growth management. He is the author of recent articles on the "taking" issue and the treatment of cellular towers and satellite dishes under local ordinances. Eric received the Colorado APA chapter's award for "Outstanding Service and Educational Leadership" in 1989. Eric has a masters in planning and a law degree from the University of Pennsylvania and a doctorate from Union College.



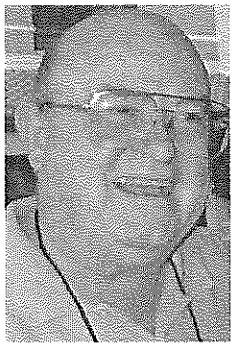
ASSOCIATE PLANNER

Education
Master in
Urban Planning
University of Wisconsin - Milwaukee
B.S. in Finance
Marquette University

John Stott

John works in Duncan Associates' Austin office as an infrastructure financing specialist. Since joining the firm in 2005, he has assisted in the development of impact fees for more than 20 communities. John joined Duncan Associates after six years as a Fiscal and Policy Analyst with the Wisconsin Legislative Fiscal Bureau. He is a detail-oriented planner and budget analyst with broad base of experience within a variety of levels of government as a planner and analyzing and developing state and municipal budgets and policies. John is skilled at presenting analysis and reports to audiences of varying backgrounds through verbal and written formats, and has provided expert testimony to legislative committees regarding state agency capital budget and operating budget requests, budget development and public policy. Prior to his work with the Wisconsin Legislature, John served as an economist with the State of Wisconsin Department of Revenue, where he analyzed state and local tax policy and developed tax revenue forecasts for sales and excise taxes. In addition, John has worked as an urban planner in both the public and private sector. His planning experience includes work as a municipal planner in zoning and code enforcement, developing comprehensive land use plans and market analysis and feasibility studies for commercial real estate projects. John has a strong public policy and planning research background, which includes graduate-level research on the fiscal impact of residential development on municipal property tax levies with the University of Wisconsin-Milwaukee Center for Urban Initiatives and Research. He has also served as a Peace Corps volunteer in the Republic of Yemen.

Key Personnel

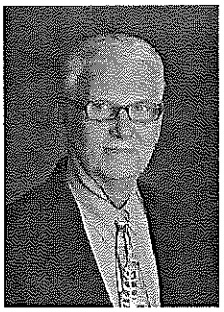


URBAN ECONOMIST

Education
Doctorate in Economics
University of Illinois
Masters in Economics
B.A. in Business Admin.
University of Miami

James C. Nicholas, PhD

Dr. Nicholas, one of the nation's foremost authorities on the fiscal and economic implications of development impact fees, is professor emeritus of urban and regional planning, affiliate professor emeritus of law and former co-director of growth management studies at the University of Florida in Gainesville. Prior to 1985, Dr. Nicholas was a professor of economics and acting director of the Joint Center for Environmental and Urban Problems at Florida Atlantic University in Boca Raton. In addition to his academic responsibilities, Dr. Nicholas has assisted many cities, counties, regions and states in addressing their infrastructure financing problems. He has assisted in the drafting of development impact fee programs for local governments in Florida, Georgia, California, Hawaii, Illinois, Maine, Maryland, Nevada and Pennsylvania. Dr. Nicholas assisted the states of Florida, Georgia, Delaware, Massachusetts and New Hampshire in drafting impact fee enabling legislation. Dr. Nicholas also developed housing linkage fees for Destin and Lee County, Florida, Pitkin County, Colorado (Aspen) and Teton County, Wyoming (Jackson). Dr. Nicholas is one of the nation's most respected authors and lecturers on the subject of infrastructure financing and impact fees. He has lectured in Canada, Brazil, El Salvador, Great Britain, Poland and the Northern Marianas Islands on matters of economic development and infrastructure finance. Among his publications are *A Practitioner's Guide to Development Impact Fees* (1991) and *Calculating Proportionate Share Impact Fees* (1988).

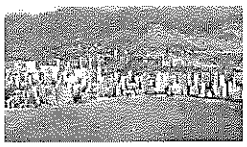


LAND USE ATTORNEY

Education
B.A. & Law Degree
Duke University

Julian Juergensmeyer, PhD

Dr. Juergensmeyer is Professor of Law and Ben F. Johnson Jr. Chair in Law, Georgia State University College of Law. Professor Juergensmeyer will soon celebrate his 40th year of teaching law. He practiced law for two years with Squire, Sanders and Dempsey immediately after graduating from Duke Law School but left the practice to join the law faculty of Indiana University (Bloomington). He left there for additional law study in Europe and law teaching in Ethiopia. On his return to the U.S. he taught at Tulane University and then had a 30 year stint at the University of Florida before joining the Georgia State University faculty as its first endowed chair-holder. He currently serves as Adjunct Professor of City and Regional Planning at GSU's sister institution, Georgia Institute of Technology. His teaching and research specialties are land use planning law, property law and comparative land use and environmental law, and his books and articles on those topics are nearing 100 in number. They include a co-authored treatise/hornbook on Land Use planning and Development Law that is widely used by law and planning practitioners and frequently cited by courts including the Supreme Court. He is a co-author with Dr. Nicholas of *A Practitioner's Guide to Development Impact Fees* (1991). He is considered a pioneer in the development of impact fees and participated in formulation and litigation in regard to them in over 20 states.



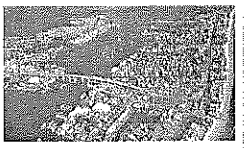
Impact Fee Study *for* **School Facilities**

July 1999 - May 2001
Apr 2006 - Mar 2007

Contact:
Jan Yamane
Deputy State Auditor
465 S King Street, Room 500
Honolulu, Hawaii 96813
808-587-0800
jyamane@auditor.state.hi.us

State of Hawaii

For the State of Hawaii, Duncan Associates, in association with Oahu-based Group 70 International, assisted in the development of two separate school impact fee projects. The first was contracted in 1999 with the Department of Education, to help them respond to developers who were concerned that DOE lacked the expertise or objectivity to establish a reasonable "fair share contribution." The Department subsequently used that study in negotiations with developers who required a change in land use designation from the State Land Use Commission. In 2006, we were retained by the State Auditor's Office to assist a Working Group established by the legislature to recommend possible changes to state law to create a fair system of developer dedications and contributions for schools. A key finding of the study was that the state-wide decline in school enrollment made it difficult to justify state-wide school impact fees. We assisted in drafting legislation that was the basis for Act 245, which was passed in July 2007 and established the basis for DOE to establish "school impact districts" in which enrolment growth was occurring and developers would be required to dedicate land or pay fees in-lieu of dedication and to pay impact fees for school construction costs. DOE is conducting the first impact area study for the west side of Hawaii County ("the Big Island").



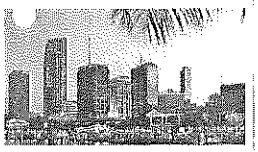
Impact Fee Study *for* **Schools**

2001 - Sept 2008

Contact:
Mary Gibbs
Community Dev't Director
1500 Monroe St., 2nd Floor
Fort Myers, FL 33901
239-533-8345
gibbsmx@leegov.com

Lee County, Florida

For Lee County, Duncan Associates has a continuing services contract to regularly update impact fee studies and ordinances for roads, schools, parks, fire protection and emergency medical services. While the other fee studies have all been updates, the firm developed the original school impact fee for the County, in association with Dr. James C. Nicholas, in 2001. The County was sued over two issues: breach of contract in violation of proportionate fair share methodology. Clancy Mullen of Duncan Associates and Dr. Nicholas served as expert witnesses for the County in defense of the study methodology, and the County prevailed on this issue at both the trial and appellate courts. The most recent update to the school impact fees was completed in 2008, and resulted in small decreases in the fees, due to declines in student generation rates and increased State aid for school construction.



Impact Fee Study for **Educational Facilities**

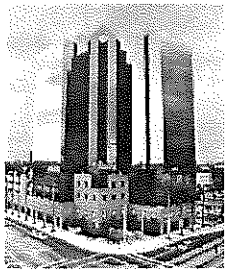
Dec 1994 - May 1995

Contact:
Tabitha Fazzino
Exec. Director, Title 1 Admin.
Miami-Dade Co. Pub. Schools
1450 NE 2nd Ave., Rm 533
Miami, FL 33132
305-995-1519
tfazzino@dadeschools.net

MIAMI-Dade County, Florida

For the Dade County Public School Board, Duncan Associates, in association with Dr. James C. Nicholas, prepared an impact fee study that addressed critical school overcrowding and introduced a sliding-scale formula to ease housing affordability. Enrollment in the Dade County school system, then the fourth largest in the nation, had been increasing at over five percent per year for more than a decade. By the early 1990s, over 40 percent of all its students were in portable units and school overcrowding had become a major local political issue. Because of the urgency, the County requested that the study be completed in 120 days. To address housing affordability, fees were based on unit size (bedrooms and square footage, using housing data from tax records). To determine the demand that new dwellings place on the classroom, a formula based on a logarithmic regression equation relating to unit size or floor area was used. A range from 500 to 3,800 square feet per unit was selected, and fees yielded by the equation were calculated by charging a "base" fee of $600 per unit, plus 90 cents per square foot. The resulting impact fee ranged from $1,071 for small units (under 500 square feet) to $4,100 for large units (over 3,800 square feet).

SELECTED EXPERIENCE



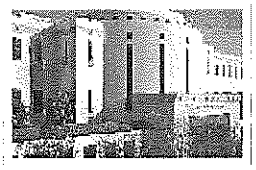
Student Generation Rate/ School Impact Fee Study

May 2009 - Present

Contact:
Chris Akagbosu
Growth Management Director
School Board of Broward County
600 SE Third Avenue
Fort Lauderdale, Fl 33301
754-321-2177
Chris.akagbosu@browardschools.com

Broward County, Florida

Duncan Associates, in association with attorney Tom Wright and Dr. James C. Nicholas, was retained by the School Board of Broward County (SBBC) to update the student generation rates, the school impact fee study and the County school impact fee ordinance. Challenges presented include recent enrollment declines that are projected to persist for at least the next six years, plenty of excess capacity in existing schools and no planned capacity improvements in the district's work plan. We were able to use 1990, 2000 and 2005-2007 microdata to show that students per household has not been declining for older or newer units, and that the recent enrollment decline is solely due to higher vacancy rates as construction workers and their families have migrated out. Having shown that the decline in enrollment was a temporary one due to the current housing crisis/economic downturn, and not due to longer-term trends such as the aging of the population, the remaining challenge was to identify eligible projects on which to spend the impact fees. We were able to demonstrate that a significant portion of the district's outstanding debt was attributable to creating the current excess capacity that is available for growth, after accounting for students who would return when existing units become occupied at normal levels. The impact fees collected from new units constructed over the next several years can be used to help retire some of this debt.



Impact Fee Study *for* **Multiple Facilities**

Dec 2006 - Sep 2008

Contact:
Bob Keating
Community Dev't Director
1801 27th Street
Vero Beach, Fl. 32960
772-567-8000 x1254
bkeating@ircgov.com

Indian River County, Florida

For Indian River County, Duncan Associates updated traffic, school, park, library, fire rescue, law enforcement, correctional, public building and solid waste impact fees prepared by another consultant. Several adjustments to previously-used methodologies were used to simplify the fee system. The first change was to base all updated fees at or below existing levels of service. Previous studies based several fees on a higher level of service anticipated in five years. Another major deviation was a simplification of the "functional population" calculations. The previous study used an 11-hours-per-day, 5-days-per-week functional population for public buildings, rather than the 24-hours-per-day, 7-days-per-week functional population used for the other three facilities. This had the effect of putting most of the burden of public building costs on non-residential development. Major changes were also proposed for the solid waste fee methodology, which had been based on the cost of incremental landfill improvements. Instead, our study recoups the cost of upfront landfill investments (land and heavy machinery) that will be consumed by new development, and allocates convenience center costs only to residential development.

Impact Fee Study *for* **Educational Facilities**

Jun 1991 - Feb 1993

Contact:
Richard Grice
Former Planning Director
334 Redcliff
Telluride, CO 81435
970-728-0646
jrgrice@adelphia.net

San Miguel County/Telluride, Colorado

For San Miguel County, the Town of Telluride, and the Telluride R-1 School District, Duncan Associates prepared an impact fee for educational facilities. To pay for the construction of new school facilities, the County had been requiring both the dedication of land and the payment of a fee. The County had charged a modest school fee of $545 per single-family unit, but had also imposed it on hotels and lodging, neither of which created much of a demand on schools. At the outset, a new *Master Plan for School District Facilities* was prepared by the LDR Group. From that plan, the cost of constructing an additional unit of student capacity was determined to be about $28,000. After proportioning the cost to new residential units based on their size and student demand, the adopted school impact fee ranged from about $500 to $5000. Based on past growth rates, the study also estimated that the School District would receive about $4.5 million in total impact fee revenues and about 20 acres in land dedications over the next 20 years. In other words, new growth and development would pay for almost half of the $11.5 million cost that the plan indicated would be necessary to expand local schools.

The purpose of this project is to assist Jefferson County in updating its school impact fees. In addition to including the new Washington High School and a credit for the current school construction bond issue, the report will evaluate the possibility of charging fees based on the size of the dwelling unit.

Student Generation Rates

A key element of the study will be to update the student generation rates on which the fees are based. The original school impact fees study, conducted in 1991, relied on a survey of all of the County's public school students. The most recent consultant update, prepared in 2003, used a random digit dialing survey methodology, with a sample size of 475 students. The RFP seems to imply that this update should utilize an address-matching approach, taking lists of student addresses from the Board of Education and matching them to housing unit data sets maintained by the Assessor's office and/or the County GIS system.

We have had experience with the address-matching approach,. Matching the address for a student in school records to a data base (GIS, property assessor records) that has land use data has some inherent difficulties. For one, the addresses seldom match perfectly (1615 N Eighth St vs. 1615 No. 8th Street), so much of it has to be done manually. In addition, it is virtually impossible to match an address in a multi-family building to a database that can tell you the size or number of bedrooms in that particular unit.

The student survey approach (calling all or a sample of students and asking them information about the unit they live in) has some limitations as well. First, it requires information on the number of units of each type and size in the county (it may be particularly difficult to obtain the total number of multi-family units in the various size categories). Second, the survey may need to be very large (e.g., close to 100%) in order to have adequate sample sizes for the housing types/sizes that are least represented in the county today. In the 2003 consultant update, the consultant noted that there was insufficient information from the telephone survey for townhouse units, which were a relatively new housing form in the county.

A preferable method, in our opinion, is to use 2000 US Census 5% microdata (and/or 2005-2007 3% US Census American Housing Survey microdata), which has information on public school students and bedroom characteristics for each sampled unit. Bedroom sizes can be correlated with unit square footage if that is the desired metric for assessment. Of course, a problem with this approach for smaller jurisdictions like Jefferson County is that the information is only available for areas of at least 100,000 population, and in this case includes seven other West Virginia counties (Jefferson is about 20% of the total population of the sample area). To ensure that the student generation rates derived from this larger area are representative of Jefferson County, they would be calibrated to ensure that when they are multiplied by the number of housing units by type existing in the county the predicted number of students for each housing type sums to the total number of students actually enrolled in public school. This approach will produce reasonable, legally defensible student generation rates.

Another advantage of the Census microdata is that historical information is available to allow the detection and analysis of long-term trends. School enrollment is much more subject to demographic changes than other types of infrastructure impacts of growth. For example, we are currently working with the School Board of Broward County, Florida to update their school impact fees. Their enrollment has actually been declining for the last four years, and is projected to continue to decline for at least several more years. The challenge here was to show that the decline was a temporary one due to the current housing crisis/economic downturn, and not due to longer-term trends such as the aging of the population. We were able to use 1990, 2000 and 2005-2007 microdata to show that students per household has not been declining for older or newer units, and that the recent enrollment decline is solely due to higher vacancy rates as construction workers and their families have migrated out.

Other Methodological Issues

The methodology used in previous updates is fundamentally sound. However, there are a couple of areas where changes could be considered. For example, as noted above, it would be a good idea to calibrate student generation rates to ensure that they do not over-predict the number of students currently enrolled when applied to existing housing units. Also, the decision needs to be made about whether the variable fee option should be based on number of bedrooms or dwelling unit square footage.

The incremental expansion approach is commonly used and very defensible. It basically assumes that existing facilities will need to be expanded proportionally with residential growth. If all schools are at capacity this is a reasonable assumption. However, if a new school has just been opened and has capacity to accommodate additional students, only the portion of the school serving existing students should be counted in the existing level of service. To accomplish this, the capacity of existing schools as well as enrollment should be taken into consideration. By the same token, credit does not need to be provided for outstanding debt attributable to building excess capacity, and in fact impact fees could be used to help retire such debt.

Cost-Containment Measures

In order to most efficiently utilize consultant and County resources and to keep this project affordable for the County, several measures are proposed. First, the number of consultant trips will be kept to a minimum. In fact, no consultant trips will be included in the base proposal cost, although they may be added as an option. Communication by telephone and e-mail, and data transfer via e-mail or ftp will generally be more efficient and cost-effective. Second, it is proposed that initial data collection be done by County staff. The last comprehensive update (as opposed to an inflation adjustment) was done by the County in-house, so the County is clearly capable of working with the Board of Education to secure the data. The consultant team would provide an initial list of data needs to the County, and would rely on the County to provide appropriate BOE contacts in case there are questions about the nature of the data.

This proposal represents our initial approach to updating Jefferson County's school impact fees. The Duncan team looks forward to fine-tuning this proposed work plan with the County in the near future.

Task 1: Project Organization/Data Collection

The first task will involve data collection and project organization. Immediately upon contract execution, we will work with the County's project manager to gather available information related to the project, address major policy issues (as described in the "understanding and approach" section), coordinate staff and consultant responsibilities and refine the project schedule.

The County should work with the Board of Education (BOE) to provide the consultant team, without charge, copies of all relevant plans, studies and documents needed to perform the scope of work. These may include, but are not limited to:

- Estimates of existing housing units by type
- Enrollment by school and grade level, last 5 years
- School capital improvements program
- Most recent BOE annual budget and comprehensive financial report
- Inventories of existing educational facilities and equipment
- Debt payment schedules for educational outstanding bond issues
- History of school impact fee revenues and expenditures.

At the conclusion of the task, we will prepare a memorandum summarizing the organizational framework for the project and listing additional data to be provided by the County.

Deliverable: *Project Organization Memorandum*

Task 2: Staff Review Draft

This task entails the preparation of an initial draft of the school impact fee analysis for staff review. This report will comprise all of the elements needed to calculate updated school impact fee schedules. These include the appropriate student generation rates by housing type, the appropriate level of service standards to ensure that new development is not charged for a higher level of service than existing development; the appropriate capital facility costs (including land cost per acre, construction costs, soft costs including design, etc, and equipment costs); and the appropriate revenue credits to ensure that new development is not charged twice for the same level of service. The study will comply with the requirements of national case law, including consistency with the dual rational nexus test. The methodologies will be clearly explained and data sources will be documented.

Deliverable: *Staff Review Draft Impact Fee Study*

Task 3: Final Study/Ordinance

Following receipt of staff comments, consultant will make appropriate amendments to the study to address staff comments and prepare a public review draft of the impact fee study. Concurrent with the public review draft, consultant will submit to the County attorney's office recommended changes to County ordinances as needed to implement the recommended changes to the school impact fees. The final drafts, including all supporting spreadsheets, will be delivered to the County in electronic format.

Deliverables: *Final Draft Impact Fee Study*
Recommended Changes to the Impact Fee Ordinance

Task 4: Public Meetings (Optional)

While no trips to Jefferson County are included in the base price, the consultant will be available to attend and participate in meetings and/or public hearings as desired by the County, subject to additional compensation.

Schedule and Budget

The staff review draft of the impact fee study will be delivered to the County by the consultant within three months of project initiation. Assuming that staff provides comments within two weeks of receipt of the staff review draft, the public review draft would be delivered within four months of project initiation.

The total proposed consultant fee for updating the County's school impact fees as described in the Scope of Services would be a fixed fee of $22,500, pursuant to the following cost breakdown for each task:

Task	Fixed Fee
1: Project Organization	$500
2: Staff Review Draft	$17,500
3: Final Study/Ordinance	$4,500
4: Public Meetings (optional)	TBD
Total	$22,500

Optional consultant attendance at any meetings desired by the County would be provided on a lump-sum basis of $2,000 per person-trip, inclusive of travel expenses, or on a time-plus-expense basis. Additional services may be provided on a time-and-expense basis. Our hourly rates are $175 for James B. Duncan, FAICP, Principal; $160 for Clancy Mullen, project manager; $120 for John Stott, Associate; $95 for planner; and $225 for Eric Damian Kelly, FAICP, land-use attorney.

Tindale-Oliver & Associates, Inc.
Planning and Engineering

September 3, 2009

Mr. F. Mark Schiavone
Director and Impact Fee Coordinator
Department of Capital Planning and Management
114 E. Washington Street
Charles Town, WV 25414

Re: Jefferson County School Impact Fee Update Study

Dear Mr. Schiavone:

Tindale-Oliver & Associates, Inc. (TOA) is pleased to submit this proposal as an expression of our interest in the Jefferson County School Impact Fee Update study. Included on our team is **Dr. Arthur C. Nelson.**

Over the past 20 years, TOA has earned a national reputation as a leader in development impact fee studies and, more importantly, in their acceptance and implementation. We have successfully completed more than 200 impact fee studies. It is important to note that no impact fee study performed by TOA has ever been successfully challenged in any court system. Over the past five years, TOA completed the development or update study for nine school impact fees. For two of most recent studies, TOA was able to utilize Geographic Information Systems (GIS)-based analysis, which increased the accuracy of the student generation rate analysis.

Dr. Arthur C. Nelson, ASCE, FAICP is an internationally recognized expert in development exactions, development fees, and growth management. His recent book, *Development Impact Fees and Housing Affordability*, addresses a comprehensive approach to school impact fees. Dr. Nelson has been involved in several of the impact fee studies conducted by TOA. He will review the study methodology and approach, and provide peer review of the school impact fee update study.

Selection of the TOA Team will result in using services of a firm that guarantees on time performance and high quality impact fee, one that is accurate, understandable, and based on state-of-the-art impact fee methodologies. The direct result is a credible and legally defensible impact fee program. This program will be understood by District and County staff and procedures will be in place to facilitate smooth administration of the program.

1000 North Ashley Drive, Suite 100, Tampa, Florida 33602 • Phone: (813) 224-8862 • Fax: (813) 226-2106
1595 South Semoran Boulevard, Building 7, Suite 1540, Winter Park, Florida 32792 • Phone: (407) 657-9210 • Fax: (407) 657-9106
195 South Central Avenue, Bartow, Florida 33830 • Phone: (863) 533-8454 • Fax: (863) 533-8481

In summary, we would like to emphasize the personal commitment of our firm. We assure you that this commitment will continue throughout the technical analysis and successful updating of the school impact fee. We look forward to serving Jefferson County on this important project and building a long lasting relationship.

Sincerely,
TINDALE-OLIVER & ASSOCIATES, INC.

Robert P. Wallace, P.E., AICP
Vice President

TABLE OF CONTENTS

Jefferson County, West Virginia

School Impact Fee Update Study

Tab 1 – Consultant Qualifications

FIRM OVERVIEW

TOA is a firm with a reputation as a leader in providing quality, innovative planning services to its governmental clients. We have grown from a firm of three employees in 1989 to a firm of over **50 employees, which now include six P.E.s, two PTOEs, 12 AICPs, 14 Engineers, one Computer Programmer, two Graphic Artists, and four GIS/Planning Technicians.**

Individuals who have extensive public management experience formed TOA over 20 years ago. The firm was created to provide comprehensive planning, infra-structure planning, and innovative financing programs to local government entities.

The principals of TOA have invested over 80 years of their professional careers working for city, county and state agencies. This experience affords the principals a real life understanding of issues government officials face in comprehensive planning, infrastructure planning, innovative infra-structure financing alternatives, and more importantly, how to implement selected alternatives.

Expert Testimony - Steve Tindale provided expert testimony in the case of *Tampa vs. Babcock Company*. The Babcock argument focused on the propriety of the requirement that it bear the full cost of a proposed overpass. Babcock contended that payment of the City of Tampa's transportation impact fee should be held "adequate provision" for the negative traffic impact. Mr. Tindale provided expert testimony relating to Section 380.06 and its relationship to the utilization of impact fees and the requirements of the provision for adequate public facilities as required in Rule 9J-5. Mr. Tindale's testimony was based on the relationships between the development of regional impact (DRI) process, the growth management process, and impact fee analysis, as well as on the differences between the application of those processes and on the understanding of their use to provide adequate facilities. The Court ruled in favor of the City of Tampa, saying that payment of impact fees did not constitute approval of the development to proceed and that the City could impose additional requirements relating to development approval.

Mr. Wallace has also provided expert testimony concerning impact fees and comprehensive planning. In a case in Charlotte County between the Homebuilders Association and the County, Mr. Wallace was the County's expert and was responsible for crafting a settlement agreement between the parties. The settlement agreement avoided a costly lawsuit and resulted in a comprehensive trip characteristics study and an update of the transportation impact fee ordinance and schedule.

In another matter for Charlotte County, Mr. Wallace represented the County in a quasi-judicial hearing. Mr. Wallace's testimony and cross examination strategy was key in showing fatal flaws in the other party's study and testimony. The result of the quasi-judicial hearing was a finding that the other consultant's study was flawed, not acceptable, and that the impact fee payment should be recalculated. The recalculation resulted in over $100,000 in additional impact fees being paid to the County. Mr. Wallace has also provided expert testimony services to the City of Key West and the Pinellas Planning Council concerning the traffic

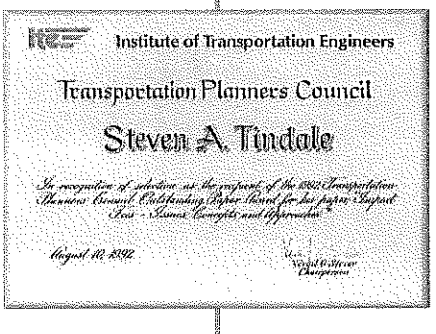
impacts associated with comprehensive plan amendments.

Impact Fee Methodology – Both Steve Tindale and Bill Oliver have published impact fee articles documenting the correct methodology and approach to conduct trip characteristic studies and develop impact fee programs. These articles set the standard for impact fee studies and have been used by many agencies across Florida and the nation to develop impact fee programs.

Mr. Tindale received the Outstanding Paper Award from the Institute of Transportation Engineers (ITE) Transportation Planners Council for his paper "Impact Fees – Issues, Approaches and Concepts." This paper provides the framework for developing the demand, cost, and credit components of transportation impact fees.

Further, Bill Oliver's article, "Measuring Trip Characteristics for Transportation Impact Fees," established the procedures and process for correctly performing trip characteristic studies.

More recently, Mr. Tindale presented a paper entitled "Smart Growth and Impact Fees" at the Reconciling Impact Fees Symposium in Atlanta, Georgia. In fact, some of the findings of that paper were applied during a recent transportation impact fee study completed for the City of Albuquerque, for which TOA developed a methodology that would allow impact fees to be sensitive to the growth rate of various areas within the city. The credit component of the study incorporated the rate of growth occurring in the community to account for areas that have high growth and need greater investment to accommodate new development.


Institute of Transportation Engineers

Transportation Planners Council

Steven A. Tindale

Finally, Mr. Tindale, Mr. Wallace, and Ms. Kamp routinely attend and present papers at the National Impact Fee Roundtable convention. During these presentations, TOA staff provides information on the latest trends, state-of-the-art methodologies, and other current impact fees issues. Mr. Tindale and Mr. Wallace also moderated several sessions during industry events.

ITE Trip Generation Trip Length Subcommittee - Mr. Tindale was the chairman of the ITE Trip Length Subcommittee. Bill Oliver also served on this committee. This subcommittee has developed trip length data for over 30 land uses. Mr. Tindale participated on the panel that introduced this information at the 67th Annual Meeting of the ITE.

GIS-Based Student Generation Rate Analysis — Tindale-Oliver and Associates, Inc. developed a methodology that uses Geographic Information Systems (GIS) to connect student addresses with parcel data from the Property Assessor's database. This approach allows for a current and localized analysis of student generation rates for each of the land uses included in the school impact fee schedules.

Impact Fee Public Presentations— Principals of Tindale-Oliver and Associates, Inc. have prepared over 200 impact fee presentations during the last fourteen years. As such, we are qualified to prepare materials for impact fee adoption hearings, respond to questions from citizens and technical committees, and develop strategies that result in the successful implementation of new and updated ordinances. We have also worked very closely with impact fee

evaluation and review committees. We have had very good success in building consensus among people with different opinions on a variety of impact fee related topics.

In summary, TOA is a firm that specializes in development impact fees and their successful implementation. Wrapping up our discussion about TOA's qualification and experience, we want to leave you with the following six thoughts.

- Mr. Tindale and Mr. Wallace, as well as the other principals and key staff of Tindale-Oliver & Associates, all have significant impact fee experience. Not one, but eight key staff members have significant credentials and experience in developing and implementing impact fees.

- No impact fee study or ordinance completed under the direction of TOA has ever been successfully challenged in any court system.

- Both Mr. Tindale and Mr. Wallace are recognized experts in the areas of impact fees, concurrency management, and comprehensive planning, having successfully represented multiple governmental agencies on matters relating to impact fees in quasi-judicial hearings, administrative hearings, and even the Florida Supreme Court. In past expert witness services, Mr. Tindale and Mr. Wallace have provided key testimony that resulted in across-the-board victories for their governmental clients.

- Mr. Tindale and Mr. Oliver have written papers that set national standards and procedures on how to properly develop impact fee programs. These papers have been used to develop impact fees in communities across the country.

- As past public administrators, both Mr. Tindale and Mr. Wallace understand the technical requirements, political systems, and legal framework within which impact fee programs are developed and successfully implemented.

- Having made well over two hundred public presentations on impact fees and their implementation, Mr. Tindale and Mr. Wallace know how to present information in a manner that is easily understandable to the public. They also understand how to address, in a professional manner, questions that arise from realtors, home builders associations, and other parties interested in challenging or delaying the implementation and adoption of impact fee programs.

Dr. Arthur C. Nelson, ASCE, FAICP is an internationally recognized expert in development exactions, development fees, and growth management. His recent book, *Development Impact Fees and Housing Affordability*, addresses a comprehensive approach to school impact fees. Dr. Nelson will review the study methodology and approach.

TEAM ORGANIZATION

A team organization chart is provided in this section.

Bob Wallace, P.E., AICP will serve as the **Principal-in-Charge.** Bob has over 30 years of professional experience that includes all aspects of development impact fees, including service standards, benefit districts, cost and credit components, and the integration of impact fees with the local jurisdiction's Comprehensive Plan.

Nilgün Kamp, AICP will serve as the **Project Manager** on this project. Nilgün has managed impact fee projects for schools, transportation, libraries, law enforcement, correctional facilities, parks, government buildings, fire/ EMS, and solid waste, among others. With a graduate degree in economics, Nilgün offers significant experience working with capital improvement programs, long range plans, and historical budgets and project expenditures to develop or update the demand, cost, and credit components of impact fees. Nilgün will be responsible for the day-to-day management of the study.

