

AGENDA FOR THURSDAY, OCTOBER 15, 2009

Y/ N/ NA

APPOINTMENTS:

- 1. 9:30 a.m. - Ribbon Cutting Ceremony - American Public University System
- 2. 9:55 a.m. - Pledge of Allegiance
- 3. 10:00 a.m. - John D. Perdue - West Virginia State Treasurer
- 4. 10:15 a.m. - Barbara J. Miller - Approval of COOP Plan and EOP
- 5. 10:30 a.m. - Ralph Lorenzetti - Prosecuting Attorney
 - Classification Appeal Request - Change in Position Classification from Grade Level III to Grade Level IV - Discussion/Action
 - Revision of Paralegal Job Description
- 6. 10:45 a.m. - Bonding and Activity Report
- 7. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report
 - Poll Worker Approval for the Special Election concerning Table Games
- 8. 11:05 a.m. - Quarterly Fiduciary Review
- 9. 11:15 a.m. - Public Comment
- 10. 4:30 p.m. - Ribbon Cutting Ceremony - Visitors Center

OLD BUSINESS:

- 11. Legislative Issues
- 12. Report on Federal Stimulus Funds - Discussion
- 13. Continuation of the Deliberations on the Salary Equity Issue and a Vote on an Equity Plan
- 14. Mark Schiavone - Budget Issues
 - Day Report Center Grant Funds

- 15. IT Issues
- 16. Retention of Legal Counsel for Lawsuit - Discussion/Action
- 17. Appointment to the Eastern Panhandle Transit Authority

NEW BUSINESS:

- 18. Approval of Minutes
Approval of Purchase Orders
Approval of Accounts Payable
- 19. Approval of Employment - Patsy Kidwell - Prosecuting Attorney's Office -
Discussion/Action
- 20. Stephanie Grove - Legal Update and Report
- 21. NAACP of Jefferson County - Request for use of County Meeting Room for a Public
Forum to Discuss the Table Game Issues - Discussion/Action
- 22. Decision on E911 Wireline Fee Increase - Discussion/Action
- 23. Letter of Support - City of Ranson EPA Brownfield Grant Application -
Discussion/Action
- 24. Discussion of County Commission Suspension of Tax Tickets from 2000-2003 -
Discussion/Action
- 25. County Administrator Reports
- 26. County Commission Reports

INFORMATION:

- 27. Reminder of Zoning Referendum on November 7, 2009.
- 28. Information received from the Berkeley County Commission concerning the
legislative summit on November 3, 2009.
- 29. Correspondence received from Jefferson Utilities, Inc. concerning well drilling.
- 30. Correspondence received from the Jasper County, South Carolina Administrator

concerning support for employment of Steve Sager as County Administrator.

- 31. Notice of hearing received for Jennifer S. Maghan v. Jefferson County Commission.
- 32. Copy of correspondence from the Hagerstown/Eastern Panhandle Metropolitan Planning Organization received concerning Transportation Investment Generating Economic Recover Discretionary Grants.
- 33. Newsletter received from the Chamber of Commerce.
- 34. Newsletter received from Jefferson Utilities, Inc.
- 35. Correspondence received from the Association of Counties concerning a documentary on county courthouses.
- 36. Information received from the County Commissioners' Association concerning the WV Information Technology Summit 2009.
- 37. Meeting minutes received from the Jefferson County Public Service District.
- 38. Weekly settlement report for the Charles Town Races received from the West Virginia Lottery.
- 39. Miscellaneous

#1

The new academic center of American Public University System (APUS) will enable the institution to serve greater numbers of aspiring students while supporting the economic vitality of the region through job creation.

The vision for the new building's architecture is to preserve and complement the charm and character of Charles Town and to meet the strong environmental standards set by the U.S. Green Building Council for sustaining the environment.

American Public University System is committed to the academic and professional success of students and to the enrichment of the diverse communities we serve.

WHEN OCTOBER 15TH, 2009

WHERE AMERICAN PUBLIC UNIVERSITY SYSTEM
330 NORTH GEORGE STREET
CHARLES TOWN, WV 25414

9:30 A.M. RECEPTION with coffee, juices and pastries

UNVEILING OF NEW BUILDING DESIGN

WELCOME AND REMARKS BY WALLACE BOSTON,
President of American Public University System

GROUNDBREAKING CEREMONY

10:15 A.M. ADJOURN

If you wish to attend, please RSVP by phone or email to:
Jennifer P. Lefebvre, Office of the President
jlefebvre@apus.edu (304) 724-3721

APUS
10/15/09

10/15/09

#3

10:00

Date: September 28, 2009
From: Tom Lange
To: Jefferson County Commission
Re: Agenda Request

Request to place John D. Purdue, West Virginia State Treasurer on the agenda for Thursday, October 15, 2009 at 10:00 a.m. He will be visiting Jefferson County that day and would like to speak with the Commission.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

#4

AGENDA REQUEST FORM

Name: Barbara Miller

Department or Entity: Homeland Security and Emergency Management

Estimation of amount of time needed for appointment: 10-15 minutes (Same appointment as EOP)

Date Requested – 1st Choice: October 15, 2009

Date Requested – 2nd Choice: October 22, 2009

If a specific date is needed, please provide reason for specific date:

Subject: **2009 Continuity of Operations Plan (needs approval)**

Please provide the County Commission with a description of your request or presentation, including any background information:

The 2009 Jefferson County Continuity of Operations Plan has been updated and revised to incorporate the following changes:

- **New in this year's update are: Assessor's Office, Prosecutor's Office, County Clerk's Office.**
- **All other sections of the EOP have been previously approved by the County Commission.**
- **The next revision will incorporate updates from all of the moves of departments and other needed updates. This is a living document.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **I move that we approve the 2009 Jefferson County Continuity of Operations Plan, per the attached promulgation statement/resolution.**

Attachments: **Promulgation Statement/Resolution—Requires signature of President and JCHSEM Director.**

PROMULGATION STATEMENT – RESOLUTION

WHEREAS the changing threat environment and recent emergencies, including localized natural disasters, technological emergencies and military or terrorist attack-related incidents have shifted awareness to the need for Continuity of Operations Planning (COOP) capabilities that will enable Jefferson County to continue their essential functions across a broad spectrum of emergencies.

WHEREAS it is the policy of Jefferson County to have in place a comprehensive and effective program to ensure continuity of essential county functions under all circumstances.

AND WHEREAS planning for continuity of operations must be a cooperative effort to avert or minimize the effects of natural, technological, and/or man-made disasters, protect lives and property, and restore the stricken area to its pre-disaster status with a minimum of social and economic disruption.

SO AS A RESULT, pursuant to the State Emergency Services Act (West Virginia Code, Chapter 15, Article 5, as amended), Jefferson County has established the Jefferson County Homeland Security and Emergency Management (JCHSEM), and that the JCHSEM is, to the limits of its capabilities, responsible for disaster preparedness and recovery activities within Jefferson County.

NOW THEREFORE IT IS RESOLVED, ORDERED AND DETERMINED, that the Jefferson County Commission does hereby approve and adopt the *Jefferson County Continuity of Operations Plan*, which is filed in the Office of the Jefferson County Clerk at the Courthouse, Office of the County Commission of Jefferson County and the Jefferson County Homeland Security and Emergency Management in Charles Town, West Virginia, and which is incorporated herein by this reference.

PASSED AND ADOPTED by the County Commission of Jefferson County, State of West Virginia, this _____ day of _____, 20____.

SIGNATURES

Date

Commission President

Date

Barbara J. Miller, CFM

JCHSEM Director

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Barbara Miller

Department or Entity: Homeland Security and Emergency Management

Estimation of amount of time needed for appointment: 10-15 minutes

Date Requested – 1st Choice: October 15, 2009

Date Requested – 2nd Choice: October 22, 2009

If a specific date is needed, please provide reason for specific date:

Subject: **2009 Emergency Operations Plan (needs approval)**

Please provide the County Commission with a description of your request or presentation, including any background information:

The 2009 Jefferson County Emergency Operations Plan has been updated and revised to incorporate the following changes:

- **Complete Revision of the Communications Annex**
- **Update to the Public Awareness Annex and development of a checklist**
- **Incorporation of a Checklist for Activation and an EOC supply list**
- **Development of the new Emergency Operations Center activation layout.**
- **Replaced all references to “National Response Plan to National Response Framework” and necessary changes related to that.**
- **Reviewed and replaced all references such as “Jefferson County Office of Emergency Services (OES) Jefferson County Emergency Management, to Jefferson County Homeland Security and Emergency Management.”**
- **Reviewed and replaced all former titles of the Jefferson County Emergency Communications Center (such as Jefferson Headquarters, Jefferson County Comm Center, etc.) with the correct title and/or abbreviation.**
- **Incorporated the Animals in Disaster Plan into the EOP. (This was a separate document already approved by the Jefferson County Commission)**
- **Incorporated the new Donations Management Plan and the new Spontaneous Volunteer Plan into the EOP. (Both of these documents were previously approved by the County Commission.)**

- **Other sections had minor changes, such as fixing typographical errors, changing names/phone numbers.**
- **All other sections of the EOP have been previously approved by the County Commission.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I move that we approve the 2009 Jefferson County Emergency Operations Plan, per the attached promulgation statement/resolution.

Attachments: Promulgation Statement/Resolution—Requires signature of President, all County Commissioners, and JCHSEM Director.

**JEFFERSON COUNTY EMERGENCY OPERATIONS PLAN
PROMULGATION STATEMENT – RESOLUTION**

WHEREAS preparedness to cope with the effects of a disaster includes many diverse but interrelated elements which must be woven into an integrated emergency management system involving all departments of local government and private support agencies, as well as the individual citizen.

AND WHEREAS planning for population protection must be a cooperative effort to avert or minimize the effects of natural, technological, and/or man-made disasters, protect lives and property, and restore the stricken area to its pre-disaster status with a minimum of social and economic disruption.

AND WHEREAS many agencies from local, state and federal sources may be involved in emergency response and management, thus requiring a consistent nationwide approach to ensure these agencies work together in their full capacity regardless of the cause, size or complexity of disasters. The National Incident Management System (NIMS) provides for this approach, and the *Jefferson County Emergency Operations Plan* was developed to be responsive to federal requirements contained in the NIMS and is subject to approval by the State of West Virginia and the Federal Emergency Management Agency (FEMA).

SO AS A RESULT, pursuant to the State Emergency Services Act (West Virginia Code, Chapter 15, Article 5, as amended), Jefferson County has established the Jefferson County Homeland Security and Emergency Management, and that the Homeland Security and Emergency Management is, to the limits of its capabilities, responsible for the disaster preparedness activities within Jefferson County.

NOW THEREFORE IT IS RESOLVED, ORDERED AND DETERMINED that the Jefferson County Commission does hereby approve and adopt the *Jefferson County Emergency Operations Plan*, which is filed in the Office of the Jefferson County Commission at the Courthouse in Charles Town, West Virginia, and which is incorporated herein by this reference.

PASSED AND ADOPTED by the County Commission of Jefferson County, State of West Virginia, this _____ day of _____, 20____.

SIGNATURES

County Commission President

County Commissioner

County Commissioner

County Commissioner

County Commissioner



JCHSEM Director

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Jefferson County, West Virginia
Classification Appeal Request Form

Date of Request: 9-18-09

Current Position Classification Title: CHANGE FROM LEGAL ASSISTANT TO PARALEGAL

Grade: III to IV Step: 0/1 Current Salary: 27,000 (30,000)

Department: PROSECUTING ATTORNEY Department Head: RALPH LORENZETTI

Incumbent: LAUREN CROWTHER

How long has Incumbent been in position? _____ Years 7 Months

Who is requesting this appeal? RALPH LORENZETTI

A. Job Description Information*: [To be completed by the individual making the appeal]

1. Is the current job description accurate? Yes* No
2. If No, how does it differ? (Please give as much information as possible. You may attach a separate sheet.)

* JOB DESCRIPTION IS GENERALLY CORRECT,
HOWEVER LEGAL ASSISTANTS/PARALEGALS MAY BE REQUIRED
TO ASSIST IN OTHER AREA'S OF PROSECUTOR'S OFFICE
DUE TO ILLNESSES OR WORK OVERLOADS.

IT WAS MY UNDERSTANDING THAT A TIME OF
HIRING, I WOULD BE A PARALEGAL AND HAVE BEEN
DOING PARALEGAL WORK - TRIAL PREPARATION AND
ASSISTING ATTORNY'S DURING TRIALS

3. How long have you/this individual been doing the above work? _____ Years
7 Months

Employee Signature: Lauren Crowther Date 9/22/09

Print Name: Lauren Crowther

B. Additional Comments: [If additional space is needed, please attach a separate sheet]

MS. CROWTHER SINCE HER HIRING HAS BEEN FUNCTIONING AS A PARALEGAL, PREPARING CASE FILES, CONTACTING WITNESSES, PREPARING TRIAL DOCUMENTS, ETC. HER TRAINING AND PRIOR EMPLOYMENT HAS BEEN AS A PARALEGAL.

C. Organizational Information: [To be completed by Department Head]

1. Have there been any organizational changes that affected this position in the last six months: retirements, terminations, layoffs, new responsibilities, etc. Yes No

If Yes, please detail:

MS. CROWTHER'S WAS HIRED DURING THE JACOB STUDY & NOT CORRECTLY LABELED - THIS OFFICE HAS BEGUN TO USE PARALEGAL MORE ACTIVELY IN TRIAL PREPARATION AND DURING TRIALS.

2. Does the organization chart of your unit still reflect the current structure? Yes No

If No, please submit a revised chart.

D. Department Head Comments: [If additional space is needed, please attach a separate sheet]

MS. CROWTHER'S IS A RECENT HIRE, NEVERTHELESS SHE IS FUNCTIONING AS A PARALEGAL AND UNDER THE JOB CART AS APPROVED SHE IS PROPERLY PLACED AT LEVEL IV - PARALEGAL

DH Signature:

Ralph Lorenzetti
PROSECUTIVE ATTORNEY

Print Name:

RALPH LORENZETTI

E. Position Rating Criteria. [To be completed by the HR Director]

1. Are the 13 factors rated accurately? Yes No

2. If No, in what way do they differ from the original position rating?

3. Should more or less weight be given to any factor? [Please list each factor]

F. Hearing & Decision:

Date Completed Form Received By HR Department: / /

Date of Hearing: / /

Date Hearing Closed: / /

Decision: Granted Denied

If Granted, indicate new Classification Title, Grade, Step, and implementation date

New Classification Title: PARALEGAL GRADE LEVEL III

Grade: 10 Step: 1 Implementation Date: / /

County Administrator's Signature

Date

Print Name

Additional Comments:

Jefferson County, West Virginia
Classification Appeal Request Form

Date of Request: 09/22/09
Current Position Classification Title: Legal Assistant
Grade: III Step: _____ Current Salary: \$30,000
Department: Prosecutors office - civil Department Head: Ralph Lorenzetti
Incumbent: Terese Tritelli
How long has Incumbent been in position? 9 Years 10 Months
Who is requesting this appeal? Stephanie Grove, Ralph Lorenzetti, Terese Tritelli

A. Job Description Information*: [To be completed by the individual making the appeal]

1. Is the current job description accurate? Yes No

2. If No, how does it differ? (Please give as much information as possible. You may attach a separate sheet.)

See Attached memo!

3. How long have you/this individual been doing the above work? 18 Years
0 Months

Employee Signature: Terese Tritelli Date: 9/22/09
Print Name: Terese Tritelli

Statement of duties - Employee provides administrative research

Essential Functions -

1. Assists attorney in preparation of all ^{civil} files

Additional Functions -

- ① performs legal research as required of attorney.
- ② prepares subpoenas
- ③ assists county commission
- ④ assists felony attorneys with trial preparation
- ⑤ in absence of abuse and neglect legal assistant, performs duties of A+N legal assistant
- ⑥ requests hearing dates from judge.
- ⑦ copy discovery for all civil cases.
- ⑧ creates preliminary drafts of legal documents by attorney.

B. Additional Comments: [If additional space is needed, please attach a separate sheet]

15 credits are needed for a four year degree.

Am currently studying to take test for a certified Paralegal.

I am doing the work that a Paralegal does.

I am not doing legal Assistant work.

C. Organizational Information: [To be completed by Department Head]

1. Have there been any organizational changes that affected this position in the last six months: retirements, terminations, layoffs, new responsibilities, etc. Yes No

If Yes, please detail:

Recently, the abuse and neglect attorney was moved to the Civil Division. She is now shares the responsibility w/ Denis Ruderutt for managing abuse and neglect files.

2. Does the organization chart of your unit still reflect the current structure? Yes No

If No, please submit a revised chart.

D. Department Head Comments: [If additional space is needed, please attach a separate sheet]

please see attached memo

DH Signature:

Stephanie F. Grove
Prosecuting Attorney

Print Name:

Stephanie F. Grove

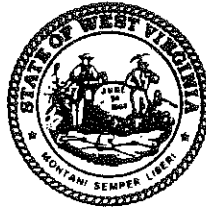
Print Name:

RALPH A. LORENZETTI, JR.
PROSECUTING ATTORNEY

CHARLES B. HOWARD
ASSISTANT PROSECUTING ATTORNEY

STEPHEN V. GROH
ASSISTANT PROSECUTING ATTORNEY

BRANDON C.H. SIMS
ASSISTANT PROSECUTING ATTORNEY



**OFFICE of THE
PROSECUTING ATTORNEY**
of
JEFFERSON COUNTY, WEST VIRGINIA

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HASSAN RASHEED
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CIVIL DIVISION

(304) 728-3346
fax: (304) 728-3353

STEPHANIE F. GROVE
ASSISTANT PROSECUTING ATTORNEY

JAMES CASIMIRO III
ASSISTANT PROSECUTING ATTORNEY

September 22, 2009

Ms. Leslie D. Smith
County Administrator
Jefferson County Commission
124 East Washington St.
Post Office Box 250
Charles Town, WV 25414

Re: Tritelli Change in Position Classification

Dear Ms. Smith:

This memorandum is intended to address Ms. Teresa Tritelli's request for a change in job classification. Ms. Tritelli has asked to be moved to grade level IV, which grade contains the position of paralegal. As her immediate supervisor, I wholly support that request.

