

## AGENDA FOR THURSDAY, OCTOBER 22, 2009

Y/ N/ NA

### APPOINTMENTS:

- 1. 9:30 a.m. - Pledge of Allegiance  
Approval of Minutes  
Approval of Purchase Orders  
Approval of Accounts Payable
- 2. 9:40 a.m. - Public Comment
- 3. 9:45 a.m. - Bonding and Activity Report
- 4. 10:00 a.m. - James B. Crawford, III - City of Charles Town - Approval of Order for Annexation - Discussion/Action
- 5. 10:15 a.m. - Kirk Davis & Silling Associates - Proposed Judicial Center Update
- 6. 10:45 a.m. - Al Cobb - Discussion on an Incentive Plan for Building Quality Energy Efficient Homes in Jefferson County
- 7. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report
- 8. 11:15 a.m. - Stephanie Grove - Legal Update and Report
- 9. 1:30 p.m. - County Commission Workshop - Todd Fagan - Addressing Ordinance

### OLD BUSINESS:

- 10. Legislative Issues
- 11. Report on Federal Stimulus Funds - Discussion
- 12. Appointment to Eastern Panhandle Transit Authority
- 13. Decision on E911 Wireline Fee Increase - Discussion/Action
- 14. Legal Representation Agreement - Discussion/Action
- 15. Mark Schiavone, Director of Capital Planning and Management - IT Issues

#### **NEW BUSINESS:**

- 16. Appointment to the Potomac Headwaters RC&D
- 17. Kirk Davis - Approval of Change Order for Courtroom - Discussion/Action
- 18. Legal Letter to SSI Confirming Commission Vote of October 8<sup>th</sup> and Legal Nature of Steptoe Proceeding (JS)
- 19. RCS Security - Kirk Davis and Bill Polk - Clarify Services, Cost, and Oversight Policy (JS)
- 20. County Administrator Job Description and Job Advertisement - Discussion/Action
- 21. County Administrator Reports
- 22. County Commission Reports

#### **INFORMATION:**

- 23. Reminder of Zoning Referendum on November 7, 2009.
- 24. Animal Control report received for September 2009.
- 25. Invitation received from Leadership Jefferson to attend a lunchtime talk featuring Russ Sobel, economics professor at WVU on November 11, 2009.
- 26. Correspondence received from Barbara J. Miller concerning the Community Rating System of the National Flood Insurance Program.
- 27. Notice received of International Swine Flu Conference on November 23-24, 2009.
- 28. Notice received from Loudoun County of a public hearing on the Countywide Transportation Plan Update on October 29, 2009, at 6:00 p.m.
- 29. Weekly settlement report received for the Charles Town Races from the West Virginia Lottery.
- 30. Miscellaneous

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

In Re: Annexation of Additional Territory of the City of Charles Town Pursuant to West Virginia Code Section 8-6-4

ORDER

A certificate of the governing body of the City of Charles Town has this day filed showing that an annexation has been made, in the manner required by law, to the corporate limits thereof, and that by such annexation the said corporate limits are as follows:

**All of that certain lot or parcel of real estate lying on the east side of West Virginia State Route 9, in the Charles Town District, Jefferson County, West Virginia and being more particularly bound and described as follows:**

**Beginning at a common corner with the Margaret Dailey property and West Virginia State Secondary Route 9 in the line of the City municipal boundary, thence with the municipal boundary and as shown on a plat by Appalachian Surveys, Inc. dated November 20, 1985 and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 699 at Page 673 NW 49-51-23 744.77' to Point 162, thence NE 03-37-55 30.76' to Point 166, thence with Oakland Terrace, the 40' right of way, NE 48-37-55 40.00' to Point 309, thence SE 41-22-05 20.00' to Point 311, thence NE 48-37-55 78.15' to Point 313, thence NW 41-22-05 20.00' to Point 314, thence again with Oakland Terrace NE 48-37-55 297.62' to Point 163, thence by a curve having a delta of 03-37-55, a radius of 777.08' a length of 33.83', a cord of 33.83' and a cord bearing NE 47-23-05 to Point 376, thence leaving Oakland Terrace and with Lot 25 of the Oakland Heights Subdivision, thence SE 54-26-12 466.42' to Point 371, in line with Dailey, thence with Dailey SW 15-29-49 557.54' to the point of beginning, containing 6.89 acres.**

It is therefore ORDERED that such annexation to said corporate limits of Charles Town be, and the same is hereby APPROVED and CONFIRMED, and the Clerk of the Court is directed to deliver to the said Council of City of Charles Town a certified copy of this Order, as soon as practical after the entry of the same.