Steve Tindale, P.E., AICP, will provide **Quality Assurance** for this project. For the past 20 years, Steve's primary work activities have involved impact fee studies and implementation of impact fee ordinances. He also wrote papers on impact fee methodologies, and introduced new concepts to impact fee analysis. With his background as the Public Works Director for the City of Tampa, Steve has an in-depth understanding of capital infrastructure programs.

ORGANIZATIONAL CHART

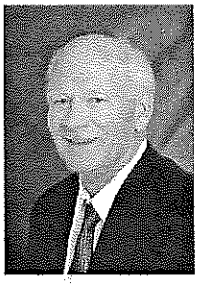
An organizational chart has been provided on the next page to further illustrate how the project will be managed and how the roles and responsibilities of key staff will be assigned to the project.

RESUMES

Resumes for key staff are provided at the conclusion of this section. These resumes further demonstrate the significant impact fee experience offered by the TOA Team.

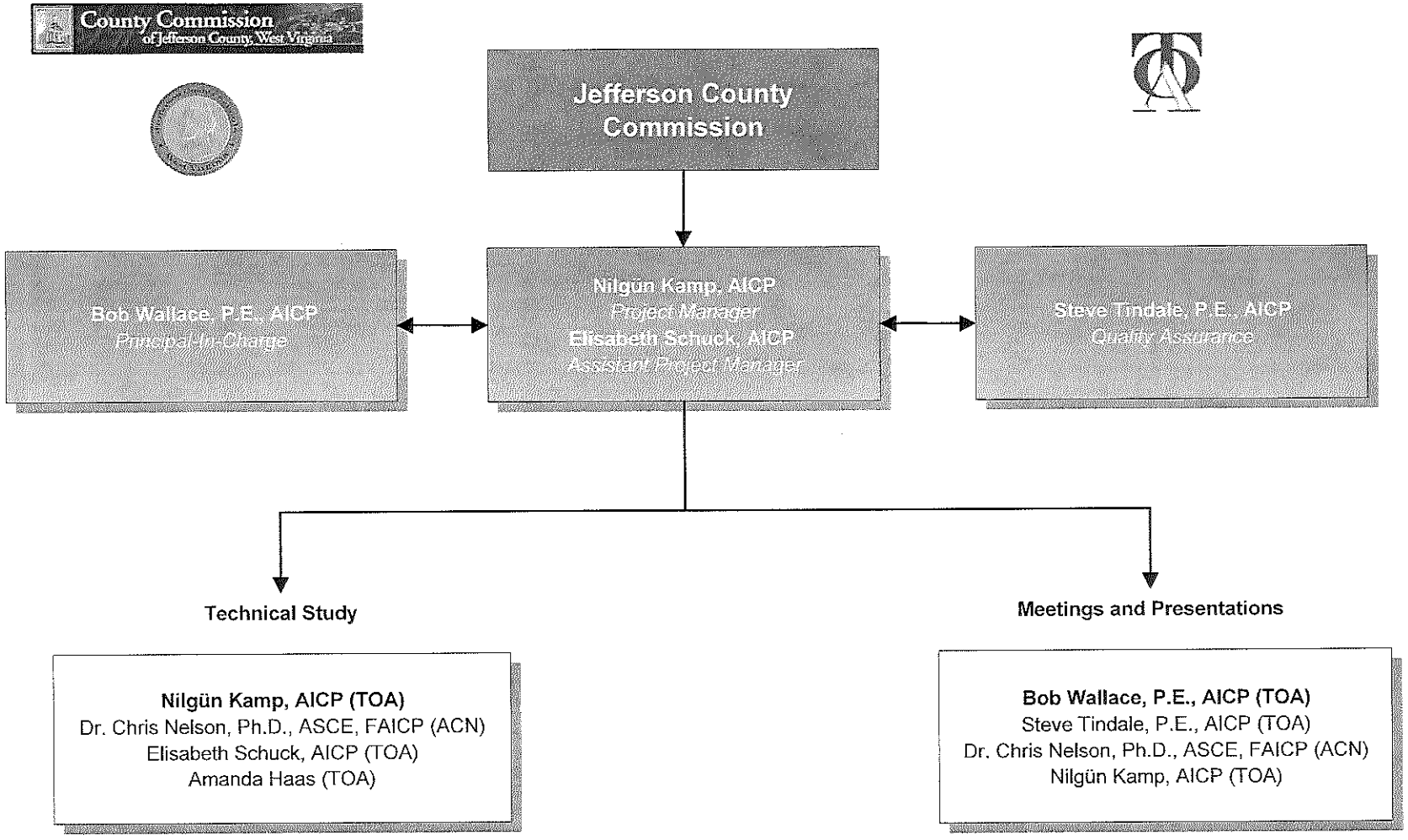
Bob Wallace, P.E., AICP

Nilgun Kamp, AICP



Steve Tindale, P.E., AICP

Jefferson County Commission
School Impact Fee Update Study
TOA Team Organization Chart



TOA - Tindale-Oliver & Associates, Inc.
ACN - Dr. Arthur Chris Nelson

** Names on **bold** represent task leaders*

Robert P. Wallace, P.E., AICP
Principal-In-Charge

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Education:
MCE
University of South Florida

BS in Engineering
University of South Florida

Registrations:
Florida, P. E. #44181
AICP #15621

Professional Affiliations:
Board of Directors, National Impact Fee Roundtable

American Institute of Certified Planners (AICP)

American Planning Association (APA)

Institute of Industrial Engineers

Institute of Transportation Engineers (ITE)

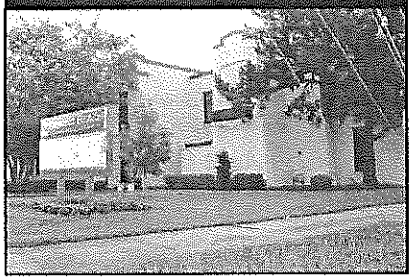
Bob enjoys a unique perspective on impact fees since he has experience in implementing impact fees both as a public sector official and as a consultant. This experience allows him to be sensitive to both the political process necessary to successfully implement impact fees and to the technical requirements that produce an equitable and legally defensible impact fee.

Bob's impact fee experience includes schools, transportation, parks and recreation, law enforcement, fire, EMS, correctional facilities, government buildings, libraries, and solid waste. Bob has spearheaded the successful adoption of over 75 impact fee studies and associated rate schedules. This has been accomplished through over one hundred public presentations to impact fee review committees and elected officials.

Bob has also prepared administrative procedures manuals for several impact fee program areas. These manuals provide detailed instructions for both government agencies and developers concerning processing impact fee applications.

Representative Projects

School Impact Fee Update Study Volusia County, FL



TOA has been Volusia County Schools' Impact Fee Consultant since 2004.

Role: Principal-In-Charge

Project Issues
- Concern regarding Census-based student generation rates being out-dated.
- Recent volatility in school construction costs.

Solutions Implemented
- Conducted a GIS-based student generation rate analysis to reflect current data.
- Incorporated cost data from surrounding counties.

School Impact Fee Update Study Osceola County, FL

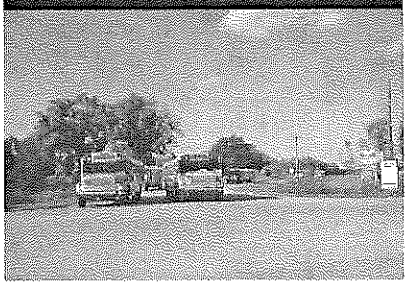
The School District of Osceola County retained TOA to conduct an update study with GIS-based demand analysis.

Role: Principal-In-Charge

Project Issues
- Need for current demand data.
- Community desire to expand list of land uses in fee schedule.

Solutions Implemented
- Conducted comprehensive analysis to tie student addresses to specific property types.
- Used Property Appraiser data to identify types of land uses.

School Impact Fee Update Study Orange County, FL



Developed and applied consensus-built methodology as part of the school impact fee update.

Role: Principal-In-Charge

Project Issues
- Complex construction program funded with multiple revenue sources.

Solutions Implemented
- Reviewed the District's ten-year Capital Program in detail to calculate revenue credits.
- Included future payments of existing and proposed debt in revenue credit.

A. Nilgün Kamp, AICP
Project Manager

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Education:
MA in Economics
University of South Florida

MA in Pacific International Affairs
University of California

BA in Economics
University of California

Registration:
AICP #19238

Professional Affiliations:
American Planning Association (APA)

Women's Transportation Seminar

Congress for New Urbanism

Nilgün has been involved in public infrastructure financing for the past 15 years. She has served as the project manager for impact fee evaluations and development and implementation studies for schools, fire, EMS, law enforcement, correctional facilities, government buildings, transportation, solid waste, libraries, and parks and recreational facilities.

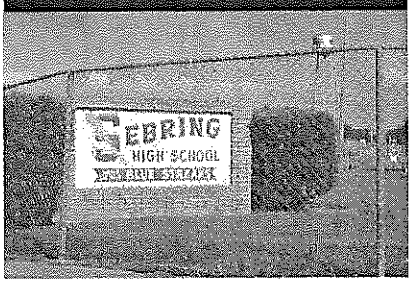
Her experience also includes demographic and travel behavior analysis, demographic and population projections for impact fee studies, travel behavior analysis, economic and fiscal impact studies, demand components, demand analysis, and other related impact fee support activities.

She has been invited to make presentations at the National Impact Free Roundtable several times.

Examples of her recent and current impact fee projects include those for Cities of Panama City, Deltona, DeLand, DeBary, Oviedo, and Apopka, as well as Collier County, Citrus County, Highlands County, Orange County, and others.

Representative Projects

School Impact Fee Study
Highlands County, FL



TOA developed a new school impact fee program as part of a comprehensive impact fee study of eight program areas.

Role: Project Manager

Project Issues
- Buy-in needed to support new impact fee program.
- Impact fees needed to help fund new school capacity.

Solutions Implemented
- Worked with advisory group and local officials to understand technical analysis.
- Highlighted role of impact fee revenue in District's CIP.

School Impact Fee Update Study
Collier County, FL

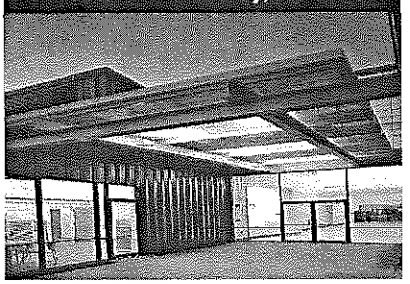
As Collier County's impact fee consultant, TOA was retained to update the school impact fee in 2005.

Role: Project Manager

Project Issues
- Concern over high impact fees by the development community.

Solutions Implemented
- Reviewed construction costs of recent schools and new bids in detail.
- Compared local costs to statewide database to ensure impact fee reflects reasonable and defensible data.

School Impact Fee Update Study
Osceola County, FL



The School District of Osceola County retained TOA to conduct an update study with GIS-based demand analysis.

Role: Project Manager

Project Issues
- Need for current demand data.
- Community desire to expand list of land uses in fee schedule.

Solutions Implemented
- Conducted comprehensive analysis to tie student addresses to specific property types.
- Used Property Appraiser data to identify types of land uses.

Steven A. Tindale, P.E., AICP
Quality Assurance

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Education:
MS in Business Administration/ Management
University of South Florida

BS in Engineering
University of South Florida

Registrations:
Florida, P.E. #16434
AICP #14432

Professional Affiliations:
American Public Works Association (APWA)

Institute of Transportation Engineers (ITE)

Urban Traffic Engineers Council (UTEC)

American Planning Association (APA) (Sun Coast Section)

Florida Public Transportation Association (FPTA)

Steve's primary work activities over the last 20 years have involved impact fee studies and implementation of impact fee ordinances. He has been involved in the development of impact fees for schools, parks and recreation, fire/EMS, law enforcement, libraries, solid waste, government buildings and transportation. His involvement includes impact fee studies in the cities of Tampa, Albuquerque, Lakeland, Panama City and Plant City, as well as Gwinnett , DeKalb, Brevard, Flagler, Pinellas, Collier, Marion, Broward, Hernando and Charlotte counties.

Steve introduced the concepts of "marginal costs" and "value added" to impact fee analysis. This was accomplished through the use of extensive database and spreadsheet analysis allowing sophisticated calculations to be made for complete systems and system improvements.

Furthermore, in 1991, Steve was awarded *"Most Outstanding Paper"* from the Planning Council of the Institute of Transportation Engineers for a paper entitled "Impact Fees—Issues, Concepts, and Approaches." He presented a paper entitled "Smart Growth" at the Impact Fee Symposium in Atlanta and regularly speaks at the Impact Fee Roundtables.

Representative Projects

School Impact Fee Study
Brevard County, FL

In 2004, Brevard County retained TOA to develop a new school impact fee program.

Role: Quality Assurance

Project Issues
- New impact fee program area.
- Buy-in from School Board and County required for adoption.

Solutions Implemented
- Facilitated a series presentations on the methodology and results of analysis throughout entire process.

School Impact Fee Study
Highlands County, FL

TOA developed a new school impact fee program as part of a comprehensive impact fee study of eight program areas.

Role: Quality Assurance

Project Issues
- Buy-in needed to support new impact fee program.
- Impact fees needed to help fund new school capacity.

Solutions Implemented
- Worked with advisory group and local officials to understand technical analysis.
- Highlighted role of impact fee revenue in District's CIP.

School Impact Fee Update Study
Collier County, FL

As Collier County's impact fee consultant, TOA was retained to update the school impact fee in 2005.

Role: Principal-In-Charge

Project Issues
- Concern over high impact fees by the development community.

Solutions Implemented
- Reviewed construction costs of recent schools and new bids in detail.
- Compared local costs to statewide database to ensure impact fee reflects reasonable and defensible data.

Elisabeth Schuck, AICP
Senior Planner

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Education:
MA in Geography University of South Florida

BS in Environmental Science
Stetson University

Registration:
AICP #021945

Professional Affiliations:
American Planning Association (APA)

Elisabeth joined Tindale-Oliver after graduating from Stetson University with a degree in Environmental Science with an emphasis on planning. Elisabeth previously worked for the City of DeLand in the Planning Department. She was involved in a variety of projects from transit to community development.

Since joining TOA, she has conducted several impact fee studies, including schools, parks, fire rescue, law enforcement, government buildings, library, solid waste, and EMS. She has performed rate comparisons and reviewed capital funding programs for multiple impact fee programs. In addition, she has been involved in updating and developing administrative procedures manuals for several program areas. These manuals outline impact fee guidelines and regulations for both government agencies and the public.

Elisabeth has also managed, conducted, and analyzed trip characteristic studies that are used to update impact fee demand components.

As part of her impact fee-related work, Elisabeth manages and conducts reviews of independent impact fee studies submitted to TOA.

Representative Projects

School Impact Fee Update Study
Volusia County, FL

TOA has been Volusia County Schools' Impact Fee Consultant since 2004.

Role: Project Manager

Project Issues
- Concern regarding Census-based student generation rates being out-dated.
- Recent volatility in school construction costs.

Solutions Implemented
- Conducted a GIS-based student generation rate analysis to reflect current data.
- Incorporated cost data from surrounding counties.

School Impact Fee Update Study
Citrus County, FL

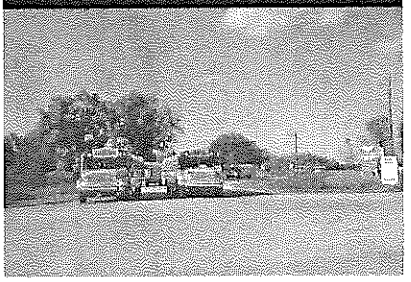
TOA updated Citrus County's school impact fee in 2003 and 2005.

Role: Task Leader

Project Issues
- Unique demographic of higher retiree-aged population.
- Lack of local school construction cost data.

Solutions Implemented
- Adjusted student generation rate to reflect higher number of age-restricted homes.
- Utilized TOA school database to develop cost component.

School Impact Fee Update Study
Orange County, FL



Developed and applied consensus-built methodology as part of the school impact fee update.

Role: Project Manager

Project Issues
- Complex construction program funded with multiple revenue sources.

Solutions Implemented
- Reviewed the District's ten-year Capital Program in detail to calculate revenue credits.
- Included future payments of existing and proposed debt in revenue credit.

Amanda Haas
Planner

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Education:
MA in Economics
University of South Florida

BA in Business Economics
University of South Florida

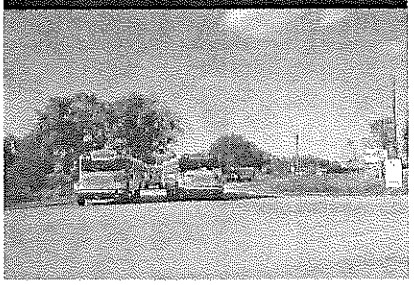
Amanda joined the Tindale-Oliver team after serving as a graduate assistant for the University of South Florida Department of Economics. She graduated from the University of South Florida with a bachelor's degree in Business Economics and completed her master's degree in Business Economics in 2006.

Amanda is skilled in working with annual budgets, capital improvement programs, project expenditures, and other financial material. She has been involved in several impact fee studies, including schools, parks, law enforcement, fire/ EMS and transportation. Her recent impact fee clients include the Osceola, Volusia, and Collier Counties.

Amanda also works in the area of independent impact fee reviews, and trip characteristics studies including recent projects for Pasco, Orange, Hernando and Collier Counties.

Representative Projects

School Impact Fee Update Study Orange County, FL



Developed and applied consensus-built methodology as part of the school impact fee update.

Role: Planner

Project Issues
- Complex construction program funded with multiple revenue sources.

Solutions Implemented
- Reviewed the District's ten-year Capital Program in detail to calculate revenue credits.
- Included future payments of existing and proposed debt in revenue credit.

School Impact Fee Update Study Volusia County, FL

TOA has been Volusia County Schools' Impact Fee Consultant since 2004.

Role: Planner

Project Issues
- Concern regarding Census-based student generation rates being out-dated.
- Recent volatility in school construction costs.

Solutions Implemented
- Conducted a GIS-based student generation rate analysis to reflect current data.
- Incorporated cost data from surrounding counties.

School Impact Fee Update Study Osceola County, FL

The School District of Osceola County retained TOA to conduct an update study with GIS-based demand analysis.

Role: Planner

Project Issues
- Need for current demand data.
- Community desire to expand list of land uses in fee schedule.

Solutions Implemented
- Conducted comprehensive analysis to tie student addresses to specific property types.
- Used Property Appraiser data to identify types of land uses.

Arthur C. Nelson, Ph.D., FAICP

Presidential Professor of City & Metropolitan Planning
Director, Metropolitan Research Center
College of Architecture + Planning
375 S. 1530 E., Room 235 AAC
University of Utah
Salt Lake City, Utah 84112-0375
V: 801.581.8253
E: acnelson@utah.edu

April 2009

EDUCATION AND CAREER SUMMARY

Doctor of Philosophy in Urban Studies specializing in regional science and regional planning, Portland State University, 1984 (earned degree while managing West Coast consultancy).

Master of Urban Studies in Public Administration, Research Track, Portland State University, 1976 (earned degree while managing West Coast consultancy).

Bachelor of Science in Political Science, certificates in Urban Studies and in Social Service, Portland State University, 1972 (graduated in two years to accept commission into the US Navy or Air Force upon completion of Officer Candidate School if service was needed during the Viet Nam War era).

Practicing professional in management, development policy, and economic analysis for federal, state, and local government agencies, businesses, and non-profit organizations since 1972.

Member of faculties in urban and regional planning, and public policy since 1984.

ACADEMIC SUMMARY

Appointed Presidential Professor of City & Metropolitan Planning, University of Utah, 2008.

Appointed Professor of Urban Affairs & Planning, Virginia Tech, 2002.

Appointed Adjunct Professor of Law, Georgia State University, 2000.

Promoted to Professor in the College of Architecture and Ivan Allen College of Liberal Arts, Georgia Tech, 1992

Awarded tenure in the College of Architecture and Ivan Allen College of Liberal Arts, Georgia Tech, 1991

Awarded joint appointment in School of Public Policy, Ivan Allen College of Liberal Arts, 1989

Appointed untenured associate professor of city planning, Georgia Tech, 1987

Awarded early promotion to untenured associate professor in urban affairs, University of New Orleans, 1987

Awarded joint appointment to public administration, School of Urban and Public Affairs, University of New Orleans, 1987

Appointed adjunct professor of social work, Southern University of New Orleans, a historically Black university, in partnership with UNO, 1986

Appointed untenured assistant professor of urban affairs and planning, University of New Orleans, 1986

Appointed visiting assistant professor in regional and community planning, Kansas State University, 1984

SIGNIFICANT DISTINCTIONS

FAICP – Fellow of the American Institute of Certified Planners

Lt. Colonel, Georgia Militia, honorary commission by Governor Joe Frank Harris for service to the state

Editor, *Housing Policy Debate*

Associate Editor. *Journal of the American Planning Association*

Associate Editor, *Journal of Urban Affairs*

Book Review Co-Editor, *Journal of the American Planning Association*

Planners' Notebook Editor, *Journal of the American Planning Association*

Fellow, Lincoln Institute of Land Policy

Paul Davidoff best book award recognition as contributor to Xavier de Sousa Briggs, ed., *The Geography of Opportunity: Race and Housing Choice in Metropolitan America*, pp. 219-245. Washington: Brookings Institution.

Scholar of the Year, College of Architecture and Urban Studies, Virginia Tech
Commendation for Service to US Department of Housing and Urban Development
Teacher of the Year in Architecture, Georgia Institute of Technology
Continuing Education Teacher of the Year in Architecture, Georgia Institute of Technology
Citation for being among the most effective teachers in the College of Architecture, Georgia Tech
Best of Association of Collegiate Schools of Planning conference paper (from more than 700 presented)
Teacher of students winning National Student Project of the Year award, American Institute of Certified Planners
Commendations by Georgia Institute of Technology for publications
Sponsor/advisor, Elected Official of the Year Award, American Planning Association
Sponsor/advisor to winner of the McClure Prize, Association of Collegiate Schools of Planning
Young Researcher of the Year, University of New Orleans
Teacher of the Year in Planning, Kansas State University
Outstanding dissertation recognition by Urban Geography section of the Association of American Geographers

PROFESSIONAL PRACTICE

Professional Consulting - Compensated and Pro Bono

National Cooperative Highway Research Program consultant to Rutgers University for economic impact of alternative highway planning scenarios, 2006-09
Home Building Association of Central Florida relating to impact fee design and implementation, 2008-09
Kalvig et al. LLC. Relating to impact fee design, 2008-09
Athens-Clarke County, Georgia, 2007-08
Olson Company, since 2006
Hanley Wood Publications, since 2005.
Cole Real Estate Investment Trust, presentation of research on future commercial and residential markets, 2005-07.
Prudential Real Estate Investment and Prudential Investment Management, presentations on the nature of future US real estate markets, 2006-08.
Montgomery County, MD, facilitator of public discussions on the future of county planning, 2005-06.
City of Leesburg, VA. Crafted "planning goals-achievement" assessment to guide consulting services for fiscal impact Assessment, 2006.
Tindale Oliver Associates, 2000 to present:

- Collier County, FL, impact fees
- Panama City, FL, impact fees
- Fort Pierce, FL, impact fees
- Panama City, FL, impact fees
- Bozeman, MT, impact fees
- Volusia County, FL, impact fees
- Volusia Cuonty, FL, review of NAHB economic impact analysis of impact fees
- Citrus County, FL, impact fees
- Brevard County, FL, impact fees
- Indian River County, FL, impact fees
- Eustis, FL, impact fees
- DeLand, FL, impact fees

Freilich, Leitner and Carlisle, 1995 to 2005.

- Expert witness in regional general welfare, *Olmstead Townships v. City of Rochester MN*
- Expert witness in regional development, *Fair Hope v. Mobile County*
- Expert witness in infrastructure finance, *St. Charles Community v. St. Charles County*
- Expert services provided on a wide range of planning issues

National Apartment Association, 2005 to present. Litigation research
City of Albuquerque, New Mexico. Preparation of development impact fees for water, wastewater, roads, stormwater, and parks, 1994 to present.
Alston and Bird, expert witness in exclusionary housing, *Roberts v. Gwinnett County*, 1999-2001
Dillard and Galloway, 1999 to present:

- Expert witness in exclusionary housing, *Jones v. Henry County*
- Expert witness in exclusionary housing, *Realty Development v. City of Cumming*
- Expert witness in exclusionary housing, *Pathway Communities v. Fayette County*

Southerlin Asbill, expert witness in exclusionary housing, *Cowart v. City of Roswell*, 2000-2001

Martin County, Florida, 1999 to 2001:

- Development impact fee study
- Economic development element of the comprehensive plan

Federal Environmental Protection Agency through the Growth Management Institute. Advising on full cost accounting of alternative development scenarious for southeastern Florida, 1997.

American Planning Association. Research and report on growth management, 1997-98.

Federal National Mortgage Association. Research and reports on exurban housing development patterns and policy implications, 1993-2001.

Government of Italy. Application of American-style development impact fees to metropolitan Milan, 1996-97.

U.S. Department of Housing and Urban Development through the National Center for the Revitalization of Central Cities. Research and reports on central city revitalization policy effectiveness, 1993-97.

National Academy of Sciences through the National Research Council and the Transportation Research Board. Research and reports on parking policies and transit use, 1995-97.

Florida Home Building Association. Expert witness in challenge to school impact fees assessed by Volusia County School District, 1994-97.

Lincoln Institute of Land Policy. Advising on growth management and development impact fee issues, 1992-present.

Village of Chardon Ohio. Preparation of wastewater system development charges and expert witness in impact fee litigation, 1995-98.

Walt Disney Corporation. Evaluation and assessment of growth management policies as they affect the design of Disney's America in the Washington, D.C., area, 1994-95.

City of Hickory, North Carolina. Preparation of development impact fees for water, wastewater, roads, and parks, 1994-95.

Gallatin County (Bozeman), Montana. Preparation of impact fees for roads, fire, police, and parks, 1994-97.

Washoe County (Reno), Nevada. Preparation of alternative transportation facility financing scenarios and policy recommendations, 1994-95.

State of Florida. State's expert witness in reviewing development guidance documents that fail to comply with state planning and development law, 1989-1997:

- *DCA v. Wakulla County* (comprehensive plan)
- *DCA v. St. Lucie County* (plan amendment)
- *DCA v. Lee County* (plan amendment)
- *DCA v. Marion County* (comprehensive plan)
- *Florida Association of Realtors et al. v. DCA* (second urban sprawl rule challenge)
- *DCA v. Charlotte County* (DRI challenge)
- *DCA v. Escambia County* (comprehensive plan)
- *DCA v. Walton County* (comprehensive plan)
- *DCA v. Alachua County* (comprehensive plan)
- *DCA v. Okaloosa County* (comprehensive plan)
- *Florida/Georgia Venture Group v. City of Ormond Beach* (DRI challenge)
- *DCA v. Lake County* (comprehensive plan)
- *DCA v. Indian River County* (comprehensive plan)
- *DCA v. Leon County* (comprehensive plan)
- *DCA v. Highlands County* (comprehensive plan)
- *DCA v. Metropolitan Dade County* (plan amendment)
- *DCA v. City of Jacksonville* (DRI challenge)
- *DCA v. Santa Rosa County* (comprehensive plan)
- *DCA v. Dixie County* (comprehensive plan)
- *DCA v. St. Lucie County* (comprehensive plan)
- *DCA v. Citrus County* (comprehensive plan)

- *Florida State Home Builders Association v. DCA* (first urban sprawl rule challenge)
- *DCA v. Lee County* (comprehensive plan)
- *DCA v. Charlotte County* (comprehensive plan)

Home Builders Association of Metropolitan Denver, Colorado, expert in school impact fee litigation, 1994-95

City of Atlanta, Georgia, preparation of development impact fees, revised comprehensive plan, revised capital improvement program, 1992-93.

DeKalb County, Georgia, preparation of development impact fees, revised comprehensive plan, revised capital improvement program, 1991-93.

Cobb County, Georgia, preparation of water and wastewater systems capital expansion fees and transportation facility impact fee feasibility study, 1992-93.

City of Roswell, Georgia, preparation of development impact fees, revised comprehensive plan, revised capital improvement program, 1992.

City of Columbus, Georgia, preparation of development impact fees, revised comprehensive plan, revised capital improvement program, 1992-93.

Glynn County, Georgia, preparation of water and wastewater systems capital expansion fees, 1992.

State of Florida, Department of Community Affairs, Energy Division. Formulation of new community planning policy under subcontract with Florida Atlantic University, 1992-93.

New Jersey Future, peer review of Rutgers University's Center for Urban Policy Research evaluation of the New Jersey statewide land use plan, 1992.

City of Virginia Beach, technical assistance in development exaction policy. 1991.

Church of Jesus Christ of Latter Day Saints, regional planning assistance in Kansas City, Missouri. 1991.

City of Miami and Metropolitan Dade County. Parks and recreation development impact fee program. 1991.

County of Hawaii, State of Hawaii. Review of development impact fee plans for the county. 1990.

Chesterfield County, Virginia. Development impact fees. 1989-90.

City of Atlanta. Review of Georgia state development impact fee legislation. Preparation of draft model statute. Statute revised in committee and adopted. 1989-90.

John Wieland Homes. Preliminary annexation impact assessment study for Peachtree City, Georgia. 1989-90.

Florida League of Cities. Urban sprawl. 1989, 1992.

State of South Carolina Bar Association. Impact fee law and practice. 1988.

City of Warner Robins, Georgia. Water and sewer development impact program design. 1989-90.

Alpharetta, Georgia. Review of planning documents with recommendations to revise pursuant to state law and case law. Revisions to comprehensive land use plan. 1988-92.

Charter Medical of Macon, Georgia: Health facilities service area analysis, 1988.

Twin Cities Region, Minnesota. Created research design to investigate impacts of landfills on land values. Assisted in evaluation of data and results. 1986-1991.

Housing Development Corporation of Washington County, Oregon, 1982-1990:

- Advised on use of federal low income housing tax credits
- Prepared federal grant and loan package for a 50-unit farm labor housing project
- Coordinated site planning, design and engineering services
- Prepared management plan, operating budget, and rental assistance plan
- Coordinated successful legal challenges to discriminatory housing codes
- Represented the organization in its successful lobbying activities to require that city charter amendments conform to state housing policies
- Coordinated preparation of a 12 unit addition to the farmworker housing project
- Commendation for Service, 1984

Columbia Hills Development Company, 1979 to present:

- Principal planner for Hillcrest Subdivision, an 1,133 lot antiquated plat that was redesigned into acreage rural residential homesites and large acreage woodlots after six years of negotiation with state and local planning agencies. Services included: assembling lots not owned by the investors; successful lobbying for statutory and administrative rule changes that made it easier to resolve the problems of antiquated plats on resource lands; successful lobbying for statutory changes in state tax law in order to make the resolution of antiquated plats on resource lands feasible; preparing restrictive covenants and homeowner association articles and bylaws; coordinating soil testing,

geologic surveys, groundwater surveys, road design and construction, utility planning, land and plat surveying, local fiscal and economic impact assessments, and marketing studies.