Ms. Tritelli is an exceptional employee, who is always willing to learn new tasks and duties. In fact, she is the only legal assistant in our office who is currently trained to perform both civil and criminal work as she assists the criminal division in addition to her full-time duties as the civil legal assistant. Accordingly, Ms. Tritelli can not only perform the essential functions of her position but also the essential functions of every other legal assistant in the office, even those legal assistants whose positions are classified in grade level IV.

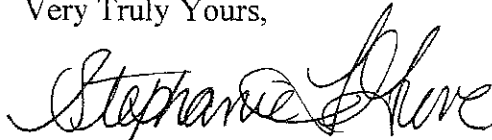
In addition, Ms. Tritelli is the only legal assistant who currently performs legal research. Numerous times, at either my direction or the request of a county commissioner, she has found relevant statutes and case law relating to a legal question pending before this office. Furthermore,

Ms. Tritelli also assists the County Commission office. In the face of shrinking budgets and staff, she has volunteered to learn the tasks of the County Commission staff and assist them with those tasks when needed. As such, she is the only legal assistant in the prosecutor's office who also performs work for another office.

Finally, Ms. Tritelli is currently in the process of earning her four year degree in paralegal studies. She is only fifteen hours or one semester away from completing that degree. In addition, Ms. Tritelli fully expects to earn her paralegal certificate by the end of this year, a distinction held by only one other legal assistant in the Prosecutor's Office, even those legal assistant's whose job is classified as grade IV.

In closing, after reviewing Ms. Tritelli's appeal and the information contained therein, I would respectfully request that you classify her position in grade IV as a paralegal. If you have any questions concerning Ms. Tritelli or her request please feel free to contact me.

Very Truly Yours,

A handwritten signature in cursive script that reads "Stephanie F. Grove". The signature is written in black ink and is positioned above the typed name.

Stephanie F. Grove,
Assistant Prosecutor
Civil Division

E. Position Rating Criteria. [To be completed by the HR Director]

1. Are the 13 factors rated accurately? Yes No

2. If No, in what way do they differ from the original position rating?

3. Should more or less weight be given to any factor? [Please list each factor]

F. Hearing & Decision:

Date Completed Form Received By HR Department: ____/____/____

Date of Hearing: ____/____/____

Date Hearing Closed: ____/____/____

Decision: Granted Denied

If Granted, indicate new Classification Title, Grade, Step, and implementation date

New Classification Title: PARALEGAL GRADE LEVEL IV

Grade: _____ Step: _____ Implementation Date: ____/____/____

County Administrator's Signature

Date

Print Name

Additional Comments:

Key Elements of the Proposed Traditional County Zoning Ordinance (to be voted on November 7, 2009)

#6

Relationship to Planning Principles

Predictability in the County Development Pattern

A traditional zoning ordinance and map is intended to provide certainty in the land use review and development processes. The proposed categories implement the growth principles of the 2004 Comprehensive Plan and promote growth that occurs in a logical manner, reducing unanticipated urban service demands, stabilizing rural area growth, and preventing sprawl.

Fewer variance and conditional uses

The proposed ordinance incorporates many of the uses currently requiring conditional use permits as permitted uses and limits the need for conditional use permits. For some uses, administrative approval will be granted once certain conditions are met.

Revitalization opportunities for County's traditional villages

The proposed traditional ordinance permits limited development within or at the edges of the County's villages (Middleway, Shenandoah Junction, Summit Point, Rippon, Bakerton, Millville, and Halltown) using designs that keep with the character of the particular village. The provisions are framed with an eye toward creating future greenbelts around these villages, assuring they remain distinctive and unique.

New development will be built as an extension of the existing fabric of communities

The proposed ordinance requires new development to be designed based on the existing community patterns in order to preserve the unique image, fabric, and character of existing communities.

Agricultural Provisions

Wide range of allowable uses on farms and farmsteads

The proposed traditional ordinance offers a wide range of farm related uses and recognizes the concept of farmsteads. Uses included are: welding shops, farm stands, farm supply sales, farm service businesses, kennels, veterinary services, agricultural product processing facilities, and bed & breakfast facilities.

Entitles farms to develop

The proposed Agricultural District provision will be less restrictive than the current Rural District provision. Depending on the form of development, farms will be entitled to develop one house per 9 acres to one house per 5 acres.

Preserves Productive Open Farmland

The proposed ordinance will preserve approximately 35% of the county land and over 75% of the existing farmland with conservation easements. This land can be used for AG-related and horse related uses; adaptive re-use of manor homes for "back-office" businesses, and renovation of barns into apartments.

New residential building on AG zoned farms will be confined to 15-20% of the land. This reduces development cost by reducing the amount of construction needed for roads and storm water management.

Historic Resources

The proposed ordinance encourages the preservation of historic structures by permitting adaptive reuse of the structures. It also provides for the conservation and protection of identified Class 1 and Class 2 cultural and historic resources and their context through the preservation of open space buffering the historic feature.

Affordable Housing

The proposed ordinance provides for increased opportunities for "affordable" housing units in the County. Ten to fifteen percent of the residential units constructed will be required to be affordable work force housing. Small residential units ranging from 650 to 1,000 square feet are encouraged to provide starter homes. The proposed ordinance also permits accessory dwelling units in either new subdivisions or where residential units currently exist.

Economic Development

The proposed ordinance provides for a wide variety of economic development opportunities. Additional acreage is set aside for Business Park development. Provisions are made for home businesses, industries and other occupations. In recognition of the internet and the digital age, some forms of businesses will not be restricted to Business Park locations, provided standards are met to minimize the impact to county residents.

Environmental Protection

Jefferson County's beauty and character are among its greatest assets. New development changes the County's landscape. To maintain and enhance this natural asset, environmental protection standards are incorporated into the new ordinance. These standards are based on the best available science and data and are defined for various sensitive environmental attributes.

DRAFT

Key Elements of the Existing Non-Traditional County Zoning Ordinance (adopted July 7, 1988, including April 8, 2005 and other amendments)

Relationship to Planning Principles

Flexibility in the County Development Opportunities

The existing non-traditional zoning ordinance and map are intended to provide flexibility in the development opportunities afforded to individual property owners through the use of a Land Evaluation System Assessment (LESA). Most projects are evaluated using a numerical rating system designed to assess a particular site's development potential based on soils and amenity criteria cited in the Ordinance. The rating system is referred to as the Development Review System (DRS). Projects are also evaluated at a Compatibility Assessment Meeting. In 2005 the Ordinance was amended to clarify the numerical rating system to encourage development to occur in a manner that is more consistent with the 2004 Comprehensive Plan.

The existing ordinance contains a limited number of permitted uses; however, a proposed use that is not listed as a permitted use, may be approved as a Conditional Use if the DRS and Compatibility Assessment demonstrates it is compatible and appropriate with the neighborhood.

The LESA evaluation system is based on the concept of promoting development that occurs with a logical extension of urban service; however, in West Virginia laws related to road ownership and water and sanitary sewer extensions have resulted in developments that are located in scattered areas of the County.

Agricultural Provisions

The existing ordinance states that nothing in the ordinance shall prohibit the use of land for agricultural purposes or the construction or use of buildings or structures for agricultural purposes. The 2005 amendment greatly expanded the definition of "agricultural uses" to include such things as Commercial Agricultural Enterprises, pick your own farm products, agricultural tourism activities, as well as the more traditional activities such as dairying, horticulture, floriculture, viticulture, fish culture, animal husbandry, fish, meat, and poultry processing.

The Rural District has as its purpose the provision of a location for low density single family residential development in conjunction with providing continuing farming activities and preserving the rural character of the County. The ordinance, as amended in 2005, provides for development with a minimum of 3 acres at a density of 1 lot/15 acres; cluster development with a minimum of 40,000 square feet at a density of 1 lot/10 acres; the provision that two lots, a minimum of 40,000 square feet, can be divided off a lot in the Rural District every 5 years; and provides for parent to child land transfers.

Historic Resources

The existing zoning ordinance prohibits any development which would destroy the historical character of a property listed on the West Virginia or National register of Historic Places shall not be permitted. It further requires a buffer for any uses or buildings proposed to be located on or adjacent to any parcel including a historic structure or designated historic district which has been listed on the West Virginia or National Register of Historic Places.

Affordable Housing

The existing zoning ordinance has no provisions to encourage affordable housing.

Economic Development

The existing ordinance includes opportunities for business and industrial development through the provisions found in the Industrial/Commercial District and the Residential/Light Industrial/Commercial District and also has provisions for two levels of Home Occupations and Cottage Industries.

Environmental Protection

The existing ordinance has provisions which protects all natural, undisturbed parcels within 1000 feet of the Potomac and Shenandoah Rivers and Opequon Creek and all parcels east of the Shenandoah River by requiring retention of land in accordance with the Subdivision Regulations. It also provides for a 500 foot buffer along the Potomac and Shenandoah for all non-residential development.

For more information and answers to FAQs, please go the Jefferson County Commission website:
<http://www.jeffersoncounty.wv.org/Planning%20and%20Zoning.html>

Frequently Asked Questions about the Proposed Traditional
Jefferson County Zoning Ordinance to be voted on November 7, 2009

- ***What zoning classification is proposed for my property?***

The proposed County Zoning Map provides the answer to this question. To determine the proposed zoning for your property(s), simply find your property on the map, ascertain the color shown on your property and consult the legend in the upper left corner of the map to determine the designation (e.g. Agriculture, Countryside, Residential etc.).

- ***How were the zones on the zoning map determined?***

Generally, the zone districts shown on the proposed Zoning Map were delineated based on the existing use of the land and the prevailing lot sizes in existing developments. Areas developed into various parcel sizes are generally mapped based according to the “zone district” that best reflects these conditions. For example, areas where large parcels prevail are either zoned Agriculture or Countryside.

- ***If my land was zoned for “Residential Growth” or “Commercial-Industrial” on the current zoning map, will it be the same on the proposed map?***

No, the proposed zoning ordinance includes nine proposed zone districts that do not necessarily correspond to the previous five districts. As already stated, the existing land use provided the basis for delineating districts on the proposed map.

- ***What if I don’t think the proposed zoning designation of my property is appropriate?***

The Zoning Ordinance and Map that are a part of the referendum vote are required to be the exact ordinance and map that was in effect when the petition was certified. If you feel the designation is not the correct zone based on your lot size or existing or proposed use of the property, there are provisions for initiating a zoning map amendment in the proposed ordinance.

- ***What can I do on my property? What uses can I make of my property? How can I use my property?***

Once you’ve identified the zone district in which your property is located, you will need to consult the zoning ordinance to answer this question. Tables **2.201A** and **2.201B** provide a list of uses on the left column of the table. The various zone districts are located near the first row of the table. Read across the row to find your district; then read down that column to see if a “P”, “L”, “C,” or “N” is located in the column for each of the uses to the left. The P, L, C, and N are defined at the bottom of the table. If additional provisions apply with regard to a specific use, a reference to the additional provision section is provided in the far right column of the row in which the use is identified. For example, if you are trying to determine if you can conduct a home occupation or home business you will need to consult Sections 2.410 through 2.413 of the ordinance.

- ***What about my current home business? Can I stay in business?***

Yes. Any home businesses known as a Home Occupation Level 2 under the 1988 code, as amended, that is in existence on the effective date of the proposed Ordinance and which is not located on a farmstead within the Agriculture (AG) or Countryside (CS) districts, shall be considered a conforming accessory use. However, two stipulations apply: 1) the home business may not be expanded or enlarged, and 2) if the home business activity is discontinued for a period of 12 months or longer, it may not be re-established.

- ***If I have an existing use on my property or an existing building on my property that doesn't meet the ordinance requirements or standards can I continue with my use?***

Yes, you can continue to use the property as you currently are, and you will not have to move or relocate any structures. Such uses and structures are treated as non-conforming uses and structures in Article 6 of the Zoning Ordinance.

- ***What's wrong with the current ordinances?***

The current zoning and land development ordinance depends on a development review system to guide development that has led to major subdivisions being located in scattered form throughout the County. Such development impacts farming, and leads to greater costs to provide public services. This sprawl pattern of development provides little or no control over where development or larger subdivisions may next occur. The handout with key elements of each of the ordinances provides comparisons between the existing and proposed ordinances in key topic areas.

- ***What are the Key Principles guiding development of the Ordinance?***

- Create a process and procedures to "manage growth" rather than be overrun by it.
- Balance developer needs and resident needs.
- Abolish LESA to ensure more fair process of review and approval.
- Provide farm owners more options to continue to provide for themselves.
- Protect natural resources.
- Provide predictability in growth.
- Reduce the incidence of variances.
- Better the quality of planned development.
- Provide more affordable housing.
- Protect open space.

- ***Can I subdivide lots from my property for immediate family members?***

Yes you can, provided you have enough land to do so. For example, in the agricultural district each lot can be 1 to 1.5 acres in area, but the number of lots is limited to one lot per nine (9) acres as currently proposed. In the Countryside District, lots can be one acre in size, but you would need to allocate approximately 4.5 acres for each lot. Family lots can be served by a road that does not meet full county road standards, thereby reducing costs in comparison to a more traditional subdivision.

Charles Town District					
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation	
Precinct # 2					
Poll Commissioner # 1					
Violet Lowery	725-2604	566 Eagle Ave. Charles Town		Dem	
Poll Commissioner # 2					
Stella Robinson	725-6363	631 Eagle Ave. Charles Town		Rep	
Supply Clerk					
Jean Roberts	725-7435	404 S. Charles St. Charles Town		Dem	
Poll Clerk # 1					
Ruth McDaniel	725-2128	546 Eagle Ave. Charles Town		Dem	
Poll Clerk # 2					
Karen Kressin	724-2721	87 Appaloosa Way Charles Town		Rep	
Precinct # 3					
Poll Commissioner # 1					
Sharon Sather	728-4831	66 Cypress Point Dr. Charles Town		Rep	
Poll Commissioner # 2					
Devona Snyder	725-7874	110 Cooke St. Charles Town		Dem	
Supply Clerk					
Harriet Monroe Miller	728-6155	201 Cranes Lane Ranson		Dem	
Poll Clerk # 1					
Orville Thompson	728-6734	540 Brocke St. Charles Town		Dem	
Poll Clerk # 2					
Julia Mae Downing	725-9085	605 Eagle Ave. Charles Town		Rep	
Precinct # 4A					
Poll Commissioner # 1					
Mary Mays	725-2863	632 S. George St. Charles Town		Dem	
Poll Commissioner # 2					
Phyllis Cadwell	725-0788	20 New Peach Tree Ct. #402 CT		Rep	
Supply Clerk					
Rebecca Jones	725-5319	68 Belvedere Dr. Charles Town		Dem	
Poll Clerk # 1					
Charlotte Gano	725-7519	485 Jefferson Ave. Charles Town		Dem	
Poll Clerk # 2					
Marty Freeman	725-0470	PO Box 945 Charles Town		Rep	

Charles Town District					
Name	Telephone #s	Address	Social Sec. #	Party Affiliation	
Precinct # 4B					
Poll Commissioner # 1					
Janet Jeffries	725-4094	432 S. Lawrence St. Charles Town		Dem	
Poll Commissioner # 2					
Garland Chrisman	728-8138	PO Box 294 Shenandoah Jct.		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					
Connor Newlon	725-7683	315 S. Church St Charles Town		Rep	
Precinct # 6					
Poll Commissioner # 1					
Dorothy Meyers	725-5487	804 Morison St. Charles Town		Dem	
Poll Commissioner # 2					
Richard Raymond	724-7391	17 Brookline Dr. Charles Town		Rep	
Supply Clerk					
Gary Henry	725-0614	3025 George St. Ranson		Dem	
Poll Clerk # 1					
Shirley Wilt	725-2296	301 Tall Oak Dr. Charles Town		Dem	
Poll Clerk # 2					
Eva Alexander	676-2577	93 Special Orders Ct. Harpers Ferry		Rep	
Precinct # 7					
Poll Commissioner # 1					
Thelma Wilt	725-5673	105 N. Reymann St. Ranson		Dem	
Poll Commissioner # 2					
Shirley Utz	725-2508	61 Lindsey Dr. Charles Town		Rep	
Supply Clerk					
Charles Henry	725-8631	PO Box 263 Charles Town		Dem	
Poll Clerk # 1					
Shirley Henry	725-8631	PO Box 263 Charles Town		Dem	
Poll Clerk # 2					
Charlotte Davis	728-8507	308 E 13th Ave Ranson		Rep	

Harpers Ferry District					
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation	
Precinct # 12					
Poll Commissioner # 1					
Peggy Nicodemus	876-3555	109 Paint Horse Rd. Harpers Ferry		No Party	
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					
Isabelle Ebersole	725-1274	PO Box 34 Shenandoah Jct		Rep	
Poll Clerk # 2					
Joan Mercer	725-5587	PO Box 85 Shenandoah Jct.		Dem	
Precinct # 13A					
Poll Commissioner # 1					
Melodie William	725-7152	112 Hilltop Rd Harpers Ferry		Rep	
Poll Commissioner # 2					
Mary Cogle	725-7184	857 Mt. Hammond Ln. Charles Town		Dem	
Supply Clerk					
Mindy Maye	725-0430	38 Auburn Ct. Charles Town		No Party	
Poll Clerk # 1					
Tim Collins	535-2626	52 Spring St. Harpers Ferry		Rep	
Poll Clerk # 2					
Linda Housden	535-2478	57 Fort Hill Rd. Harpers Ferry		Dem	
Precinct # 13B					
Poll Commissioner # 1					
Jack Williams	725-7152	112 Hilltop Rd Harpers Ferry		Rep	
Poll Commissioner # 2					
Peggy Freeman	535-6597	175 Cheney St Harpers Ferry		Dem	
Supply Clerk					
Jo McGinnis	725-1418	29 Paddock Pl Charles Town		Dem	
Poll Clerk # 1					
Jean Dignazio	725-3688	97 Basset Ln Ranson		Dem	
Poll Clerk # 2					
Anne Dungan	535-6914	228 Prospect Ave Harpers Ferry		Rep	