- Principal planner for the Columbia Bend recreational project located along the western shoreline of Puget Island, Washington. Prepared master and site plans, environmental and socioeconomic impact assessment, restrictive covenants, and market studies. Negotiated and secured U.S. Army Corps of Engineers Section 404 Permit and State of Washington Department of Ecology Development Permit.

Palo Investments, Inc., 1980 to present:

- Planning Consultant for Hillhurst Road Project in Ridgefield, Washington. Prepared or coordinated site planning options, soils surveys, market surveys, successful title clearing legal appeals, negotiations with regional and local planning agencies on land development restrictions.
- Financial packager and manager of two executive condominiums in the Johns Landing district of Portland. Prepared quarter million dollar commercial loan application. Elected to the project's homeowners association. Chairman of HOA operations committee, responsible for preparing and implementing management programs.
- Principal planner for Clatskanie Valley Homes, a twenty-two unit rural residential subdivision in northwest Oregon. Prepared or coordinated subdivision and residential site plans, soils surveys, land surveys, road design and construction, utility design and construction, restrictive covenants and homeowners association articles and bylaws, market surveys, state land use planning approvals, financing packages.
- Planning consultant for property at Chambers Lake in Olympia, Washington. Provided consulting opinions on land use restrictions, market, development timing, and site planning options.

GrowPac, Inc., Portland, Oregon, 1984-1985:

- Negotiated approval from the Oregon State Department of Economic Development to sell $4 million in industrial development revenue bonds to expand the firm's processing and marketing activities.
- Prepared and represented firm's applications for conditional use permits, variances, special use permits, and non-farm use permits for fruit processing, storage, and marketing facilities.

Recht Hausrath and Associates, Urban Economists, Oakland, CA, 1978-1985:

- Prepared the "Economic Element" of the Sonoma County Industrial Park Specific Plan Environmental Impact Report
- Prepared the "Economic Impact Element" of an Environmental Impact Report on a comprehensive plan amendment in Nevada County, California
- Assisted in the research and preparation of a memorandum on "Comparative Development Charges of Selected San Francisco Bay Area Jurisdictions" for Mobil Oil Company
- Prepared "Marketing Analysis and Strategy" for Nor'West Inc.'s mixed-type housing project in San Jose, California
- Prepared the "Socioeconomic Impact Element" of an Environmental Impact Report on a mixed-use project in downtown Pacific Grove, California
- Assisted in the research and preparation of the "Public Facilities Impact Element" of a Federal Environmental Impact Statement on three casinos proposed for South Lake Tahoe, Nevada

Planning consultant to Trans West Company, Seattle, 1978-1993. Designed the replat of 320 lot antiquated plat in the Portland metropolitan area. The replatted 35 unit Columbia Acres Subdivision entailed plan and zone changes, legal appeals, statutory changes, and changes in state statutes and administrative rules.

Planning counsel to Black, Helterline, Beck & Rappleyea, Attorneys, Portland, Oregon, 1979-1985. Provided planning counsel on:

- A zone change from agricultural to industrial along the I-5 Freeway between Portland and Salem
- A replat of a three hundred unit PUD in St. Helens, Oregon
- A zone change from agricultural to intersection commercial along the I-5 Freeway south of Salem
- A proposed planning policy for industrial development at the mouth of the Columbia River
- Most statutory changes affecting land use planning and subdivision procedures considered during the 1981, 1983, and 1985 legislative assemblies, including testimony assistance to firm's partners.

Planning consultant to the Oregon Bank, Portland, Oregon, 1983-1984, on land use planning matters relating to their trustee interest in a three thousand acre ranch along the lower Columbia River.

Planning consultant to the Columbia River People's Utility District, 1983-1984, on land use planning matters relating to their central offices and yards throughout their district.

MRH Properties, a minority business enterprise involved in land development, Portland, Oregon, 1981-1984:

- Principal planner for Tamanawus Subdivision, a twelve unit suburban in-fill housing project
- Principal planner for a sixteen unit condominium PUD proposed for Gladstone, Oregon
- Financial and market advisor for a Long Beach, Washington, commercial recreational campground
- Advisor on the subdivision procedures involved in replatting an undeveloped suburban subdivision at the edge of the Portland metropolitan area urban growth boundary

Principal planner for Sandpiper Shores, Waldport, Oregon, a residential project on sensitive coastal land, 1981-1983. Prepared/coordinated development plan, site plans (homesite envelopes and view corridors), beach and lake impact mitigation, specialized waste treatment facility design, covenants and association articles and bylaws.

Consulting Planning Director for Durham, Oregon, 1978-1980. Retained by the city to prepare a comprehensive plan and implementing codes consistent with an LCDC enforcement order issued as part of Seaman v. City of Durham (a nationally prominent housing policy precedent). Received commendations from the Metropolitan Service District Commission and the Oregon Land Conservation and Development Commission. Plans included precedent-setting fair share housing and transfer of development right provisions. Later evaluated development plans and represented the city in a several regional and state agency decisions.

Consulting planner to Dias Real Estate on a 40,000 square foot office building entailing site planning, market analysis, plan amendment, and zone change in the City of St. Helens, Oregon.

Principal planner for Columbia Towne, a 70-unit project in Columbia City, Oregon, 1980-1982. Designed Oregon's highest density single-family project utilizing modern subsurface sewage disposal systems.

Planning consultant for Rainbow Rock, a 120-unit Planned Unit Development in Brookings, Oregon, 1980-1983. Prepared or coordinated the preparation of a coastal mixed-use project of 120 condominiums and a commercial center entailing geologic surveys, approval by the Oregon Department of Environmental Quality of a secondary treatment sewer outfall into the Pacific Ocean, approval by Coastal Zone Management agencies, and approval by the Oregon Land Conservation and Development Commission (one of only two coastal projects exempted from LCDC-imposed development moratoria).

Planning consultant for Grandview Manor Village, a 350-unit mobile home park in Redmond, Oregon, 1981-1983. Prepared variance and conditional use permits, socioeconomic impact assessments, and state housing policy opinions on the subject of mobile home parks.

Planning advisor to the City of Redmond, Oregon, 1981. Prepared the Housing, Urbanization and Economic Development elements of the comprehensive plan, which survived opposition by statewide anti-growth organizations and were approved by the Oregon Land Conservation and Development Commission.

Principal planner for Stratford Properties, a mixed-use coastal project in Newport, Oregon, 1981-1983. Prepared and coordinated site planning for 375 housing units, a hotel and shopping center, an office building, a sports complex, and site amenities. Also prepared view easements, covenants and association documents that are considered among the most innovative along the Oregon coast.

Consulting planning manager, planning director, Columbia County, Oregon, 1976-78:

- Administrator of planning, solid waste management, surface mining, and building codes
- Prepared county framework land use plan and directed overall economic development plan
- Created and managed seven community planning and 42 neighborhood planning organizations
- Coordinated negotiations among cities and the county on establishing urban growth boundaries and related urban containment strategies
- Designed county's census boundaries to correspond to spatial and demographic characteristics and planning information objectives
- Assisted Port of St. Helens in its industrial development planning

Management consultant to Marion County, Oregon, Board of Commissioners, 1975-76:

- Evaluated management operations of public works, social service, planning, and tax collection to improve personnel productivity

- Developed management information systems, cost control systems, performance budget procedures, and performance evaluation procedures

Political Consultant, Oregon campaigns, 1973-1977:

- Responsible for raising half of the funds for a successful gubernatorial primary election campaign
- Road manager, speech and press writer, field organizer for statewide gubernatorial campaign
- Campaign manager for statewide ballot measure campaign
- Consultant to legislative campaigns

Legislative Analyst, Metropolitan Portland Child Care Coordinating Council, 1972-73.

- Evaluated regional child care facility needs including funding requirements.
- Assessed impact of state legislation on the provision of child care.
- Developed management operations procedures.
- Assisted board of governors in setting legislative strategies.
- Lobbied legislators on proposed legislation.

Student Internships, 1971-1972.

- Intern to the Oregon Joint Legislative Committee on Land Use to evaluate effectiveness of land use planning laws and offer recommendations for improvement; work helped justify legislation leading to the Oregon Land Use Act of 1973.
- Intern to Multnomah County, Oregon, Grants Management Office; prepared grant management system and evaluated several social service agencies for grant administration purposes.

Tab 2 – Project Approach

Jefferson County has been experiencing continuing growth, with the county's population increasing from 42,000 in 2000 to approximately 52,000 in 2008. The county is expected to continue to grow in the future. The Jefferson County Board of Education operates 15 schools with an annual enrollment of 8,400 students in 2008-2009 school year. The District's enrollment increased consistently between 2000 and 2009, and remained at approximately 3 percent of the State's student enrollment. Jefferson County implemented the school impact fee in 2004, and is interested in an update study that would:

- recalculate the fee using generally accepted methods; and
- conduct a detailed student generation rate analysis.

Tindale-Oliver & Associates, Inc. (TOA) has led the development and update of more than 200 impact fees, including the initial development or update of nine school impact fee studies since 2004.

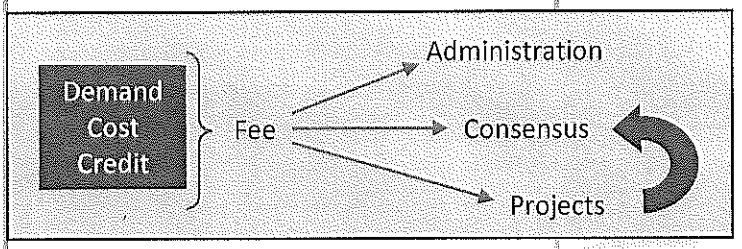
TOA's extensive experience with impact fees translates into a direct understanding of the appropriate methodologies to be considered for a school impact fee, the data that must be collected to accurately develop the school impact fee, the policy issues that must be addressed in completing an impact fee study, and the techniques and strategies that need to be employed to successfully implement impact fees.

This section is organized in the following manner:

- Background Review
- Project Approach and Methodology
- Preliminary List of Issues and Data Needs

The primary components of a school impact fee analysis are determining the demand (student generation rates), cost, and credit components. In addition, for the successful update of the impact fee program, it is important to build consensus and credibility during the entire study process. Finally, it is necessary to administer the program appropriately by determining the priority projects that qualify to be funded with impact fees and including those projects in the Board of Education's Capital Improvements Program (CIP).

This proposal provides a project approach that



addresses these issues.

BACKGROUND REVIEW

Jefferson County has been experiencing an annual growth rate of approximately 2.5 percent over the past nine years and is expecting continued population growth in the future. This growth will result in additional school-age children and hence a greater need for additional capacity. Figure 1 (on the following page) presents a comparison of historical student enrollment growth in Jefferson County and West Virginia.

As indicated, Jefferson County's student enrollment has been increasing at a higher rate than the state average.

To correlate population growth with student enrollment, Figure 2 presents a comparison of the annual percent change in County population growth versus student enrollment from 2001 to 2009. As the population continues to grow, student enrollment is also expected to increase, resulting in a need for

Figure 1
Annual Percent Change in Enrollment
Jefferson County vs. West Virginia (2003-2008)

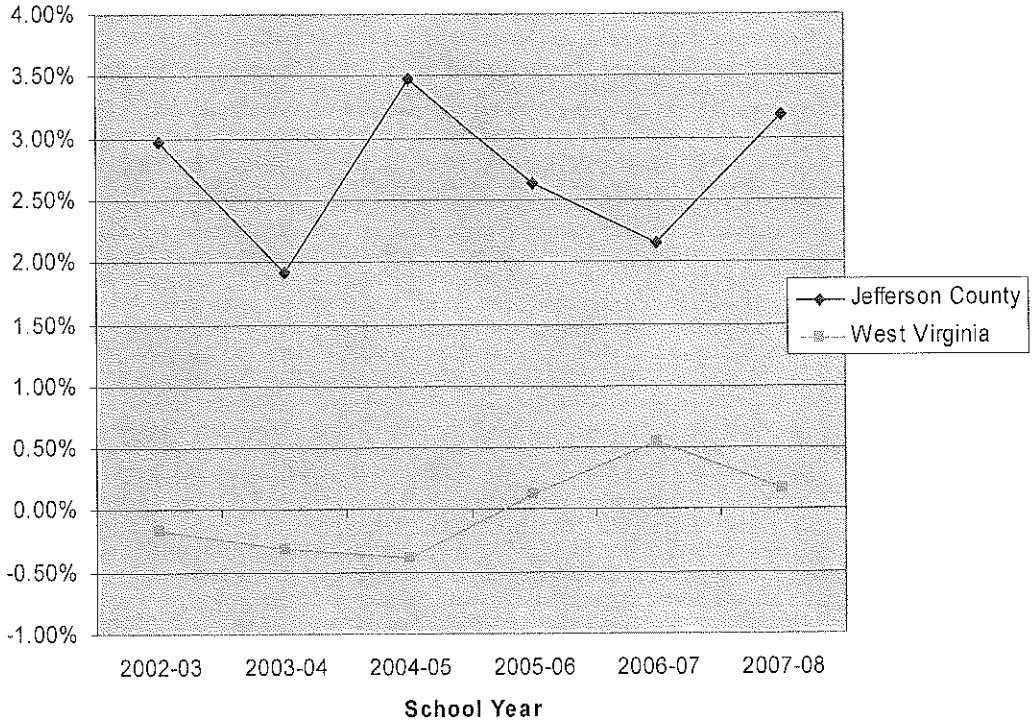
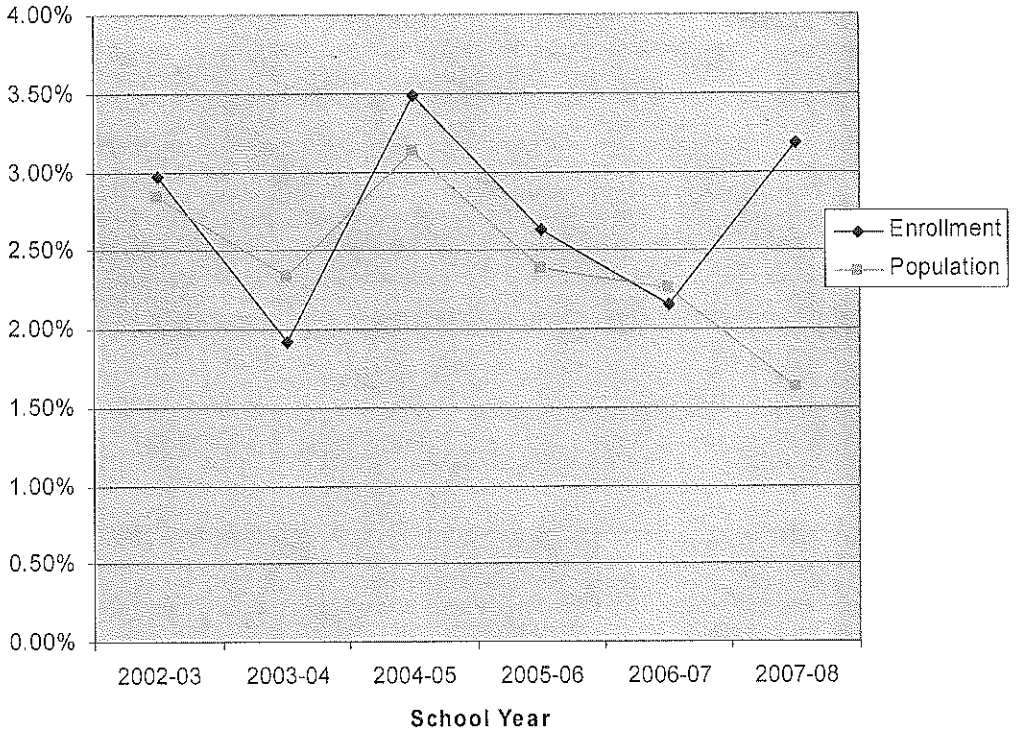


Figure 2
Annual Percent Change in Jefferson County
Population vs. Enrollment (2003-2008)



additional student capacity.

PROJECT APPROACH AND METHODOLOGY

TOA typically uses consumption-based approach, where new development is charged for the portion of the capacity it is used based on the current level of service (LOS). This approach is consistent with the previous study and ensures that the new development is not charged for existing deficiencies and that impact fees collected from new growth are not based on a level to improve the existing LOS.

TOA has an in-depth understanding of several technical approaches and provided a discussion of each methodology in a white paper titled "Impact Fees In Florida: Their Evolution, Methodology, Current Issues, and Comparisons with Other States." TOA will discuss available methodologies with the County and Board of Education staff and the County attorney and use the methodology approved by all parties and is consistent with the State Statute.

For the purposes of this proposal, the project approach follows consumption based methodology and is organized into three major tasks. The work plan for each of those tasks is presented in the following paragraphs. In addition, an optional fourth task outlines the potential on-site meetings and presentations.

TASK 1: DATA COLLECTION / BACKGROUND REVIEW

Upon receipt of the notice to proceed, TOA will prepare and forward to the County's Project Manager a data needs memo along with templates for the staff to report requested data. To expedite the project schedule, a preliminary list of data needs and some of the issues that will be discussed during the kick-off conference call is included at the end of this section. It is requested that the County's Project Manager assemble as much of the requested data as possible and have it sent to the Consultant prior to the kickoff conference call. The Consultant will facilitate a kickoff conference call with key County and Board of Education staff, as appropriate, to discuss available information related to the project, identify and discuss major technical and policy issues, coordinate staff/Consultant responsibilities, and refine the project schedule, if necessary. The Board of Education and Jefferson County will provide to the Consultant copies of all relevant plans, studies, and documents needed to perform the project tasks. The Consultant will review the background material and summarize data gaps and responsibilities resulting from the kickoff conference call. The Consultant will be available to County and Board of Education staff to respond to any questions on the requested data.

TASK 2: REVIEW AND ANALYSIS

This task addresses the analysis required to update the school impact fee, reflecting the capital costs of providing new school capacity in Jefferson County. This work effort is explained in the following paragraphs and includes the development of an inventory of existing facilities and level of service; preparation of a demand component; and a review of the land, construction, vehicle, and equipment costs and credits.

Subtask 2.1 - Historical and Projected Enrollment Trends

The Consultant will review historical and projected enrollment data provided by the Board of Education. This information will be used in demand, cost and credit components of the impact fee analysis. In addition, the historical and projected enrollment figures will be compared to historical and projected population figures for Jefferson County to evaluate trends relating to student enrollment and population growth.

Subtask 2.2 - Update of School Facilities Inventory and Future Plans

The inventory of schools will be reviewed and updated, including a review and analysis of acreage, building square footages, and permanent and portable enrollment and capacity for both existing schools and any schools planned to be constructed during the timeframe of the School District's 2009-2010 Five-Year or Ten-Year Capital Plan. In addition, an inventory of the Board of Education's current ancillary support facilities and other capital equipment and vehicles (i.e., buses and support vehicles) will be compiled and projections of support facility requirements will be documented.

Copies of annual reports and related information over the last five years will be provided by the School District and reviewed by the Consultant. In addition to the School District's most recent Five-Year or Ten-Year Capital Plan, other available documents, such as the Facility and Master Plans, also will be reviewed in order to understand future capital expansion of the school inventory and current funding sources and levels.

Finally, the School District's standards for school size will be obtained, reviewed, and subsequently used in the demand component calculation.

Upon completion of the initial analysis, TOA will have a conference call meeting with County and School Board staff to discuss initial findings and results. Direction received during this meeting will be incorporated to the remaining analysis.

Subtask 2.3 – Update of Student Generation Rates

TOA will complete a Geographic Information Systems (GIS)-based analysis tying student addresses to parcel addresses from the Property Assessor's database. TOA used this approach in the update of school impact fees for two counties in Florida, which resulted in a more accurate demand component. This analysis will provide the number of students per household, by type and size of dwelling unit, based on the most current student enrollment addresses and Property Assessor's data available. If the necessary data is not available, student generation analysis will be based on Census data and other sources, as available. Recommendations concerning the student generation rate will be included in the Draft Report.

Subtask 2.4 – Update of the Cost Component

Based on information provided to the Consultant, the School Board's Capital Improvements Plan and other related documents, costs of recently constructed schools, and recent construction bids will be reviewed. The Consultant will develop categories for student station costs, including elementary, middle and high schools, as well as a weighted average cost per station. The capital improvement costs will consider land, construction, furniture, fixture, and equipment, design and engineering inspection, vehicles and equipment, ancillary building capital costs, and interest carrying cost. TOA has a database of school cost information collected during the previous studies. Cost figures obtained from the School District will be compared to and/or supplemented by the cost data obtained from recently built schools in West Virginia as well as information in our database, as necessary. Recommendations concerning the cost component will be included in the Draft Report.

Subtask 2.5 – Update of the Credit Component

The Consultant will review historical and projected capital improvement funding sources and expenditures for land, construction, design and engineering inspection, and vehicles and equipment for schools in Jefferson County. Debt service,

such as that on the current school construction bond, will also be reviewed to determine the amount creditable for capital expansion projects. Based on this information, the credit component of the School Impact Fee equation will be updated. This review will also include any applicable state sources, as well as local sources used for the capital expansion of schools in Jefferson County, such as ad valorem tax and sales tax, as appropriate. Recommendations concerning the credit component will be included in the Draft Report.

TASK 3: PREPARATION OF DRAFT AND FINAL REPORT

Subtask 3.1 – Preparation of Draft Report

A Draft Report documenting the results of Task 2 will be prepared and submitted for review by staff.

Subtask 3.2 – Staff Review Meeting

The Consultant will have a conference call with the School Board and County staff, as appropriate, to review the findings of the study, obtain staff input, and answer questions. A draft PowerPoint presentation will be developed and used to present the draft report to staff.

Subtask 3.3 – Preparation of Final Report

Based on the input received from School Board and County staff, a Final Report will be prepared as part of this subtask. In addition, the PowerPoint presentation will be updated for use in future presentations to elected officials.

TASK 4 (Optional): MEETINGS AND PRESENTATIONS

Should the County prefer having on-site meetings instead of conference calls, the following subtasks include six meetings as summarized in the following paragraphs. The County will be invoiced for the meetings only as they are approved by the County's Project Manager.

Subtask 4.1 – Project Kick-Off Meeting

As previously mentioned under Task 1, the Consultant will facilitate a kickoff meeting with key Jefferson County and Board of Education staff, as appropriate, to receive available information related to the project, identify and discuss major technical and policy issues, coordinate staff/Consultant responsibilities, and refine the project schedule.

Subtask 4.2 – Data Review Meeting

During the completion of Task 2, after TOA has been provided the requested data and has completed the initial analysis, TOA and School Board and County staff will meet to review the initial results. At this meeting, the Consultant will prepare a detailed summary of the analysis completed to date and present the results of the initial analysis to staff, documenting any data gaps and assumptions. The Consultant will provide School Board and/or County staff with a list of outstanding questions or concerns resulting from the initial analysis.

Subtask 4.3 – Draft Report Review Meeting

Following the submittal of the draft report, the Consultant will have a meeting with the School Board and County staff to present the findings and respond to questions.

Subtask 4.4 – Community Interest Group Meeting

If a Community Interest Group is established, TOA will be available to attend one meeting with the Community Interest Group as identified by the School Board and County. The material prepared for this meeting will depend on the phase in the study at which the meeting occurs and prior discussions with School District staff.

Subtask 4.5 – School Board and County Adoption Workshop and Public Hearings

As part of the process to adopt the School Impact Fee Update, it is anticipated that two meetings will be held with the Jefferson County and School Board of Education. One meeting will be a public workshop to review the results of the study and another meeting will be to adopt the study.

PRELIMINARY LIST OF ISSUES TO BE DISCUSSED DURING THE KICK-OFF MEETING AND DATA NEEDS

Preliminary List of Issues

- Consumption-based versus needs based methodology.
- Recent trends in land and construction costs experienced by the School Board and in West Virginia.
- Capital expansion projects and associated funding sources and levels (for credit calculations).
- Student generation rate trends and benefit of GIS-based analysis (if supported by required data sources).

Data Needs

The data needs for the school impact fee update is separated into three categories by type of data requested: facilities-related data, fiscal data, and student generation analysis related data. The following subsections outline the requested data for each of these three categories.

Facilities-Related Data

- School Transportation Demand:
  - Inventory of school buses and other support vehicles, as well as the replacement cost associated with each type of vehicle.
  - Number of new buses and support vehicles to be purchased over the next five years as a result of student growth.
- School System Inventory:
  - Inventory of schools, acreage, gross building square footage (both permanent and portable), and number of student stations (both permanent and portable). Please indicate if the student station figures provided reflect physical or available capacity.
  - Inventory of all ancillary facilities (e.g., administrative, transportation, and maintenance facilities), including gross square footage (both permanent and portable) and acreage.
  - Historical school enrollment figures since 2000 by school.
  - Five-year projected school enrollment figures by school.
  - Level of Service standards, as available.
  - A list of new schools planned to be constructed over the next five years (if not detailed in the CIP), including gross square footage, number of permanent student stations, acreage, etc.
  - A list of existing schools planned to be expanded over the next five years (if not detailed in the CIP), including additional gross square footage, additional number of permanent student stations (if applicable), and additional acreage (if applicable), etc.
  - A list of any administrative or ancillary facilities planned to be constructed or expanded over the next five years (if not detailed in the CIP), including gross square footage, acreage (if applicable), etc.
- School System Capital Costs
  - Actual construction costs or bid documents for recently constructed or planned schools (last five years), including all costs associated with opening a school, such as design and engineering, construction, sitework (on-site and off-site), equipment, furniture, etc.
  - A break-out of cost information for portable student stations.
  - Replacement costs for ancillary facilities. If possible, please provide replacement costs based on costs of similar, recently

constructed facilities or bid documents for facilities to be constructed in the near future.

* A summary of land acquisitions over the past several years for schools and ancillary facilities, including the appraisals, purchase date, location, acreage, price, purpose for site, etc.
* A list of planned future land purchases, including location, acreage, purpose for site, and estimated purchase price.

Financial Data

- Copies of annual reports for the last few years.
- Any CIP, capital budget, or master planning documents that identify future capital expansion of the school inventory and associated funding sources and levels.
- Property tax rate used for capital.
- Other funding sources used for capital (state sources, grants, local sources, etc.).
- Summary of all capital expansion expenditures over the past five years and associated funding sources and levels.
- All future planned/programmed capital expansion projects over the next five years and associated funding sources and levels.
- For debt service, please provide a description of the projects funded by each debt issue (i.e., capital expansion versus renovation) and debt service schedules showing start and end dates and annual payments, including principal and interest.
- Impact fee revenues collected over the past five years.

Student Generation Analysis Data

- Database that includes at least student addresses, school name or school code, and the grade level. (We do not need student names or any other information that would identify individual students).
- Property Assessor's database that includes all parcels and units in the county.
- GIS coverage of spatial and parcel data.

Tab 3 - Work Plan and Schedule

PROJECT SCHEDULE

A preliminary project schedule is presented in this section of the proposal. This schedule will be further revised during the kick-off meeting to accommodate the County's needs, including the contraction of the schedule, if needed. Given that TOA has a dedicated impact fee group with eight staff members, we are confident that we will meet the County's desired time frame without any difficulty. Any changes to the project schedule shall be agreed upon by both the Consultant and the County's Project Manager.

Jefferson County School Impact Fee Update Study
Proposed Schedule

Task	Time Frame	Approximate Date
Receipt of Signed Contract	Late September	Sept 30, 2009
Data Needs Memo and Templates Sent	Two weeks after the receipt of contract	Oct 15, 2009
Kick-off Meeting (Conference Call)	Four weeks after the data needs memo was sent	The week of Nov 16, 2009
Receipt of All Requested Data	Two weeks after the kick-off meeting	Nov 30, 2009
Completion of Preliminary Analysis	Three months after the kick-off meeting	Nov 2009 - Feb 2010
Staff Review Meeting of Preliminary Results (Conference Call)		The week of Feb 15, 2010
Submittal of Draft Report	Eight weeks after the staff meeting	April 14, 2010
School Board/Board of County Commission Workshop (optional)	Two weeks after the submittal of the draft report	The week of May 3, 2010
Receipt of All Comments on the Draft Report	Three weeks after the submittal of the draft report	May 7, 2010
Final Report	Three weeks after the receipt of comments on the draft report	May 28, 2010
Adoption Hearing	TBD	June/July 2010

COST PROPOSAL

This section provides estimated professional fees and expenses to complete the scope of services described. This budget is based on the assumptions that the Consultant will receive the data in the format requested, will make only one set of changes to the draft report, and the data needed for the student generation rate analysis (GIS-based) will be provided in a format that is ready for analysis.

It should be noted that the budget does not include any on-site meetings. Should the County desire to add meetings, the meeting cost is estimated at $3,000 to $4,000 and includes the preparation for and attendance at the meetings with the County and School Board staff, and others, as appropriate and is based on one TOA staff attending the meetings.

Jefferson County School Impact Fee Update Study
Project Budget

Task	Fees & Expenses
Data Collection / Background Review	$2,655
Review and Analysis	$24,100
Preparation of Draft and Final Reports	$7,390
Professional Fees and Expenses	**$34,145**

Tab 5 - Experience Summary

REFERENCES

We encourage you to contact the following references regarding our past performance on similar projects.

Ms. Amy Patterson
Impact Fee Manager
Collier County
2800 North Horseshoe Drive
Naples, Florida 33942
(239) 774-8407

Mr. Rick Collins
Chief Financial Officer
Orange County Public Schools
445 W. Amelia Street
Orlando, FL 32801
(407) 317-3200

Mr. Chris Crowe, P.E.
Director of Long Range Planning and Permitting
School District of Osceola County
819 Bill Beck Blvd.
Kissimmee, FL 34744
(407) 518-2929

Mr. Rich Kizma
Chief Counsel
Volusia County Schools
200 North Clara Avenue
DeLand, FL 32720
(386) 734-7190 x20254

EXPERIENCE MATRIX

In this section we have provided the TOA Impact Fee Experience matrix, illustrating our team's extensive impact fee area experience.

RELATED PROJECT EXPERIENCE

Successful performance on similar jobs is best demonstrated through a sampling of projects requiring similar services and client references of individuals who can attest to our performance. We have included several related projects on the following pages to show our experience with impact fees, including schools.

CLIENT REFERENCE LETTERS

Immediately following the description of similar projects, we have provided several client reference letters.

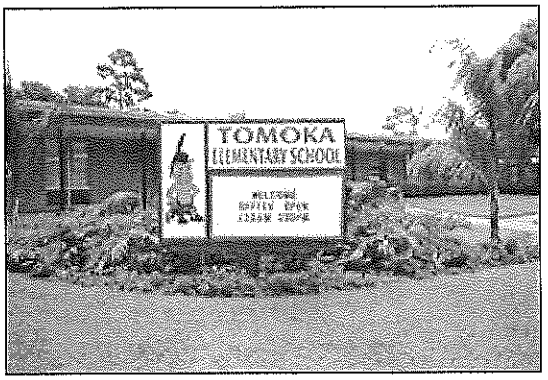
School Impact Fee Update Study
TOA Team Impact Fee Experience

	N. Port, FL (interlocal coord.)	Pasco Co., FL	Monroe Co., FL	Sarasota Co., FL	Horry County, SC	Missoula, MT	Frederick Co., MD	Sunny Isles Beach, FL	City of Eustis, FL	City of Lakeland Update	City of Miami - Dade Co., FL	City of Deland, FL	City of Oviedo, FL	City of Palm Bay, FL	City of Punta Gorda, FL	City of Tampa, FL	City of Tampa Update	City of Venice, FL	City of West Palm Beach, FL	Plant City, FL	Brevard Co., FL	Brevard Co. Update	Charlotte Co., FL	Citrus Co., FL	Flagler Co., FL	Indian River Co., FL	Manatee Co., FL	Marion Co., FL	Martin Co., FL	Martin Co., Update	Pinellas Co., FL	Pinellas Co. Update	Volusia Co., FL	Collier Co. FL	Collier Co. Update	Hernando Co., FL Update	City of Alpharetta, GA	City of Atlanta, GA	City of Calhoun, GA	City of Columbus, GA	City of Roswell, GA	Cobb Co., GA	Dekalb Co., GA	Douglas Co., CO

School Impact Fee Update Study
Volusia County, Florida

Tindale-Oliver & Associates, Inc.
Planning and Engineering

To ensure that the school impact fee is accurately reflecting the impact of new growth, Volusia County Schools originally retained Tindale-Oliver & Associates (TOA) in 2004 and again in 2007. As an extension of the 2007 update, TOA is in the process of updating the analysis to reflect more current cost, credit, and demand components.



Tomoka Elementary School in Ormand Beach

Project Highlights

- One-on-one meetings with members of the School Board and County Council to explain impact fee methodology and answer any specific questions from elected officials.

Project Issues

- Litigation on the previous impact fee updated in 1992 emphasized the need for a technically sound and defensible impact fee that would be acceptable to all parties involved.
- Census data used to develop the student generation rate seen as outdated.

New Smyrna Beach High School

Solutions Implemented

- Worked closely with School District staff to methodically review all data.
- Established a consensus-built methodology with the School Impact Fee Advisory Group that included representatives from the development community and other individuals appointed by the School Board.
- Developed a GIS-based student generation rate tying student addresses to the Property Appraiser's parcel database, ensuring a current measure of the students per unit for each land use in the fee schedule.

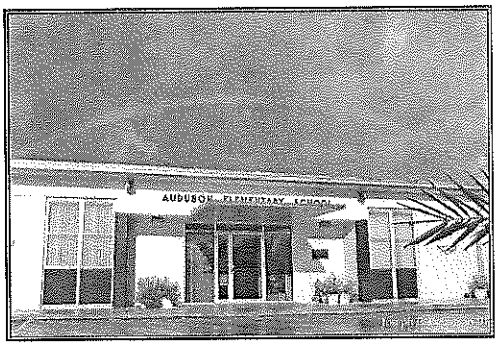
TOA Contact:
Bob Wallace
Vice-President
Tindale-Oliver & Associates, Inc.
1595 S. Semoran Boulevard
Winter Park, FL 32792
(407) 657-9210
bwallace@tindaleoliver.com

Client Contact:
Mr. Rich Kizma
Chief Counsel
Volusia County Schools
200 North Clara Avenue
DeLand, FL 32720
(386) 734-7190 x 20254
rkizma@volusia.k12.fl.us

School Impact Fee Study
Brevard County, Florida

Tindale-Oliver & Associates, Inc.
Planning and Engineering

By 2004, Brevard County had been continually experiencing growth over the past 20 years. To ensure that the impact of growth on the School District is being recovered, the County retained Tindale-Oliver & Associates, Inc., (TOA) to develop a new school impact fee program. This work effort included a review of existing and planned schools in the County, the level of service, and the demand, cost, and credit components. Several presentations were made to the Brevard County Board of County Commissioners explaining the foundation for the impact fee program. At the completion of the study, the impact fee was successfully adopted.



Audubon Elementary School

Project Highlights

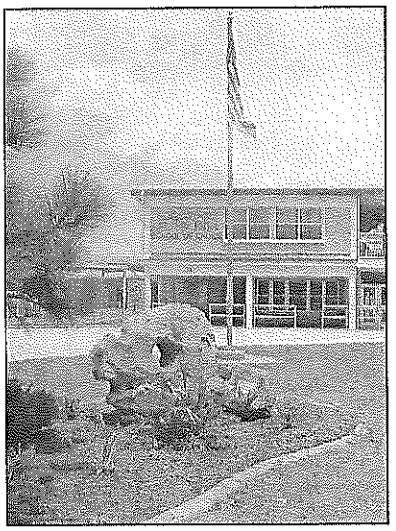
- Development of comprehensive impact fee methodology.

Project Issues

- Adoption of impact fee required buy-in from elected officials.

Solutions Implemented

- Conducted several presentations to the public and the Board of County Commissioners to explain the methodology and discuss recommendations.
- A comparison of proposed impact fee rates for Brevard County to the current impact fee rates of surrounding counties was completed and presented as part of the impact fee discussions.



Edgewood Jr./Sr. High School

TOA Contact:
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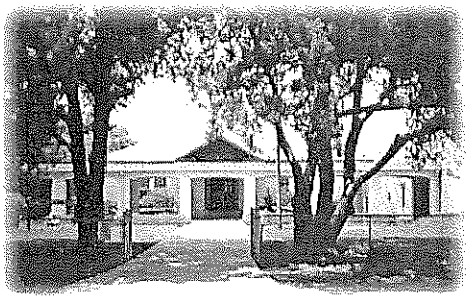
Vice-President
Tindale-Oliver & Associates, Inc.
1595 S. Semoran Boulevard
Winter Park, FL 32792
(407) 657-9210
bwallace@tindaleoliver.com

Client Contact:
Steve Swanke
Brevard County
2725 Judge Fran Jamieson Way,
Bldg. A 1st
Viera, FL 32940
(321) 633-2069

School Impact Fee Update Study
Citrus County, Florida

Tindale-Oliver & Associates, Inc.
Planning and Engineering

As part of a comprehensive impact fee update multiple fee programs, Tindale-Oliver & Associates, Inc., (TOA) was retained by Citrus County to complete a major update of the County's school impact fee program in 2003 and again in 2005.



Floral City Elementary School

Project Highlights

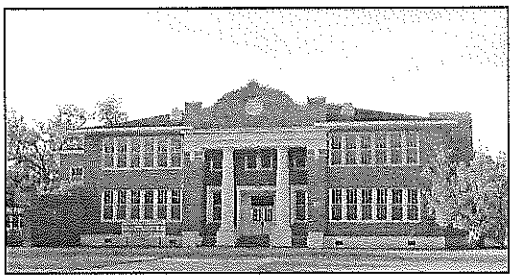
- One-on-one debriefing meetings with the County Commissioners regarding the results of the update study.
- Prepared comprehensive responses to external reviews of the update studies.

Project Issues

- Limited data on school facility construction and land replacement values.
- Decline in student generation rates throughout the County.

Solutions Implemented

- Reviewed a local construction cost bid estimate in detail and compared to the TOA database to compare construction bids for similar types of schools throughout Florida.
- For land, TOA conducted an analysis of countywide vacant land sales over the past several years to determine the appropriate replacement cost for parcels typical in size of what is purchased for new schools.
- Reviewed housing construction versus population trends augment Census 2000 data with building permit data. This resulted in a more current student generation rate.



Crystal River Middle School

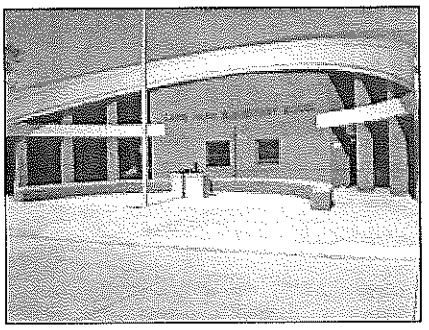
TOA Contact:
Nilgün Kamp, AICP
Director of Public Finance Services
Tindale-Oliver & Associates, Inc.
1000 North Ashley Drive, Suite 100
Tampa, Florida 33602
(813) 224-8862
nkamp@tindaleoliver.com

Client Contact:
Kevin Smith
Community Development Director
Citrus County
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461
(352) 253-4944
kevin.smith@bocc.citrus.fl.us

School Impact Fee Study Update
Collier County, Florida

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Collier County has been one of the most rapidly growing counties in Florida over the past several years. In addition, land values and construction costs have been rising rapidly. Tindale-Oliver & Associates, Inc., (TOA) has been contracted by Collier County repeatedly since 1992 to develop or update impact fees for eight program areas. In 2005, TOA was retained by Collier County to update its school impact fee program.



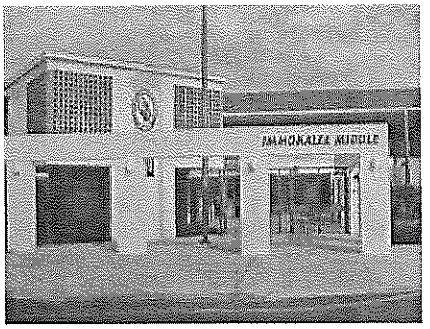
Lake Park Elementary in Naples

Project Highlights

- Worked closely with School District staff to review the data provided in detail.
- Completed a comprehensive update of the cost, credit, and demand components.

Project Issues

- High growth rate requiring additional student capacity.
- Significant increase in land values and construction costs.
- Concerns about higher school impact fees from the development community.
- Disputes over the appropriate methodology.



Immokalee Middle School

Solutions Implemented

- Prepared impact fee schedules using several different approaches. Explained each methodology and results during several meetings with the School Board and Board of County Commissioners.
- Reviewed construction bids and cost estimates in detail and prepared a study that accurately reflected school construction costs and presented the findings successfully to gain public support and/or respond to questions from the development community.
- Recommended indexing the school impact fee schedule between updates to mitigate the impact of construction and land cost increases between updates.

TOA Contact:
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Director of Public Finance Services
Tindale-Oliver & Associates, Inc.
1000 North Ashley Drive, Suite 100
Tampa, Florida 33602
(813) 224-8862
nkamp@tindaleoliver.com

Client Contact:
Amy Patterson
Impact Fee Manager
Collier County
2800 North Horseshoe Dr.
Naples, Florida 33942
(239) 403-2369
amypatterson@colliergov.net

School Impact Fee Study
Highlands County, Florida

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Tindale-Oliver & Associates, Inc., (TOA) was retained by Highlands County in 2006 to develop a comprehensive impact fee study for eight program areas, including the development of a school impact fee program.

Project Highlights

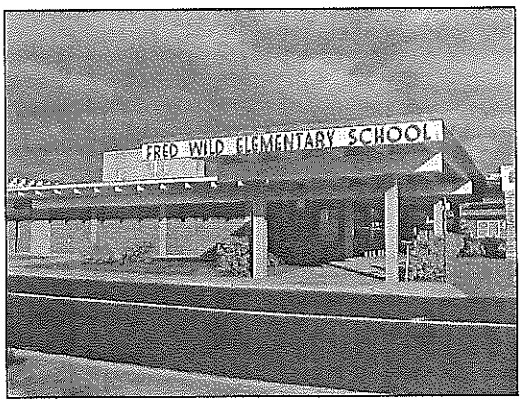
- One-on-one debriefing meetings with the County Commissioners regarding the results of the update study.
- Development of several administrative tools, including an annual indexing methodology and impact fee calculator.

Project Issues

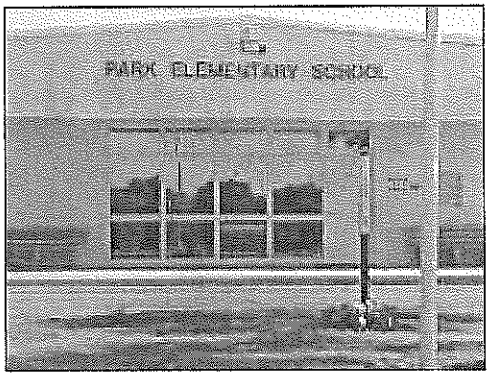
- A need for buy-in from the elected officials the community.
- Concern for of the potential effects of impact fees on workforce/affordable housing.

Solutions Implemented

- TOA coordinated closely with an Advisory Committee established by the County to ensure representation from elected officials, County staff, municipalities, developers, and other individuals identified by the Board of County Commissioners.
- Examples of impact fee policies designed to encourage workforce/affordable housing were researched and documented.



Fred Wild Elementary School in Sebring



Park Elementary School in Avon Park

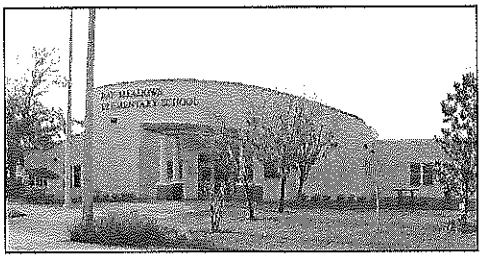
TOA Contact:
Nilgün Kamp, AICP
Director of Public Finance Services
Tindale-Oliver & Associates, Inc.
1000 North Ashley Drive, Suite 100
Tampa, Florida 33602
(813) 224-8862
nkamp@tindaleoliver.com

Client Contact:
Mr. Ramon Gavarrete, P. E.
County Engineer
Highlands County
505 South Commerce Ave.
Sebring, FL 33870
(863) 402-6877

School Impact Fee Update Study
Orange County, Florida

Tindale-Oliver & Associates, Inc.
Planning and Engineering

Orange County has historically implemented impact fees to address the infrastructure costs associated with new growth. In order to address recent cost and land value increases, Orange County Public Schools (OCPS) retained Tindale-Oliver & Associates, Inc., (TOA) to update its school impact fee program. Prior to updating the impact fee, Orange County retained TOA to facilitate the School Impact Fee Advisory Group (SIFAG), whose purpose was to develop a consensus-built methodology for use in the impact fee update.



Bay Meadows Elementary School in Orlando

Project Highlights

- Held 13 initial meetings with the School Impact Fee Advisory Group, resulting in the development of a consensus-built school impact fee methodology.
- Worked closely with OCPS staff to develop a technically sound and accurate impact fee update. The results of the update were then presented to the SIFAG for approval prior to being presented to the School Board and County Commission.

Blankner K-8 School in Orlando

Project Issues

- Multiple funding sources for capacity expansion, including future debt repayments for past projects that included expansion of school capacity.

Solutions Implemented

- Reviewed OCPS's historical capital expansion expenditures, debt service schedules, and future planned projects to provide an accurate revenue impact fee credit for each revenue source.

TOA Contact:
Nilgün Kamp, AICP
Director of Public Finance Services
Tindale-Oliver & Associates, Inc.
1000 North Ashley Drive, Suite 100
Tampa, Florida 33602
(813) 224-8862
nkamp@tindaleoliver.com

Client Contact:
Rick Collins
Chief Financial Officer
Orange County Public Schools
445 W. Amelia St..
Orlando, FL 32801
(407) 317-3200
richard.collins@ocps.net

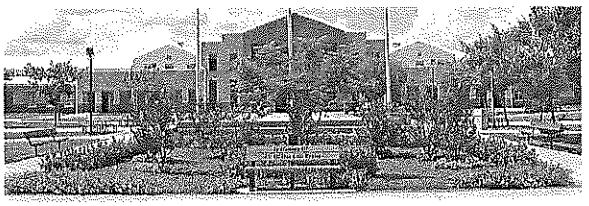
School Impact Fee Update Study
Osceola County, Florida

Tindale-Oliver & Associates, Inc.
Planning and Engineering

To ensure that the school impact fee is accurately reflecting the impact of new growth, the School District of Osceola County retained Tindale-Oliver & Associates (TOA) in 2008 to conduct a comprehensive update of the impact fee.

Project Highlights

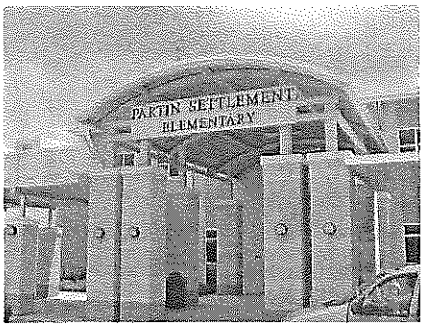
- At the onset of the update, the School District formed a Community Interest Group to review the proposed methodology and provide recommendations and input for consideration.



Poinciana High School

Project Issues

- Litigation on the previous impact fee updated in 2003 emphasized the need for a technically sound and defensible impact fee that was consistent with the court ruling.
- Census data used to develop the student generation rate seen as outdated and limited the types of land uses in the fee schedule.



Partin Elementary School

Solutions Implemented

- Completed a detailed review of legal documents to ensure that the proposed methodology is consistent with the court ruling.
- Worked closely with School District staff to conduct a detailed review of the methodology and data to ensure a conservative approach was consistently applied.
- Developed a GIS-based student generation rate tying student addresses to the Property Appraiser's parcel database, ensuring a current measure of the students per unit for each land use. This approach also allowed for the development of an expanded list of land uses in the impact fee schedule.

TOA Contact:
Nilgün Kamp, AICP
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1000 North Ashley Drive, Suite 100
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(813) 224-8862
nkamp@tindaleoliver.com

Client Contact:
Mr. Chris Crowe, P.E.
Director of Long Range Planning & Permitting
School District of Osceola County
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Kissimmee, FL 34744
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THE SCHOOL DISTRICT OF OSCEOLA COUNTY, FLORIDA

Long Range Planning and Permitting Services

809 Bill Beck Boulevard • Kissimmee • Florida 34744

Phone: 407-518-2967 • Fax: 407-518-2985 • www.osceola.k12.fl.us

September 3, 2009

Nilgün Kamp, AICP
Director of Public Finance Services
Tindale-Oliver & Associates, Inc.
1000 North Ashley Street, Suite 100
Tampa, Florida 33620

RE: Reference for Tindale-Oliver & Associates, Inc.

Dear Nilgün:

On behalf of the Osceola School District, I would like to thank you for your continuing work on the update of our school impact fee study. Given that we previously faced a law suit for the school impact fees, it is very important to the School District as well as Osceola County that this study would be technically sound and pass all scrutiny.

From the beginning of the study, our experience with Tindale-Oliver & Associates, Inc. has been very positive. TOA conducted a thorough analysis of all elements that affect the impact fee and met all the required deadlines. TOA staff was highly responsive and got back to us within a very short frame whenever we called with questions or concerns. Further, due to the state-of-the-art methodology TOA uses in determining student generation rates (GIS-based approach), we were able to address the requests from the development community, which required the separation of townhouses and condominiums from other land uses.

To date, the study was received very positively both by the community groups and our Board. TOA representatives gave effective presentations, which helped explain some of the complex issues in a straight-forward manner. Similarly, during the meetings with community interest groups, TOA was effective in responding to questions and explaining the study methodology, which helped gain the necessary support for the study.

We look forward to working with TOA toward the adoption of our fee as well as during future updates.

Sincerely,

Chris Crowe

Chris Crowe, P.E.
Director of Long Range Planning & Permitting Services
The School District of Osceola County, Florida

P.O. Box 2118
DeLand, Florida 32721-2118

200 North Clara Avenue
DeLand, Florida 32720

DeLand (386) 734-7190
Daytona Beach (386) 255-6475
New Smyrna Beach (386) 427-5223
Osteen (386) 860-3322

Dr. Margaret A. Smith
Superintendent of Schools

August 28, 2009

Robert P. Wallace, P.E., AICP
Vice President
Tindale-Oliver & Associates, Inc.
1595 S. Semoran Blvd., Suite 1540
Winter Park, FL 32792

RE: Reference for Tindale-Oliver & Associates, Inc.

Dear Bob,

I would be pleased to provide a reference for Tindale-Oliver & Associates, Inc. (TOA) to conduct school impact fee studies and other professional services. I worked with you and your firm during the 2004-2005 update and again during our most recent update process, which began in 2007.

At the onset of this recent update, Volusia County Schools formed a School Advisory Committee to assist in the development of the impact fee methodology and provide a recommendation to the School Board following completion of the draft report. In each and every meeting of the Advisory Committee, you and your staff presented the methodological components, data, and analysis in a clear and concise manner. While Advisory Committee members may not have agreed on impact fees in the end, there is no question that they were fully prepared to make an informed decision, based on the level of detail and the manner in which you presented the information.

TOA's experience and knowledge of school impact fees is directly reflected in its approach and technical analysis. Rather than providing a cookie-cutter impact fee calculation, TOA staff methodically reviews and understands the data in detail to arrive at the most accurate, localized, and defensible impact fees possible. In addition, TOA employs new and cutting-edge analyses rarely seen by other firms. For example, to address concerns over outdated student generation rate data, TOA used a Geographic Information Systems-based approach tying student address data to the Property Appraiser's parcel database. This progressive method ensured the demand component of the impact fee reflected the most current measure of the students per unit for each land use in the fee schedule.

Sincerely,

Richard Kizma
Chief Counsel

CITRUS COUNTY SCHOOL BOARD

1007 WEST MAIN STREET – INVERNESS, FLORIDA 34450-4698
TEL: (352) 726-1931
SUN COM: 647-1011
TDD: 726-6086

SANDRA "SAM" HIMMEL - SUPERINTENDENT

April 13, 2005

Robert P. Wallace, P.E., AICP
Vice President
Tindale-Oliver & Associates, Inc.
1000 N. Ashley Drive, Suite 100
Tampa, Florida 33713

Re: Citrus County School Impact Fee Update Study

Dear Bob,

On behalf of the Citrus County School District, I would like to take the opportunity to thank you and your staff for your work on the Citrus County School Impact Fee Update Study. Throughout the course of the project, you and your staff have proven to be extremely thorough and pay close attention to the detail required in an impact fee study. The technical report produced during this update reflects the technical expertise and professionalism of your firm.

Not only were you and your staff able to answer all of our questions and concerns throughout the course of the project, but also those of several other interested parties. The information contained in both the technical report and the various presentations to the School Board and the Board of County Commissioners explained complex impact fee concepts in an understandable manner and further contributed to the successful adoption of the updated fees.

Bob, it has been a pleasure working with you and your staff and I look forward to working with you in the future. I would highly recommended Tindale-Oliver to any organization in need of impact fee related projects.

Sincerely,

Sam Hurst
Director of Finance

#15

Laura Kuhn

From: "Leslie D. Smith" <ldsmith@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Thursday, September 03, 2009 2:15 PM
Subject: FW: 9/10/09 agenda

New business

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

-----Original Message-----
From: jbrockman@jeffersoncountywv.org
[mailto:jbrockman@jeffersoncountywv.org]
Sent: Thursday, September 03, 2009 10:29 AM
To: Leslie Smith
Cc: Jennifer Snyder
Subject: 9/10/09 agenda

Leslie --
Can you please place the following on the 9/10/09 agenda:
Recommendation on the hiring of the Public Clerk for the Departments of Planning and Zoning.
Thanks
Jennie
Sent on the SprintR Now Network from my BlackBerryR

#16

Jefferson County Emergency Communications
DEPARTMENTAL MEMORANDUM

RECEIVED

SEP 02 2009

Jefferson County Commission

TO: Jefferson County Commission
Leslie Smith, County Administrator

FROM: Todd Fagan, GIS Specialist
Jeff Polczynski, Director of Communications

DATE: September 2, 2009

SUBJECT: NEW BUSINESS REQUEST for Signature and Submission of 2010 Census New Construction Program Registration Form

---

Jefferson County should register for and participate in the 2010 Census New Construction Program. This is a relatively easy procedure whereby our office accounts for all new addressable structures constructed after March 1st, 2009 that may not have been accounted for during canvassing by Census Bureau enumerators this summer. We track and map these points through notice of building permits, footer inspections and addresses issued in the County and in all five Municipalities. Participation in this program ensures more current and accurate County data input to the 2010 decennial census.

Attached is a copy of the original letter and flyer from the Census Bureau explaining the program in greater detail. Also attached is a prepared fax cover sheet and the registration form, which requires completion of section B and signature from a Commissioner, preferably President Manuel.

Requested Administrative Action:

1. Complete Section B of form
2. Fax prior to October 8, 2009 to:

   US Census Bureau Regional Office - Detroit, MI

   Fax: 313-567-2119
3. CC: Todd Fagan with copy of the completed form for office records

Thank you very much.

OMB No. 9697-0795: Approval Expires 4/30/2012

FORM **D-1746**
(7-20-2009)

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

Registration Form: 2010 Census New Construction Program

Please complete this form and return it to your U.S. Census Bureau Regional Office

Entity ID Code
CO54037

Entity Name
Jefferson County

A. Participation Information

1. ☑ **YES! Our government would like to participate in the New Construction program.**

Select One Map Type For Reference Only:

☑ Reference Shapefile on CD-ROM (including an MTPS program disc for users without GIS software)

OR

☐ Reference PDF Maps on CD-ROM

2. ☐ **NO, we are not able to participate.** *Please select all that apply below.* We rely on your comments to help us improve the New Construction program.

a. ☐ Insufficient staff
b. ☐ Lack of funds
c. ☐ No time/too busy
d. ☐ No local address list available
e. ☐ Unable to provide electronic submission
f. ☐ No new addresses
g. ☐ Other reason: _____

SIGN HERE

B. Official Making this Commitment *(Please print)*

Name *(first, middle initial, last)*

Signature of official *(first, middle initial, last)*

Position *(Commissioner, Mayor, Supervisor, etc.)*

Telephone Number	**E-mail Address**	**Date** *(mm/dd/yy)*

C. Liaison Information

Please designate your official **2010 New Construction program** *liaison (work contact) by providing the following information.* ***(Please print)***

Name ***(Please Print*** *first, middle initial, last)* TODD S. FAGAN

Position ***(Please Print*** *Director, Assessor, Planner, etc.)* GIS SPECIALIST

Department, Organization, or Agency Name GIS/ADDRESSING OFFICE

Mailing Address 116 E. WASHINGTON ST., SUITE 201

City	**State**	**ZIP code**
CHARLES TOWN	WV	25414

Delivery Address *(House number and street name, the Census Bureau will ship all materials via FedEx. Fedex will not deliver to P.O. Box numbers or P.O. ZIP Codes.)*

SAME AS ABOVE

City	**State**	**ZIP code**

Telephone Number	**Fax Number**	**E-mail Address**
304-724-6759	304-724-8992	tfagan@jeffersoncountywv.org

JEFFERSON COUNTY GIS/ADDRESSING OFFICE

116 E. Washington Street, Suite 201
Charles Town, WV 25414
(304) 724-6759 • FAX (304) 724-8992

~ making Jefferson County a better place to live, work, and visit ~

To:	**Elizabeth Damberg**	From:	**Jefferson County, WV Commission**
Co:	**US Census Bureau**	Phone:	**304-724-6759**
Fax:	**313-567-2119**	Fax:	**304-724-8992**
Phone:	**1-866-511-5822**	Date:	**9/2/2009 12:41:37 PM**
CC:	**Todd Fagan**	Pages:	**2**

Comments:

Ms. Damberg,

What follows is a registration form for the 2010 Census New Construction Program. Jefferson County, WV, looks forward to participation in this important program.

If you have any questions, please do not hesitate to contact your liaison in the Jefferson County GIS/Addressing Office at (304) 724-6759 or via email at addressing@jeffersoncountywv.org.

D-1740
(6-2009)

UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Washington, DC 20233-0001
OFFICE OF THE DIRECTOR

Jefferson County
CO54037
Mr. Todd S Fagan

August 2009

SEQ–00059
MR. TODD S FAGAN
GIS SPECIALIST
ADDRESSING OFFICE
116 E WASHINGTON ST.
CHARLES TOWN, WV 25414–1072

Dear Mr. Todd S Fagan,

The U.S. Census Bureau recently invited the chief executive/highest elected official of your government to participate in the 2010 Census New Construction program. The New Construction program provides an opportunity for officials of local governments to submit a list of city-style addresses for housing units for which basic construction began during or after March 2009 and completion is expected by Census Day, April 1, 2010. The Census Bureau, using the participant supplied addresses, will visit and attempt to enumerate each newly constructed housing unit that has been identified as missing from our list.

The Census Bureau will have updated its address list through a field canvass in your jurisdiction in the spring/summer of 2009; the purpose of the New Construction program is to account for new housing units built after our field canvass was completed. The New Construction program is offered only to local and tribal jurisdictions that contain blocks where the Census Bureau plans to mail the 2010 Census questionnaires to the housing units. In other areas, Census Bureau enumerators will hand deliver questionnaires to all housing units in each block and record addresses for any new housing units.

The accuracy of the address list is critical to the census enumeration. Through participation in the New Construction program, your government can help assure that we achieve complete coverage in our enumeration of your jurisdiction.

The enclosed *2010 Census New Construction Program* flyer provides further information that may assist your government in deciding whether to participate in this program. Also enclosed is a copy of the New Construction program *Registration Form.*

Please review the enclosed information and contact your chief executive/highest elected official about your government's participation. Your chief executive/highest elected official received the form required to register and participate in the New Construction program. This form must be completed and received by the Census Bureau by October 8, 2009. If you decide to participate your New Construction submission must be received no later than 45 calendar days after you receive your New Construction materials.

Address submissions will only be accepted in electronic format. Program materials will include a choice of shapefiles or PDF maps for reference only. The New Construction program will not accept map updates.

Please continue with letter on reverse.

2010 Census New Construction Program

The 2010 Census New Construction program will help ensure that the U.S. Census Bureau's address list is as complete and accurate as possible by Census Day, April 1, 2010. The Census Bureau is updating its address list by field canvassing all blocks in the spring/summer of 2009. The New Construction program is the opportunity for you to submit city style mailing addresses for units constructed after the address canvassing operation. Addresses must have basic construction (closing the structure to the elements) completed by Census Day.

HOW IS THE NEW CONSTRUCTION PROGRAM ADMINISTERED?

The 2010 New Construction program operates as follows:

- The New Construction program is offered only to local and tribal jurisdictions that contain blocks where the Census Bureau plans to mail questionnaires to the housing units. In other areas, the Census Bureau will have enumerators hand deliver questionnaires to all housing units in each block and record addresses for any new housing units.
- Each invited government designates a New Construction liaison to submit the New Construction addresses for their jurisdiction.
- The Census Bureau will send the New Construction liaison the Census Bureau materials.
- The New Construction liaison must submit a list of city-style addresses, assigned to the census blocks within its jurisdiction in the Census Bureau predefined format. The maps or spatial data are for use as a reference for assigning Census tract and block codes (geocoding) for each submitted address. No street or boundary updates will be accepted. Address lists submitted without geocoding information will not be accepted.
- The New Construction program excludes Group Quarters addresses (places where people live or stay, in a group living arrangement, that is owned or managed by an entity or organization providing housing and/or services for the residents). The Census Bureau has a series of operations designed to capture new Group Quarters addresses, including but not limited to, Group Quarters Validation, Group Quarters Advanced Visit, Group Quarters Enumeration, and the Count Review program.