Precinct # 14					
Poll Commissioner # 1		676-5952	40 Beamer Lane Harpers Ferry		Rep
Julie Ott					
Poll Commissioner # 2		725-2927	329 Greenwood Dr. Harpers Ferry		Dem
Susanne Koenig					
Supply Clerk		728-7865	263 Mara Rose Lane Harpers Ferry		Dem
Jim Eddy					
Poll Clerk # 1		535-6850	PO Box 208 Harpers Ferry		Dem
Freida Kidwell					
Poll Clerk # 2		671-6697	PO Box 1081 Harpers Ferry		Rep
Michael Buscher					

Harpers Ferry District				
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation
Precinct # 15				
Poll Commissioner # 1				
Mary Rutherford	535-2488	61 Spring St. Harpers Ferry		Rep
Poll Commissioner # 2				
Raymond Heslin	725-4317	23 Supreme Ct. Charles Town		Dem
Supply Clerk				
Paul Wilt	725-7040	103 North Reymann St. Ranson		Dem
Poll Clerk # 1				
Gay Dungan	535-6914	228 Prospect Ave Harpers Ferry		Rep
Poll Clerk # 2				
Catherine Smallwood	728-3958	PO Box 157 Ranson		Dem
Precinct # 16				
Poll Commissioner # 1				
Randolph Ridgeway	725-6505	663 Chestnut Hill Rd Harpers Ferry		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. Harpers Ferry		Dem
Poll Clerk # 1				
Monte Ridgeway	728-7669	665 Chestnut Hill Rd Harpers Ferry		Rep
Poll Clerk # 2				
Debbie Gravatt	876-6212	505 Engle Moler Rd. Harpers Ferry		Dem
Precinct # 17				
Poll Commissioner # 1				
Ramona Thompson	728-8039	PO Box 1269 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
Poll Clerk # 1				
Jerry Williams	725-9740	78 Bluff Lane Harpers Ferry		Rep
Poll Clerk # 2				
Bobbie Blok	202-744-4479	PO Box 746 Harpers Ferry		Dem

Kabletown District					
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation	
Precinct # 19					
Poll Commissioner # 1					
Beverly Raines	728-4304	125 East View Ct Charles Town		Rep	
Poll Commissioner # 2					
Lorraine Kinder	728-9948	744 Treeline Dr. Charles Town		Dem	
Supply Clerk					
Christine Wolf	724-8233	3 Baltusrol Dr. Charles Town		Dem	
Poll Clerk # 1					
Joyce Pifer	725-3678	7417 Queen St. Kearneysville		Dem	
Poll Clerk # 2					
James L. Mann	725-3202	35 Scottie Dr. Charles Town		Rep	
Precinct # 20					
Poll Commissioner # 1					
Jerry Sather	728-4831	66 Cypress Point Dr. Charles Town		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					
Pamela Carroll	725-0030	53 Beekman Place Charles Town		Rep	
Poll Clerk # 2					
Carolyn Wright	725-7999	276 Hawthornedale Rd. CT		Dem	
Precinct # 21A					
Poll Commissioner # 1					
Deborah Spatola	728-4472	413 Red Bird Ln Harpers Ferry		Rep	
Poll Commissioner # 2					
Barbara Smith	725-6307	PO Box 165 Ranson		Dem	
Supply Clerk					
Alice Sudduth				Dem	
Poll Clerk # 1					
Frankie Remaley	728-4549	50 Pheasant Lane Harpers Ferry		Rep	
Poll Clerk # 2					
Judy Ott	676-5617	40 Beamer Ln Harpers Ferry		Dem	

Kabletown District				
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation
Precinct # 21B				
Poll Commissioner # 1				
Carol Swiger	268-2418	200 Robin Lane Harpers Ferry		Rep
Poll Commissioner # 2				
Virginia Graf	728-2829	2054 Kabletown Rd Charles Town		Dem
Supply Clerk				
Patricia Blevins	725-2234	920 General Rogers Rd. Charles T.		Dem
Poll Clerk # 1				
Samantha Adesa	886-9459	109 Porter Way Charles Town		No Party
Poll Clerk # 2				
Eugene Pearson	725-1746	PO Box 1005 Charles Town		Rep
Precinct # 22A				
Poll Commissioner # 1				
Trixie Carter	728-0900	19459 Charles Town Rd. HF		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				
Barbara Turton	725-4366	183 Locust Hill Dr. Charles Town		Rep
Poll Clerk # 2				
Gerald Dost	724-0066	732 Turnberry Dr. Charles Town		Dem
Precinct # 22B				
Poll Commissioner # 1				
Mason Carter	728-0900	19459 Charles Town Rd. HF		Rep
Poll Commissioner # 2				
William Munday	72-2234	404 General Rogers Rd. Charles T.		Dem
Supply Clerk				
Nance Briscoe	728-2201	22 Cloverdale Place Charles Town		Dem
Poll Clerk # 1				
Melissa Godwin	540-686-5480	109 Grouse Knoll Ln Summit Point		Rep
Poll Clerk # 2				
Roger Dailey	724-7901	863 Pheasant Hill Rd. Summit Point		Dem

Kabletown District				
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation
Precinct # 23A				
Poll Commissioner # 1				
Judith Cromwell	728-8827	254 Turnberry Dr Charles Town		Rep
Poll Commissioner # 2				
Vickie Drummond	728-9014	408 E. 6th Ave. Ranson		Dem
Supply Clerk				
Stephanie Grove				Dem
Richard Gibson				
Elizabeth Lademan	724-2083	417 S. Samuel St. Charles Town		Rep
Poll Clerk # 2				
Debra Durst	725-6794	6546 Middleway Pike Kearneysville		Dem
Precinct # 23B				
Poll Commissioner # 1				
Neil Bellman	279-5200	715 Morison St. Charles Town		Rep
Poll Commissioner # 2				
Metha Crouch	728-1081	47 Victoria Lane Charles Town		Dem
Supply Clerk				
Nora Drish	725-5256	PO Box 294 Summit Point		Dem
Poll Clerk #1				
Martin Durst	725-6794	6546 Middleway Pike Kearneysville		Rep
Poll Clerk #2				
Marie White	725-7674	30 Beekman Place Charles Town		Dem

Middleway District					
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation	
Precinct # 25A					
Poll Commissioner # 1					
Joan L. Hough	725-5025	12771 Leetown Rd. Kearneysville		Rep	
Poll Commissioner # 2					
Dorothy McDonald	725-2601	58 Kings Nest Dr. Kearneysville		Dem	
Supply Clerk					
Mary (Rosalie) Ring	725-8045	277 King St. Kearneysville		Dem	
Poll Clerk # 1					
H. Lavonne Miller	725-7679	277 Joe J. Miller Rd. Kearneysville		Rep	
Poll Clerk # 2					
Marsha Gardner	725-1586	259 King St. Kearneysville		No Party	
Precinct # 25B					
Poll Commissioner # 1					
Wanda Hughes	725-3243	23 Georgia Ave Charles Town		Dem	
Poll Commissioner # 2					
Joe Miller	725-7679	277 Joe J Miller Rd Kearneysville		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					
Betty Hills	728-1149	PO Box 44 Summit Point		Rep	
Precinct # 26					
Poll Commissioner # 1					
John Hancock	725-9339	5392 Paynes Ford Rd. Kearney		Dem	
Poll Commissioner # 2					
Iris Chrisman	725-7800	118 Old Leetown Pike Kearney		Rep	
Supply Clerk					
Jean Spurling	725-9200	12082 Leetown Rd. Kearneysville		Dem	
Poll Clerk # 1					
Linda Fricke	728-6400	154 East St. Kearneysville		Dem	
Poll Clerk # 2					
Dan Evangelisti	728-0334	555 Skyline Trail HF		Rep	
Precinct # 27					

725-4522	185 Jefferson Terrace Rd CT		Rep
876-6807	108 Libby Lane Kearneysville		Dem
283-2122	PO Box 704 Kearneysville		Dem
728-8210	PO Box 4 Kearneysville		Rep
728-8562	95 Rural Retreat Dr. Ranson		Dem
Precinct # 28			
724-7033	774 Crosswinds Ct. Charles Town		Rep
596-0102	8 Supreme Court Charles Town		Dem
728-7149	1994 Wide Horizon Blvd Kearney		Dem
725-6929	63 Pond Road Charles Town		Dem
728-5196	405 Paulas Circle Kearneysville		Rep

Shepherdstown District					
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation	
Precinct # 31					
Poll Commissioner # 1					
Bruce Fleshman	283-7594	5388 Shepherdstown Pike Shen Jct		Rep	
Poll Commissioner # 2					
Antoinette Ringgold	995-9140	105 Limited Dr Ranson		Dem	
Supply Clerk					
Anita Fleshman	283-7594	5388 Shepherdstown Pike Shen Jct		Dem	
Poll Clerk # 1					
Edward Moore	876-3194	PO Box 1969 Shepherdstown		Dem	
Poll Clerk # 2					
Cheryl Huff	725-4989	74 Porter Way Charles Town		Rep	
Precinct # 32					
Poll Commissioner # 1					
Richard Gibson	876-6926	243 Rabbits Rest Lane Shep.		Rep	
Poll Commissioner # 2					
Terri Sizemore	270-0877	821 N Mildred St 8-104 Ranson		Dem	
Supply Clerk					
Jeff Bresee				Dem	
Poll Clerk # 1					
Sharon Canfield-Major	876-2935	651 Cherry Run Rd. Harpers Ferry		Dem	
Poll Clerk # 2					
Carol Gibson	876-6926	243 Rabbits Rest Lane Shep.		Rep	
Precinct # 33					
Poll Commissioner # 1					
John Thompson	728-8278	161 Westwoods Lane Charles Town		Dem	
Poll Commissioner # 2					
Bruce Kressin	724-2721	87 Appaloosa Way Charles Town		Rep	
Supply Clerk					
Sarah Gabrielson	676-8444	151 Georgia Ave. Charles Town		No Party	
Poll Clerk # 1					
Delores Allen	724-6072	PO Box 141 Kearneysville		Dem	
Poll Clerk # 2					
Claire Gibson	202-669-6150	116 Wildwood Farm Ln Shen Jct		Rep	

Shepherdstown District					
Name	Telephone #'s	Address	Social Sec. #	Party Affiliation	
Precinct # 34					
Poll Commissioner # 1					
Mike Cenate	728-6120	138 Scottie Dr Charles Town		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					
Tracey Cenate	728-6120	138 Scottie Dr Charles Town		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					
Tara Morgan	876-3665			Rep	
Supply Clerk					
Jim Watkins	876-3508	PO Box 1381 Shepherdstown		Dem	
Poll Clerk # 1					
Margaret Housden	876-0686	466 Ridge Road Shenandoah Jct		Dem	
Poll Clerk # 2					
George Moxley	725-6857	56 Starlight Lane Harpers Ferry		Rep	
Precinct # 35B					
Poll Commissioner # 1					
Mary Trice	728-7873	44 New Sycamore Cir Apt 102 CT		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					
Florence Vickers	876-6727	707 Van Clevesville Rd Kearney		Rep	
Poll Clerk # 2					
Suzanne Schmidt	535-2241	660 Washington St Harpers Ferry		Dem	



#10

37 Washington Court, Harpers Ferry, WV 25425 • 304.535.2627 • 866.HELLO-WV • fax 304.535.2131 • email: visitors@hello-wv.com

**The Board of Directors of the Jefferson County
Convention and Visitors Bureau**

**Is pleased to announce the Grand Opening
of our new**

**VISITORS CENTER
37 Washington Court
Harpers Ferry, WV**

**Please join us for a very special celebration
Thursday, October 15, 2009. Governor Joe
Manchin will honor us by attending our official
ribbon cutting ceremony.**

**Public Open House
1:00-6:00 p.m.**

**Ribbon Cutting Ceremony
4:30 p.m.**

Refreshments will be served

#13

<p>Commission Office Use Only</p> <p>Date on Agenda: 10/15/09</p> <p>Appt Time or New Business: old BUS</p>

AGENDA REQUEST FORM

Name: Dale Manuel

Department or Entity: County Commissioner

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: _____

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date:

Subject:

Old Business - Salary Equity

Please provide the County Commission with a description of your request or presentation, including any background information:

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):

Attachments:

Old Business

#14



Phone: 304-267-5000 ext. 3961
Fax: 304-263-6092

Berkeley/Jefferson Day Report Center

Joseph P. Sacchet
Berkeley/Jefferson Day Report Center
406 South Raleigh St.
Martinsburg, WV 25401
September 14, 2009

RECEIVED

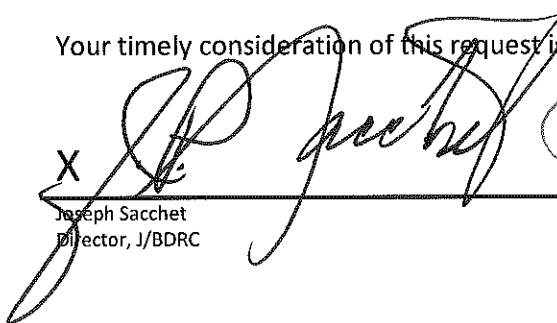
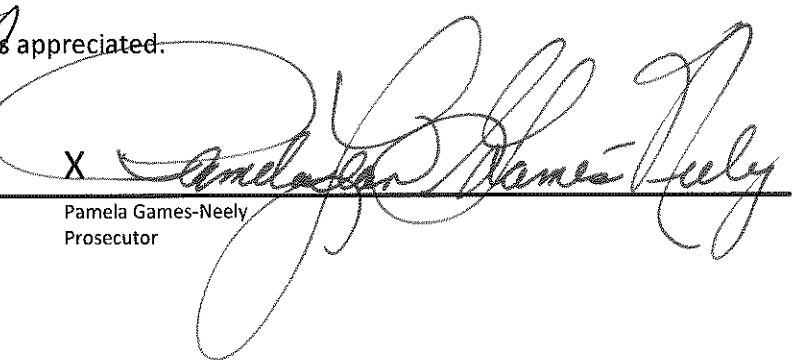
SEP 15 2009

Mr. Dale Manuel
President Jefferson County Commission **Jefferson County Commission**
PO Box 250
Charles Town, WV 25414

The Berkeley and Jefferson County Commissions in June each advanced a cash amount of \$37,500.00 to the Berkeley/Jefferson Day Report Center. This was approved by each Commission to enable the Center to pay invoices by the close of the fiscal year. The West Virginia Criminal Justice Services in Charleston hasn't processed our expenditures for the months of May and June. Once these monies are received, each county will be reimbursed without delay the amount owed.

I have delayed making the following request because I first wanted to meet by obligation to reimburse each county for their June advance. Since monies have not been received from Charleston, I am requesting that the local grant funds from Berkeley and Jefferson Counties for this fiscal year be allocated in one full payment. This will provide an ongoing working fund needed to meet daily operating expenses while waiting for each month's reimbursement payment from the West Virginia Criminal Justice Service. The amount each County is responsible for in this year's grant is \$22,677.00 for a total local match of \$45,354.00.

Your timely consideration of this request is appreciated.

<p>X </p> <p>Joseph Sacchet Director, J/BDRC</p>	<p>X </p> <p>Pamela Games-Neely Prosecutor</p>
---	--

Cc: Marsha Kelley, Director of Finance
Deborah Hammond, County Administrator
Sheriff Kenneth LeMasters, Treasury Community Corrections Board



SOFTWARE SYSTEMS INC.

23 SOUTH UNIVERSITY AVENUE
 MORGANTOWN, WV. 26508
 PHONE (304) 292-2568 FAX (304) 292-9836

#15 (2)

SALES QUOTE	
SQ-9871	Sep 02, 2009

Customer		Ship To							
JEFFERSON COUNTY COMMISSION ACCT PAY/ALL DEPTS SHARED SERVERS PO BOX 250 CHARLES TOWN WV 25414 Tel: (304) 725-9761		JEFFERSON COUNTY COMMISSION ACCT PAY/ALL DEPTS SHARED SERVERS PO BOX 250 CHARLES TOWN WV 25414 Tel: (304) 725-9761							
Account	Terms	Due Date	Account Rep	Schedule Data					
10051	DUE UPON RECEIPT OF INVOICE	Sep 02, 2009	Mark Tennant						
Quotation	PO #	Reference	Ship VIA	Page Printed					
SQ-9871			COMPANY DELIVERY	1 10/02/09 13:56					
L	Item	Description	Qty	Ship	Price	M	Discount	Amount	
1		IBM Maintenance for 9406-520 s/n: 3E4BA							
2		1 yr contract from 10/06/09 to 10/05/10							
3	IBMHM	IBM HARDWARE MAINTENANCE	1		11875.68	EA		11875.68	
4	IBMSM	IBM SOFTWARE MAINTENANCE	1		3217.81	EA		3217.81	
5									
Prices and product availability are subject to change without notice.								Taxable	0.00
								Tax	0.00
								Exempt	15093.49
								Total	15093.49
								Paid	0.00
								Tr Disc	0.00
								Balance	15093.49
Payment Details								Thank You	

3



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FOUR HUNDRED Stuff
Hardware, Software & Services

Volume 6, Number 5 -- January 31, 2006

Features Galore Inside i5/OS V5R4

Published: January 31, 2006

by Timothy Prickett Morgan

As we have all been anticipating, the latest iteration of the OS/400 platform, i5/OS Version 5 Release 4, makes its debut today, and will begin shipping on February 14 with the new System i5 Power5+ servers that IBM also announced today. IT Jungle has been previewing many of the features of i5/OS V5R4, so some of this will be familiar to you. IBM has given us an initial briefing on the new software, but it will take some reading of announcement letters and Redbooks before all the details will be known.