WHAT TYPE OF NEW CONSTRUCTION MATERIALS WILL I RECEIVE?

Address Template

An address list template record layout is included on your CD-ROM. This template will be used to format your local address file for submission.

Census Maps

The New Construction program maps are provided for geocoding purposes only. The reference maps are offered in PDF format or the participant may elect to receive the spatial data from TIGER® in shapefile format that requires a Geographic Information System software application for viewing. For those governments without a GIS software package, the Census Bureau will provide the MAF/TIGER Partnership Software (MTPS). The MTPS is an easy-to-use desktop tool that makes participation easier for jurisdictions without a GIS system. For governments choosing maps in PDF format, the Census Bureau will provide Adobe Reader software to view the PDF maps.

SCHEDULE

The registration form must be completed and received by the Census Bureau by October 8, 2009. The Census Bureau plans on shipping materials beginning November 2009. Participants have 45 calendar days to submit their addresses from receipt of materials.

QUESTIONS

If you have questions about the New Construction program, please contact your Census Bureau Regional Census Center at 1-866-511-5822.

Need all points between 3/1/09 and 4/1/10

#17

August 24, 2009

RECEIVED

AUG 26 2009

Jefferson County Commission

The Honorable Dale Manuel
President of the Jefferson County Commission
124 East Washington Street
Charles Town, WV 25414-1072

Re: West Virginia Housing Development Fund's
Low-Income Housing Tax Credit Program
Notification of the Local Jurisdiction

Dear Mr. Manuel:

The West Virginia Housing Development Fund ("the Fund"), as the allocating agency for the State of West Virginia, is responsible for the administration of the Low-Income Housing Tax Credit Program ("the Program"). As provided for in Section 42(m)(1)(A)(ii) of the Internal Revenue Code ("the Code"), the Fund is required to:

- notify the chief executive officer (or the equivalent) of the local jurisdiction within which the buildings in the property are located for all properties seeking an allocation of Low-Income Housing Tax Credits, and

- provide such individual with a reasonable opportunity to comment on the property.

In accordance with Section 42(m)(1)(A)(ii) of the Code, the Fund is hereby providing notice to you, as the President of the Jefferson County Commission (the chief executive officer of the local jurisdiction), within which the building(s) in the proposed Maple Green Apartments property are located. The Fund is also hereby requesting your comments, if any, on this property. Your comments are needed as described in the last paragraph of this letter.

Based upon the applicant's request for Low-Income Housing Tax Credits, we have prepared the following summary of the proposed property for your review and consideration in preparing your comments.

814 Virginia Street East, Charleston, WV 25301
(304) 345-6475 • 1-800-933-9843
www.wvhdf.com

Property Name: Maple Green

Property Location: 540 South Church Street, Shepherdstown, Jefferson County, West Virginia 25443

Property Owner: WV Preservation Associates, LLC

Property Developer: RHPA Developers, LLC

Number of Buildings in the Property: Two (2)

Number of Residential Rental Units in the Property: Twelve (12)

Non-residential Facilities: None

Property Type: Multi-Family Residential Rental

Occupancy Type: Family

Building Type: Garden

Area of Site: 0.95 Acres

Credit Type: Acquisition and Substantial Rehabilitation with Federal Subsidies

Type of Financing: Tax-Exempt Bond, USDA Rural Development, Tax Credit Assistance Program, and Developer Financing

If you need any additional information on the property that is not provided above, please do not hesitate to contact me.

In accordance with the provisions of the West Virginia Housing Development Fund's Low-Income Housing Tax Credit Program 2009 and 2010 Allocation Plan, the Fund will provide you with a 30-day period of time within which your comments on the proposed property described above should be made to the Fund. The 30-day period will begin on the day after this notification is sent (August 25, 2009). If we do not receive your comments on the proposed property within the 30-day period, the Fund will deem no response to this letter to be evidence of no opposition to the proposed property and the proposed property will continue for processing in the Low-Income Housing Tax Credit Program. Thank you for your cooperation and assistance in this matter.

Very truly yours,

WEST VIRGINIA HOUSING DEVELOPMENT FUND

Sherry B. Bossie, CPA
Senior Director of Multi-Family and Community Development & Technical Services

SBB:tre

cc: David W. Curtis
Nan Stevens

C:\LIHTCP\FORMS AND CORRESPONDENCE 2009(2010)/CEO LOCAL JURISDICTION NOTIFICATION LETTER MAPLE GREEN

#18

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
REAL ESTATE DIVISION
1409 Greenbrier Street
Charleston, West Virginia 25311

Joe Manchin III
Governor

Robert W. Ferguson, Jr.
Cabinet Secretary

Charles D. Lawrence, Jr.
Executive Director

August 27, 2009

RECEIVED

AUG 31 2009

Jefferson County Commission

County Commission of Jefferson County
Administrator's Office
P. O. Box 250
Charles Town, WV 25414

RE: **HHR-152-810**

Dear Lessor:

The attached addendum has been prepared in response to the **Department of Health and Human Resources** request for an amendment to the above-referenced contract of lease and in accordance with provisions of Chapter 5A, Article 3 of the West Virginia code, as amended.

After you have reviewed, approved and executed the attached, please return both documents to:

State of West Virginia
Department of Administration
Real Estate Division
1409 Greenbrier Street
Charleston, West Virginia 25311

The Executive Director of the Real Estate Division will execute the agreement on behalf of the State of West Virginia. After the addendum is approved by the State Attorney General, copies will be distributed to you, as Lessor; the State Auditor's Office; and the agency named as Tenant in the lease.

A signed monthly invoice shoud be submitted to the Tenant no later than the 12th day of each month for the current month's rent in order to provide adequate time for the agency to process syour rent check. If you prefer, invoices for several months in advance may be submitted at one time. Please process invoices the same as in the past for renewals, or for a new lease mail invoices to:

Department of Health and Human Resources
Building 3, Room 201
Charleston, WV 25305

Since the new rent cannot be paid until the addendum is fully processed, we request your prompt attention to these matters. If you have any questions or comments, please contact the Real Estate Division at the address shown or by telephone at 558-3062.

Sincerely,

Paige Strickland

Paige D. Strickland

cc: Greg Nicholson

ADDENDUM V

THIS ADDENDUM, made **August 18, 2009** is hereby made an integral part of Contract of Lease No. **HHR-152-809**, which Contract of Lease was made **August 19, 2003**, and amended via addenda thereto, by and between **County Commission of Jefferson County**, as Lessor, and the STATE OF WEST VIRGINIA, by the Department of Administration, Real Estate Division, as Lessee, for and on behalf of the **Department of Health and Human Resources**, as Tenant.

WHEREAS, the Lessor has leased unto the Lessee, for use by the Tenant, the following described Premises:

> **Approximately 2,878 square feet of space, consisting of 15 rooms in that building known as the Bardane Public Health Center at Bardane, Jefferson County, West Virginia, together with adequate parking facilities, (hereinafter referred to as the "Premises").**

WHEREAS, both parties hereto agree to extend the term of said Contract of Lease for one additional one-year period beginning **September 1, 2009,** and ending at midnight on **August 31, 2010,** at the current annual per square foot rate of **$6.50.**

WHEREAS, both parties hereto agree that the above-stated changes shall be effective **September 1, 2009.**

NOW, THEREFORE, THIS ADDENDUM WITNESSETH:

It is agreed by and between the parties hereto that certain sections of the subject Contract of Lease are amended as follows:

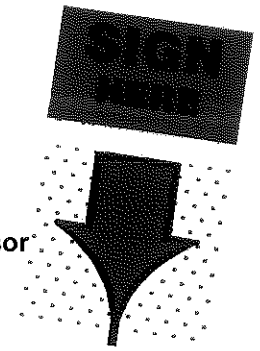
(A) Page 1, Item 1, entitled "TERM AND NOTICES", shall be amended to read as follows:

The term of this Contract of Lease, subject to the provisions hereof, shall begin on **September 1, 2009,** and end at midnight on **August 31, 2010**. This Contract of Lease shall be considered renewed for each ensuing fiscal year during the term of the lease unless it is canceled by the Lessee before the end of the then current fiscal year.

(B) Other Terms and Conditions:

The subject Contract of Lease shall now be identified as **HHR-152-810** to reflect the new expiration date. All other terms and conditions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed to this Addendum.



WITNESS:

County Commission of Jefferson County, Lessor

By_____

By_____
Dale Manuel, Commission President

STATE OF WEST VIRGINIA, LESSEE

By_____

By_____
Carolyn L. Thomas, Business and Portfolio Manager of the Department of Administration Real Estate Division, for and on behalf of the Department of Health and Human Resources

Acknowledged by Department of Health and Human Resources as Tenant

By_____ 8/28/09
Greg Nicholson, Chief of Operations

Approved as to form this _____ day of _____, 2009. Darrell V. McGraw, Jr. Attorney General

By _____Deputy Attorney General

ACCESS\Add\Renewal\HHR-152 mm

ADDENDUM V

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IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed to this Addendum.

WITNESS:

By_____

County Commission of Jefferson County, Lessor

By_____
Dale Manuel, Commission President

STATE OF WEST VIRGINIA, LESSEE

By_____

By_____
Carolyn L. Thomas, Business and Portfolio Manager of the Department of Administration Real Estate Division, for and on behalf of the Department of Health and Human Resources

Acknowledged by Department of Health and Human Resources as Tenant

By_____ 8/25/09
Greg Nicholson, Chief of Operations

Approved as to form this _____ day of _____, 2009. Darrell V. McGraw, Jr. Attorney General

By _____Deputy Attorney General

ACCESS\Add\Renewal\HHR-152 mm

#19

2009 Sep. 01

RECEIVED
SEP 01 2009
JEFFERSON COUNTY COMMISSION

Honorable County Commission
of Jefferson County
Charles Town, West Va.

Yesterday's Martinsburg Journal anounced a water geology conference to commence on Sep. 14th under the auspices of the State Division of Environmental Protection. I have been active in the field of water, water conservation, and water recycling for decades. I am a graduate of the West Va. State Dept. of Environmental Health one-year course on Waste Water Treatment, and have designed water facilities here and in South America.

The Jefferson County government should have a participant at this two-day conference. The fee is $100 in advance, or $120 at the door. As per Code the County Surveyor serves without pay, I respectfully propose that the County Goverment send me to the water geology conference.

Yours respectfully,

John Stroud Rissner
Jefferson County Surveyor of Lands

#20

JEFFERSON COUNTY SHERIFF'S OFFICE

DUI Patrol and Enforcement Program Grant Application

October 24, 2009 to January 24, 2009

West Virginia Commission on Drunk Driving Prevention

Funding Requested: $9800.00

Sheriff Robert E. Shirley

Lieutenant Thomas H. Hansen / Grant Coordinator

Jefferson County Sheriff's Office
102 Industrial Boulevard
Suite 100
Kearneysville, WV 25430

FEIN# 556000333

PROBLEM STATEMENT

Jefferson County has a population of approximately 60,000 residents and is a suburb and bedroom community of Washington D.C. Due to it's geographical location and the tourist attractions, such as Charles Town Races and Slots, Harpers Ferry National Park and historic Shepherdstown, Jefferson County has a constant influx of out-of-state drivers especially from Maryland, Virginia and Washington D. C.

There are numerous "Gentlemen's Clubs" located within Jefferson County or in adjacent Berkeley County, which are not available in surrounding states. Out-of-state residents travel to or through Jefferson County to partake in the entertainment at these establishments. All of the "Gentlemen's Clubs" and numerous other attractions within the county have liquor licenses and most of the visitors imbibe alcoholic beverages before continuing on to their home state. Another factor is that the closing times of alcohol establishments in Maryland and Virginia are earlier than in West Virginia and it is common that people will leave a club or bar in these adjoining states then come to Jefferson County to complete their merriment.

The Jefferson County Sheriff's Office averages 4000 calls for service per month which keeps the 20 patrol deputies very busy and the Sheriff's Office has a difficult time appropriating manpower and funds specifically for DUI enforcement. Even without the directed funds, the Jefferson County Sheriff's Office enforces the DUI laws aggressively and still made over 50 DUI arrests in the first 9 months of 2008. With the increases in standard calls for service, the constant influx of out-of-state motorists and the Jefferson County Sheriff's Office's desire to continue the fight against Drunk Drivers, the Jefferson County Sheriff's Office is requesting $9800.00 in funds from the West Virginia Commission on Drunk Driving Prevention.

The following statistics from January 2009 – June 2009 demonstrate the incidents of motor vehicle crashes, injuries and DUI arrests are a significant factor to the motorists in Jefferson County.

January 2009 – June 2009

Total Motor Vehicle Crashes	281
Total Motor Vehicle Crashes – Injuries	33
Total Motor Vehicle Crashes – Fatalities	4
Total Motor Vehicle Crashes – Alcohol Related	15
Total Motor Vehicle Crashes – Fatalities Alcohol Related	2
Total DMV Hearings Missed –	**0**
DUI Arrests **(January 2009 – June 2009)**	46

The Jefferson County Sheriff's Office will utilize DUI Grant funding to implement a DUI saturation patrol and enforcement program beginning October 24, 2009 and continue through January 24, 2009. The enforcement program will consist of roving DUI patrols and speed enforcement to apprehend drunk and impaired drivers within Jefferson County.

GOALS

1. To remove impaired drivers from the streets and highways of Jefferson County through a DUI saturation patrol and enforcement program. The saturation patrols will increase the probability of detection and apprehension of the impaired driver. The DUI saturation patrol and enforcement program will be brought to the attention of the public through the news media (Print, Television and Radio) and should serve to decrease the incidents of driving while impaired.

2. To reduce the loss of life, personal injuries and property damage as the result of alcohol related crashes.

3. To increase the numbers of individuals arrested by deputies for operating a motor vehicle:
   - A. While under the influence of alcoholic beverages
   - B. While under revocation for previous DUI arrests
   - C. While under suspension/revocation for administrative reasons
   - D. While DUI with minors in the vehicle

4. To increase the numbers of individuals arrested /cited by deputies for other violations of the West Virginia Code.

   - A. Open container violations
   - B. Speeding
   - C. Underage drinking of alcoholic beverages
   - D. Reckless driving.

OBJECTIVES

1. To increase the number of DUI arrests made by participating law enforcement officers by the conclusion of the DUI saturation patrol and enforcement program.

2. To decrease the number of alcohol related crashes and incidents by the conclusion of the DUI saturation patrol and enforcement program.

3. To eliminate missed DMV Administrative hearings.

IMPLEMENTATION

Lieutenant Thomas H. Hansen will serve as Grant Coordinator. During the duration of the DUI saturation patrol and enforcement program Lt. Hansen will be responsible for the following.

1. Identification of areas within Jefferson County to focus the enforcement efforts.

2. Scheduling of the deputies to work DUI Patrols
   A. One deputy per patrol cruiser
   B. Two deputies per shift
   C. Five-hour shift assignments.
      * The two exceptions of the 5 hour shift:
      a. Deputies that are assigned evening shift and end tour-of-duty at 0100 hours and commence DUI Patrol.
      b. Deputies making late DUI arrests.
   D. Due to the limit of the funds being requested and the overtime rates of deputies a limit of 10 hours per day, 2 days a week are available. DUI patrols will be conducted any day of the week (Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday) on random days. **There will be an emphasis on the two weekend nights**, but in order to allow a greater range of patrol dates all days will be eligible for the DUI patrols

3. Focus the public's attention through the media of the DUI saturation patrol and enforcement program.

4. Ensuring that participating deputies document their activities on the CDDP roving-patrol reporting form. Deputies will forward all completed forms, copies of citations and arrest paperwork to Lt. Hansen.

5. Tracking all activity and each arrest through to final adjudication.

PROJECTED EXPENDITURES

The amount of $9800.00 will be used for the overtime pay of participating deputies patrolling in their assigned Sheriff's Office cruiser working on the DUI saturation patrol and enforcement program. Calculations of the projected overtime monies required for the implementation of the program are based on an average overtime rate of $35.00 per hour. The deputies are projected to work approximately 280 hours during the grant period for a projected total of $9800.00

One deputy per cruiser will man the DUI patrols, two five hour DUI patrols per day. The patrols are designated for any day during the week (Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday) commencing on or after 0001 hours and ending no less than 5 hours later. The patrols will be selected on a random basis with a heavy emphasis on Friday and Saturday and holiday Sundays nights.

PROJECTED EXPENDITURES (Continued)

Deputies working the program will be required to document all activities and contacts made during their assigned DUI patrol. Each deputy will provide copies of all written warnings, citations and arrest paperwork to the grant coordinator. Lt Hansen will provide all documentation to the CDDP within the guidelines of the grant procedures.

ASSESSMENT

Assessment of the program will occur in the following manner:

A. The command structure of the Jefferson County Sheriff's Office will assess the performance of the individual deputies who work the project (productivity, court appearances, etc)

B. Lt. Hansen will assess the statistical outcome of the project to determine whether or not the listed objectives and goals were met. (citations issued, DUI Arrests, other alcohol related arrests or citations, other types of arrests, crash data, court appearances, etc)

MATCHING FUNDS

Jefferson County will match a substantial contribution to the CDDP grant in the following manner. The Jefferson County Office of the County Clerk's estimates that the approximate breakdown of matching benefits for the $9800.00 as follows:

Retirement	$1029.00
Medical Insurance	$00.00
Workers Compensation	$250.00

The Jefferson County Sheriff's Office will provide Police Patrol Cruisers and all related expenses of the daily operation of the vehicles (fuel, maintenance, oil, etc).

The source of these matching funds will be the operating budget of the Jefferson County Sheriff's Office and the equipment belongs to Jefferson County.

COURT AND DMV ATTENDANCE POLICY

It is the policy of the Jefferson County Sheriff's Office that all arrests are fully pursued to their completion through all venues within the judicial and administrative components of the adjudication process. Jefferson County Sheriff's Office Policy and Procedures Manual Section 9.14 entitled "Reporting for Duty" states: Members shall report for duty at the time and place required. This policy includes all duty assignments or duty requirements.

COURT AND DMV ATTENDANCE POLICY (Continued)

Through delegation from the Sheriff of Jefferson County, the civil section of the Sheriff's Office receives all subpoenas and appearance notifications. A copy of the subpoena/notification is signed for by the appropriate deputy and the court/hearing date is recorded on the Sheriff's Office court calendar.

Deputies that fail to report for court or administrative hearings without justifiable cause will result in disciplinary action and also no longer be permitted to work on the DUI saturation patrol and enforcement program.

SUMMARY

The Jefferson County Sheriff's Office continues to be committed to traffic safety, the enforcement of Drunk Driving laws and the arrest and prosecution of the offenders. As a suburb of Washington D.C. the motorists traveling within Jefferson County are diverse and different for their reasons for driving to and through the County as the license plates on their vehicles. Some are in the county to partake of the excitement of Charles Town Races and Slots or the Gentlemen's Clubs or simply enjoying a romantic dinner in olde towns Harpers Ferry or Shepherdstown, but the one common factor for many of the visitors is that they are at establishments that serve alcohol and when they leave those establishments, many have been drinking alcoholic beverages. The granting of these requested funds may help the Jefferson County Sheriff's Office to stop that motor vehicle crash with injuries due to a DUI operator.

The Jefferson County Sheriff's Office feels so strongly about DUI training and prosecution, that on a regular basis, allows one of it's members to be an adjunct instructor at the West Virginia State Police Academy and teach prospective city officers, county deputies and state troopers the correct procedure for DUI arrests.

Thank you for your consideration of the grant application. Any questions concerning this application may be directed to Lieutenant Thomas H. Hansen @ 304-728-3205 or thansen@jeffersoncountywv.org.

Lieutenant T. H. Hansen
Jefferson County Sheriff's Office
Administrative Lt / Grant Coordinator

CDDP #1
Revised 8/00

INSTRUCTIONS ON BACK

Commission on Drunk Driving Prevention Grant Application

FEIN: 556000333

1. Applicant Agency (Name, Address & Phone #)
Jefferson County Sheriff's Office
102 Industrial Blvd, Suite 100
Kearneysville, WV 25430
304-728-3205

2. Authorized Official (Name, Address & Phone #)
Dale Manuel, President Jefferson County Commission
PO Box 250
Charles Town WV 25414
304-728-3284

3. Project Director (Name, Address & Phone #)
Lieutenant Thomas Hansen
102 Industrial Blvd, Suite 100
Kearneysville, WV 25430
304-728-3205

4. Financial Officer (Name, Address & Phone #)
Jennifer Maghan, Jefferson County Clerk
PO Box 208
Charles Town, WV 25414
304-728-3208

5. Funding Requested:
$ 9800.00
(Note: Must match "Grand Total")

6. Grant Period Requested (mo day yr):
From: October 24, 2009 To: January 24, 2010

7. Grant Purpose and Need:

Purpose: To implement a DUI saturation patrol and enforcement program within Jefferson County.

Need: To provide funding for Deputies to perform the DUI saturation patrols in an over-time status.

8. Use of Grant Funds:

A. Personnel Services (Salaries)

Position/Title	Rate Per Pay Period X	# of Pay Periods X	% of Time Devoted	Salary Amount
1. Jefferson County Sheriff's Office	Average of $35.00 per hour	280 hours	100%	$9800.00
2.				
3.				
4.				
Total this Sub-Section				$ 9800.00

B. Employee Benefits (Does not apply to overtime grants)

Type	Calculation	Amount
1. Retirement		
2. Social Security		
3. Workers Compensation		
4. Health & Life Insurance		
5. Unemployment Compensation		
Total this Sub-Section		$

C. Equipment

Item	Description	Quantity	Unit Price	Amount
1.				
2.				
3.				
4.				
Total this Sub-Section				$

D. Other

	Description	Calculation	Amount
1.			
2.			
3.			
4.			
Total this Sub-Section			$

E. Grand Total (Sum of Lines A5, B6, C5 & D5 are to be entered here in block) $ 9800.00

9. Certification and Signature of Authorized Official

I hereby certify that the information presented in this grant application is true and correct to the best of my knowledge and belief.
I further certify that the appropriate governing body has approved this application and has authorized me to execute and submit the application on its behalf. **All** required participation on the part of our law enforcement officers, adjudication through administrative hearings will be adhered to.

Signature of Authorized Official	Title	Date
	President, County Commission	

CDDP USE ONLY

Action Taken: _____

Grant No. Assigned: _____

#21

JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV

RESOLUTION

WHEREAS, The Jefferson County Commission has agreed to assist the African-American Community Association of Jefferson County to continue the restoration of Fisherman's Hall. The project will include heating and cooling systems, electrical upgrades, drywall, and plumbing. The amount of the Community Participation Grant Award is $30,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission does hereby accept the conditions of the contract between the West Virginia Development Office and the Jefferson County Commission and does hereby authorize the signatures of the President of the Commission.

SIGN HERE

_____
DALE MANUEL
PRESIDENT
JEFFERSON COUNTY COMMISSION

DATED:_____

THE COUNTY COMMISSION OF JEFFERSON COUNTY

P.O. Box 250
124 East Washington Street
Charles Town, WV 25414

Phone: 304-728-3284 www.jeffersoncountywv.org Fax: 304-725-7916

Letter of Agreement
Community Participation Program
between the
Jefferson County Commission
and the
African-American Community Association of Jefferson County

THIS AGREEMENT, entered into this _____ day of _____, 2009, by the Jefferson County Commission and the African-American Community Association of Jefferson County its officers, agents, and representatives.

WITNESS THAT:

WHEREAS, the Jefferson County Commission has promised and agreed to act as funding agency to assist African-American Community Association of Jefferson County to perform specific tasks through funding from the Governor's Community Participation Program Grant.

NOW, THEREFORE, the parties hereby mutually agree as follows:

1. The Jefferson County Commission will serve as funding agency for the African-American Community Association of Jefferson County.

2. The African-American Community Association of Jefferson County agrees to abide by the terms and conditions of the Governor's Community Participation Program Grant Contract between the West Virginia Development Office and the Jefferson County Commission as contained herein. (attached)

3. This agreement shall be signed by the authorized officers, agents or representatives of the African-American Community Association of Jefferson County and the President of the Jefferson County Commission.

JEFFERSON COUNTY COMMISSION

_____
President

SIGN HERE

AFRICAN-AMERICAN COMMUNITY ASSOCIATION OF JEFFERSON COUNTY

By: _____
Title: _____

WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard, East • Charleston, WV 25305-0311
(304) 558-2234 • (800) 982-3386
www.wvopenforbusiness.com

August 28, 2009

RECEIVED

SEP 02 2009

Jefferson County Commission

The Honorable Dale Manuel
President
Jefferson County Commission
Post Office Box 250
Charles Town, West Virginia 25414

Dear Commissioner Manuel:

Congratulations on Governor Manchin's recent fiscal year 2009 Community Participation Grant award, in the amount of $30,000 to the Jefferson County Commission to enable the African-American Community Association of Jefferson County to continue the restoration of Fisherman's Hall. The project will include heating and cooling systems, electrical upgrades, drywall, and plumbing. Enclosed with this correspondence is a state/local contract between the West Virginia Development Office and the Jefferson County Commission.

Please review this document carefully. As the grantee, the Jefferson County Commission is responsible for compliance with this contract, including all applicable laws referenced in the contract, such as those pertaining to prevailing wage rates and competitive bid procedures. These requirements apply to any and all grants, including those dedicated to sub-grantees, such as nonprofit organizations.

The contract period outlined in this contract will expire June 30, 2010, without written authorization from the West Virginia Development Office and the reappropriation of funds by the West Virginia Legislature.

Once the Jefferson County Commission and legal counsel have reviewed the contract, the Jefferson County Commission must pass a formal resolution accepting the conditions of the contract and authorizing your signature on the last page. We will be unable to process a grant agreement until a signed contract and resolution are returned to this office.

I am looking forward to working with you on this worthwhile project. If you have any questions, please contact me at (304) 558-4010.

Sincerely,

Brandi Blankenship

Brandi Blankenship
Community Development Division

BB:kd

Enclosure

Project Number: 09LEDA0224

PROJECT NUMBER: 09LEDA0224

GOVERNOR'S COMMUNITY PARTICIPATION

GRANT PROGRAM CONTRACT

between the

WEST VIRGINIA DEVELOPMENT OFFICE

and the

JEFFERSON COUNTY COMMISSION

THIS AGREEMENT, entered into this 1st day of July, 2008, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

WITNESS THAT:

WHEREAS, the WVDEVO has promised and agreed to assist the Grantee to perform such tasks hereafter described in the scope of services, which is to be partially financed by funds made available through the Governor's Community Participation Grant program.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **Assistance of the Grantee**. The WVDEVO hereby agrees to assist the Grantee including all authorized officers, agents, and representatives, to perform such tasks and functions as set forth below in the scope of services.

2. **Scope of Services**. The Grantee, or its designated agent, shall do, perform and carry out, in a satisfactory and proper manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to enable the African-American Community Association of Jefferson County to continue the restoration of Fisherman's Hall. The project will include heating and cooling systems, electrical upgrades, drywall, and plumbing.

3. **Personnel**. The Grantee represents that it has, or will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.

4. **Time Performance**. The Grantee will commence its duties under this Contract on July 1, 2008, and such duties shall be undertaken and completed in such sequences as to assure their expeditious completion in the light of the purpose of the Contract; but, in any event, all of the services required hereunder shall be completed by June 30, 2010. The completion date of this contract may only be extended by mutual written agreement of both parties dependent on the reappropriation of funds under the Governor's Community Participation Grant program. If no such agreement exists, the Grantee shall not receive payment for services rendered or work performed relative to this grant after June 30, 2010.

5. **Compensation**. In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of $30,000. This amount constitutes complete compensation for all services rendered. In no instance shall the agreed upon compensation exceed $30,000 without the written consent of the Governor of the State of West Virginia.

6. **Method of Payment**. In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee. Upon receipt of said documents, the WVDEVO shall review the same for reasonableness and appropriateness.

7. **Changes**. The WVDEVO and the Grantee may, from time to time, require changes in the scope of the services of the work to be performed hereunder. Such changes, including any increase or decrease in the amount of the Grantee's compensation and work to be performed, which are mutually agreed upon by and between the WVDEVO and the Grantee, shall be incorporated in written amendments to this Contract.

8. **Sub-Grantees and Reversion of Property**. The Grantee may administer funds on behalf of sub-grantees, provided that such a sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should such a sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.

9. **Competitive Bid Procedures**. Competitive bidding shall be pursued in all instances. The Grantee must follow the more stringent of either state or local purchasing regulations. The West Virginia Purchasing Division requirements, at a minimum, are as follows: Commodities and services expected to cost $2,500 or less require no bids, however, competition is encouraged. Purchases between $2,500.01 and $5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases $5,000.01 to $25,000 require three written bids.

The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of over $25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than $25,000 shall be cause for termination of this agreement under the provisions of Paragraph 28. These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

The Grantee shall also, where feasible, solicit sealed bids by listing the project in the F. W. Dodge Reports, sending requests by mail to prospective suppliers or contractors, and by posting notice on a bulletin board in a public place. The Grantee shall have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance with these procedures.

10. **Project Wage Rates**. Every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost.**

The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

Further, the Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bid documents. The Grantee shall also have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance including copies of contractor's payrolls.

11. **Construction**. The Grantee shall procure construction contracts in accordance with West Virginia Code §5-22-1. **The state and its subdivisions shall, except as provided in this section, solicit competitive bids for every construction project exceeding $25,000 in total cost.**

Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.

The term construction shall mean any construction, reconstruction, improvement, enlargement, painting, decorating, or repair of any public improvement let to contract. These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

Any contracts under this agreement must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. This law applies to all construction contracts, regardless of cost. The Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bidding blanks.

The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

12. **Bonding**. The Grantee shall secure bonding in accordance with West Virginia Code §5-22-1. All bids submitted pursuant to this chapter shall include a valid bid bond or other surety as approved by the state of West Virginia or its subdivisions. Following the solicitation of such bids, the construction contract shall be awarded to the lowest qualified responsible bidder, who shall furnish a sufficient performance and payment bond: provided, that the state and its subdivisions may reject all bids and solicit new bids.

In the procurement of contracts or subcontracts for construction of less than $100,000, the Grantee shall follow local or State requirements relating to bid guarantees, performance bonds, and payment bonds, provided that the Grantee's and State's interests are adequately protected and that such contracts can be executed in a timely manner.

In the procurement of contracts or subcontracts for construction that exceed $100,000, the Grantee shall obtain the following:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

13. **Architecture and Engineering**. The Grantee shall procure architectural or engineering services in accordance with of the West Virginia Code §5G. In the procurement of_architectural and engineering services for projects estimated to cost $250,000 or more, the Grantee shall publish a Class II legal ad in compliance with West Virginia Code §59-3. In the procurement of services for projects estimated to cost less than $250,000, the Grantee shall conduct discussions with three or more professional firms.

14. **Design-Build**. The Grantee shall procure design-build projects in accordance with West Virginia Code §5-22A-1. This applies solely to building projects. Highways, water, sewer, and all other public works projects are specifically prohibited from using the design-build method.