But before we get into all of that, there is one great thing about i5/OS V5R4 that is not in the spec sheets: You do not have to use it, even on the new System i5 servers. IBM is still selling i5/OS V5R3 for those customers who are not ready to take on a new release of the OS/400 platform or whose applications may not yet be certified for the new release. "Everybody is delighted about this," says Ian Jarman, the System i5 product manager who has been the voice of so many iSeries product announcements over the years. "It's not that people do not want to go to V5R4. It's just that they can't all necessarily get there immediately."

Letting customers move at their own pace is a wonderful thing, especially in contrast to the past, when so many AS/400 and iSeries upgrades required customers to get new operating system software when they acquired the latest hardware. This is, I think, one of the things that has held down sales of AS/400 and iSeries servers, even if it has had the benefit of keeping customers more current on their operating system releases than they might otherwise be. I think that customers left to their own devices would probably just as soon skip every other software release and only make version upgrades when absolutely necessary.

IBM is giving customers fair warning that the new i5/OS V5R4 will be the last operating system supported on the iSeries Model 270, 820, 830, and 840 machines as well as on the SB2 and SB3 application servers that are based on the same S-Star and I-Star processor technology. i5/OS V5R4 also runs on any Power5 or Power5+ i5 server, including the iSeries i5 models from 2004 and the new System i5 machines launched today (see "The iSeries Gets Power5+ Chips and the New System i5 Moniker" elsewhere in this issue of *Four Hundred Stuff*). i5/OS V5R4 is also supported on Power4-based iSeries 800, 810, 825, 870, and 890 machines. However, earlier machines, like the Northstar-based AS/400 720, 730, and 740 servers, cannot run i5/OS V5R4.

Jarman warns that the next release of i5/OS--which could be called i5/OS V6 if it comes to market concurrently with Power6-based servers in 2007--will run on Power4, Power4+, Power5, and Power5+ servers, which means iSeries 800, 810, 825, 870, and 890 machines, and i5 520, 550, 570, and 595 machines--and, of course, Power6 servers if they are announced together. It could be that IBM does an interim release to add new functionality to V5R4, perhaps to add partitions that allow workloads to be moved from one physical machine to another. AIX 5.4 is expected to get such functionality in the second half of the year through a maintenance release, so why not i5/OS, too?

IBM has made another packaging change with i5/OS V5R4, which I want to explain before going over the biggest features in the new release. Starting with V5R4, all languages will be supported in all geographical regions. While OS/400 and i5/OS has always had excellent multi-language support, certain languages were only available in certain regions. With i5/OS V5R4, customers can get multiple language support for i5/OS no matter where they buy the i5 machine or plop it down. For example, a company based in Asia that uses one of the double-byte character languages (Chinese, Japanese, or Korean) will be able to use those languages in i5/OS distributed in North America and Europe, and IBM will support it in those areas, too.

As we have previously reported, V5R4 has a new 32-bit Java Virtual Machine that has a smaller memory footprint than the 64-bit "Classic JVM" that IBM Rochester created for the iSeries many years ago. While this 64-bit JVM has excellent performance on large SMP servers that exploit 64-bit main memory addressing, the rest of the industry--including other IBM server divisions--are using a much leaner 32-bit JVM. The new 32-bit JVM will be bundled with WebSphere Application Server 6.1, which is expected to be released later in 2006. The 64-bit Classic JVM was recently extended to the JDK 1.5 level, and this future 32-bit JVM will hit that JDK level, too. It is unclear if this new JVM is going to be a base option right now in V5R4, regardless of what

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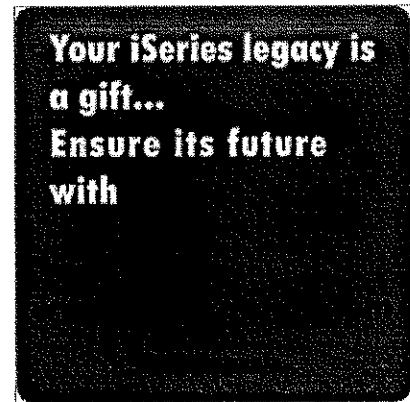


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4

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THE FOUR HUNDRED

iSeries and AS/400 Insight

Volume 17, Number 5 -- February 4, 2008

i5/OS V5R3 Support Ends in April 2009

Published: February 4, 2008

by Timothy Prickett Morgan

The other shoe has dropped, like most of us expected it would, for OS/400 V5R3. With the announcement last week of i5/OS V6R1, which begins shipping on March 21, IBM getting customers on the older V5R3 release of the operating system ready for the day when support will no longer be available for that platform. That day, we learned last week, is April 30, 2009.

Just about a year ago, IBM announced that it would stop selling OS/400 V5R3 and related systems programs as of January 8, 2008. And with i5/OS V6R1 looming large since July of last year, it was only a matter of time before IBM made the announcement that V5R3 support would be wound down.

Of the currently shipping System i machinery in the IBM server catalog, iSeries 520, 550, 570, and 595 servers using Power5 processors and System i 520, 550, 570, and 595 servers using Power5+ processors can all run OS/400 V5R3. So can AS/400 270, 820, 830, and 840 machines and iSeries 800, 810, 825, 870, and 890 boxes. The Power6-based System i 570 announced last summer (known by the name 9406-MMA as well) can run i5/OS V5R4M5, a tweaked version of that operating system that supplies some support for the Power6 chip (but not complete support for decimal and vector math units, among other features). The new Power6-based JS22 blade server cannot even run this tweaked V5R4M5 operating system, but requires i5/OS V6R1. And really, so should every Power6 machine. The point is, V5R3 does not run on newer Power6 iron, even though I am convinced that IBM could do it if it really wanted to. There just is not that much difference between V5R3 and V5R4. But, concurrent with the move to Power6 chips, IBM is gutting the microcode underneath i5/OS V6R1 to make improvements inside its highly sophisticated virtualized computing architecture, which I believe is being done to make better use of Power6 and future Power7 features but which IBM says unofficially to me has very little to do with the hardware changes.

The interesting thing to ponder today is what V5R3 shops will do. Some could just sit tight and let their maintenance lapse--plenty of V4RX, V5R1, and V5R2 shops have done that, even though this is not necessarily a wise course of action. Customers have the option of upgrading to V5R4, of course, which was announced in April 2007 and which is still for sale and certainly still supported. IBM will probably sell V5R4 at least until V6R2 comes out (whenever that is, but I would guess 2010), and will cut off support about a year later or so. Then again, moving to V6R1 today (if your iron supports it) and a new set of Power6 iron later might make the most sense. Moving to V6R1 does require some program conversions, which might make customers bunch up on V5R4. We won't be able to tell what customers do until a bunch of shops make the jump to V6R1 and report back how easy or difficult the application conversion process is. It is also likely that V5R3 shops will wait until they see the new entry and midrange Power6 boxes from IBM, due later this spring perhaps, before they make any decisions. If IBM offers aggressively priced Power6 entry servers and the V6R1 jump is not too bad, then customers might just do it all in one fell swoop.

You can sure bet that this is what IBM and its System i channel partners are hoping.

Just a reminder: V6R1 runs the JS22 blade, the Power6-based 570, the Power5+ based and user-priced i5 515 and 525 servers, the Power5 and Power5+ machines with the 520, 550, 570, and 595 model numbers, and the second-generation iSeries 800, 810, 825, 870, and 890 servers. (These latter iSeries 8XX machines were built using Power4 chips at the high end and earlier 64-bit PowerPC chips at the low end.)

In addition to warning about support being withdrawn for i5/OS V5R3, Big Blue killed off two tools relating to logical partitioning management on the System i platform. IBM Director for Virtualization Engine Console for i5/OS (5733-DR1) has been killed off and replaced by IBM Director for i5/OS V5.2 (5722-DR1). Virtualization Engine Workload Manager V2.1 (5733-EWM) has been killed, and there is no replacement product. But IBM says that its Systems and Technology Group has a Lab Services offering it is cooking up for customers (and to contact IBM about that) as well as a family of Tivoli workload management programs that can do some of the functions of the System i tool.

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BRIAN W. KELLY

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F. Mark Schiavone

From: Dan A. Logan [DanLogan@GDCLLC.NET]
Sent: Wednesday, October 07, 2009 4:43 PM
To: F. Mark Schiavone
Cc: Dan A. Logan
Subject: RE: Follow up from John Berry

Hi Mark. Here are the latest updates:

Linda from our organization talked to IBM support (I just listened in). They were able to determine a few things with just the information you provided. According to their records, your hardware contract expired on October 5, 2006 and the software contract expired October 6, 2009.

We have IBM giving us quotes for two different options. They are 24x7 support and 9x5 support. The IBM representative handling the quote is Rob Stockton out of Atlanta. They said he may still get back to us today but it would most likely be tomorrow. They gave us his phone number, which is 770-863-1275. We will call him if we don't hear from him earlier in the morning. The IBM reference number for tracking purposes is 1565449. I don't know how this affects your timing with the meeting you have tomorrow, but as soon as we have something you will be the first to know.

Let me ask about the services component in this fashion. It might help to decide how much you have been getting and/or how much you think you need. If you look at what operationally we can do for the system, you can think of it in terms of full 24x7 operations, business hour operations with call support, proactive system monitoring and maintenance, and on-demand system maintenance. I would say these are ordered in their relative commitments to time/effort (meaning people mostly).

24x7 operations support would be three shifts of active operators on the system keeping things running. I would say this is a bit overkill for what you need.

Business hours operations with call support would be having a full time operator on the system during your core business hours and having the ability to call in to a service desk if issues would arise outside of that. This would have an operator on call that could assist. It would be a base service rate for the operator and the agreed upon rate for outside support work. Things that would be included are operations, PTFs, backups, troubleshooting hardware, etc... There would be someone dedicated to providing this support.

Proactive monitoring could be divided up in to how much time you would like to carve out and dedicate out of a consultants schedule. Think in terms of dividing a month up into 40 hour increments. You would have a consultant dedicated to you for some period of time spread out through the month to keep everything running smoothly. I think we would want to talk more to you to determine what that optimal number would be. It could very well include applying PTFs, backups, and troubleshooting hardware.

On-demand monitoring is just how it sounds, we would establish a prevailing rate and use it to estimate cost based on the effort of task you ask to have done. It would be on an as requested basis.

Hopefully this is just enough information without being too much. Obviously we still don't have any pricing information yet that you can run with but I am confident that we have the IBM component in short order. They are generally pretty good (especially when it means someone is buying something).

Dan

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

From: F. Mark Schiavone [mailto:mschiavone@jeffersoncountywv.org]
Sent: Wednesday, October 07, 2009 2:15 PM
To: Dan A. Logan
Subject: RE: Follow up from John Berry

That was easy. It's V5R4M0

F. Mark Schiavone
Director and Impact Fee Coordinator

Department of Capital Planning and Management Jefferson County Government 114 E.
Washington Street Charles Town, WV 25414
(304) 728-3331 (general)
(304) 728-3337 (direct)

(304) 886-3810 (mobile)
(304) 724-2178 (fax)

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

From: Dan A. Logan [mailto:DanLogan@GDCLLC.NET]
Sent: Wednesday, October 07, 2009 2:08 PM
To: F. Mark Schiavone
Subject: RE: Follow up from John Berry

Hi Mark. Here are some instructions I got from one of our techs on how to get the OS version level. Let me know if you have the options and can see the info.

Here are the instructions to get the OS Version using Operations Navigator.

Click on Configuration and Services

Under that Expand Software

Under that Click on Installed Products

Look in the right hand window pane and under Release should give the version (EX: VxRxMx)

We will need this to get whether the OS Software has a Maintenance Contract.

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

From: F. Mark Schiavone <mschiavone@jeffersoncountywv.org>
Sent: Wednesday, October 07, 2009 12:58
To: Dan A. Logan <DanLogan@GDCLLC.NET>
Subject: RE: Follow up from John Berry

Dan,

The only information I can seem to get out of the iSeries Navigator is the following:

Model Number: 530
Serial Number: 103E4BA
Processor Feature Code: 7453

If your folks know of another location within the tree structure that I can get to I can try to provide any additional information.

F. Mark Schiavone
Director and Impact Fee Coordinator

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 8, 2009, or as soon thereafter as the Commission may decide:

Eastern Panhandle Transit Authority - One unexpired term ending January 31, 2012

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

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

EASTERN PANHANDLE TRANSIT AUTHORITY BOARD OF DIRECTORS

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191 Wild Hare Road
Harpers Ferry, WV 25425
h: 725-6754
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8/21/09*

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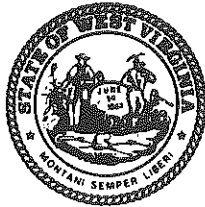
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October 5, 2009

Jefferson County Commission
c/o Sandy Slusher McDonald, Interim County Administrator
124 East Washington Street
Charles Town, West Virginia 25414

RECEIVED

OCT 05 2009

JEFFERSON COUNTY COMMISSION

CONFIDENTIAL

Re: Employment of Patsy Kidwell

Dear Commissioners:

As disclosed to the Commission in Executive Session, a long standing and dedicated Legal Assistant in this office is seriously ill and will not return in the foreseeable future.

The temporary receptionist that the Commission authorized has been a competent and dedicated asset to this office. It is my request that this office be authorized to offer her full time employment at either the grade I or II level (entry level) as of November 1st. Please place this on your agenda.

Sincerely,

Ralph A. Lorenzetti
Prosecuting Attorney
Post Office Box 729
Charles Town, West Virginia 25414

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ALW B.S.

21

NAACP Jefferson County
P.O. Box 411
Ranson, WV 25438

October 5, 2009

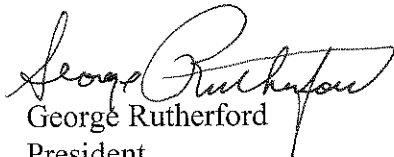
To: Jefferson County Commission
From: Jefferson County NAACP
Subject: Use of meeting room

The Jefferson County NAACP request use of the meeting room under the Charles Town Library on Monday, November 2, at 7pm.

We want to host a public forum to discuss the "table game issues " before the election that is scheduled for December.

If you have any questions, you can contact me at 725-9610.

Thanks,


George Rutherford
President
Jefferson Co. NAACP

RECEIVED

OCT 05 2009

JEFFERSON COUNTY COMMISSION

New Business

(Date)

Sarah Kleckner, Planning Director
Department of Community Development
City of Ranson
312 S. Mildred St.
Ranson, WV 25438

RE: FY10 EPA Assessment Grant Proposal
City of Ranson, West Virginia

Dear Ms. Kleckner:

I am pleased to declare my support for the City of Ranson's EPA Brownfield grant application. It is my understanding that this project, through its mission, would greatly benefit our community as a whole. By assessing and eventually cleaning up the areas covered under this grant application, our community will be finally be able to revitalize and reuse property that has been deteriorated for far too long. This would then allow businesses to occupy the areas creating more jobs and more revenue for our community.

Thank you for your efforts. I sincerely believe this is a very worthwhile project and wish you all the luck with the grant application.

Sincerely,

Sandy McDonald

From: <jsurkamp@comcast.net>
To: <sandy@jeffersoncountywv.org>
Sent: Thursday, October 08, 2009 5:44 PM
Attach: Ltr of Support Sample EPA Brownfield Grant.docx
Subject: Fwd: Letter of Support - City of Ranson EPA Brownfield Grant Application

Sandy Could this be put on our agenda next week if it is time sensitive?
Jimn

----- Forwarded Message -----

From: "Kim Spangler" <kspangler@cityofransonwv.net>
To: jsurkamp@comcast.net, pnoland@jeffersoncountywv.org, lwidmyer@jeffersoncountywv.org, dmanuel@frontiernet.net, fmorgan@jeffersoncountywv.org
Sent: Thursday, October 8, 2009 3:42:32 PM GMT -05:00 US/Canada Eastern
Subject: Letter of Support - City of Ranson EPA Brownfield Grant Application

RE: Letter of Support

City of Ranson – EPA Brownfield Grant Application

Dear Commissioners:

The Eastern Panhandle, and Jefferson County specifically, has experienced tremendous growth over the past several years, but this growth has primarily been residential placing greater demand on the need for jobs and housing. Even with the significant growth of the area a number of vacant properties and abandoned buildings sit lifeless and unproductive in the middle of the community. In an effort to bring in local jobs, which would reduce commuting times, air pollution, and increase the general quality of life for residents, Charles Town and Ranson have formed a partnership to redevelop a strip of brownfields known as the Commerce Corridor. The Commerce Corridor lies in the heart of the Charles Town – Ranson urban area, which is primarily concentrated on the border between the two cities along the railroad tracks. The project is a collaboration that would benefit both the downtown and bordering neighborhoods disproportionately impacted by blight and poverty. Through previous assessment grants, the formation of downtown revitalization committees, and a community master plan, there have been some successes in redeveloping properties within the Commerce Corridor. I am writing to ask for your support of the City of Ranson's EPA Brownfields Grant Application. If awarded, the funding requested, which is part of the larger Commerce Corridor Project, would be used to assess a number of petroleum sites that were not eligible under our Hazardous Assessment grants and assess any newly identified hazardous and petroleum sites. The City also intends to finish the assessment and reuse/redevelop plans

10/9/2009

for several of the larger hazardous industrial facilities that are currently being evaluated under our existing Hazardous Assessment Grant including Charles Town Public Works and Kidde.

Based upon our previous successes with other EPA Brownfield Assessment grants, we anticipate that this grant will also be successful. I would greatly appreciate you taking the time to show your support for the City's EPA Brownfield Grant Application by submitting a letter of support no later than October 14th. I have provided a sample letter that you may place on your letterhead or feel free to write your own. If you have any questions, please let me know.

Sincerely,

Sarah Kleckner, Planning Director

Department of Community Development

#24

JEFFERSON COUNTY, WEST VIRGINIA
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE FISCAL YEAR ENDED JUNE 30, 2004

Section II -Financial Statement Findings

Improper Suspension of Taxes
Reference No. (04-A)

CONDITION:

We noted in prior years and again in the current year that the Jefferson County Sheriff has suspended various real property from the Sheriff's Sales based on requests from the Jefferson County Commission. Our review disclosed no basis in the State Code giving the Sheriff or County Commission the authority to suspend the sale of property for taxes when the taxes had been properly assessed. Specifically, the suspension of the following tax tickets is in question:

<u>District</u>	<u>Tax Year</u>	<u>Ticket No.</u>	<u>Face Amount of Ticket</u>
Charles Town Corporation	2000	7088	\$13,051.35 ✓
Charles Town Corporation	2000	7952	4,290.79 ✓
Charles Town Corporation	2000	7953	1,910.42 ✓
Charles Town Corporation	2001	7269	37,621.14 ✓
Charles Town Corporation	2001	8146	8,879.14 ✓
Charles Town Corporation	2001	8147	3,953.30 ✓
Charles Town Corporation	2003	8294	73.28 ✓
Charles Town Corporation	2003	8295	559.78 ✓
Total face value in question			<u><u>\$70,339.20</u></u>

CRITERIA:

Based on information obtained from the assessor's office, the taxes in question were properly assessed to the owners of the property based on the July 1, assessment date and were not the result of any erroneous assessment.

West Virginia Code § 11-3-1 state in part:

"All property shall be assessed annually as of the first day of July at its true and actual value;The taxes upon all property shall be paid by those who are the owners thereof on that day, whether it be assessed to them or others."

JEFFERSON COUNTY, WEST VIRGINIA
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE FISCAL YEAR ENDED JUNE 30, 2004

Improper Suspension of Taxes-Continued
Reference No. (03-A)

Further, West Virginia Code § 11-3-27 provides for abatement of taxes in certain instances and states in part:

"Any taxpayer....claiming to be aggrieved by any entry in the property books of the county.... resulting from a clerical error, or a mistake occasioned by an unintentional or inadvertent act as distinguished from a mistake growing out of negligence or the exercise of poor judgment, may, within one year from the time the property books are delivered to the sheriff or within one year from the time such clerical error or mistake is discovered or reasonably could have been discovered, apply for relief from the county commission of the county in which such books are made out...."

CAUSE:

The county commission failed to make provisions for the collection of any tax liability on real property purchased by the county. Further, documentation shows that the county commission voted to suspend the tax tickets in question on July 26, 2001 at a regular meeting of the county commission. However, there appears to be no basis in the state code which would allow a county commission to suspend property taxes which were properly assessed.

EFFECT:

Taxes Receivable were under reported on the tax collection system and the sheriff's settlement by the current amount due on the suspended tax tickets. The tax tickets in question had an initial value of \$70,339.20 without discount or interest.

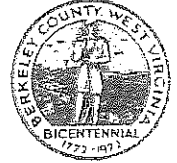
RECOMMENDATION:

It is recommended that the county commission rescind all orders for the suspension of taxes for the tax tickets in question and seek payment of those taxes from the prior property owner who actually owed the taxes. Otherwise, it is recommended that the county commission pay the taxes due from the capital improvement fund and add the amount paid to the value of the real property.



County Commission of Berkeley County

400 WEST STEPHEN STREET, SUITE 201
MARTINSBURG, WEST VIRGINIA 25401
PHONE: 304-264-1923



THE COMMISSION

RONALD K. COLLINS, COMMISSIONER
WILLIAM L. STUBBLEFIELD, COMMISSIONER
ANTHONY J. "TONY" PETRUCCI, COMMISSIONER

www.berkeleycountycomm.org

DEBORAH HAMMOND
COUNTY ADMINISTRATOR

RECEIVED

OCT 07 2009

Jefferson County Commission

Jefferson County Commission
President Dale Manuel
P.O. Box 250
124 E. Washington Street
Charlestown, WV 25414

September 25, 2009

Ref: Legislative Summit
Legislative Agenda – 2010

Dear President Manuel,

Building upon the success of the last two year's legislative Summits, the Berkeley County Commission is pleased to invite you to a legislative summit scheduled for Tuesday, November 3, 2009 at the Woods Resort. The morning session of the summit which will begin at 10:00 a.m. will include County Commissions from Jefferson, Berkeley and Morgan Counties. The purpose of the morning session will be to identify issues of concern as they relate to the legislative agenda for 2010. In the afternoon session, which will begin at 2:00 p.m. the legislative delegation will be asked to join the summit to discuss those issues of agreement among the three counties and those issues that are of individual concern and interest by the represented counties.

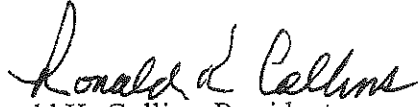
We hope that you will mark your calendar to participate in this important summit. Please respond to the offices of the Berkeley County Commission by October 16th so that the appropriate arrangements can be made at the Woods Resort. Luncheon will be available for purchase at the Woods Resort Restaurant. We look forward to meeting with you on November 3rd at the Woods Resort.

In preparation for these meetings, enclosed is a draft of some legislative actions we may wish to consider. You will recognize several of these from last year's summit. If you have potential legislative issues that you would like to be discussed, please send them to us so that we can include them in our list.

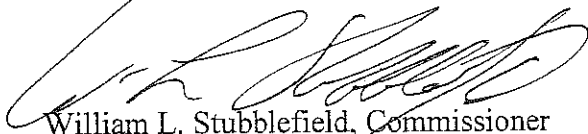
We look forward to your attendance at this important event.

Information

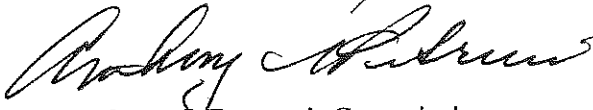
Sincerely,



Ronald K. Collins, President
Berkeley County Commission



William L. Stubblefield, Commissioner



Anthony J. Petrucci, Commissioner

Doc: lsi09/rkc/wls/ajp/dh

CC: Draft Legislative Actions

- Provide Counties some relief in Regional Jail Costs
 - Increasing Homestead Exemption
 - Recalculating Prevailing Wage
 - Eliminate the levy rollback provision for counties
 - Community Empowerment Transportation Act for Counties
 - Provide County Commission certain operational oversight of Public Service Districts
 - Revise Civil Service Rules and Regulations as it pertains to Deputy's
 - Legislative approval for issuing the ARRA bonds
 - Approval for Consolidation of Precincts located in one building during Special Elections
 - Creation of a Sheriff's Tax Office Valuation Fund for Equal Payment of Tax Payment Processing
 - Modify Appointment Authority for local Library Board (Berkeley County Issue)
 - Changing the Formula for Funding of Libraries by Counties (Berkeley County Issue)
-

Jefferson Utilities, Inc.

September 30, 2009

RECEIVED

Ms. Lyn Widmyer
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

OCT 02 2009

Re: Westridge Well Drilling

Jefferson County Commission

Dear Ms. Widmyer:

It is my understanding based on your statements at the JCPSD Board Meeting, that the Jefferson County Commission has apportioned \$30,000 to drill test wells in the Westridge Hills Community.

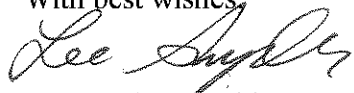
As you know, Jefferson Utilities has entered into a public/private partnership with the JCPSD to provide an extension of Jefferson Utilities' Valley Water System and replacement of the inadequate distribution systems in all three Mountain Communities. This solution was the highest ranked solution proposed by Dunn Engineers in the preliminary engineering report commissioned by the County Commission.

We would be pleased to work with the Commission to provide additional water resources in Westridge to supplement the source JUI presently has there. For the wells to be useable they would need to be constructed under permits from the State Health Department and in accordance with their requirements for public wells. Unsuccessful wells would need to be closed by grouting. For wells to be most useful, they will need to be drilled and cased at 8" diameter. For the wells to put in service they would need to be tied into the existing water system. If the wells are of sufficient quality capacity, JUI would be willing to assess the cost of installing a pump and tying the wells into the water system.

JUI, as the Commission knows, holds the Certificate of Convenience and Necessity from the West Virginia Public Service Commission to supply water within Westridge. In addition, JUI owns the water rights under the Homeowner's Association's parcels. However, JUI would welcome your assistance in locating more source water for the Mountain Water Systems.

I would suggest that, if this project is to be undertaken, a three part agreement between the County Commission, the HOA and JUI be drafted to establish the responsibility of each party this project.

With best wishes



Lee Snyder, President

cc: Sue Lawton
Joe Hankins
Brad Reed

270 Industrial Boulevard • Kearneysville, WV 25430 • (304) 728-2077 • Fax: (304) 728-7326



30

OFFICE OF THE JASPER COUNTY ADMINISTRATOR

358 Third Avenue – Courthouse Square – Post Office Box 1149
Ridgeland, South Carolina 29936 - 843-717-3690 – Fax: 843-726-7800

RECEIVED

Andrew P. Fulghum
County Administrator

afulghum@jaspercountysc.gov

October 2, 2009

OCT 06 2009

The Honorable Jefferson County Commission
c/o Mr. Dale Manuel, President
Post Office Box 250
Charleston, West Virginia 25414

Jefferson County Commission

Re: Support Letter for Candidate Steve Sager – County Administrator Position

Dear President Manuel:

My name is Andrew Fulghum and I serve as the County Administrator for Jasper County, South Carolina. I have had the pleasure of working with Steve Sager in a professional capacity for the last twelve years as Steve served in various positions in government.

I first worked with Steve in Maryland when he was working with the Department of Housing and Community Development (DHCD). I served as a local government manager in two different municipalities in Maryland and relied very heavily on his knowledge, skills and counseling when working on a number of important projects in those two jurisdictions. I learned a lot from Steve.

In 2003, I had the opportunity to actually hire Steve when I was working as the City Administrator for the City of Frostburg, Maryland. This City was lucky to get him and he was able to work through some very difficult situations there. He worked on a number of revitalization efforts and was also able to resolve a regional utility issue that had been a problem for decades prior to his arrival.

In 2006, I again had the opportunity to work with Steve when I was able to hire him away from a very good job he was enjoying to become my Deputy County Administrator here in Jasper County. In that capacity, Steve was responsible for all planning, zoning, and economic development functions. He came for the opportunity to manage growth in this high growth area and for the opportunity to do it right.

During his tenure here, some 60,000 new dwelling units were permitted county-wide with 5,000 acres of commercial development to support the residential. Additionally, a new deep water port here along the Savannah River was a project Steve worked on. The port development was being pushed by the County despite opposition from neighboring port authorities. While Steve was here, the two states of South Carolina and Georgia began a bi-state initiative to develop the port. It is now moving forward.

Steve Sager is a professional with very impressive ability to cast broad vision into policy. He also has the skills to develop buy-in at multiple levels. The work he did here was regional, and it worked. It is with enthusiastic support that I recommend your consideration of Steve for the County Administrator position. Should you have any questions or require additional information, please contact me directly at the office (843) 717-3690 or on my cell phone (843) 305-0073.

Sincerely,

Andrew P. Fulghum, ICMA-CM
County Administrator

COPY

31

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA **RECEIVED**

JENNIFER S. MAGHAN, in her official capacity as
Clerk of the County Court of Jefferson County,
West Virginia,

OCT 05 2009

Jefferson County Commission

Petitioner,

v.

CIVIL ACTION NO. 09-C-299

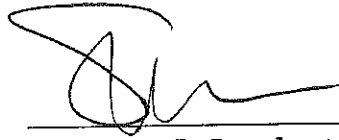
JEFFERSON COUNTY COMMISSION,
C. DALE MANUEL, President, in his official capacity,
JAMES T. SURKAMP, Vice President, in his official capacity,
FRANCES BARRY MORGAN, in her official capacity,
LYN WIDMYER, her official capacity, and
PATRICIA NOLAND, in her official capacity,
Commissioners of the County Commission of
Jefferson County, West Virginia,

Respondents'.

NOTICE OF HEARING

Kindly know that Petitioner, Jennifer S. Maghan, by and through her Attorney, Sherman L. Lambert, Sr., Esquire, and SHERMAN L. LAMBERT, SR., PLLC, hereby provides notice to Respondents, Jefferson County Commission, C. Dale Manuel, James T. Surcamp, Frances B. Morgan, Lyn Widmyer, and Patricia Noland, that a hearing has been scheduled before the Honorable David Sanders, Judge of the Circuit Court of Jefferson County, for Tuesday, October 27, 2009, at 2:00 o'clock, p.m., in connection with Petitioner's Writ of Mandamus, duly filed in the Clerk's Office.

You should appear and protect whatever interest you have in this matter.



Sherman L. Lambert, Sr., Esq.
SHERMAN L. LAMBERT, SR., PLLC
WVSB #2129
Attorney for Defendant
P.O. Box 3200
Shepherdstown, WV 25443
(304) 263-3548

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA

JENNIFER S. MAGHAN, in her official capacity as
Clerk of the County Court of Jefferson County,
West Virginia,

Petitioner,

v.

CIVIL ACTION NO. 09-C-299

JEFFERSON COUNTY COMMISSION,
C. DALE MANUEL, President, in his official capacity,
JAMES T. SURKAMP, Vice President, in his official capacity,
FRANCES BARRY MORGAN, in her official capacity,
LYN WIDMYER, her official capacity, and
PATRICIA NOLAND, in her official capacity,
Commissioners of the County Commission of
Jefferson County, West Virginia,

Respondents'.

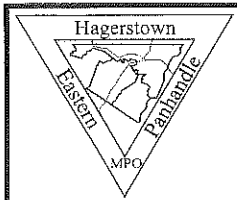
CERTIFICATE OF SERVICE

I, Sherman L. Lambert, Sr., Counsel for Petitioner, Jennifer S. Maghan,
hereby certify that I served a true copy of the attached "Notice of Hearing" upon the
Jefferson County Commission, to-wit: C. Dale Manuel, James T. Surcamp, Frances B.
Morgan, Lyn Widmyer, and Patricia Noland, to their business address at P.O. Box 250,
124 East Washington Street, Charles Town, West Virginia 25414, by United States Mail,
postage-prepaid, on this 2nd day of October 2009.



COUNSEL FOR THE PETITIONER

32



Hagerstown/Eastern Panhandle Metropolitan Planning Organization
33 W. Washington St., 4th Floor, Suite 402, Hagerstown, MD 21740
Phone: 240-313-2080, Fax: 240-313-2084
www.hepmo.net

September 28, 2009

Ms. Sharon A. Daboin
CSX - Resident VP,
State Government & Community Relations
Maryland and Delaware
4724 Hollins Ferry Rd.
Baltimore, MD 21227

Re: Transportation Investment Generating Economic Recovery (TIGER)
Discretionary Grants – CSX’s Gateway Corridor Project

Dear Ms Daboin:

The Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) held our quarterly meeting on September 23, 2009. During the meeting, the Interstate Council, the governing body of the MPO, discussed the proposed TIGER Grant application for CSX’s Gateway Corridor project. A motion was unanimously approved to send this letter to express the position of the HEPMPO Council in relationship to the proposed project.

The HEPMPO is generally supportive of projects that serve to improve the movement of freight within the region and increase economic development activity. However, the growing congestion on the region’s transportation network is a major concern as we plan for the future. The proposed project will have an impact on the region’s rail capacity but there are concerns as to whether it will have a positive impact upon the growing congestion on the regional transportation network. There are many types of local issues and concerns that will be created as a result of the proposed project. The increase of rail traffic associated with the project along with the many at grade rail crossings in the region result in a number of concerns and local issues to numerous to be addressed in this letter. For example, the potential of increased congestion in the vicinity of the at grade rail crossings, the impacts to public safety and air quality implications are just a few of the issues.

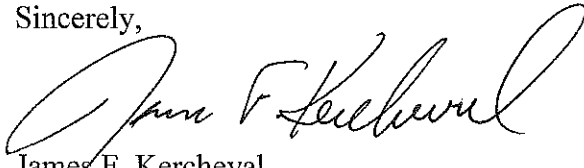
Given the implications of the proposed project and the number of local issues and concerns that would arise, we would encourage you to proactively discuss the project and it’s implications with the local officials within the region. As you know, this project if

Ms. Sharon A. Daboin
September 28, 2009
Page Two

funded through the TIGER grant program it would require an amendment of the region's Transportation Improvement Program (TIP). The amendment would require an approved motion of the Interstate Council. The manner in which your corporation plans to handle these local impacts/concerns will have an effect on whether the MPO board approves an amendment to the TIP. Therefore, we would welcome an open discussion of the proposed project at the MPO level as an initial step in addressing local concerns and as a starting point for potentially acquiring the MPO's endorsement for a future TIP amendment.

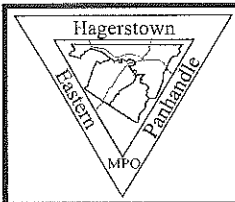
If you wish to contact me, you can reach me at (240)313-2206 or contact Mr. Robert Gordon the MPO director at (240)313-2081 and he can set up a time for you to meet with our members.