15. **Environmental and Historical Assessment.** The Grantee shall comply with all applicable federal, state and local environmental and historical preservation laws and regulations. The Grantee acknowledges this requirement and certifies that the project will be in compliance with such laws and regulations.

16. **Equal Employment Opportunity**. With respect to employment in carrying out the program objectives, the Grantee agrees that it will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap.

17. **Facilities Accessible to the Handicapped**. The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A11/.1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

18. **Facilities Operation**. The Grantee shall operate and maintain all facilities constructed under the auspices of this Contract in accordance with minimum standards as may be required or prescribed by the applicable federal, state and local statute, law, ordinance or regulation as to actual construction procedures, as well as maintenance and operation of such facilities upon completion.

19. **Interest of Members of WVDEVO and Others**. No officer, member or employee of the WVDEVO or officer, member or employee of the Grantee who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or has any personal or pecuniary interest, nor shall any officer, member of, or

employee of, the Grantee or any member of its governing body, or officer, member, or employee of the contractor have any interest, direct or indirect, in this Contract or the proceeds thereof.

20. **Officials Not To Benefit**. No member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

21. **Inspections of Project Records**. At any time during normal business hours and as often as the WVDEVO or its designated representative may deem necessary, there shall be made available to the WVDEVO or its designated representative for examination, all of its records with respect to all matters covered by this Contract and permit the WVDEVO or its designated representative to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records and personnel, conditions of employment and other data relating to all matters covered by this Contract during the entire time period beginning with project approval and ending three years after the final disbursement of grant funds.

22. **Project Audits**. (a) The Grantee shall cause an audit of this program to be included in the audit of the Grantee performed by the West Virginia State Auditor's Office, Chief Inspection Division, or its designated representative in accordance with West Virginia Code
§6-9-7. The audit shall be performed in conformance with generally acceptable accounting procedures.

(b) In accordance West Virginia Code §12-4-14, if the grantee is not audited by the West Virginia State Auditor's Office and the grantee received state funds or grants in the amount of fifteen thousand dollars or more, the grantee shall file an audit of the disbursement of funds with the legislative auditor's office. The audit shall be filed within two years of the disbursement of funds or grants by the grantee and shall be made by an independent certified public accountant at the cost of the corporation, association or other organization, and must show that the funds or grants were spent for the purposes intended when the grant was made. State funds or audits of state funds or grants under fifteen thousand dollars ($15,000) may be authorized by the joint committee on government and finance to be conducted by the legislative auditor's office at no cost to the grantee.

23. **Reporting**. The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress. Failure to provide such reports as required by WVDEVO in a timely manner shall be cause for termination of this Contract under the terms of Paragraph 7.

24. **Fiscal Management**. The Grantee shall be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided under this Contract, as well as funds provided as the Grantee's matching share.

25. **Political Activity**. No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.

26. **Repayment**. The Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

27. **Resolution of Disputes**. Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any

manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.

28. **Termination of Contract for Cause**. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

Notwithstanding the above, the Grantee shall not be relieved of liability to the WVDEVO for damages sustained by the WVDEVO by virtue of any breach of the Contract by the Grantee, and the WVDEVO may withhold any payments to the Grantee for the purpose of set-off until such time as the exact amount of damages due the WVDEVO from the Grantee is determined.

29. **Termination for Convenience of WVDEVO**. The WVDEVO may terminate this Contract at any time by giving written notice to the Grantee of such termination and specifying the effective date of termination. If the Contract is terminated by the WVDEVO as provided herein, the Grantee will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Grantee covered by this Contract, less payments of compensation previously made.

30. **Termination by the Grantee**. The Grantee may unilaterally rescind this agreement at any time prior to the commencement of the project. After project commencement, this agreement may be rescinded, modified, or amended only by mutual agreement. A project shall be deemed commenced when the Grantee makes any expenditure or incurs any obligation with respect to the project.

31. **Signing**. This Contract shall be signed by the Executive Director of the West Virginia Development Office and by the President of the Jefferson County Commission upon authorization of the Jefferson County Commission by adoption and passage of a resolution, motion or similar official action.

IN WITNESS WHEREOF, the WVDEVO and the Grantee have executed this Agreement as of the date first above written.

STATE OF WEST VIRGINIA
WEST VIRGINIA DEVELOPMENT OFFICE

_____
Kelley M. Goes, Executive Director

JEFFERSON COUNTY COMMISSION

By: _____
Dale Manuel, President

SIGN HERE

Federal Employee Identification Number

55-6000333
F.E.I.N.

#32

New Business

Decision of Process of Distributing Budget Allocations to Fire Departments - Discussion/Action

#36

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, **October 1, 2009**, or as soon thereafter as the Commission may decide:

Sheriff's Civil Service Commission - One 4 year term ending September 29, 2013

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.

Information

SHERIFF'S CIVIL SERVICE COMMISSION

James B. Crawford, III
P.O. Box 711
Charles Town, WV 25414
w: 725-3426 / h: 725-8929
4 years 09/29/2009
Appointed by: Bar Association

Frank Rosario
518 Morison Street
Charles Town, WV 25414
728-7241
4 years 09/29/2009
Appointed by: County Commission

Ginger Burcker
954 Maplewood Court
Harpers Ferry, WV 25425
h: 725-9773
4 years 09/29/2011
Appointed by: Deputy Sheriff's Association

7-14-3

#37

Independent Fire Co. No. 1, Inc. **Organized 1884**

Mailing:
P.O. Box 925
Charles Town, WV 25414

Location:
200 West 2nd Ave.
Ranson, WV 25438

Phone: 304-725-2514

Fax: 304-728-6006

9-11 Remembrance

The Independent Fire Co. will be hosting its 8th annual 9-11 Remembrance ceremony on Friday, 11 September 2009 at 9:58 a.m. The ceremony will take place at the fire station, 200 W. 2nd Ave., Ranson, WV. It should last approximately ½ hour.

The eighth anniversary commemoration will occur between the times the World Trade Center Towers collapsed. Those killed and injured at the Pentagon, in Pennsylvania and in the war on terror will also be honored. Assisting will be members of the Jefferson High School Chorus, Cougar Air Force Junior ROTC and Washington High School Patriot Band. Bagpipe music will be presented by Joe Kent.

The public is encouraged to attend to help us remember. Available Police, Fire, EMS, and Military personnel are requested to attend, in uniform if possible.

Contact: Henry Christie, Chaplain 725-9622 (0), 279-6024 (c)

#28

Impact Fee Status Report
August 2009

Department of Capital Planning and Management/Office of Impact Fees

Summary

Date Range: Saturday 1 August through Monday 31 August 2009
Report Date: 01 September 2009.
Process Number Range: 0900086 - 0900098

Total Applications: 13

Total Non-Exempt: 11
Of which:
- Commercial: 0
- Residential: 11
  - *Of which:*
    - County: 11
    - Municipal: 0

Total Exempt: 2
Of which:
- Commercial: 0
- Residential: 2
  - *Of which:*
    - County: 2
    - Municipal: 0

Tables 1 through 7 summarize impact fee processing for the month of August 2009:

Table 1. Form 100 Tallies

	Exempt	Residential Applications	Commercial Applications	Total
1-31 August 2009	2	11	0	
Fees collected		$114,690.00		$114,690.00
Of which				
School Impact Fee		$99,590.00		$99,590.00
Law Enforcement Fee		$2,310.00		$2,310.00
Parks & Recreation Fee		$6,635.00		$6,635.00
Fire & EMS Fee		$6,155.00		$6,155.00

Table 2. Financial Data – Department of Impact Fees General Account (3111776)

Description	Amount
Opening Statement Balance (1 August 09)	$170,782.57
August Deposits (1 – 31 August 2009)	$114,690.00
Interest Earned (31 August 08)	$210.07
School July Transactions (withdraws via transfer on 10 August 2009)	($148,538.54)
Law July Transactions (withdraws via transfer on 10 August 2009)	($3,275.07)
Parks & Rec July Transactions (withdraws via transfer on 10 Aug 2009)	($9.789.52)
Fire & EMS July Transactions (withdraws via transfer on 10 August 2009)	($9,179.44)
Ending Statement Balance 31 August 2009)	$114,900.07
Outstanding Credits(deposits through 01 September 2009)	*0.00*

Table 3. Financial Data – School Impact Fee Account (3107582)

Description	Amount
Opening Balance (1 August 2009	$2,239,961.4
Interest Earned (31 August 2009)	$148,538.54
July Transactions (deposits via transfer on 10 August 2009)	$3,784.73
Ending Balance (31 August 2009)	$2,392,284.69

Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)

Description	Amount
Opening Balance (1 August 2009	$27,789.40
Interest Earned (31 August 2009)	$26.71
July Transactions (deposits via transfer on 10 August 2009)*	$3,275.07
Withdraw CHK 022 Requisition 09R0053	($15,015.00)
Ending Balance 31 August 09	$16,076.18

Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)

Description	Amount
Opening Balance (1 August 2009	98,245.91
Interest Earned (31 August 2009)	$169.18
July Transactions (deposits via transfer on 10 August 2009)	$9,789.52
Withdraw check 26 Requisition 09R0050	($132.80)
Withdraw check 27Requisition 09R0050	($132.80)
Withdraw check 29 Requisition 09R0051	($121.02)
Bank Balance (31 August 2009)	$107,817.99
Outstanding check 28	($5.85)
Unencumbered balance 31 August 09	$107,812.14

Table 6. Financial Data – Fire & EMS Impact Fee Account (3122816)

Description	Amount
Opening Balance (1 August 2009	$411,779.93
Interest Earned (31 August 2009)	$675.00
July Transactions (deposits via transfer on 10 August 2009)	$9,179.44
Ending Balance (31 August 2009)	$421,634.37

Table 7. Total Impact Fees as of 01 August 2009 /1

Description	Amount
Department of Impact Fees General Account	$114,900.07
School Impact Fee Account	$2,392,284.69
Law Enforcement Fee Account	$16,076.18
Parks & Recreation Impact Fee Account	$107,812.14
Fire & EMS Impact Fee Account	$421,634.37
Total	**$3,052,707.45**

Notes:
/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

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Form 100 Transaction Summary

Jefferson County Government – Department of Impact Fees

Applications with IFC Signature Dates/Form 190 Processing Dates between August 01, 2009 and August 30, 2009

Process Number	Application Date	Last Name	First Name	Tax District	Deed	Page	Tax	Parcel	Impact Fee	Agreement Date	Exemption Reason
0900094	08/07/2009	Hurley	Cecil	07 Middleway	1061	163	2	13.11	$0.00	08/07/2009	Replacement of habitable DU with another DU
0900098	08/27/2009	Todd	James	02 Charles Town	800	36	8A	37	$0.00	08/27/2009	Replacement of habitable DU with another DU

Category Count: 2 **Category Total** **$0.00**

Non-Exempt Applications											
0900086	08/05/2009		Ryan Homes	02 Charles Town	1023	159	9C	113	$9,868.00	08/05/2009	N/A
0900087	08/05/2009		Ryan Homes	02 Charles Town	1023	459	9C	114	$9,868.00	08/05/2009	N/A
0900088	08/05/2009		Ryan Homes	02 Charles Town	1023	459	9C	115	$9,868.00	08/05/2009	N/A
0900089	08/05/2009		Ryan Homes	02 Charles Town	1023	459	9C	116	$9,868.00	08/05/2009	N/A
0900090	08/05/2009		Ryan Homes	02 Charles Town	1023	459	9C	117	$9,868.00	08/05/2009	N/A
0900091	08/07/2009	Pavelko	James	04 Harpers Ferry	1066	520	13	29.28	$13,070.00	08/07/2009	N/A
0900092	08/07/2009		Dan Ryan	06 Kabletown	1042	498	20	6	$13,070.00	08/07/2009	N/A
0900093	08/07/2009		Dan Ryan	02 Charles Town	1001	68	9B	70	$0.00	08/07/2009	No change in use (commercial)
0900095	08/12/2009		THZ Enterprises	09 Shepherdstown	975	69	8C	236	$13,070.00	08/12/2009	N/A
0900096	08/12/2009		THZ Enterprises	09 Shepherdstown	975	69	8C	351	$13,070.00	08/12/2009	N/A
0900097	08/20/2009	Davis	Jill	04 Harpers Ferry	1043	137	15	78.8	$13,070.00	08/20/2009	N/A

Category Count: 11 **Category Total** **$114,690.00**
Grand Total **$114,690.00**

#29

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) 728-3231
Fax: (304) 724-1178
mschiavone@jeffersoncountywv.org

COPY

RECEIVED

SEP 02 2009

Jefferson County Commission

MEMORANDUM

TO: Leslie Smith, Vivian Fields, and Teresa Hendricks

FROM: F. Mark Schiavone

DATE: Tuesday, 01 September 2009

SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's School Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County School Impact Fee Account (Bank of Charles Town account 3107582)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of September 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900086** through **0900098**, inclusive. Within this range there were 11 non-exempt impact fee payments. This amounts to **$99,590.00**.
- Interest earned by the Office of Impact Fees General Account in September 2009 amounts to **$210.07**, of which **$182.76** is attributed to fees collected for School.

As per the attached invoice, the total amount of this transfer is $99,772.76.

Check # 718

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

Invoice

Number: 9040
Date: 9/1/2009

Bill To:	**Pay To:**
Department of Capital Planning and Management 114 E. Washington Street Charles Town, WV 25414	Jefferson County Sheriff 102 Industrial Blvd. Suite 100 Kearneysville, WV 25430

P.O. Number	**Vendor Number**
0	

Dept./Line Item # Charged	**Description**	**Amount**
	Impact Fee payments collected for month of August 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582).	$99,590.00
	Interest earned by the Office of Impact Fees General Account August 2009.	$182.76
	Impact Fee Process Numbers 0900086 through 0900098, inclusive. Within this range, there were 11 non-exempt impact fee payments.	
	Total:	**$99,772.76**

Notes/Comments: **Transfer of funds into School Impact Fee Account (3107582).**

655

Account Withdraws

Department of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 718

Trace 20090901:40975.02
Date 9/1/2009 **Series** 1

Recipient Sheriff of Jefferson County
Amount $99,590.00

Account 3107582
Signature 1 Dale Manuel
Signature 2 Bobby Shirley
Signature 3 Jennifer Maghan

Notes: fee transfer

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/6/2009	0900086	2003-3	11/24/2005	$8,560.00
8/6/2009	0900087	2003-3	11/24/2005	$8,560.00
8/6/2009	0900088	2003-3	11/24/2005	$8,560.00
8/6/2009	0900089	2003-3	11/24/2005	$8,560.00
8/6/2009	0900090	2003-3	11/24/2005	$8,560.00
8/10/2009	0900091	2003-3	11/24/2005	$11,358.00
8/10/2009	0900092	2003-3	11/24/2005	$11,358.00
8/13/2009	0900095	2003-3	11/24/2005	$11,358.00
8/13/2009	0900096	2003-3	11/24/2005	$11,358.00
8/21/2009	0900097	2003-3	11/24/2005	$11,358.00

Total amount for this withdraw $99,590.00

Total amount for this account $99,590.00
Total amount all accounts $99,590.00

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

COPY

F. Mark Schiavone
Director
Impact Fee Coordinator

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

RECEIVED

SEP 02 2009

Jefferson County Commission

MEMORANDUM

TO: Leslie Smith, Vivian Fields, and Teresa Hendricks

FROM: F. Mark Schiavone fm/

DATE: Tuesday, 01 September 2009

SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Law Enforcement Impact Fee Account (Bank of Charles Town account 3120120)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of September 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900086** through **0900098**, inclusive. Within this range there were 11 non-exempt impact fee payments. This amounts to **$2,310.00**.
- Interest earned by the Office of Impact Fees General Account in September 2009 amounts to **$210.07**, of which **$4.07** is attributed to fees collected for Law Enforcement.

As per the attached invoice, the total amount of this transfer is $2,314.07.

Check # 719

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

Invoice

Number: 9041
Date: 9/1/2009

Bill To:	Pay To:
Department of Capital Planning and Management 114 E. Washington Street Charles Town, WV 25414	Jefferson County Sheriff 102 Industrial Blvd. Suite 100 Kearneysville, WV 25430

P.O. Number	Vendor Number
0	

Dept./Line Item # Charged	Description	Amount
	Impact Fee payments collected for month of August 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120).	$2,310.00
	Interest earned by the Office of Impact Fees General Account August 2009.	$4.07
	Impact Fee Process Numbers 0900086 through 0900098, inclusive. Within this range, there were 11 non-exempt impact fee payments.	
	Total:	**$2,314.07**

Notes/Comments: **Transfer of funds into Law Enforcement Impact Fee Account (3120120).**

655

Account Withdraws

Department of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 719

Trace 20090901:41041.25
Date 9/1/2009 **Series** 2

Recipient Sheriff of Jefferson County
Amount $2,310.00

Account 3120120
Signature 1 Dale Manuel
Signature 2 Bobby Shirley
Signature 3 Jennifer Maghan

Notes: fee transfer

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/6/2009	0900086	2005-1	3/22/2005	$200.00
8/6/2009	0900087	2005-1	3/22/2005	$200.00
8/6/2009	0900088	2005-1	3/22/2005	$200.00
8/6/2009	0900089	2005-1	3/22/2005	$200.00
8/6/2009	0900090	2005-1	3/22/2005	$200.00
8/10/2009	0900091	2005-1	3/22/2005	$262.00
8/10/2009	0900092	2005-1	3/22/2005	$262.00
8/13/2009	0900095	2005-1	3/22/2005	$262.00
8/13/2009	0900096	2005-1	3/22/2005	$262.00
8/21/2009	0900097	2005-1	3/22/2005	$262.00

Total amount for this withdraw $2,310.00

Total amount for this account $2,310.00
Total amount all accounts $2,310.00

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

COPY

F. Mark Schiavone
Director
Impact Fee Coordinator

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

RECEIVED
SEP 02 2009
Jefferson County Commission

MEMORANDUM

TO: Leslie Smith, Vivian Fields, and Teresa Hendricks

FROM: F. Mark Schiavone

DATE: Tuesday, 01 September 2009

SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Parks & Recreation Impact Fee Account (Bank of Charles Town account 3122808)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of September 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900086** through **0900098**, inclusive. Within this range there were 11 non-exempt impact fee payments. This amounts to **$6,635.00**.
- Interest earned by the Office of Impact Fees General Account in September 2009 amounts to **$210.07**, of which **$12.60** is attributed to fees collected for Parks & Recreation.

As per the attached invoice, the total amount of this transfer is $6,647.60.

Check # 720

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

Invoice

Number: 9042
Date: 9/1/2009

Bill To:	**Pay To:**
Department of Capital Planning and Management 114 E. Washington Street Charles Town, WV 25414	Jefferson County Sheriff 102 Industrial Blvd. Suite 100 Kearneysville, WV 25430

P.O. Number	**Vendor Number**
0	

Dept./Line Item # Charged	**Description**	**Amount**
	Impact Fee payments collected for month of August 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808).	$6,635.00
	Interest earned by the Office of Impact Fees General Account August 2009.	$12.60
	Impact Fee Process Numbers 0900086 through 0900098, inclusive. Within this range, there were 11 non-exempt impact fee payments.	
	Total:	**$6,647.60**

Notes/Comments: **Transfer of funds into Parks & Recreation Impact Fee Account (3122808).**

Account Withdraws

Department of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 720

Trace 20090901:41093.64

Date 9/1/2009 **Series** 3

Recipient Sheriff of Jefferson County

Amount $6,635.00

Account 3122808

Signature 1 Dale Manuel

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: fee transfer

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/6/2009	0900086	2005-2	5/12/2005	$575.00
8/6/2009	0900087	2005-2	5/12/2005	$575.00
8/6/2009	0900088	2005-2	5/12/2005	$575.00
8/6/2009	0900089	2005-2	5/12/2005	$575.00
8/6/2009	0900090	2005-2	5/12/2005	$575.00
8/10/2009	0900091	2005-2	5/12/2005	$752.00
8/10/2009	0900092	2005-2	5/12/2005	$752.00
8/13/2009	0900095	2005-2	5/12/2005	$752.00
8/13/2009	0900096	2005-2	5/12/2005	$752.00
8/21/2009	0900097	2005-2	5/12/2005	$752.00

Total amount for this withdraw $6,635.00

Total amount for this account $6,635.00

Total amount all accounts $6,635.00

COPY

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

RECEIVED
SEP 02 2009
Jefferson County Commission

TO: Leslie Smith, Vivian Fields, and Teresa Hendricks

FROM: F. Mark Schiavone FMS

DATE: Tuesday, 01 September 2009

SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Fire & EMS Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Fire & EMS Impact Fee Account (Bank of Charles Town account 3122816)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of September 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900086** through **0900098**, inclusive. Within this range there were 11 non-exempt impact fee payments. This amounts to **$6,155.00**.
- Interest earned by the Office of Impact Fees General Account in September 2009 amounts to **$210.07**, of which **$10.64** is attributed to fees collected for Fire & EMS.

As per the attached invoice, the total amount of this transfer is $6,165.64.

Check # 721

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

Invoice

Number: 9043
Date: 9/1/2009

Bill To:	Pay To:
Department of Capital Planning and Management 114 E. Washington Street Charles Town, WV 25414	Jefferson County Sheriff 102 Industrial Blvd. Suite 100 Kearneysville, WV 25430

P.O. Number	Vendor Number
0	

Dept./Line Item # Charged	Description	Amount
	Impact Fee payments collected for month of August 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Fire & EMS Impact Fees Bank Account (3122816).	$6,155.00
	Interest earned by the Office of Impact Fees General Account August 2009.	$10.64
	Impact Fee Process Numbers 0900086 through 0900098, inclusive. Within this range, there were 11 non-exempt impact fee payments.	
	Total:	**$6,165.64**

Notes/Comments: **Transfer of funds into Fire & EMS Impact Fee Account (3122816).**

Account Withdraws

Department of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 721

Trace 20090901:41149.5
Date 9/1/2009 **Series** 4

Recipient Sheriff of Jefferson County
Amount $6,155.00

Account 3122816
Signature 1 Dale Manuel
Signature 2 Bobby Shirley
Signature 3 Jennifer Maghan

Notes: fee transfer

Deposit Date	Process Number	Ordinance	Enact Date	Amount
8/6/2009	0900086	2005-3	5/12/2005	$533.00
8/6/2009	0900087	2005-3	5/12/2005	$533.00
8/6/2009	0900088	2005-3	5/12/2005	$533.00
8/6/2009	0900089	2005-3	5/12/2005	$533.00
8/6/2009	0900090	2005-3	5/12/2005	$533.00
8/10/2009	0900091	2005-3	5/12/2005	$698.00
8/10/2009	0900092	2005-3	5/12/2005	$698.00
8/13/2009	0900095	2005-3	5/12/2005	$698.00
8/13/2009	0900096	2005-3	5/12/2005	$698.00
8/21/2009	0900097	2005-3	5/12/2005	$698.00

Total amount for this withdraw $6,155.00

Total amount for this account $6,155.00
Total amount all accounts $6,155.00

#30

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
http://appropriations.senate.gov

August 13, 2009

RECEIVED
AUG 28 2009
Jefferson County Commission

The Honorable Dale Manuel
President
Jefferson County Commission
Post Office Box 250
Charles Town, West Virginia 25414

Dear Dale:

Thank you for contacting my office about H.R. 2986, the National Capital Region Land Conservation Act of 2009. I appreciate your taking the time to provide me with the benefit of your thinking on this matter.

As you are aware, Dale, I recognize the importance of preserving the Mountain State's great natural beauty. In the Senate, I have worked hard to protect and enlarge national parks, rivers, trails, and recreation areas in West Virginia. In Jefferson County, I have provided millions of dollars in federal funding for the National Park Service to extend the boundaries at Harpers Ferry National Park.

H.R. 2986 is currently pending before the House of Representatives. At this time, no similar bills have been introduced in the Senate. Nevertheless, you may be assured that I will keep your views in mind.

With kind regards, I am

Sincerely yours,

Robert C. Byrd

RCB:rd

#31

NACo Prescription Drug Discount Card Program

Jefferson County, WV

MONTH	TOTAL	PLAN PRICED	% OF PLAN PRICED	RETAIL PRICED	% OF RETAIL PRICED	MEMBER COST	AVG MEMBER COST	RETAIL SUBMITTED PRICE	AVG RETAIL SUBMITTED PRICE	PRICE SAVINGS	AVG PRICE SAVINGS	% OF PRICE SAVINGS	TOTAL UTIL-IZERS
2009													
JULY	178	109	61.24%	69	38.76%	$ 6,111.20	$ 34.33	$ 8,049.83	$ 45.22	$ 1,938.63	$ 10.89	24.08%	72
JUNE	165	115	69.70%	50	30.30%	$ 5,829.95	$ 35.33	$ 8,038.29	$ 48.72	$ 2,208.34	$ 13.38	27.47%	69
MAY	132	89	67.42%	43	32.58%	$ 4,715.15	$ 35.72	$ 6,234.28	$ 47.23	$ 1,519.13	$ 11.51	24.37%	59
APRIL	108	70	64.81%	38	35.19%	$ 5,222.65	$ 48.36	$ 6,718.16	$ 62.21	$ 1,495.51	$ 13.85	22.26%	52
MARCH	69	48	69.57%	21	30.43%	$ 2,677.59	$ 38.81	$ 3,480.86	$ 50.45	$ 803.27	$ 11.64	23.08%	34
FEBRUARY	11	7	63.64%	4	36.36%	$ 402.25	$ 36.57	$ 521.64	$ 47.42	$ 119.39	$ 10.85	22.89%	5
TOTALS:	663	438	66.06%	225	33.94%			$ 33,043.06	$ 49.84	$ 8,084.27	$ 12.19	24.47%	291.00

Column Headers from left to right:

1. Total Rxs: This is the total number of Rxs that were adjudicated or attempted to adjudicate through the use of the card (the explanation of the next couple of headers will help explain the necessity of this column).
2. Plan Priced Rxs: Caremark tracks all attempts to use the cards including when the pharmacy offers a lower price than the card can give. This is usually when the pharmacy sells a drug at cost or below cost to create foot traffic for the pharmacy or under a special purchase arrangement. This is the amount of Rxs that the card gave the best price vs. the pharmacy.
3. % Plan Priced Rxs: What percentage of the total attempted Rxs adjudicated via best price with the card.
4. Retail Priced Rxs: How many prescriptions where the pharmacy had a lower price.
5. % Retail Priced Rxs: Percentage of Rxs where the pharmacy had a lower price.
6. Total Drug Cost: All prescriptions totaled together at their card discount prices.
7. Average Drug Cost: Average Drug Cost per Rx at the card discounted price.
8. Retail Submitted Price: What the price would have been if the prescriptions weren't filled with the card.
9. Average Retail Submitted Price: Average Per Prescription price if the card wasn't presented at a discount.
10. Price Savings: Total dollar savings for all Rxs filled with the card.
11. Average Price Savings: Average price savings per prescription.
12. % Price Savings: Percentage price savings per prescription.
13. Total Utilizers: This is the total amount of people who represent the total amount of prescriptions *i.e.* some people fill multiple prescriptions. This gives you an indication of how many residents you are helping.

As always, if you have questions, don't hesitate to contact me. Thank you for being a member county, borough or parish and participating in this member program.

Andrew Goldschmidt
Director, Membership/Marketing
NACo--National Association of Counties

32

PRESS RELEASE

World-Class Information and Cyber Security Experts come to West Virginia
Governor Joe Manchin III Planning to Attend Opening Ceremonies

On October 19, three dynamic presentations delivered by world-class experts in the areas of cyber threats, effective practices to safeguard computer information, with an emphasis on individual responsibility, accountability, risk management, and privacy issues will take place at the West Virginia Culture Center.

This free, day-long program is offered by the West Virginia Office of Technology's Office of Information Security and Controls (www.wvot.gov/itsecurity) for public sector officials and employees. In addition, the general public and private sector companies are encouraged to attend or participate through a live webcast of the event. Group viewing opportunities in remote locations, such as schools, colleges and universities, and local State offices is highly recommended. Signon information will be provided via e-mail after event registration.

Governor Joe Manchin will proclaim October as National Information/Cyber Security Month in West Virginia and be joined by state Information Technology, privacy, and emergency management experts, as well as representatives from the U.S. Department of Homeland Security.

Featured speakers include **Ira Winkler (www.irawinkler.com)**, a global authority, acclaimed speaker and often referred to as a "Modern Day James Bond". Mr Winkler has authored several books including *Zen and the Art of Information Security*, and *Spies Among Us*. Autographed copies of Winkler's books will be given as door prizes for attendees who check-in on-site prior to 9:30 am, and additional copies will awarded from a drawing of attendee evaluations collected at the venue, and submitted online.

Patrick Gray, Senior Security Strategist at Cisco and 20 year veteran of the FBI, will focus on the variety of threat vectors, and how public sector data is at risk. **Perry Carpenter**, Gartner Research Director on Information Security and Privacy, will underscore the value of broad Information and Cyber Security Awareness, and personalizing this goal.

"There is something of value in this day's events for everyone. We are planning for a significant turnout, on-site and online" said Jim Richards, West Virginia's Chief Information Security Officer.

While the event is free, all attendees must be pre-registered. Online information and registration is available at www.wv.gov/services/pages/infosec-conference.aspx. Seating priority will be given to public sector employees, and full-day participants.

Doors at the Culture Center will open at 8:30 a.m. for on-site check-in. The event will begin at 9:45 a.m. and is scheduled to conclude at 3 p.m.

33

Morgan County Commission

77 Fairfax Street, Room 101
Berkeley Springs, West Virginia 25411
258-8540

-COMMISSIONERS-

THOMAS R. SWAIM
1671 FAIRVIEW DRIVE
BERKELEY SPRINGS
WV 25411
258-3109

BRENDA J. HUTCHINSON
5154 MILO SCHOOL ROAD
GREAT CACAPON
WV 25422
947-7713

STACY A. DUGAN
401 S. LAUREL AVENUE
BERKELEY SPRINGS
WV 25411
258-9648

RECEIVED

AUG 28 2009

Jefferson County Commission

August 27, 2009

Jefferson County Commission
P.O. Box 250
124 E. Washington Street
Charles Town, WV 25414

Honorable Commission;

We are writing in reference to your Director of Capital Planning and Management and Impact Fee Coordinator, Mr. Mark Schiavone.

We had the pleasure of meeting with Mark, at our Planning Commission's request, last week to talk about the structuring of impact fees and their implementation. Mark was kind enough to travel to Berkeley Springs to meet with ourselves along with a few of the Morgan County Planning Commission members and staff.

As I'm sure you are aware, the entire impact fee process is a complicated and detailed task. Mark is very informative and detailed in his explanation as to how the process works and why. He spent several hours with us exploring all aspects of the process and answering all of our questions in a professional and detailed manner. It was a beneficial meeting for all who attended.

In closing, we wanted to pass along to you our sincere appreciation for having Mark visit with us. He represents Jefferson County government as a professional and well educated employee. Thank you again for allowing us to share his knowledge and expertise.