Sincerely,



James F. Kercheval
Chairman

Cc: The Hon. John F. Barr – President, Washington County Commission
The Hon. Ronald Collins – President, Berkeley County Commission
The Hon. Dale Manuel – President, Jefferson County Commission
The Hon. Robert E. Bruchey, II – Mayor, City of Hagerstown
The Hon. George Karos – Mayor, City of Martinsburg
The Hon. Peggy Smith – Mayor, City of Charles Town
The Hon. A. David Hamill – Mayor, City of Ranson
HEPMPO Interstate Council Members
Hagerstown-Washington County Chamber of Commerce
Martinsburg-Berkeley County Chamber of Commerce
Jefferson County Chamber of Commerce
TAC Members
File



Hagerstown/Eastern Panhandle Metropolitan Planning Organization

33 W. Washington St., 4th Floor, Suite 402, Hagerstown, MD 21740

Phone: 240-313-2080, Fax: 240-313-2084

www.hepmo.net

RECEIVED

September 28, 2009

OCT 05 2009

Mr. Herbert Smith
Government Relations
Norfolk Southern Corporation
One Constitution Avenue, Suite 300
Washington, DC 20002

Jefferson County Commission

Re: Transportation Investment Generating Economic Recovery (TIGER)
Discretionary Grants – Norfolk Southern's Crescent Corridor Project

Dear Mr. Smith:

The Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) held our quarterly meeting on September 23, 2009. During the meeting, the Interstate Council, the governing body of the MPO, discussed the proposed TIGER Grant application for Norfolk Southern's Crescent Corridor project. A motion was unanimously approved to send this letter to express the position of the HEPMPO Council in relationship to the proposed project.

The HEPMPO is generally supportive of projects that serve to improve the movement of freight within the region and increase economic development activity. However, the growing congestion on the region's transportation network is a major concern as we plan for the future. The proposed project will have an impact on the region's rail capacity but there are concerns as to whether it will have a positive impact upon the growing congestion on the regional transportation network. The increase of rail traffic associated with the project along with the many at grade rail crossings in the region result in a number of concerns and local issues to numerous to be addressed in this letter. For example, the potential of increased congestion in the vicinity of the at grade rail crossings, the impacts to public safety and air quality implications are just a few of the issues. Furthermore, the proposed intermodal freight terminal just north of the region's boundary near Greencastle, PA will certainly attract significant truck traffic. This would most likely exacerbate the congestion issues on the region's highway network, particularly along Interstate 81.

Given the implications of the proposed project and the number of local issues and concerns that would arise, we would encourage you to proactively discuss the project and

Mr. Herbert Smith
September 28, 2009
Page Two

it's implications with the local officials within the region. As you know, this project if funded through the TIGER grant program would require an amendment of the region's TIP. The amendment would require an approved motion of the Interstate Council. The manner in which your corporation plans to handle these local impacts/concerns will have an effect on whether the MPO board approves an amendment to the TIP. Therefore, we would welcome an open discussion of the proposed project at the MPO level as a first step in addressing local concerns and an initial step in potentially acquiring the MPO's endorsement for a future TIP amendment. Finally, we appreciate your participation in our Long Range Plan update process and the information that you have provided to our consultant. However, we would invite you to meet directly with our governing body in the near future so that we can discuss the project in more detail.

If you wish to contact me, you can reach me at (240)313-2206 or contact Mr. Robert Gordon the MPO director at (240)313-2081 and he can set up a time for you to meet with our members.

Sincerely,



James F. Kercheval
Chairman

Cc: The Hon. John F. Barr – President, Washington County Commission
The Hon. Ronald Collins – President, Berkeley County Commission
The Hon. Dale Manuel – President, Jefferson County Commission
The Hon. Robert E. Bruchey, II – Mayor, City of Hagerstown
The Hon. George Karos – Mayor, City of Martinsburg
The Hon. Peggy Smith – Mayor, City of Charles Town
The Hon. A. David Hamill – Mayor, City of Ranson
HEPMPO Interstate Council Members
Hagerstown-Washington County Chamber of Commerce
Martinsburg-Berkeley County Chamber of Commerce
Jefferson County Chamber of Commerce
TAC Members
File

33

JEFFERSON COUNTY CHAMBER OF COMMERCE
29 KEYES FERRY ROAD, SUITE 200
P. O. BOX 426
CHARLES TOWN, WV 25414
(304) 725-2055 or (800) 624-0577
FAX: (304) 728-8307
EMAIL: chamber@jeffersoncountywvchamber.org
www.jeffersoncountywvchamber.org

RECEIVED

OCT 05 2009

Jefferson County Commission

BULLETIN NO: 591

OCTOBER 2, 2009

PUBLIC SERVICE RECOGNITION BANQUET – OCTOBER 13th, 2009

The 9th Annual Public Service Recognition Banquet will be held on Tuesday, October 13th at **Charles Town Races & Slots**. The social period will begin at 6:30 p.m. with dinner to follow at 7:00 p.m. This banquet will honor those in the county's emergency medical and emergency dispatch services and fire and police departments. With the co-sponsorship of **Charles Town Races & Slots**, the dinner is \$10 per person. Call your Chamber office at (304) 725-2055 to make your reservation. Support your local emergency departments by attending this banquet in their honor!

MEMBERSHIP MIXER-OCTOBER 20th, 2009

You are cordially invited to a Jefferson County Chamber Halloween Fun Mixer brought to you by **Comcast Spotlight**, the advertising division of **Comcast**, and delivered by **Harpers Ferry KOA**. Enjoy a great setting and great fun. Refreshments will be served. Meet the new resident ghost hunter Vince Wilson, founder of the MD Paranormal Investigators Coalition. Take a guided tour of the new and improved **KOA** campground via golf carts, enjoy some mini golf and experience the haunted house. Someone will have the luck of the draw to fire the official Civil War cannon. Mark your calendars for Tuesday, October 20th, from 5 p.m. to 7 p.m.

LEADERSHIP JEFFERSON

The fourth class of Leadership Jefferson completed its opening retreat September 17th -18th at the **National Conservation Training Center** in Shepherdstown for leadership training and team building skills. The participants started off at the **Quality Hotel** in Harpers Ferry, then white water rafting with **River and Trail Riders**. After an overnight stay in one of the lodges, participants toured the NCTC and ended with a scavenger hunt throughout Jefferson County. The October module – Agriculture – will be sponsored by the Jefferson County Agriculture Task Force planned and organized by Jane Tabb and Kellie Boles on October 14th, 2009.



MEMBERSHIP REPORT

We are pleased to welcome the following new members:

Thompson & Pardo, PLLC

Georgiana M. Pardo, Representative
119 East Liberty Street
Charles Town, WV 25414
(304) 728-8808
gpardo@thompsonpardo.com
Attorney

Cruise Planners

Darren Hine, Owner
341 Homewood Dr.
Charles Town, WV 25414
(304) 724-5757
www.elitetravelservices.com
Recreation/Travel

Bullfrogs and Butterflies

Gaye Snyder, Representative
PO Box 1132
Shepherdstown, WV 25443
(304) 876-3551
www.bullfrogsandbutterflies-wv.com
School

Detailed Destinations, LLC

Michael Bohrer, Representative
PO Box 556
Martinsburg, WV 25402
(304) 270-8700
www.detaileddestinations.com
Service

As of this date we have 374 members who have paid their fair share investments for a total of \$46,560.00 for fiscal year 2009-2010. If you have not paid for fair share investment for 2009-2010, won't you take a few minutes to do so? Remember, the success of your Chamber depends on active involvement of its members.

NEWS FROM CHAMBER MEMBERS

The Animal Welfare Society of Jefferson County is having its annual Bark in the Park fundraising event at Sam Michael's Park. The event will be on October 17th (Rain date October 18th) from 10 a.m.-2 p.m. with registration at 9:30 a.m. There will be a Blessing of the Animals, a Pledge Walk, canine demonstrations, food, vendors and canine contest. The dedication and ribbon cutting ceremony for the new Parks and Recreation Dog Park at Sam Michael's Park will also take place during this event. Registration is a \$10 donation for the walk and your canine friend receives a doggy bandana. Print the Pledge and Registration forms from the AWS website www.awsje.org and start collecting pledge donations from family and friends. If you or your business would like to be a sponsor for this event or if you would like to set up a booth as a vendor, please visit the AWS website for more information and forms.

Join the **Jefferson County Council on Aging** as we take a fun-filled adventure to Lancaster, PA to the Dutch Apple Dinner Theater. The fee for the trip is \$75 for those 60 and up and \$80 for those under 60. This fee includes: transportation, lunch buffet at Dutch Apple Dinner Theater and The Dutch Apple Dinner Theater production: *Smoke on the Mountain*. Deadline for registration is October 16th, 2009. For more information call (304) 724-7111.

Elder Law Presentation sponsored by **The Jefferson County Council on Aging**. Would you like to preserve your loved one's assets? The attorney and staff at Staggers and Staggers have devoted much time and effort to save assets for your loved ones. We welcome Daniel Staggers at **The Jefferson County Council on Aging** on Tuesday, October 13th, 2009 at 1 p.m. For more information please call (304) 724-7111.

NEWS FROM CHAMBER MEMBERS (cont.)

The **Cities of Charles Town and Ranson** are making plans for the 65th Annual Charles Town-Ranson Christmas Parade which will be held on Saturday, December 5th, 2009 at 2 p.m. Committee members have decided to honor our nation's veterans this year with the theme "A Star Spangled Christmas" There is no fee to enter the parade. Applications must be returned to the **Ranson Convention & Visitors Bureau**, Attn: Cheryl Mills, 312 S. Mildred St., Ranson, WV 25438 by November 20th, 2009. Participants are responsible for knowing and observing the rules set forth in the invitation letter. Applications and invitations letters can be obtained by emailing Cheryl Mills at cmills@cityofransonwv.net or calling (304) 724-3862. You can also visit either of the city websites to access the application. The websites are as follows: Charles Town: www.charlestownwv.us and Ranson www.cityofransonwv.net.

Harpers Ferry National Historical Park Commemorates 150th Anniversary of John Brown's Raid.

-John Brown Remembered: An Academic Symposium October 14th-17th, 2009.

This symposium will stimulate new and diverse academic research, scholarship, and debate. Plenary speakers include Dr. David Blight, Dr. Spencer Crew and Dr. Paul Finkelman. Pre-registration is required. For more information please contact **The Harpers Ferry Historical Association** at (304) 535-6881.

-John Brown Sesquicentennial Commemoration: October 16th-18th, 2009

Three days of public education events focusing on the 36 hours of John Brown's Raid at Harpers Ferry 150 years ago. The weekend will include music, drama, scholarship, living history, family & youth activities, and ranger conducted programs. For information on this event, please contact The Harpers Ferry Visitors Center at (304) 535-6029.

MOUNTAIN HERITAGE ARTS & CRAFTS FESTIVAL

Well, other than the rain showers on Saturday afternoon, the weekend turned out to be a beautiful and successful one. We would like to extend a thank you to the following businesses, organizations, and individuals for their donations of time, products, and services: **BB&T**, Boy Scout Troop #68, **Courtney and Son Auto Parts/Wrecker Service**, **Frontier/A Citizens Communications Company**, **Good Shepherd Interfaith Volunteer Caregivers**, **Harpers Ferry Job Corps Center**, **Holiday Inn Express**, **Jefferson County Deputy Sheriff's Reserve**, **Jefferson County Fire and Rescue Association**, **Jefferson County 4-H Leaders Association**, **Jefferson County Parks and Recreation Commission**, and **U.S. Customs and Border Protection**. We thank those who worked in the Finance Office: **Peggy Smith, City of Charles Town**; **J. Frank Fargo, Frank Fargo Insurance & Financial Services**; **Julie DeHaven, Nichols DeHaven & Associates**; **Tiffany Hine, Briel PC Attorneys**; **Jeff Rogers, Specialty Business Supplies**; **Mary Via**; **Chuck Ellison, Frontier Communications**; **Noah Merkhams, Archland Group**; **Pat Hubbard, Blue Ridge CTC**; and **Lorrie Miller**. In addition, we thank the following volunteers who manned the Chamber booth: **Lorrie Miller**; **Cheryl Mills, Corporation of Ranson**; **Mary Beth Mayhall, David M. Winslow, LLC**; **Debra Woods and Bev Bolger, BizTech**; **Kathy Kester and Leslie Cooper**; **BB&T**; **David Hartley, Eastern Panhandle Home Builders Association**; **Peggy Burcker, ERA Realty**; **Paul Espinosa, Frontier Communications**; **John Sherwood**; **Karen Hughes, Thompson Gas**; **Lisa Bivens, Robert and Miram Brancato, Panhandle Home Health**; **Rev. Richard Kroll, Asbury United Methodist Church**; **Barbara Bralick, Harpers Ferry Job Corps**; **Kellie Boles, Roger and Evelyn Dailey, Farmland Protection Board**.

MOUNTAIN HERITAGE ARTS AND CRAFTS FESTIVAL (cont)

We also appreciate all of those who contribute in many ways to the festival, including our members who support the Chamber throughout the year, and Lorrie Miller; Charles LeMaster, **Jefferson Security Bank**; Keith Mumaw, **Mumaw & Vickers CPAs**; Jeanie Hamilton, **Country Home Mortgage** who helped with Sunday evening check-out for the September festival. A special thanks to Nancy Morgan who volunteered many hours in our Chamber office helping to label and stuff envelopes and anything else that needed to be done. She also spent the festival weekend answering phones and directing visitors to Sam Michaels Park. We couldn't have put this all together without her help and support. And last but not least our staff/employees including Mary Ann Oliver, Paige Kable, Bill Dodson, Wanda Bowman, Marty Braithwaite, Bill Gray and Bob Turner. Thanks for your support!

DATES TO REMEMBER

- | | |
|-------------------------|---|
| October 10-11 | Exhibit Opening, " <i>The Secret Six</i> " Harpers Ferry National Historical Park |
| October 14-17 | Academic Symposium " <i>John Brown Remembered</i> " Mather Training Center, Harpers Ferry National Historical Park |
| October 13 | Public Service Recognition Banquet – Charles Town Races & Slots |
| October 15 | " <i>Sword of the Spirit</i> " Old Opera House , Charles Town, 7:30 p.m. |
| October 16 | Anniversary procession from Kennedy Farm to Harpers Ferry, 7 p.m. |
| October 16-18 | Sesquicentennial Commemoration of John Brown's Raid, Harpers Ferry National Park |
| October 17 | Animal Welfare Society's Bark in the Park at Sam Michaels Park
10 a.m.-2 p.m. (Rain Date October 18 th) |
| October 20 | Membership Mixer, Harpers Ferry KOA , 5 p.m. |
| October 21 | John Brown's Community Forum, Charles Town, 7 p.m. |
| October 24-25 | " <i>Remembering Private Luke Quinn and the U.S. Marines</i> " Harpers Ferry National Historical Park |
| October 17 | West Virginia Breeders Classic , Charles Town Races and Slots |
| October 23/25-
30/31 | " <i>Doubt, A Parable</i> " Old Opera House 8 p.m. |
| October 25- | " <i>Doubt, A Parable</i> " Old Opera House 2:30 p.m. |
| November 1 | |



Jefferson Utilities, Inc.

NEWSLETTER

Issue No. 4

RECEIVED

September 30, 2009

OCT 05 2009

Jefferson County Commission Planning for Mountain Systems Upgrade Underway

Jefferson Utilities, Inc. (JUI) is making substantial progress toward improving the three water systems on the Blue Ridge Mountain.

JUI has entered into a public/private partnership with the Jefferson County Public Service District (JCPSD). JUI is very pleased to have the cooperation and support of the JCPSD Board in the public/private partnership. The partnership will bring the lowest possible interest rates to the project and also the possibility of grant financing as well for this important project.

This project is of great significance to all of the customers of JUI. Since the PSC has acted to approve the settlement of JUI's Rate Case, the outcome will be an equalization of rates. This means that regardless of where costs are incurred, the recovery of these costs will be born equally by all rate payers. It is therefore critical that the replacement of these water systems be achieved in the most economical fashion.

Our first goal is to complete a comprehensive set of engineering plans and obtain all permits for the project. JUI and the JCPSD have jointly entered into a contract with Pentree Engineering to complete the engineering effort. Pentree is actively working on surveying and engineering for the project. We hope to have these plans complete and most of the permits approved before the end of the year.

The crossing of the Shenandoah River will be accomplished by horizontal directional drilling. The drilling will start at one side of the river and emerge from the ground on the other. With this method all work is conducted from the ground north of the river. There will be no work in the water. This method is very environmental friendly with no impact to the river, fishing or recreational use of the river. The completed pipe will be below the deepest portion of the river bottom.

A number of public meetings will be held in the Mountain Communities to solicit input from the customers who will be most affected by the project.

JUI Receives \$200,000 EPA Design Grant

Last year JUI applied for a United States Environmental Protection Agency (EPA) grant for the Mountain Water System's replacement. JUI was very fortunate to be successful in obtaining a \$200,000 design grant. The design grant is funded from the EPA and is administered by the West Virginia State Health Department. This is the maximum dollar level of grants awarded under this program. The money is being used to pay for the engineering work being done by Pentree Engineering. Plans are being prepared to design the complete replacement of all of the old piping in the three systems, provide two water tanks and construct three booster pumping stations to bring high quality water to the customers of all three systems.

Hydro-geological Study to be Done

As part of the public/private partnership, Golder Associates has been hired to perform a study of the water resources source capacity of JUI. Golder Associates is a well respected international engineering firm with extensive experience in performing water source evaluation. Their firm has done significant work in this field in the Central-Atlantic area. The study is being undertaken to verify that JUI's valley water sources have more than ample capacity to serve the Mountain Communities as well as continue serving the requirements of JUI's current and future customers in the valley water system.

What Happens if you have a Leak?

JUI has always had a leak adjustment policy in accordance with the requirements of the Public Service Commission. A copy of this policy is enclosed.

Website Pending

Jefferson Utilities is also pleased to announce that a website is coming soon. The website will contain newsletters, frequently asked questions, forms, and, as many of you have requested, online payment options. Yes, you will be able to pay your bill online! Each customer will be able to view their account history and record of payments. We will keep you posted as we are excited to get this accomplished.