Sincerely,

Brenda J. Hutchinson

Brenda J. Hutchinson, President
Morgan County Commission

Stacy A. Dugan

Stacy A. Dugan
Morgan County Commission

Thomas R. Swaim

Thomas R. Swaim
Morgan County Commission

Middleway Volunteer Fire Company, Inc
PO Box 1
Summit Point, WV 25446

9/1/09

Jefferson County Commission

It was brought to my attention form the President of the JCESA after last months JCESA meeting that the Jefferson County Commission was aware of a sexual discrimination complaint filed against us with the WV Human Rights Commission and are concerned about awarding us our CIP request due to the complaint. We would like to inform you that we have just received this complaint yesterday and it is completely with out merit and we have documentation to that fact and welcome the chance to answer it. The Middleway Volunteer Fire Company, Inc does not discriminate against anyone and as a matter of fact we have several female members who will attest to the fact that they get more training and fair treatment here than any other fire company that they have been a member of. The member who filed this complaint has made similar statements and complaints about multiple other fire companies that they have been a member of in Berkley County. She also went on to tell us, after her membership was approved, that she did not join other Jefferson County fire companies because she did not like the way they treated female members.

We would ask that the Jefferson County Commission to approve our CIP request as the MVFC needs these funds to assist in the construction of our station. We have located and are in the process of purchasing a parcel of land on Leetown Rd. just south of Middleway.

If you have any questions please do not hesitate to call me at 304-582-0204.

Sincerely,
Michael Mood
President/ Chief
MVFC

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WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard, East • Charleston, WV 25305-0311
(304) 558-2234 • (800) 982-3386
www.wvopenforbusiness.com

MEMORANDUM

TO: West Virginia Mayors
West Virginia County Commission Presidents
West Virginia Local Developers
West Virginia Regional Planning and Development Council Directors
And Other Concerned Parties

FROM: Delphine D. Coffey, WV ON TRAC Coordinator

CC: Main Street West Virginia certified communities

DATE: August 1, 2009

RE: West Virginia ON TRAC application workshop

You are invited to an application workshop for the ON TRAC community economic revitalization program. This workshop will provide tips and techniques to help a community successfully apply for designation as an ON TRAC community. **Attendance is required for application to the ON TRAC program.**

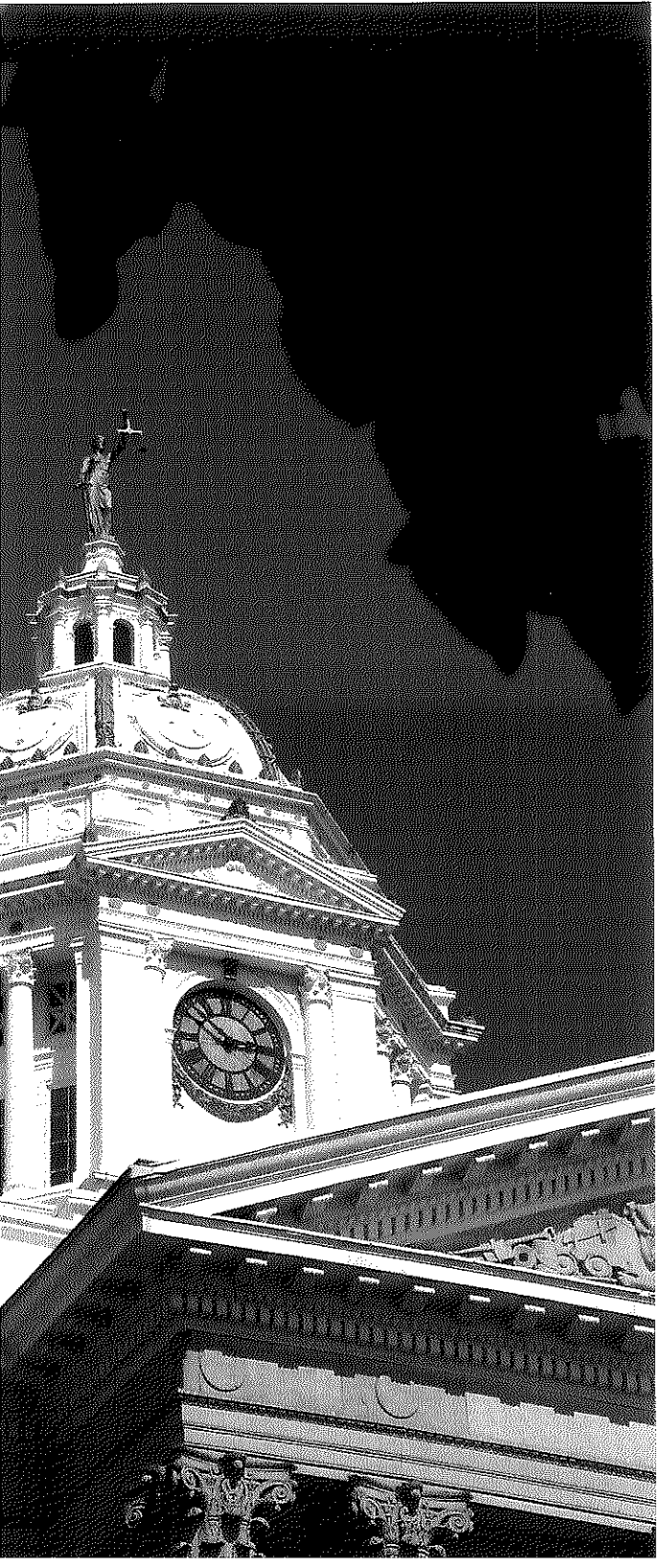
The ON TRAC program is made possible by Governor Manchin through his dedication in boosting economic community growth for incorporated area's downtowns and neighborhoods. Please accept this invitation to apply for one of up to six (6) West Virginia ON TRAC affiliations available in 2010. This will be the second round of communities selected to participate in this new program. Designation does not apply to West Virginia's twelve (12) Main Street communities who serve as mentors to ON TRAC programs.

The name ON TRAC is an acronym for Organization and Training for Revitalization and Capacity. ON TRAC is designed to assist interested dedicated West Virginia communities in their efforts to stimulate innovation. The goals of the program are to evaluate, educate and assist communities in these efforts. The enclosed brochure gives more specific details on the program.

The 2009 ON TRAC application workshop will be presented on the following date:

Date	Location	Time
Thursday, October 8, 2009	Landmark Theater for the Arts 401 Main Street, Sutton, WV	1:00 pm –3:00 pm

Registration is required to assist with planning for the workshop. Please contact me at the following with the name of the community and the number of people that will be attending. Contact me at dcoffey@wvdo.org or 304-957-2011. Please leave a message if I am not available. In addition, feel free to contact me with any questions regarding this program.



2009 West Virginia ON TRAC
Application Workshop
October 8, 2009 1:00-3:00 pm
Landmark Theater for the Arts
401 Main Street, Sutton, WV

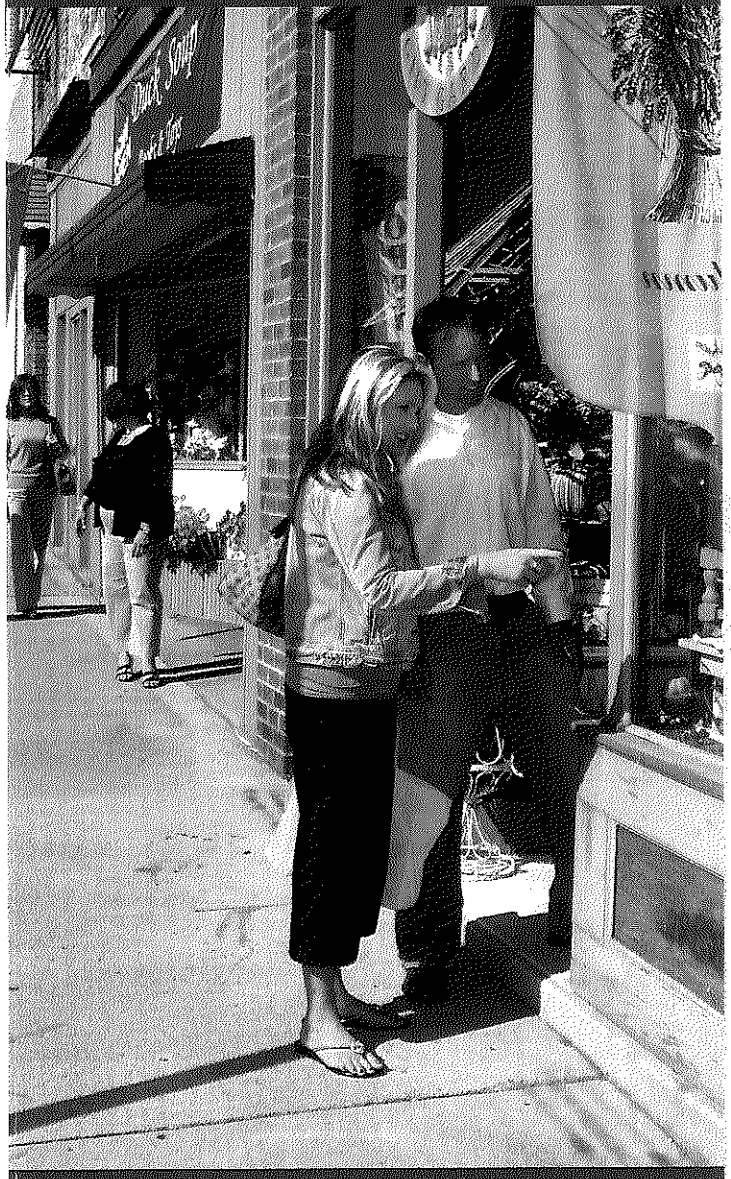
MAIN STREET WEST VIRGINIA

Capitol Complex, Building 6 – Room 553
Charleston, WV 25305
304-957-2011
800-982-3386
www.wvdo.org

West Virginia
Open for Business!

West Virginia ON TRAC Program

Advancing community and economic vitality



A project of
Main Street West Virginia

WEST VIRGINIA ON TRAC PROGRAM

The West Virginia ON TRAC (Organization, Training, Revitalization and Capacity) program was created by Main Street West Virginia and endorsed by Governor Joe Manchin to assist West Virginia communities in their efforts to boost economic and community growth. The goals of the program are to evaluate, educate and assist communities in these efforts.

Communities selected as ON TRAC participants will receive the following during the two-year participation period:

- Training on the National Trust for Historic Preservation's Main Street Four-Point Approach™, which includes organization, promotion, design and economic restructuring
- An assessment of strengths and weaknesses
- Access to an online library of databases and resources, such as e-clips, videos and articles
- Attendance to Main Street training workshops
- Action-planning services
- Telephone consultation
- Scholarship and grant information
- Technical design visit(s)
- Participation in the mentoring program

BENEFITS TO RESIDENTS AND COMMUNITIES

Restoring and revitalizing communities provides a sense of pride and commitment in neighborhoods, and empowers the people, businesses and organizations to achieve ongoing transformation.

Main Street districts will experience an increase in tourism through shopping and cultural and social activities; a stabilized or improved housing market; an increase in customers and sales; and an improved image.

Downtown revitalization:

- Protects the existing tax base. The Main Street program protects and enhances private investment in banks, businesses and commercial property and public investment in water and sewer lines, streets and sidewalks.
- Creates an incubator for business development. A viable downtown offers opportunities and incentives for new entrepreneurs, such as lower rent and technical assistance.
- Attracts industrial development. Downtowns reflect the overall image a community projects to potential investors. An invigorated downtown makes a positive statement about the entire community.
- Provides a point-of-focus and stability. A vibrant downtown gives the whole community and region a sense of pride and a positive self-image. It serves as an anchor for the community by providing stability that is necessary for economic growth.

CRITERIA AND SELECTION PROCESS

Incorporated entities served by downtown infrastructure and resources are eligible to participate in the ON TRAC program.

Candidates will complete an application and submit it to Main Street West Virginia for consideration. Applicants will be scored based on the information provided in their ON TRAC application. Applications will be available at workshops across the state.

Communities applying for Main Street designation will be required to participate in the two year ON TRAC program: therefore, potential Main Street applicants are strongly encouraged to apply.

ABOUT MAIN STREET WEST VIRGINIA

Main Street West Virginia, a program of the West Virginia Development Office, focuses on economic revitalization of historic downtown commercial districts by providing technical services, design assistance, and continuous training of board/committee members and program managers using the National Trust for Historic Preservation's

Main Street Four-Point Approach™. Main Street West Virginia provides a liaison between various state agencies and organizations with the designated communities.

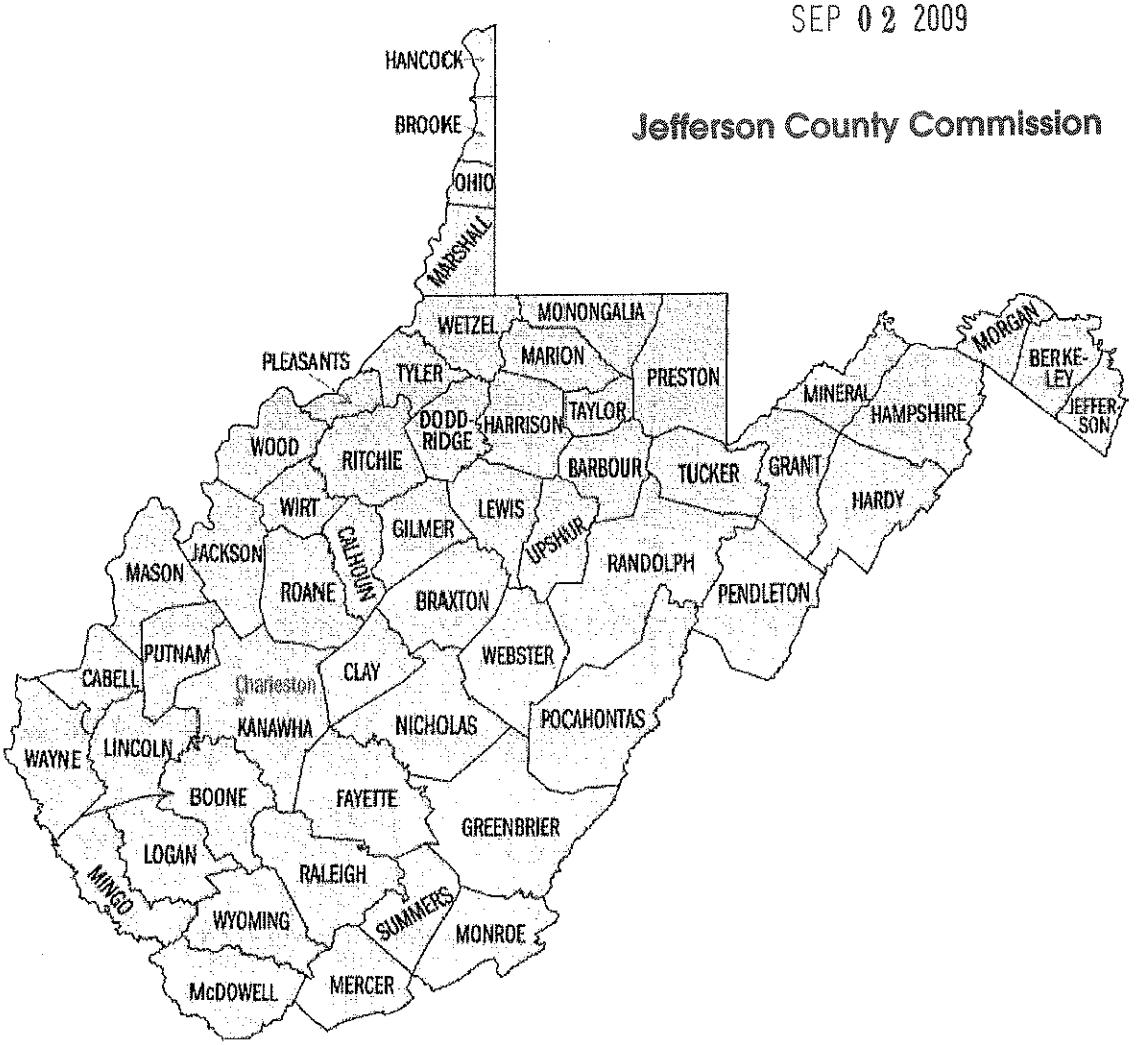
#36

West Virginia County Records Management and Preservation Grant Program

RECEIVED

SEP 02 2009

Jefferson County Commission



Grant Information and Application

Fiscal Year 2010-2011

Table of Contents

INTRODUCTION

The County Records Management and Preservation Grant Program, administered by the Records Management and Preservation Board (RMPB), operates under West Virginia *Code* 5A-8-15 and CSR100.1. Funds for the program derive from filing fees collected by the clerk of the county commission. County government offices may apply for funds through their county commission for projects to implement a records management program in accordance with CSR 100.2, "General Management and Preservation of County Records," the "West Virginia County Records Management Manual" and the "County Records Retention and Disposition Schedules" to provide for the proper filing, processing, arrangement and disposition of records to provide access and enhance preservation or to provide for proper and improved storage of long-term or permanent records. Priority will be given to projects addressing records needs and problems reported in the board's "West Virginia Courthouse Facilities Improvement Authority Report" http://www.wvculture.org/history/rmpb/WV_Courthouse_Facilities_I.html. Funding will be through the county commissions, which may submit applications in behalf of the office of the assessor, circuit clerk, clerk of the county commission, prosecuting attorney, sheriff and/or county commission. Grant applications must demonstrate the willingness of the applicant office and the county commission to comply with all grant reporting deadlines; budget, purchasing, and reporting requirements; and internal staff support to ensure the success of the project and the improvement of the management and preservation of the records addressed in the grant. There is no minimum or maximum funding set for grant application proposals. Grant recipients must provide at least a ten percent (10%) cash match for each dollar awarded by the RMPB. Grant funds are awarded on a reimbursement basis, which requires submission of the official Request for Reimbursement or invoice form, to be submitted on a quarterly or ninety (90) day cycle.

Grant guidelines and application forms are announced and mailed to county commission offices on 1 September, available on-line at www.wvculture.org/history/rmpb/rmpb.html, or by requesting hard copy from the RMPB, c/o Joseph N. Geiger, Jr., West Virginia Archives and History, 1900 Kanawha Blvd. E., Building 9, Charleston, WV 25305-0300; phone: 304-558-0230; fax: 304-558-4193; or joe.geiger@wvculture.org. **All applications must be completed and sent via certified mail with a postmark on or before 1 November or hand delivered by this date to the above office address. Faxed or other electronic submissions will NOT be accepted.**

All grant applications submitted by the deadline will be reviewed for completeness and applicants contacted no later than 15 November if there are any omissions or irregularities in the submitted application. The RMPB will review all qualified grant applications, and may request applicants to present details of their proposed project. Successful applicants are to perform and complete project work during fiscal year 2010-11 (July 1, 2010 through June 30, 2011).

Applicants are strongly encouraged to contact Joe Geiger or Denise Ferguson to discuss the application guidelines, projects and proposals, forms or the general requirements of the grant program in advance of the 1 November deadline for submission.

BACKGROUND

The Records Management and Preservation Board recognizes the statewide need to address an array of county government records management needs and concerns. The accumulation of public records in the state's fifty-five courthouses document centuries of county government business. The absence of a statewide records management program for county governments, with policies, guidelines and technical assistance, has only exacerbated the accumulation of records in courthouses not designed to handle this volume, especially as these same facilities were required to accommodate expanding government services which taxed and consumed available space. The RMPB was created by the West Virginia Legislature (5A-8-15) to develop a uniform records management system and practices to address county government records needs. The work of the board is funded by the fees collected by the clerks of the county commission, authorized in the legislation creating the board. The board has approached this mandate by sponsoring a survey of county records conditions, issuing a county records manual, working on updating and developing records schedules, and filing legislative rules for a statewide county records management and preservation program and a County Records Management and Preservation Grant Program.

The board authorized a study of the records areas, condition of these areas, and the records in the counties, as one component of its charge to develop uniform practices for records management in the state's fifty-five counties. This report is available for review by each county and is used by the board to identify priorities to be awarded under its County Records Management and Preservation Grant Program. County assessors, circuit clerks, clerks of the county commission, prosecuting attorneys, sheriffs, and the county commission are encouraged to apply for funding through their county commissions for projects in these areas.

The RMPB has issued an initial "Records Retention and Disposition Schedule" for the use of all county offices, which includes the "Revised Land Book Retention Policy" for assessors, sheriffs, and county clerks. Board-funded projects have improved the management and preservation of county records with production of backup microfilm, proper disposition of many records exceeding the required retention period, new and improved filing and storage systems, improved preservation storage containers and binders, and the development of county records management plans.

RECORDS MANAGEMENT PROGRAM PRIORITIES

Funds may be applied for projects in the following order of priority:

1. Conduct inventory of records and remove non-records and accumulations of records, such as

justice of peace books, personal property books, duplicate land books, and divorce case files, having reached or exceeded required retention periods from file rooms, vaults and storage areas, particularly attics and basements.

2. Provide for the proper and improved storage of and access to permanent records or records with required retention periods in excess of twenty-five years.

A. Physical storage: Provide proper and improved storage units and systems, such as manually operated mobile track shelving systems, steel shelving, and/or standard archives records boxes (10"x12"x15").

B. Security/preservation microfilm, with digital imaging combination for enhanced access: Create microfilm, the preservation eye-readable format, which will be required as the security backup to be maintained offsite in proper environmental conditions, with a copy provided to the West Virginia State Archives. Projects to reformat original paper records to digital images must also include creation of preservation/security backup microfilm to be maintained offsite in proper environmental conditions, with a copy provided to the State Archives. The maximum funding for this project is $6,500.

C. Computer terminals for in-house public access: In this round of grants the RMPB will review and consider requests to purchase public access computer terminals. The funding for this is contingent on the county's commitment to provide installation, technology support, upgrades and maintenance necessary to network the computer(s) to existing database or software programs. The maximum funding for this project is $10,000.

APPLICATION PROCESS

1. County commission presidents are mailed a copy of the guidelines and application forms and elected county office holders may obtain these from the RMPB webpage at www.wvculture.org/history/rmpb/rmpb.html, or by telephone 304-558-0230, mail or e-mail request to joe.geiger@wvculture.org .

2. Applications for funds to support a qualified project require submission of the official grant application form, with original requisite signatures in blue ink and attachments to the RMPB by a county commission, in behalf of an elected county official, on or before 1 November (thirteen copies of the original application must also be submitted).

3. Applications are reviewed for completeness and acknowledged within two weeks of the submission deadline. It is the responsibility of applicants who have not received confirmation by 15 November to contact the RMPB office by calling 304-558-0230. Applicants who submit what appear to be incomplete applications or proposals will be notified in writing no later than 15 November and have fifteen days or until 1 December to provide materials required to make the application complete. Applications or proposals that remain incomplete after this date will not be considered for funding.

4. The Records Management and Preservation Board will:

   A. Evaluate the proposal and assess it against the priorities for funding and how the proposal addresses and/or resolves the records needs and conditions documented in the "West Virginia Facilities Improvement Authority Report" www.wvculture.org/history/rmpb/rmpb.html or site visit by staff;

   B. Evaluate the applicant's plan of work;

   C. Evaluate the project for urgency of records' problems or conditions and how the proposed project may resolve or improve management of records;

   D. Evaluate proposals for application of nationally recognized standards for records management principles and procedures, and archival quality preservation practices;

   E. Evaluate the proposal for position descriptions or personnel qualifications for handling and managing records and, where applicable, for records management or archival expertise, and qualification and demonstrated experience of potential vendors or equipment;

   F. Evaluate proposed budget, cost estimates, time estimates, personnel used and estimated time, and potential vendor estimates;

   G. Assess the probability that the grant will achieve its objectives, including for repeat applicants, performance and completion of previous grant(s).

5. The RMPB may require applicant office holders to respond in writing or by telephone conference call at its January 2010 meeting to provide additional information or support for the proposal or funding request.

6. Applicant county commissions may be approved for total funding for single or multiple projects, partial funding for single or multiple projects, or no funding.

7. Applicants approved for partial funding or not approved for funding will be informed in writing by 1 February and may submit within fifteen (15) days a written appeal documenting why the RMPB's denial of application should be reconsidered.

8. Appeals submitted for reconsideration will be heard by the RMPB, which will issue its final administrative determination within thirty (30) days.

APPLICATION REQUIREMENTS

1. Application packages must include a total of **fourteen (14) copies**, one of which must contain **original signatures in blue ink**, and must be submitted by registered mail, other signature carrier or in person on or before 1 November.

2. Each application in the package must be complete and the application package must include:
   A. Resolution of support, with authorizing signature of the president of the county commission.

   B. A priority ranking by the commission where application package represents more than one office holder.

   C. Letter of support signed by specific elected office holder(s) participating in the records project.

3. Applicants (single or multiple office holder projects) must include a letter of agreement to provide a cash match of ten percent (10%) for all approved budgeted expenditures for each dollar awarded by the Records Management and Preservation Board.

4. The cash match must be applied directly to that portion(s) of the project approved for grant funds by the board.

5. Successful applicants must enter into a binding contract to expend all grant funds awarded in accordance with state purchasing laws and rules.

6. Successful applicants are subject to the Single Audit Act of 1984 and OMB Circular A - 128, "Audits of State and Local Governments."

7. Successful applicants must agree to participate in pre-grant meetings and on-site visits.

8. Successful applicants must agree to comply with quarterly reporting requirements and to provide a report detailing accomplishments, successes, failures and etc., and a final financial report within ninety (90) days of the completion of the project and no later than 30 September following end of the fiscal year.

NON QUALIFYING EXPENSES

1. Funds for salaries or personnel expenses for current or new permanent positions, or to refund or supplement salaries of staff already employed for regular work during regular hours (CURRENT EMPLOYEES MAY BE USED FOR HOURS IN EXCESS OF REGULAR WORK HOURS IF DEVOTED TOTALLY TO WORK APPROVED IN THE PROPOSAL) .

2. Funds expended in preparation of the grant proposal.

3. Funds expended prior to the official start or end of the granting period.

4. Funds for software purchases.

PROJECT PERIOD

Projects run concurrent with the state fiscal year, 1 July - 30 June. Projects approved for funding must be initiated within ninety (90) days or letter of explanation for the delay submitted. The RMPB will review and may cancel project if there is no explanation regarding the delay of the project. Any grant funds that remain unobligated or unexpended at the end of the grant period (June 30) will be returned to the RMPB grant fund.

GRANT TERMINATION

The RMPB may terminate a project for:

A. Failure to comply with any of the program guidelines, requirements and agreements;

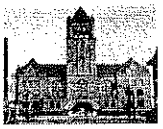
B. Failure to submit required reports or proper, documented invoice forms for reimbursements;

C. Making arbitrary or substantial changes in the submitted work or program as originally submitted without prior approval;

D. Failure to perform stated project work in compliance with County Records Management Manual, retention schedules, and standard records management and archives procedures; or

E. Other verifiable or demonstrated adverse cause.

Grant recipient will be notified of reasons for considering such action in writing in advance and given thirty (30) days to provide just cause as to why termination should not be invoked.



West Virginia County Records Management and Preservation Grant Program

-Application Cover Sheet -

1. Name of County: _____
2. Name of County Commission President: _____
   Mailing address: _____
   _____
   Telephone number: _____
   Fax number: _____
   E-mail address: _____
3. Name of County Administrator: _____
   Mailing address: _____
   _____
   Telephone number: _____
   Fax number: _____
   E-mail address: _____
4. County Office(s) included in Grant Package: _____
   (If multiple projects, list in order of county priority)
   _____
   _____
5. Federal employee identification number (FEIN) used in state FIMS system: _____
6. Total amount of funding being requested from RMPB: $_____

   Total match to be provided by County: $_____

   Total funds involved in project(s): $_____

West Virginia County Records Management and Preservation Grant Program 2010-2011

The application and required supporting documentation are to be typed and on letter-size paper. If requested information is not applicable enter NA or "not applicable."
Multiple projects,(projects representing two or more specific county offices, such as the County Clerk and Circuit Clerk) require separate applications, with priority rating clearly designated by County Commission. The Records Management and Preservation Board may approve total, partial, or no funding, determined by its evaluation process and available funds.
An ORIGINAL, signed application and thirteen complete copies must be submitted as the grant package (to equal **fourteen (14) copies.**) Please see page six for list of Supporting Materials necessary to complete the application.

Grant FY 2010-11

I. Applicant Contact Information (blue ink required for signature)

1 Name of County: _____ Office Holder: _____

Signature: _____

Mailing address: _____

Telephone number: _____
Fax number: _____
E-mail address: _____

Name of County Administrator: _____

Signature

2. Name of Application Preparer: _____
Title: _____
Telephone number _____
Fax number: _____
E-mail address: _____

3. Name of staff assigned to support and oversee project: _____
Telephone number: _____
Fax number: _____
E-mail address: _____

4. Amount of funding being requested from RMPB: $ _____
Cash Match: $ _____
Other Match: $ _____
Total Project cost: $ _____

II. Project Objective(s): Check and complete applicable category, if only one. If more than one objective applies, rate one for highest, two for next highest.

A. ____ Conduct inventory of records and remove non-records and accumulations of records, such as justice of peace books, personal property books and duplicate land books, having reached or exceeded required retention periods from file rooms, vaults and storage areas, particularly attics and basements.

_____ Estimated quantity of records to be evaluated and considered

_____ Estimated physical storage area to be cleared and cleaned

B. ____ Provide for the proper and improved storage of and access to permanent records or records with required retention periods in excess of twenty-five years.

1. Physical storage: Provide proper and improved storage units and systems, such as mobile manually operated track shelving systems, steel shelving, and/or standard archives records boxes (10"x12"x15").

   _____ Estimated quantity of records to be placed in improved storage equipment or containers

2. Security/preservation microfilm, with digital imaging combination for enhanced access: Create microfilm, the preservation eye-readable format, which will be required as the security backup to be maintained offsite in proper environmental conditions, with a copy provided to the State Archives. Projects to reformat original paper records to digital image must include creation of preservation/security backup microfilm to be maintained offsite in proper environmental conditions, with a copy provided to the State Archives. The maximum funding for this project is $6,500.

   _____ Estimated quantity of records to be reformatted

3. Computer terminals for in-house public access: In this round of grants the RMPB will review and consider requests to purchase public access computer terminals. The funding for this is contingent on the county's commitment to provide installation, technology support, upgrades and maintenance necessary to network the computer to the database or software program. Stand-alone public access terminal will also be considered. The maximum funding for this project is $10,000.

III. Activity Description

A. Statement of Purpose and Goals of Project
(Identify specific record titles, date spans, and quantity)

B. Provide Detailed Explanation of the Project
Include internal staff necessary to complete the project and any external staff, vendor, or consultants (attach their qualifications and/or resume) needed to complete the work or who have been consulted to complete work. Include time frame and schedule to complete project.

C. Describe how this project will benefit the records management, preservation, and/or records access needs of your office(s).

D. Provide statement on how work will be continued after project period.

E. Project Summary

IV. Project budget (round off to nearest dollar)

A.