Leak Adjustment Policy

Jefferson Utilities Inc, will consider a request for a leak adjustment in accordance the Public Service Commission's Rules and Regulations for the Government of Water Utilities. A leak adjustment will reflect the Incremental cost of producing water as set forth in Jefferson Utilities Inc approved tariff. Leak adjustments will not be given for re-occurring leaks, for leaking fixtures and appurtenances inside or outside of the structure, for leaks due to the use of substandard materials, for leaks due to failure to properly protect his service pipe and plumbing from freezing.

Requirements:

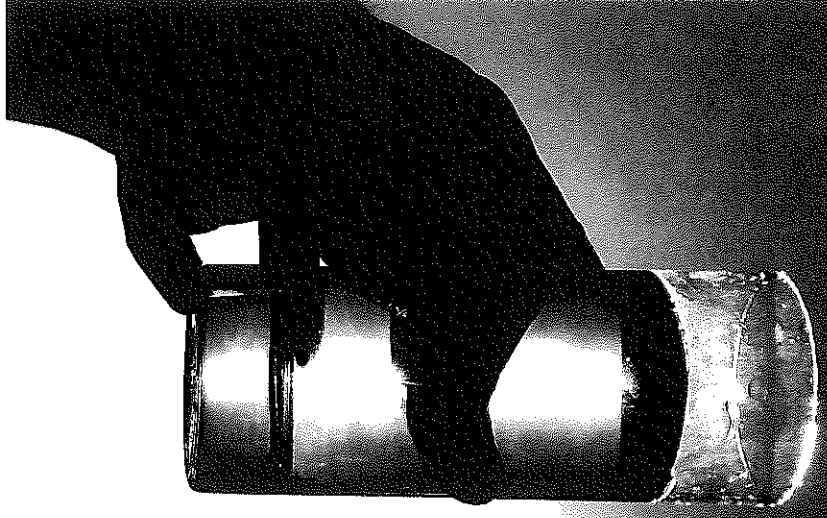
- ** ● The leak must be non-preventable and be located in the service line on the customer's side of the meter. A leak adjustment will be granted whether the leak occurred inside or outside of the building served.
- ** ● Leaking commodes, dripping faucets, malfunctioning appliances and similar situations, leaks due to improper customer service pipe materials and/or construction methods and leaks due to frozen customer service pipes shall not constitute leaks which entitle the customer to a recalculated bill. Jefferson Utilities Inc will visually inspect the area to determine the nature of completed repairs purported to be necessitated by the leak.
 - Within thirty (30) days following discovery of the leak by the customer or Jefferson Utilities Inc. the customer must make a written request to Jefferson Utilities Inc for a leak adjustment using the form provided by Jefferson Utilities Inc

Terms:

- A leak shall be defined as the volume of unusual usage of water during any billing period which increases the customer's water usage above the customer's historic water usage pattern.
- Historic water usage is defined as the customer's previous 6 month average usage. For a new customer with less than 6 months of usage, the historic water usage is defined as the customer's average usage for the number of months as a customer at the current location. In either case the historic water usage average will not be less than the minimum gallons per month of a minimum water bill for the particular class of water service.
 - A leak adjustment will be made on the customer's water usage greater than the customer's historic water usage pattern.
 - The amount of leakage subject to adjustment will be billed at Jefferson Utilities Inc incremental cost rate set forth in the approved tariff. No leak adjustment will be made for more than a ONE month period.
 - All leaks that have been discovered shall be repaired within thirty (30) days and verification of the repair must be submitted to Jefferson Utilities Inc. A leak that has not been repaired within 30 days of discovery shall not be eligible for a leak adjustment. Further, it is understood that a leaking water service not repaired within 30 days of discovery can be subject to termination.
 - Only one adjustment per customer will be allowed in any 12-month period.
 - The bill in question will be due when rendered and must be paid on time to avoid penalty charges. A request for a leak adjustment will not affect penalty dates, will not affect amounts due and will not eliminate charges.
 - On bills that are approved for a leak adjustment, all penalty charges will still apply.
 - All leak adjustments made will be credited to the customer's account and applied to the next month's bill.
 - Jefferson Utilities Inc will allow the customer to establish a payment plan. Jefferson Utilities Inc is not required to offer this option to the customer. The payment plan must be at the customer's request. In the case of a customer requesting an installment plan for the payment of a large bill due to a leak, all the terms of the plan must be met by the customer to avoid penalty charges on current bills.

Public Health

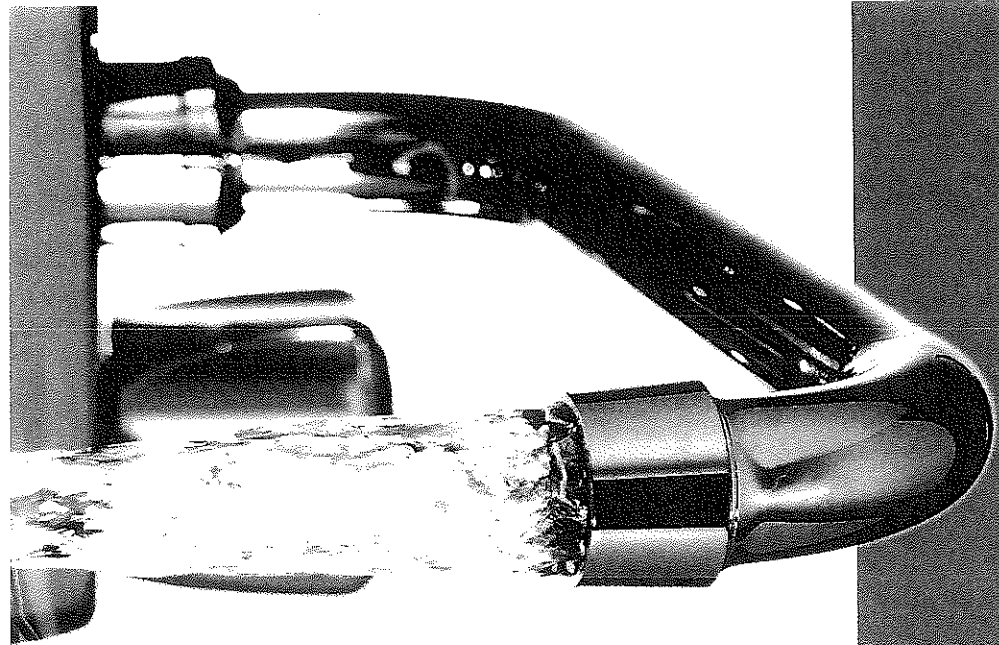
In a world where an estimated 3 million people die every year from preventable waterborne disease, our water systems allow us to drink from virtually any public tap with a high assurance of safety. Each community water supply meets rigorous federal and state health-protective standards.



Jefferson Utilities, Inc.
500 W. Washington Blvd., Knoxville, TN 37930 • 615-528-2077
Providing more water to communities by improving water service



Only Tap Water Delivers®





Fire Protection

A well-maintained water system is critical in protecting our communities from the ever-present threat of fire. A system that provides reliable water at an adequate pressure can be the difference between a small fire and an urban inferno. The ability to suppress fires also influences new home construction, business location decisions and insurance rates.

Support for the Economy

Businesses or housing developments do not succeed without a safe and sustainable water supply. Tap water is critical to businesses' day-to-day operations and is often a primary ingredient in the products they create. The incredible value of

water is magnified during times of drought and when populations expand into arid climates.

Quality of Life

Any measure of a successful society—low mortality rates, economic diversity, productivity, and public safety—is in some way related to access to safe water. In North America, we sometimes take for granted that safe water is always accessible to drink, to wash our clothes, to water our lawns and for a myriad of other purposes.





#35

2211 Washington Street East
Charleston, WV 25311-2118
Phone: (304) 346.0591
Fax: (304) 346.0592

RECEIVED Patricia L. Hamilton
Executive Director

September 30, 2009

OCT 05 2009

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

Jefferson County Commission

Dear Commissioner *Dale* Manuel,

The West Virginia Association of Counties, West Virginia Courthouse Facilities Authority, WV Public Broadcasting, and The Walkabout Company have partnered on an exciting documentary project of "West Virginia's Historic Courthouses." This 1-hour documentary will feature county courthouses that have a unique history and architectural style and the Jefferson County Courthouse is one of just 15 that will be shown in the documentary.

We have been raising funds this past year and have successfully completed the research for the production, which was accomplished by experts in the fields of history and architecture. We are seeking additional funds to bring the project to completion and we hope that the Jefferson County Commission will make a contribution. The Commission will be joining our other sponsors which include the WV Humanities Council, Brickstreet, WV Association of Circuit Clerks, WV State Bar Foundation, and Marshall and Wyoming County Commissions, among many others.

We do understand that the Commission sets aside cultural project funds for the Arts and Humanities Alliance, but this organization only funds projects where the project sponsor is located within Jefferson County.

Your contribution will make this important project possible and assist us in making the documentary available to libraries, schools, CVBs and other venues. Contributions are made payable to the West Virginia Association of Counties (serving as fiscal agent) and mailed to:

WV Association of Counties
Attn: Patti Hamilton, Exec. Director
2211 Washington Street, East.
Charleston, WV 25311-2118

More information about the "West Virginia's Historic Courthouses" documentary project is enclosed for your review.

We look forward to hearing from you.

Sincerely,

Patti
Patti Hamilton
Executive Director

Historic Courthouses of West Virginia

A Broadcast Documentary

The West Virginia Association of Counties is currently seeking sponsors for the production costs of a 1-hour broadcast program on the subject of our state's historic courthouses.

The final product will provide the public with a program dedicated to the history of our state's courthouses and their significance as the principal symbolic entity for a community. This study of West Virginia's historic courthouses enables us to have a connection to our collective past and our future. As such it becomes a tangible link between who we were, who we are and who we will become.

This production will be broadcast via WV PBS following a premiere at the WV Cultural Center. The final product will also be made available to WV schools and libraries for purchase at the cost of duplication. If additional funds become available for duplication, then the DVD will be provided at no costs to schools.

We have completed a WV Humanities Council planning grant (May - August, 2009) which resulted in scholarly research that we used to create the treatment and a bibliography.

The one-hour documentary will be organized around three main themes creating segments of the production. The **first theme** addresses the aspects of the historical development of government: *the county courthouse is the center of local, democratic government*. It relates to the evolution of the courthouse system in the state, as well as the historical impact on the structure and function of county government today. We will examine how the county system originated in Europe and was transformed in the young United States then evolved into the system we see today.

The history of the architecture is the focus of the **second theme**: *the county courthouse is a symbol of democracy, an architectural monument that inspires us and illuminates aspects of our history*. The courthouse is the place where county governments conduct business--the place where one can observe local democracy in action. But most are far more than the cockpits of local democracy. They are historic buildings listed on the National Register of Historic Places for their fine architecture and/or associations with their county's history, and, often, with that of the state and nation as well. In many counties, the courthouse is the most elaborate building in the county. It is usually cherished by the community, and used as a landmark. The architectural styles reflected in West Virginia's courthouses vary dramatically and we will examine examples of the styles.

Local history is the basis for the **third theme**: *the county courthouse historically has been the center of community life and civic culture*. This is true in regard to community life much more in the past than today. When travel was slow and expensive, the essential trip to the courthouse to conduct legal business or vote provided a rare opportunity for

socializing and shopping. Most courthouses occupy prime locations in the county seat's center, and they are often surrounded by landscaped grounds or a common. Historically, taverns, stores, churches, and the excitement of town life were nearby. Courthouses were natural gathering places to observe public events: to witness public punishments, including executions, watch public auctions, gawk at prisoners being taken to jail, or celebrate holidays.

We will use these three themes as guidelines for the documentary script and then incorporate archival images, HD video and interviews with historians, architectural experts, staff members within the courthouse offices, and community members to create the full production this important production.

Scholar: Michael Workman, Ph. D.

459 Dorsey Avenue
Morgantown, WV, 26501
Ph: 304.288.1757

Dr. Workman served as a content expert, researcher for the WV Humanities Council Planning grant and will be the script reviewer (for content) for this project. He holds a Ph. D. in History from WVU, 1995 with an emphasis on Modern America and Appalachian and an M.A. in Public History and an undergraduate degree in Political Science, both from WVU. His work will also contribute to the selection of historic images and narrative descriptions and appear on-camera as a subject-matter expert for the history of our county government system. Walkabout has worked with Dr. Workman continuously since 1997 on various media projects. He served as content expert for *A Year and A Day: The Moundsville Penitentiary*, and the Midland Trail. Both of these 1-hour productions were broadcast via WV PBS. Dr. Workman is currently teaches at Fairmont State University.

Scholar: David T. Javersak, Ph.D.

15 Walnut Avenue
Wheeling, WV 26003
Ph: 304.232.8389

Dr. Javersak is History Professor Emeritus after serving more than 30 years on the faculty at West Liberty University as a professor of history and Dean of the School of Liberal Arts. He holds a Ph.D. from the University of Hawaii and an undergraduate degree from then West Liberty State College. Dr. Javersak has published a book on the History of Weirton, WV and is a frequent contributor to Wheeling area history projects and public presentations. Dr. Javersak will take part in on-camera interviews related to the origins of our county government system.

Scholar: Michael Gioulis

612 Main Street
Sutton, WV 26601
Ph: 304.765.5716

Mr. Gioulis served as a researcher and content expert for the recently completed WV Humanities Council Planning grant for this project. For this grant, he will appear on camera as a subject-matter expert for architectural history.

Michael Gioulis specializes in preservation, planning, assessment and rehabilitation. Mr. Gioulis has worked on projects associated with 36 of our state's historic courthouses and county seats, including National Register nominations. He began his career with the State Historic Preservation Office before moving into the private business sector. In addition to his knowledge of the courthouses, he is experienced in presenting material to the public. Mr. Gioulis holds a B.S., from City University of New York, City College.

Gioulis has worked with the production company for this project (The Walkabout Company) on an audio driving tour of the National Road (fall 2009 release) and served as a consultant on a documentation project of Mt. DeChantal Visitation Academy's history.

Project Director and Producer: Debra Keddie

The Walkabout Company, LLC
PO Box 3116
Wheeling, WV 26003
Ph: 304.242.8884

Debra Keddie will serve as the Project Director for this production and is the program's Producer, which entails the acquisition of all funding, providing direction to all scholars and media personnel, managing the timeline and ensuring a successful completion of the project. Ms. Keddie has led all company projects since 1992, when she oversaw the production of 2-weekly series for young people which aired on WV PBS. Since that time, she has successfully managed numerous documentary, broadcast, and non-broadcast media projects. During 2008-09, she directed a documentation project of Mt. DeChantal Visitation Academy and the Historic National Road Audio Driving Tour.

Her documentary on the National Road in West Virginia received a 2006 Emmy nomination for Achievement in Writing and the Videography Award for Achievement in production. In 2009 she was awarded two Telly Awards for Achievement in Production. Ms. Keddie is the Executive Vice-President for the National Academy of Television Arts and Sciences (Ohio Valley Chapter - WV, OH, IN, KY) and has been an Emmy judge for documentary production for the past 3 years.

Scriptwriter, Director: Richard Warmuth

The Walkabout Company, LLC

PO Box 3116

Wheeling, WV 26003

Ph: 304.242.8884

Mr. Warmuth has served as principal scriptwriter and director for all company media projects since 1987. Mr. Warmuth received a 2006 Emmy Nomination in Scriptwriting for *The Historic National Road - The Road That Built the Nation*. He has also been the recipient of the Videography, Hermes and Accolade awards for excellence in production, reflecting his skill and creative talent as a writer, director, and cinematographer. His work include 45 episodes within the company's 2-weekly series for young people that aired via WV PBS and three long-form broadcast documentaries for the company.

Graphics, Titling: Geoff Skadra

The Walkabout Company, LLC

PO Box 3116

Wheeling, WV 26003

Ph: 304.242.8884

Graphic design elements and titling will be overseen by Geoff Skadra. He holds a B.S. in Communications Design from La Roche College, Pittsburgh, PA and completed two years of study in Visual Communications at Ohio University. He is proficient in the Adobe Creative Suite products, Final Cut Pro, Maya, Blender and DVD Studio Pro Tools.

This project targets the general public, public television viewers, citizens with an interest in West Virginia history, and West Virginia history teachers.

The production will be promoted via press releases, NPR interviews, on-air promotions prior to the broadcast, email blasts to Preservation Alliance of WV and county historical societies. A premiere will be held at the Cultural Center prior to the first broadcast (*see attached letter*).

Schools and libraries will be made aware of the program through print and email announcements.

WV PBS will collect comments received and share with WVACo. The Walkabout Company will have a comment section on their website on a page dedicated to the production. This information will be provided to the WV Humanities Council for their records.

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Vivian,

The WV Information Technology Summit 2009 will be held in Charleston, WV on November 3 -5, 2009. I would like to request this information be distributed to your members. A variety of technology subjects will be covered during this conference which we believe will be very beneficial.

We would greatly appreciate it if you could make your members aware of this conference. The Summit website is www.techconference.wv.gov.

Thank you.

Cindy

<<wvtechConfBrochure_final_10012009.pdf>> <<e-vite_10062009.docx>> <<NOREX.docx>>

Cindy L. Smith, Project Manager

West Virginia Office of Technology

1 Davis Square

Charleston, WV 25305

Office: 1.304.558.5472 x3739

Mobile: 1.304.549.4565

Email: cindy.l.smith@wv.gov

Presents

BRING "IT" ON

An Information Technology Conference

YOUR INVITATION...



from Kyle Schafer,
West Virginia
Chief Technology
Officer

As chief
technology officer
for the state of
West Virginia,
I am pleased to
invite you to mark
your calendars for

an upcoming event which you do not
want to miss...

The state Office of Technology is
planning this year's West Virginia

Information Technology Summit 2009,
scheduled for November 3-5 at the
Civic Center in Charleston.

Considering the current state of the
economy, it is a fact that all public
and private entities are optimizing
and delivering the highest value from
information technology.

This event provides an invaluable
opportunity to connect with
information technology leaders and
learn more about new and innovative
initiatives being developed and
implemented across the state of West
Virginia.