	Total Cost Attach Estimates		Cash Match* *		Internal Office Support (In-kind)		Total RMPB Grant Request
Personnel costs	_____	-	_____		_____	=	_____
Consultant costs	_____	-	_____		_____	=	_____
Contracted Services	_____	-	_____		_____	=	_____
Supply costs	_____	-	_____		_____	=	_____
Equipment	_____	-	_____		_____	=	_____
Other	_____	-	_____		_____	=	_____
Total of each column	_____	-	_____		_____	=	_____

**** *Applicants must provide 10% of grant funds awarded. Match may only be applied to board-funded portions of grant.***

B. Budget Explanation. Detailed breakdown of budget.
(Potential vendor bid estimates obtained within the past 60 days and relevant to the project should be included.)

V. SUPPORTING MATERIALS

A. Resolution of support for the project, with original signature in blue ink of President of the County Commission

B. Letter of support with original signature in blue ink of specific office holder participating in the records project

C. Certification Form (page 7) with original signature in blue ink of President of the County Commission agreeing to enter into a binding contract to expend all grant funds awarded in accordance with state purchasing laws and rules, the several stated application requirements, and

(a) Applicants must provide a ten percent cash match for each dollar awarded by board.

This form must also be signed in blue ink by the applicable office holder (assessor, circuit clerk, county clerk, prosecuting attorney, and/or sheriff) whose records are involved in the project.

D. Photographs, floor plans, etc., which may demonstrate or document the need for the project

E. Bids, proposals, estimates, job descriptions, qualifications and/or resumes, supplies, equipment, floor plans and drawings for proposed work to be purchased or services to be contracted for

F. Other relevant information, if applicable

CERTIFICATION FORM

Statement regarding expenditure of funds: I agree that funds granted under the Records Management and Preservation Board's County Records Management and Preservation Grant Program will be spent only in accordance with the plan of work and budgeted statement presented in this application or revised and agreed to in the grant agreement, and that any changes in the plan of work or budget will be submitted in writing for approval in advance.

Statement regarding binding contract: I agree to enter into a binding contract to expend all grant funds awarded in accordance with state purchasing laws and rules, to administer the grant in compliance with standard financial management systems and general accounting standards for audit of government entities, and to participate in grant administration workshop.

Statement regarding required cash match: I understand and agree that a grant award requires a ten percent cash match for all budgeted funds awarded by the board.

Signature of County Commission President _____

(Blue Ink Required)

Signature of Specific Elected Officer for each specific project

(Blue Ink Required)

Assessor_____

Circuit Clerk_____

County Clerk_____

Prosecuting Attorney_____

Sheriff _____

County _____

Date _____

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Charles Town

Utility Board

832 S. George Street, P.O. Box 359, Charles Town, WV 25414
Phone: (304) 725-2316 ♦ Fax: (304) 725-4313 ♦ Web: www.charlestownutilities.us

August 31, 2009

To Our Valued Water Customers

The Charles Town Utility Board would like to inform you of two important changes. First, in response to increasingly higher water quality standards as required by regulatory agencies, part of the water treatment process will be changed on October 1, 2009. Specifically, the chemical used for disinfection will be changed from chlorine to chloramine.

This change will minimize disinfection by-products that may be formed using chlorine as a disinfectant, and ensure continued, and improved, compliance with federal water quality standards under the National Safe Drinking Water Act. Attached is a notice that describes an exceedance of one of the contaminants, total haloacetic acids (HAA5). The standard for Total Haloacetic Acids (HAA5) is 0.060 MG/L. The average level of Total Haloacetic Acids (HAA5) over the last year was 0.064 MG/L or 64 parts per billion.

The change from chlorine disinfectant to chloramine secondary disinfectant will:

- Improve the overall disinfectant residual in the Charles Town water system.
- Reduce the level of disinfection by-products when chlorine mixes with trace quantities of naturally occurring organics.
- Provide the most economical treatment option available to meet the Safe Drinking Water Act standards.
- Minimize the chlorine taste and smell of drinking water.

Second, the Board will be converting all bi-monthly customer billings to monthly billings beginning in September. For Ranson customers, your last bi-monthly bill will be September. For Charles Town customers, your last bi-montly bill will be October. Again, the Charles Town Utility Board will be converting to chloramine use on OCTOBER 1, 2009. If you would like additional information please contact Tim Stone, Water Treatment Plant Superintendent at 304-725-3761.

Sincerely,

Gary Rawlings

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER
CHARLES TOWN WATER DEPT, WV3301905
Has Levels of Total Haloacetic Acids (HAA5), Above Drinking Water Standards

Our water system recently violated a drinking water standard. Although this is not an emergency, you, as our customers have a right to know what happened, what you should do, and what we are doing to correct the situation.

We routinely monitor for the presence of drinking water contaminants. Test results for 4/1/2009 to 6/30/2009 *show that our system exceeds the standard or maximum contaminant level (MCL), for* Total Haloacetic Acids (HAA5).

The standard for Total Haloacetic Acids (HAA5) is 0.060 MG/L. The average level of Total Haloacetic Acids (HAA5) over the last year was 0.064 MG/L.

What should I do?
You do not need to use an alternative (e.g. bottled) water supply. However, if you have specific health concerns, it is recommended that you consult your doctor.

What does this mean?
This is not an immediate risk. If it had been, you would have been notified immediately. However, some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.

What happened? What is being done? (Describe corrective action)

The Charles Town Utility Board is converting its residual disinfectant from chlorine to chloramines to reduce the levels of HAA5's in the Charles Town water system. The disinfectant conversion is scheduled for October, 2009. Please refer to the enclosed documents, Letter to Our Valued Customers dated August 31, 2009 and Notice to Consumers Change in Water Treatment dated August 31, 2009 for additional information.

For more information, please contact Water Treatment Plant Supervisor Tim Stone at 304-725-3761
(Contact Name) (Phone Number)

Or 832 S. George Street, PO Box 359, Charles Town, WV 25414
(Mailing Address)

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the CHARLES TOWN UTILITY BOARD

State Water System ID# WV3301905 Date Distributed 08/31/2009

August 31, 2009

Charles Town Utility Board
Notice to Consumers
Change in Water Treatment

The Process Change

In response to increasingly higher water quality standards required by regulatory agencies, the Charles Town Utility Board will change part of its water treatment process on October 1, 2009. Specifically, the chemical used for disinfection while in the pipeline system as it travels from the treatment plant will be changed from chlorine to chloramine. This change will minimize disinfection by-products that may be formed using chlorine as a disinfectant, and ensure continued, and improved, compliance with federal water quality standards under the National Safe Drinking Water Act.

The change from chlorine disinfectant to chloramine secondary disinfectant will:

- Improve the overall disinfectant residual in the Charles Town water system.
- Reduce the level of disinfection by-products when chlorine mixes with trace quantities of naturally occurring organics.
- Provide the most economical treatment option available to meet the Safe Drinking Water Act standards.
- Minimize the chlorine taste and smell of drinking water.

Chloramine Disinfection Information

The change from chlorine to chloramine disinfection has been successfully implemented in many other water systems. Additional facts about the chloramine conversion include the following:

- Chloramines are used in approximately 33% of all water utilities in the United States, including large cities and systems in the Washington-Baltimore region.
- Water that contains chloramines is safe for all human and animal consumption. Like chlorine, it must be removed from other water before it is used for kidney dialysis and for fish and aquatic life.

Frequently Asked Questions (FAQ)

1. *What is chloramine?*

   Chloramine is a combination of chlorine and ammonia that is added in very small amounts in treated water to provide a long lasting, residual disinfectant in the drinking water distribution system. Chloramine is colorless, and most users will find it tasteless and odorless.

2. *Why is Charles Town converting from chlorine to chloramine?*

   Chloramine will provide higher quality drinking water than chlorine because:
   - Chloramines produce fewer disinfectant by-products than chlorine.
   - Chloramines remain longer in the distribution system than chlorine.
   - Chloramines reduce residual chlorine tastes and odors in the water at the tap.

3. *Who will be most affected by the conversion to chloramine?*

Dialysis patients and Dialysis Centers

Kidney dialysis patients must have chloramines removed from the water they use in dialysis machines. Depending on the method of chlorine removal a patient now uses, some modifications to this process may be necessary to remove chloramines. Patients should check with their dialysis physician who can recommend the proper type of water treatment. Dialysis centers will be notified in ample time to make any necessary changes to their equipment.

Aquarium, Fish, Amphibians & Reptile Owners

Chloramines must be removed from the water used by your fish and other aquatic animals. Water conditioners specifically designed for removing both chlorine and chloramines are commercially available. Chloramines will not readily dissipate if left standing out in an open container prior to use. Pet stores and pet suppliers should be able to provide information on de-chloramination products and instructions.

Businesses Requiring High Purity Water

Businesses such as laboratories, microchip manufacturers, photography labs and pharmaceutical companies may be affected. These businesses should contact a water treatment professional or an equipment supplier to review their water needs and potential impact.

4. Will boiling remove chloramine?

No. Chloramine cannot be removed by boiling water, adding salt or letting water stand in an open container to dissipate.

Again, the Charles Town Utility Board will be converting to chloramine use on OCTOBER 1, 2009. **If you would like additional information please contact Tim Stone, Water Treatment Plant Superintendent at 304-725-3761** or visit http://www.epa.gov/ogwdw/disinfection/chloramine/index.html. You may also contact NSF International, a nonprofit organization that independently tests and certifies drinking water filtration products. Website: http://www.nsf.org/ phone: 877-867-3435. Or http://www.nsf.org/certified/dwtu/

Charles Town Water Department
PO Box 359
Charles Town, WV 25414

FIRST CLASS MAIL
US POSTAGE PAID
CHARLES TOWN, WV
PERMIT NO 7

JEFFERSON COUNTY COURT
P.O. BOX 208
CHARLES TOWN, WV 25414-0208

38

THE OLD OPERA HOUSE
THEATRE COMPANY
204 N George St., Charles Town, WV 25414
www.OldOperaHouse.org
304.725.4420 or 888.900.SHOW

Return Services Requested

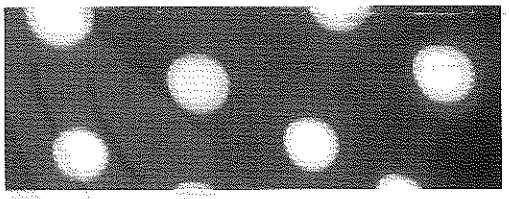
Non Profit Org.
Us Postage
PAID
Martinsburg, WV
25404
Permit #125

RECEIVED

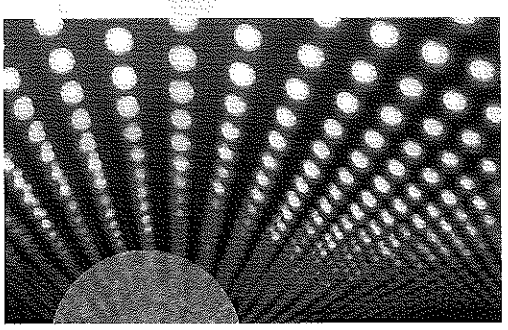
2/212**********AUTO**5-DIGIT 25414
LESLIE SMITH.
COUNTY ADMINISTRATOR
PO BOX 250
CHARLES TOWN WV 25414-0250

SEP 02 2009

Jefferson County Commission



THE OLD OPERA HOUSE
THEATRE COMPANY



Sweet Charity

Book by Neil Simon, Music by Cy Coleman & Lyrics by Dorothy Fields
Based on the screenplay *Nights of Cabiria* by Federico Fellini

Thursdays, September 10 & 17 at 7:30pm; Adults $13

Fridays & Saturdays, September 11, 12, 18 & 19 at 8:00pm; Adults $17

Sundays, September 13 & 20 at 2:30pm; Adults $15

(Students $8 for all performances)

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 Ho

Spend an evening at the Old Opera House... with Charity Agnes Valentine as we follow her from one comic misadventure to another. Charity, a hostess in a seedy dance hall, longs to settle down with the man of her dreams, but the men in her life simply love her and leave her, when they bother loving her at all. One man steals her purse and pushes her in a lake; another, jilted by his date, shoves her in a closet when his date unexpectedly returns. Charity, the perpetual romantic, never loses her faith that someday everything in life will work out. This show about a girl with a big heart and unstoppable optimism may be just what the doctor ordered; allowing you to escape whatever may be troubling you.

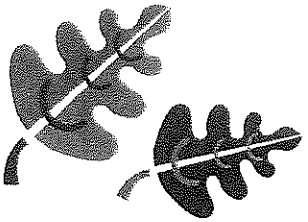
When you are not laughing at the romantic chaos you will be tapping your toes to some of the best tunes that musical theatre has to offer. This musical comedy is rich with wonderful musical numbers including Big Spender, If My Friends Could See Me Now, Too Many Tomorrows, Gotta Be Something Better Than This, I'm a Brass Band and Baby, Your Dream.

Sweet Charity first opened on Broadway in 1964 staring Gwen Vernon where it garnered a Tony Award for Bob Fosse's Choreography. It has been revived twice on Broadway, in 1986 staring Debbie Allen and in 2005 staring Christina Applegate. In 1969 Sweet Charity danced onto the big screen in a movie starring Shirley McLane and Chita Rivera.

Director David Norman and Musical Director Jonas Dawson (who brought the musical-comedy hit, The Full Monty, to the OOH stage last season) have assembled a truly gifted cast to bring this musical to life, including Ashley Snow, Heather Rager , Ashley Hall , Joshua Adams, Allen Law, Jessica Billones, Lauren Ebbin, Samantha Sisson, Shona Gardner, Jeremy Spangler, Cari Ann Hupke, Michael Morsberger , Heather Jaynes, DC Cathro, Ashley Elizabeth Kidder, Andre Brown, and Charles Johnson.

Annual Autumn Auction

Saturday evening, October 3



Yes it is that time again! Once a year, the finest people, fabulous food and fun times all come together at the beautiful Clarion Hotel in Shepherdstown for one exciting evening. It's time for the Old Opera House's Annual Autumn Auction; 5:30pm Saturday evening, October 3. This annual event is the ideal way to kick off the holiday season and to support the work of the Old Opera House.

We are currently accepting donations of goods and services for the auction and there are still sponsorship opportunities available. If you happen to be moving or know someone who is moving, this can be the perfect time to donate. For more information, please do not hesitate to contact the Old Opera House office.

If you are looking for a special gift, want to finish or start your holiday shopping, or just love a great bargain, this auction is the place to be. Fine arts, antiques, gift certificates, collectibles, furniture, and a variety of other items will be available. Tickets are only $45.00 for an evening that includes a delicious buffet dinner, cash bar and loads of fun. Tickets can be purchased through the Old Opera House box-office, at (304) 725-4420 or from any OOH Board member.

Upcoming Events:

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

Miracle on 34th Street: AUDITIONS

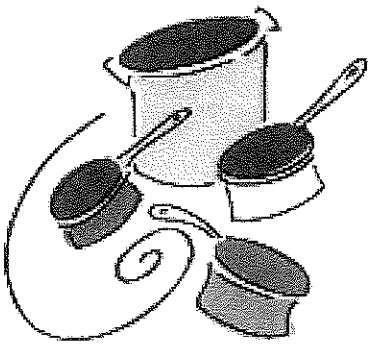
Monday and Wednesday, September 21 & 23 @ 7:00pm

Adapted by Will Severin, Patricia Di Benedetto Snyder and John Vreeke from the novel by Valentine Davies

Directed by Steven Brewer this delightful comedy will be presented on the Old Opera House stage December 4-13. No prior experience is necessary to audition. Several roles are available for men and women; a limited number of roles are available for children ages 10 and above. A family favorite since 1947, this non-musical is the perfect way to rediscover the enchantment of the Christmas season.

Get in the holiday spirit and join the fun at the Old Opera House!!

Further information on this audition and an outline of the OOH audition policies can be found on the Old Opera House's webpage at: **www.OldOperaHouse.org**



Is Your Food Pantry Empty?...

Supporting United Way Since 2001

I know mine isn't, and maybe yours is doing fine too, but many of our neighbors are not so fortunate.

The Old Opera House is proud to be serving as a collection site for the United Way's 2009 Mega Food Drive from now until September 11. Each year this food drive collects non-perishable food items for those less fortunate. The items collected will be turned over to Jefferson County Community Ministries or CCAP Loaves and Fishes.

If you have a little extra in your food pantry, please consider making a donation to 2009 Mega Food Drive at the OOH or any of the other donation sites throughout Jefferson and Berkeley Counties.

Items in most need include: small jars of jelly, canned soup, Tuna/Chicken Helper, Jiffy mix, one pound boxes of spaghetti, sugar, flour, ketchup, spaghetti sauce, macaroni and cheese, small boxes of cereal (like Cheerios & Corn Flakes).

39

WEST VIRGINIA LOTTERY
First Benchmark
Charles Town
County / City Split
Fiscal Year 2009

Charles Town
1999 Net Terminal Revenue $ 45,603,174
Benchmark Goal @ 2% $ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RANSON 35.08%	SHEPHERDS TOWN 14.29%
4 days ending:								
7/1/09- 7/4/09	$ 128,282.42	$ 128,282.42	$ -	$ -	$ -	$ -	$ -	$ -
Week ending:								
07/11/09	$ 168,815.08	$ 168,815.08	$ -	$ -	$ -	$ -	$ -	$ -
07/18/09	$ 160,652.98	$ 160,652.98	$ -	$ -	$ -	$ -	$ -	$ -
07/25/09	$ 158,669.08	$ 158,669.08	$ -	$ -	$ -	$ -	$ -	$ -
08/01/09	$ 174,493.08	$ 174,493.08	$ -	$ -	$ -	$ -	$ -	$ -
08/08/09	$ 155,846.74	$ 138,408.80	$ 17,437.94	$ 2,165.79	$ 6,026.55	$ 636.48	$ 6,117.24	$ 2,491.88
08/15/09	$ 162,444.28	$ 81,222.14	$ 81,222.14	$ 10,087.79	$ 28,070.37	$ 2,964.61	$ 28,492.73	$ 11,606.64
08/22/09	$ 152,520.62	$ 76,260.31	$ 76,260.31	$ 9,471.53	$ 26,355.56	$ 2,783.50	$ 26,752.12	$ 10,897.60
08/29/09	$ 160,945.84	$ 80,472.92	$ 80,472.92	$ 9,994.74	$ 27,811.44	$ 2,937.26	$ 28,229.90	$ 11,499.58
Subtotal	$ 1,422,650.12	$ 1,167,456.81	$ 255,393.31	$ 31,719.85	$ 88,263.92	$ 9,321.85	$ 89,591.99	$ 36,495.70

Benchmark Goal @ 2% $ 912,063.48

Remainder until 1% / 1% Split $ -

WEST VIRGINIA LOTTERY
WEEKLY SETTLEMENT FOR CHARLES TOWN

Week Ending Date		Week Ending August 29, 2009 FY10
To be Deposited on:		September 4, 2009
Amount Played		83,418,719.16
Amount Won		74,994,701.66
Amount Promo *		229.00
MWAP Contribution		41,192.80
Adjusted Gross Terminal Revenue		8,382,595.70
Administrative Costs @ 4%		335,303.82
Excess Lottery Fund @ 4%		0.00
Net Terminal Revenue		8,047,291.88
Surcharge @ 10%		0.00
State Share Excess @ 58%		0.00
Track Share of Capital Reinvestment @ 42%		0.00
Track Share of Capital Reinvestment @ 42% - 96%	$	-
Track Share of Capital Reinvestment @ 42% - 4%	$	-
Adjusted Net Terminal Revenue		8,047,291.88
Racetrack @ 46.50% / 42%		3,741,990.72
Lottery Fund @ 30% / 0%		2,414,187.57
Excess Lottery Fund @ 0% / 41%		0.00
Race Track Purses @ 7% / 14% / 8%		563,310.43
Workers' Compensation Debt Reduction @ 7%		563,310.43
Employee Pension Fund @ 1% / .5%		80,472.92
Greyhound Development @ .75%		60,354.69
Thoroughbred Development @ .75%		60,354.69
Racing Commission @ 1%		80,472.92
County/Municipality @ 2%		160,945.84
3% Funds:		
Tourism Promotion Fund @ 1.375%		110,650.26
Development Office Promotion Fund @ .375%		30,177.34
Research Challenge Fund @ .5%		40,236.46
Capitol Renovation and Improvement Fund @ .6875%		55,325.13
2004 Capitol Complex Parking Garage Fund @ .0625%		5,029.56
1% Funds:		
State Capitol Complex Parking Garage @ 1%		0.00
Cultural Facilities and Capitol Resources @ .5%		40,236.46
Capitol Dome and Capitol Improvements @ .5% / 1%		40,236.46
		8,047,291.88

* The amount promo consists entirely of test data.

41

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 George L. Baker
Printed Name GEORGE L. BAKER
Address 125 BRIERLY ST. LANE
City, State, Zip SHEP, WV 25443

(Paid for by Friends of Shepherdstown Library)

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 Barbara L. Baker
Printed Name BARBARA L. BAKER
Address PO Box 1276
City, State, Zip Shepherdstown WV 25443

(Paid for by Friends of Shepherdstown Library)

Correspondence

42

Leslie D. Smith

From: JCC [info@jeffersoncountywv.org]
Sent: Tuesday, August 25, 2009 10:59 AM
To: ldsmith@jeffersoncountywv.org
Subject: Fw: Taxing phones

-----Original Message-----
From: "Robert A Murto" <murtomurto@aol.com>
Sent 8/24/2009 9:49:08 PM
To: info@jeffersoncountywv.org
Subject: Taxing phones

A few years ago the federal government took off a luxury tax on telephones that was put into
effect in 1902. No one alive could remember what the tax was supposed to achieve.
What is the money for? How can the general population beat the tax? How much bureaucracy
do you need to collect the tax? Growing government during an economic downturn is not
a real good idea, especially since 2010 is an election year.

43

September 3, 2009
Jefferson County Sheriff's Department
Attn: Sheriff Bobby Shirley
Sent via FAX: (304) 728-3299

Subject: Two of my neighbors call to 911 last evening

Dear Sheriff Shirley:

I was inside my house last evening when two Jefferson County Sheriff's deputies knocked on my front door. They relayed to me that two of my neighbors had called 911 as I was outside being loud and using profanity. I stated that I failed to understand how that, if true, warranted a call to 911. The VERY POLITE officers told me that the neighbors thought I was under attack or something and they wanted to check if I was okay. I assured them I was okay – that I had been in my front yard relaxing and hitting golf balls and I had been singing to my radio etc. I was no competition for the barking dogs in the neighborhood or the train that frequently passes behind our subdivision. I am extremely concerned that if I were to experience a real emergency the police would not come, after all, they have been dispatched to my property on numerous occasions when no crime was taking place. Based on my experience there is a 99.9% chance the police will be called whenever I'm outside on my property. I do not go outside when my neighbors are outside – which they rarely are.

I am insisting "abuse of the 911 emergency system" charges be brought against the two neighbors who called 911 last evening. The police are never called when I have contractors and service people working at my house when I am not home. I doubt the police would be called if my neighbors did indeed witness a break in, after all, when a friend hauled away a trailer I sold him several weeks ago; the police were not called even though it was obvious I was not home as my car was not sitting in the driveway. My phone numbers are 304-283-2669 and 202-287-1515 if you have any further questions.

Sincerely,

Paula J. Frickey
295 Purdham Lane
Shenandoah Junction, WV 25442-4744

CC: Jefferson County Prosecuting Attorney's Office, Sent via fax no. (304) 728-3293
CC: Jefferson County Commission, Sent via fax no. (304) 725-7916
CC: Mr. Christopher Stroech, Attorney at Law, Arnold & Bailey, Sent via fax no. (304) 876-9186

44

Leslie D. Smith

From: gil narro garcia [gilnarrogarcia@comcast.net]
Sent: Monday, August 31, 2009 3:02 PM
To: planningdepartment@jeffersoncountywv.org; ldsmith@jeffersoncountywv.org; lwidmyer@jeffersoncountywv.org; info@charlestownwv.us
Cc: mschiavone@jeffersoncountywv.org
Subject: Re: Planning Commission Agenda

Importance: High

Thanks for being consistent in sending copies of the agenda. On the other hand, I can't think of reasonable reason why the agenda items should not also include a short synopsis of the issue being addressed, whether related to a County plan initiative or a citizen's request matter. To simply list, for example, "Citizen Communications" or the " Director's Report." is not representative of anything substantive. We're all busy and can not attend most meetings because of the fact that we work out of town or get home late. But it is your duty to keep citizens informed of the facts. Surely you can dictate comments to a staff person who can then add them to the agenda items. It's not too much to ask in the 21st Century.

I have copied others on this matter because other governing bodies of Jefferson County do as poor a job as you do. Perhaps there can be a county-wide initiatvie to better inform citizens/taxpayers/VOTERS.

Sincerely,

Gil N Garcia
881 Elk Run Estates
HF, WV 25425

----- Original Message -----
From: Jefferson County Alerts
To: jeffersoncountycommissionalerts@jeffersoncountywv.org
Sent: Monday, August 31, 2009 1:53 PM
Subject: Planning Commission Agenda

*****Please do not reply to this email. If you have questions or need assistance, please email info@jeffersoncountywv.org or call the County Commission office at 304-728-3284.*****

From: JOHN URCIOLO [john.urciolo@frontiernet.net]
Sent: Thursday, August 27, 2009 3:55 PM
To: Undisclosed-Recipient:;
Subject: WORTHY & DESERVING... SUPERIORS

THE ELECTEDS BELIEVE THEMSELVES WORTHY & DESERVING... SUPERIORS

Noting that elected representatives who total within the US Senate & House 535 one must never forget that in being blessed-electeds they believe themselves worthy and deserving superiors. They also quietly believe that non-elected constant-complainers oftentimes either did not go to college as did they or otherwise tuned-in and dropped out as they did not, that in being under-educated simpletons that such can not be permitted to rule the lives of elected superiors by requiring, for example, that 'representatives' holding federal and state offices, once elected, be *mandated by law* to reside with their families in the largest inner-city within their home states (or if too distal for federal electeds then within Ward 8 of Washington, DC).

In so doing and in order to set the good example they would be more proximal to local public schools where the electeds, so educated they be, can better afford the time to provide wisdom and enlightenment while also lecturing 'students' and answering questions presented them while within school auditoriums or gymnasiums on at least a monthly basis during afternoons, early evenings and weekends. After all, 'education' is what the electeds claim to most want for cherished yet grossly-dysfunctional 'equals' within inner cities in their cherrished goal to alter bad habits that oftentimes lead to criminal conduct.

Living in distal suburbs, most preferably on the far side of country clubs, in McMansions within gated communities prevents electeds due solely to time constraints from participating in that described above. Also, children of electeds (federal, state and local) should be *mandated by law* to attend local public schools instead of private schools that are instead quite distally yet fashionably located where some 97% of them attend so called private schools that quietly celebrate in having few yet 'cherished' minorities.

Just what compels electeds while they champion equality-driven-inclusionism to behave this way? Is it due to vapors, or perhaps the stank? Or could it comprise concealed racism ever only discussed with their spouses during pillow talk? If such is the case, as one can reasonably speculate, then voters must ask just how often do electeds during these quiet moments use the N word when discussing their many voting minority constituents?

Electeds they are yet as such indeed feel themselves superior (in fact quite superior) to you and me which is why when once elected they bless themselves with medical and other benefits, to the exclusion of all voters, that far exceed even that provided to deserving lifetime Admirals and Generals.

And, indeed, they intend to keep it just as described while imposing upon society unworthy things such as socialized 'universal' health care that neither they along with their dearest and darling wives nor their privileged children, who always attend private schools with few minorities, will ever have to endure.

Keep in mind that a 'federal-elected' once departing office after but one brief term retains for a lifetime (and applicable to their extended family members also) all medical and other benefits that were quietly self-bestowed and blessed upon their worthy and deserving selves during their brief tenure. All this while paying themselves some $178,000 per year along with perks totaling over $1,000.000.00 .

Barney Frank, Barbara Mikulski, Teddy - kicked out of Harvard - Kennedy, Nancy Pelosi, Harry Reed along with all other electeds living privileged lives and in so doing championing so called homo-rights while at the same time being closet disbelievers in equality (as they practice and experience otherwise) would have it no other way. Superiors, indeed, they believe themselves to be... and will continue to think such while blessing themselves with exclusive benefits to be forever yet quietly enjoyed at your expense and mine, for a lifetime, even once out of office.
It is indeed time for 'change' to be applied to these N-ergized yet superior-electeds. Join with those championing change as described above. Such 'change' should be mandated by federal law and be applicable solely to all federal and state 'electeds'. Unfortunately, this very worthy goal may prove difficult to accomplish due to another more elite group that is also above it all. This group gleefully behaves in the same manner while quietly enjoying the same benefits. They comprise all State, Federal and Appeals Court judges. This includes wise-judges appointed to the US Supreme Court.

Best regards,

John Urciolo

Potomac, Maryland

john.urciolo@frontiernet.net

301-983-1998

PS - Please feel free to forward this paper to interested parties....

FINALLY...THE $64,000 QUESTION WAS ASKED...

YESTERDAY ON "ABC-TV" (BETTER KNOWN AS THE ALL BARRACK CHANNEL) DURIN(THE "*NETWORK SPECIAL ON HEALTH CARE*".... OBAMA WAS ASKED:

"MR. PRESIDENT WILL YOU AND YOUR FAMILY GIVE UP YOUR CURRENT HEALTH CARE PROGRAM AND JOIN THE NEW 'UNIVERSAL HEALTH CARE PROGRAM' THAT THE REST OF (WILL BE ON ????"..... (BET YOU ALREADY KNOW THE ANSWER)...

THERE WAS A STONEY SILENCE AS OBAMA IGNORED THE QUESTION AND CHOSE NOT ANSWER IT !!!...

IN ADDITION, A NUMBER OF SENATORS WERE ASKED T HE SAME QUESTION AND THE RESPONSE WAS..."WE WILL THINK ABOUT IT."

AND THEY DID. IT WAS ANNOUNCED TODAY ON THE NEWS THAT THE "KENNEDY HEALTH CARE BILL" WAS WRITTEN INTO THE NEW HEALTH CARE REFORM INITIATIV ENSURING THAT CONGRESS WILL BE 100% EXEMPT !

SO, THIS GREAT NEW HEALTH CARE PLAN THAT IS GOOD FOR YOU AND I... IS NOT GO(ENOUGH FOR OBAMA, HIS FAMILY OR CONGRESS...?? WE (THE AMERICAN PUBLIC) NE TO STOP THIS PROPOSED DEBACLE ASAP !!!!... THIS IS TOTALLY WRONG !!!!!

PERSONALLY, I CAN ONLY ACCEPT A UNIVERSAL HEALTH CARE OVERHAUL THAT EXTENDS TO EVERYONE... NOT JUST US LOWLY CITIZENS... WHILE THE WASHINGTON "ELITE" KEEP RIGHT ON WITH THEIR GOLD-PLATED HEALTH CARE COVERAGES.

go to the web site below to read the entire article!!

http://www.wnd.com/index.php?fa=PAGE.view&pageId=104716

Listen to what they said!!!!
--