A wide range of vital and emerging
topics relating to information
technology will be addressed
by engaging speakers who are
knowledgeable in the field of IT.

I look forward to seeing you on
November 3 - 5 at the West Virginia
Information Technology Summit 2009!

Best Regards,

Kyle Schafer
West Virginia Chief Technology Officer

WEST VIRGINIA INFORMATION TECHNOLOGY SUMMIT 2009

The West Virginia Information Technology Summit
2009 is designed for chief information officers, IT
professionals, Business and IT Leaders and customers
who benefit from WV Office of Technology (WVOT)
IT services. The Summit Program has arranged the
educational programs by tracks to better meet the
needs of the specific audiences.

Who Should Attend?

IT and Business leaders

Where do you want to take your organization and
how can IT take you there? How can you improve
collaboration and communication? How can you
make the most of your IT dollar in lean times? The
IT and Business Leaders track is for you.

IT Professionals

Does your manager want you to implement a
SharePoint site, use new Web 2.0 technologies,
or use ".NET"? If so, then the IT Professionals
track is where you belong.

OT Customers

What is SharePoint? OT offers free training??
Help! Our website is so outdated! Sound familiar?
If so, join us in the OT Customers track where
these questions and many more will be answered.
Attend the OT Billing and Service Catalog
sessions and find out how to get the most for
your IT dollars.

FEATURED SPEAKERS:

Tori Takai

Chief Information Officer, State of California

Cathlea Robinett

Executive Director, Center for Digital Government and Center for Digital Education

Gail Thomas Flynn

General Manager, Microsoft's national US State and Local Government Team

Pre-Conference Forum on Tuesday
9:00am – 12:00pm:

Roundtable Discussion of Technology Issues Facing Today's IT Professionals Moderated by NOREX...

In this half-day session, IT professionals from both the public and private sector will discuss pressing issues from registered participants. This interactive forum will be an excellent opportunity for you to learn how your peers are addressing issues such as: Virtualization, Software Development, Compliance challenges, Disaster Recovery/ Business Continuity, Help Desk, Security, Project Management, etc. Space is limited!

Awards

The West Virginia Information Technology Recognition Awards are intended to highlight successful information technology initiatives in State government. This year we are also introducing the West Virginia State Technology Champion Award designed to recognize one individual, either from the public or private sector, for outstanding contributions in the field of information technology.

Visit the Technology Showcase!

More than 50 vendors are expected to join us during the Summit, ready to demonstrate the latest in IT and to answer your questions!

DIRECTIONS TO THE CIVIC CENTER

From the West

Take the Virginia Street exit (Exit 58B) on I-64
Stay to the right as you exit, this will put you on Virginia Street
Merge to the far left lane immediately
Turn Left on to Civic Center Drive
Turn Left on Quarrier Street
The Civic Center Parking Building entrance is on the immediate right

West Virginia Office of Technology (WVOT)

One Davis Square
Charleston, WV 25305
Telephone: 304-558-5472
Service Desk: 304-558-9966
Website: <http://www.state.wv.us/ot/>

From the East

From I-64 or I-77 take the Washington Street and Civic Center Drive exit (Exit 58C)
Continue straight on Pennsylvania Avenue
Turn Left on to Virginia Street
Merge to the far left lane immediately
Turn Left on to Civic Center Drive
Turn Left on Quarrier Street
The Civic Center Parking Building entrance is on the immediate right

Summit Attire

Sessions and Evening Events -
Business Casual Attire



REGISTER TODAY!

Register at:
www.techconference.wv.gov

Regular Summit Registration (Tuesday-Thursday)

includes access to all Summit Program sessions, the technology showcase, scheduled meals, refreshment breaks and most evening events. Early registration ends at the close of business on October 9, 2009. An increase in fees will apply if registration is received after this date.

Summit Registration Fees

There is no charge for the Norex Forum on Tuesday; however,

registration is limited. Lunch that day is an additional charge of \$15 (highly recommended if attending both the forum and Summit).

\$35 per person for State Employees for the Technology Summit (includes all events except for Tuesday Luncheon)
\$99 per person for Non-State Employees for Technology Summit (includes all events except for Tuesday Luncheon)

Additional Events

\$15 per person for State and Non-State Employees to bring an additional guest to the Social Network Luau on Wednesday night
\$30 per person for Awards

Luncheon only.

Payment

The Summit and Tuesday luncheon must be paid by credit card. You may charge your registration cost to American Express, MasterCard VISA. Registration received without full payment will not be processed. The additional events must be paid by credit card or check (made payable to WVOT) and mailed to P.O. Box 1701, Charleston, WV 25326. Contact Mandy Carpenter at (304) 558-5472, ext. 1363 with payment questions.

Register Today to Bring "IT" On!

Jefferson County Public Service District

#37

Jefferson County Public Service District Regular Board Meeting September 14, 2009

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, September 14, 2009 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Treasurer, Jack Lantzy; General Manager, Susanne Lawton; Administrative Assistant, Ashley Wilt; Pentree Engineer, Zane Summerfield; District Legal Counsel, Jim Kelsh and Commission Liaison to the Public Service District, Commissioner Lyn Widmyer.

Chairman Hankins called the meeting to order at 7:02PM.

Public Comments

No comments.

OLD BUSINESS

Review Minutes of August 3, 2009 Regular Board Meeting

The minutes of the August 3, 2009 regular Board meeting were approved as presented.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to accept the August 3, 2009 minutes as presented. Approved 2-0.

Review Minutes of September 2, 2009 Special Board Meeting

The minutes of the September 2, 2009 special Board meeting were approved as presented.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to accept the September 2, 2009 minutes as presented. Approved 2-0

Review Revised Minutes of July 6, 2009 Regular Board Meeting

The revised minutes of the July 6, 2009 regular Board meeting were approved as presented.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to accept the revised July 6, 2009 minutes as presented. Approved 2-0.

Discuss PSD Revenue Shortfall Issues

In January, the District's Finance Manager, April Williams, reported to the Board that Job Corp usage had increased by \$100,000 last fiscal year due to a water leak, but was fixed and back to its normal usage. The decrease in Job Corps usage charges was found to be one of the main contributors to the observed decrease in last fiscal years monthly revenue. The Board was concerned that current economic conditions were affecting the Districts revenue, which was brought up again last month with the District's revenues being down. Ms. Williams did another analysis to examine and compare the average gallons used per customers for fiscal years 2008 and 2009. Job Corp was pulled completely out of the comparison to see if the gallons per customer have dropped over the last year. From her analysis, the number of customers has increased, but the average monthly usage has decreased about 5% with revenues staying consistent, but starting to decline. Ms. Lawton informed the Board that it has been about 10-15 years since the District has had a rate increase which was non-project related. Staff feels a rate increase is necessary due to economic conditions.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to direct staff to begin the process to file a rate increase by preparing an analysis of financials for a 42T submission and approval at the October Board meeting. Approved 2-0.

Consider Approval of the Revised Alternate Mainline Extension Agreement with Thornhill and Daily Farm

At the July meeting, the Board tabled the approval of the agreement so it would reflect the requested changes made by the Board and developers. Mr. Kelsh has revised the draft agreement and is ready for Board approval. The Board and developers were both in agreement with the document, but made 1 minor

correction to the first page by adding "a minimum of 1000 EDU's" for wastewater transmission capacity for developers and possibly third parties.

Action: **Motion made by Mr. Lantzy and seconded by Mr. Hankins to approve the Revised Alternate Mainline Extension Agreement with Thornhill and Daily Farm as presented with 1 minor correction to add "a minimum of 1000 EDU's" to the last paragraph on page 1 and have Counsel submit to the Public Service Commission for approval. Approved 2-0.**

Update on Joint Applications to West Virginia Infrastructure and Jobs Development Council with Jefferson Utilities Incorporated

Mr. Lee Snyder was in the audience to update the Board. He sent a letter to the Infrastructure Council updating them on the progress being made. Pentree is continuing to move forward on the engineering design and could be ready for an early "scoping" meeting for the public possibly by the end of the year. Two months ago, the Phase II Application was returned due to inconsistencies in the application and lack of information which Pentree is working on to correct. Mr. Kelsh is going to check with the Infrastructure Council to see if this project will be on their September or October agenda.

Action: **No action taken by the Board.**

Flowing Springs wastewater treatment plant update

Mr. Kelsh updated the Board. The Public Service Commission (PSC) granted a certificate of convenience and necessity to construct and operate the Flowing Springs wastewater treatment plant, but that was later suspended after the Department of Environmental Protection had taken away ARRA funding for the project and the PSC now wants to see new funding. Mr. Kelsh needs to reopen the case at the PSC with a new financial plan of funding. The District is continuing to resolve easement concerns by residents affected by the proposed sewer line.

Action: **No action taken by the Board.**

NEW BUSINESS

Before moving into New Business, Mr. Hankins introduced Ms. MaryLois Gannon Miller from the Charles Town City Council. Mr. Miller was in the audience and interested in the discussion for the Charles Town Resolutions under Litigation. The Board agreed to discuss in public session. In July, Charles Town City Council had passed the 1st reading of 2 ordinances for an increase in sewer rates. In August, they had adopted the 1st ordinance which will increase their Capital Improvement Fee (CIF) to \$5500 per EDU. Since the District pays Charles Town the current CIF of \$1127 to treat wastewater at the Charles Town treatment plant, the Board had concerns if they would have to pay this new rate. The District had many outstanding questions about the new ordinance they would like to get cleared up with Charles Town. Ms. Miller also had questions about the payment agreement of the CIF between the District and Charles Town. She will take the concerns of the District back to City Council. The Board tabled further discussion of this item until Executive Session.

Action: **No action taken by the Board.**

Discuss West Virginia Comprehensive Plan

Ms. Lawton updated the Board. The state of West Virginia has decided to do a Comprehensive Plan for water, wastewater, and stormwater. At the September Countywide Coalition meeting, Ron Belcastro from MATE (MidAtlantic Engineering) gave a presentation on the Statewide Comprehensive Planning Study for water, wastewater, and stormwater. The State hired CDM and Thrasher Engineering to help collect the data from each County to create a data base for information on water, wastewater and stormwater throughout the state. This database will allow anyone to track the status of projects online. After discussion with the group on this study, Mr. Belcastro is going to recommend that Jefferson County be one of the first 4 counties to start off the study.

Action: **No action taken by the Board.**

Discuss Large Billing Adjustment for PSD Sewer Customer

Every month, the District receives water meter readings from the Charles Town Water Department. They had made a mistake on the readings and for the past four years had been billing a customer incorrectly. The

District now owes the customer almost \$100,000 for incorrect charges. The District's staff will work out a payment plan to repay the customer.

Action: No action taken by the Board.

Discuss County Commission Test Wells on the Mountain

Commissioner Lyn Widmyer had requested to put this item on the agenda. She informed the Board the County Commission had extra money in the budget to spread across various projects so they decided to spend \$30,000 for drilling of test wells at Westridge Hills on the mountain. The Commission was interested in exploring this option as stated in the Dunn Engineering Report and the Westridge Hills Homeowners Association had agreed. Ms. Widmyer welcomed any guidance or comments from the Board on the bid documents for the contract they will soon be sending out. Mr. Hankins suggested the County Commission contact Mr. Lee Snyder since he is familiar with the wells in that area, but the Board is open to reviewing the bid documents once they are drafted.

Action: No action taken by the Board.

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

- Leak on Jefferson Avenue – David Bosley contacted Ms. Lawton about a sewage leak at his residence on Jefferson Avenue.

Action: No action taken by the Board.

Discussion of any expenses over budget

Mr. Lantzy informed the Board that there are no items over budget.

Action: No action taken by the Board.

Approve transfer of \$1,110.84 from Future Needs Account into Sewer Operating Account for AskNeal Invoices

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to approve the transfer of \$1,110.84 from Future Needs Account into Sewer Operating Account for AskNeal Invoices. Approved 2-0.

Correspondence

None discussed.

Public Comments

Mr. John Maxey from the Planning Commission informed the Board of a Planning Grant that was awarded to the Planning Commission for stormwater management on the mountain. The Planning Commission would be interested in working with the District and Jefferson Utilities on this project.

OTHER BUSINESS

Source Water Protection Grant Update

The District is waiting for final approval from WVDHHR. Mr. Kelsh is waiting for a staff memo from the Public Service Commission approving the District to use the grant.

Action: No action taken by the Board.

Countywide Utility Group Update

The group discussed the Statewide Comprehensive Plan and has formed a group to look into the plan and form a scope of the Jefferson County needs. The next meeting will be on October 15th at the District's office.

Action: No action taken by the Board.

Consider Addendum to Jefferson Utilities Inc and Jefferson County Public Service District Memorandum of Understanding

Mr. Kelsh has not yet drafted the addendum. The purpose of the addendum is to make sure the Memorandum of Understanding is consistent with the contract with Pentree on the project design and the Joint Applications that were submitted.

Action: No action taken by the Board.

Discuss Jefferson County Board of Education New Elementary School Sewer Service

Mr. Kelsh informed the Board that the Board of Education's Counsel has requested a conference call with the Districts Counsel.

Action: No action taken by the Board.

City of Martinsburg NPDES Permit Appeal before WV EQB

Mr. Kelsh updated the Board. The WV EQB has not yet issued a written order for reasons on granting the dismissal of the appeal.

Action: No action taken by the Board.

Settlement Agreement in Citizens of Blue Ridge Act v. Jefferson Utilities

Mr. Kelsh informed the Board this was approved by the Public Service Commission by Recommended Decision.

Action: No action taken by the Board.

PSC General Investigation into Berkeley County Capital Improvement Fees

Mr. Kelsh updated the Board. The hearing for this case took place on August 26th and 27th which is now waiting for an order from the Public Service Commission.

Action: No action taken by the Board.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to convene in executive session for the purpose of discussing litigation and contract negotiations. Approved 2-0.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to return to public session. Approved 2-0.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to file a municipal appeal to the Public Service Commission regarding the Charles Town Rate Ordinance. Approved 2-0.

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to adjourn. Approved 2-0.

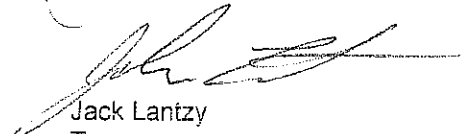
There being no further business at this time, the meeting was adjourned at 10:37PM

The next regular meeting is scheduled for October 5, 2009 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Joseph A. Hankins
Chairman



Jack Lantzy
Treasurer

WV LOTTERY
 WEST VIRGINIA LOTTERY
 First Benchmark
 Charles Town
 County / City Split
 Fiscal Year 2009

38

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	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ 636.46	\$ 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	\$ 11,806.64
08/22/09	\$ 152,520.62	\$ 78,260.31	\$ 76,280.31	\$ 9,471.53	\$ 28,355.56	\$ 2,783.50	\$ 26,752.12	\$ 10,897.60
08/29/09	\$ 160,845.84	\$ 80,472.92	\$ 80,472.92	\$ 9,994.74	\$ 27,811.44	\$ 2,937.26	\$ 28,229.90	\$ 11,499.58
09/05/09	\$ 161,596.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,949.13	\$ 28,343.99	\$ 11,546.06
09/12/09	\$ 172,673.84	\$ 88,286.92	\$ 86,286.92	\$ 10,716.84	\$ 29,820.76	\$ 3,149.47	\$ 30,269.45	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,695.26	\$ 24,195.51	\$ 2,555.37	\$ 24,559.56	\$ 10,004.45
09/26/09	\$ 138,633.74	\$ 69,316.87	\$ 68,316.87	\$ 8,609.16	\$ 23,955.91	\$ 2,530.07	\$ 24,316.35	\$ 9,905.38
10/03/09	\$ 144,572.08	\$ 72,286.04	\$ 72,286.04	\$ 8,977.93	\$ 24,982.06	\$ 2,638.44	\$ 25,357.93	\$ 10,329.66
Subtotal	\$ 2,180,246.38	\$ 1,546,154.94	\$ 634,081.44	\$ 78,754.17	\$ 219,142.00	\$ 23,144.33	\$ 222,439.27	\$ 90,611.67

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$

**WEST VIRGINIA LOTTERY
WEEKLY SETTLEMENT FOR CHARLES TOWN**

Week Ending Date	Week Ending
To be Deposited on:	October 3, 2009 FY10 October 9, 2009
Amount Played	77,719,093.53
Amount Won	69,832,769.55
Amount Promo	309,774.00
MWAP Contribution	<u>48,754.05</u>
Adjusted Gross Terminal Revenue	<u>7,529,795.93</u>
Administrative Costs @ 4%	301,181.84
Excess Lottery Fund @ 4%	<u>0.00</u>
Net Terminal Revenue	<u>7,228,604.09</u>
Surcharge @ 10%	0.00
State Share Excess @ 58%	0.00
Track Share of Capital Reinvestment @ 42%	0.00
Track Share of Capital Reinvestment @ 42% - 86%	\$ -
Track Share of Capital Reinvestment @ 42% - 4%	\$ -
Adjusted Net Terminal Revenue	<u>7,228,604.09</u>
Racetrack @ 46.50% / 42%	3,361,300.90
Lottery Fund @ 30% / 0%	2,188,581.23
Excess Lottery Fund @ 0% / 41%	0.00
Race Track Purses @ 7% / 14% / 8%	1,012,004.57
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	72,256.04
Greyhound Development @ .75%	54,214.53
Thoroughbred Development @ .75%	54,214.53
Racing Commission @ 1%	72,286.04
County/Municipality @ 2%	144,572.08
3% Funds:	
Tourism Promotion Fund @ 1.375%	99,393.31
Development Office Promotion Fund @ .375%	27,107.27
Research Challenge Fund @ .5%	36,143.02
Capitol Renovation and Improvement Fund @ .6875%	49,696.65
2004 Capitol Complex Parking Garage Fund @ .0625%	4,517.88
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	36,143.02
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>36,143.02</u>
	<u>7,228,604.09</u>