Appointments

COUNTY COMMISSION OF  
JEFFERSON COUNTY, WEST VIRGINIA

BY: \_\_\_\_\_  
Dale Manuel, President

Entered: \_\_\_\_\_

CERTIFICATE OF ANNEXATION PURSUANT TO AN ORDINANCE

AN ANNEXATION ORDINANCE ANNEXING THE PROPERTY OF  
DAILEY FARM LLC CONTAINING SEVEN ACRES LYING ON THE EAST SIDE OF  
ROUTE 9 ADJOINING THE CITY OF CHARLES TOWN

WHEREAS, West Virginia Code 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing body a petition to be annexed and (2) a majority of all freeholders of the additional territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, West Virginia Code 8-6-4(b) provides that even though a firm or corporation is a freeholder, for purposes of annexation, they are considered qualified voters of the additional territory sought to be annexed, and

WHEREAS, the Dailey Farm LLC is a freeholder in the additional territory sought to be annexed as well as a qualified voter as defined by the aforesaid Code, and

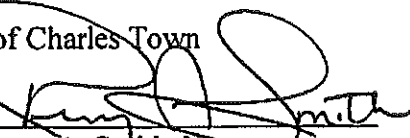
WHEREAS, pursuant to West Virginia Code 8-6-4(f) only a qualified voters petition is necessary in this matter and has filed a qualified voter's petition with this City, and

WHEREAS, the Dailey Farm LLC constitute a majority of the qualified voters of the additional territory sought to be annexed,

WHEREAS, the City Council has determined that the property sought to be annexed is contiguous and adjacent to the municipal boundary line of the City of Charles Town pursuant to the description attached to said petition and shown on the plat submitted with said petition, and

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the municipality of City of Charles Town (1) adopts the recitals set forth above as true and correct and that they are

hereby incorporated in the ordinance as if set out in full, (2) hereby finds and is satisfied that the petition is sufficient in every respect and that the recorder is directed to enter this fact upon the City's journal and forward a certificate to that effect to the County Commissioner of Jefferson County, West Virginia requesting that they enter an Order annexing the property in the petition to the municipality of City of Charles Town. Further, after the date of the entry of the County Commission's Order, the corporate limits of the municipality of Charles Town shall be as set forth therein.

City of Charles Town  
By:   
Peggy A. Smith, Mayor

First Read:

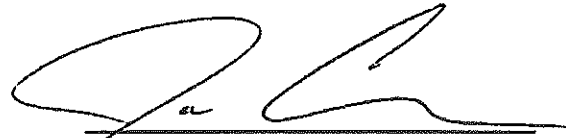
Date: 05/01/09

Second Read:

Date: 05/18/09

#### CERTIFICATE

The undersigned, being the recorder for the City of Charles Town, hereby certifies that the above ordinance is a true copy of the ordinance of the City of Charles Town entered into its journal as of the 18 day of May, 2009.

  
Joe Cosentini, Clerk  
Date: 05/18/09

#6  
10:45  
10/13

**Laura Kuhn**

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**From:** "Sandy McDonald" <sandy@jeffersoncountywv.org>  
**To:** "Laura Kuhn" <laura@jeffersoncountywv.org>  
**Sent:** Tuesday, October 06, 2009 1:11 PM  
**Subject:** Fw: Presentation / proposal to Jefferson County Commissioners?

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

From: "Leanne Cobb" <annie@sipschool.org>  
To: <sandy@jeffersoncountywv.org>  
Sent: Tuesday, October 06, 2009 11:28 AM  
Subject: Presentation / proposal to Jefferson County Commissioners?

- > Hello Sandy,
- >
- > Lyn Widmyer has referred me to you, to obtain information on how to get
- > scheduled to speak at an upcoming County Commission meeting.
- > Al Cobb would like to talk about an incentive plan for building quality
- > and energy efficient homes here in Jefferson County. He is owner of two
- > WV businesses, Panelwrights and the SIPschool.
- >
- > Thank you for your time,
- >
- > Leanne Cobb
- > 304-876-8494
- > [www.sipschool.org](http://www.sipschool.org)
- >
- >

**Leslie D. Smith**

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*10/22/09 #19  
#30 workshop*

**From:** Todd Fagan [tfagan@jeffersoncountywv.org]  
**Sent:** Friday, September 11, 2009 9:02 AM  
**To:** 'Leslie D. Smith'  
**Cc:** 'Jeffrey A. Polczynski, ENP'  
**Subject:** Commission Workshop on Addressing Ordinance

Ms. Smith,  
When scheduling the workshop, please avoid October 15<sup>th</sup>. I will be out on vacation that week.  
Thank you,  
Todd

Todd Fagan, GISP  
GIS Specialist - GIS/Addressing Office  
Jefferson County Commission  
116 E. Washington St. Suite 201  
Charles Town, WV 25414  
Office: 304.728.6679  
Fax: 304.724.8992  
[tfagan@jeffersoncountywv.org](mailto:tfagan@jeffersoncountywv.org)

#12

## 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.

OK Business

**EASTERN PANHANDLE TRANSIT AUTHORITY BOARD OF DIRECTORS**

Fred Blackmer  
191 Wild Hare Road  
Harpers Ferry, WV 25425  
h: 725-6754  
3 years 1/31/2012

*Resigned 8/21/09*

Eugene D. Pearson  
John Rissler Road  
P.O. Box 1005  
Charles Town, WV 25414  
304-725-1746  
3 years 1/31/2012

George Rutherford  
P.O. Box 411  
Ranson, WV 25438  
725-9610 [gruther1@msn.com](mailto:gruther1@msn.com)  
3 years 1/31/2012

# 12.1

**Sandy McDonald**

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**From:** "Patsy Noland" <pnoland@jeffersoncountywv.org>  
**To:** <sandy@jeffersoncountywv.org>  
**Sent:** Friday, October 16, 2009 11:32 PM  
**Subject:** Fw: Eastern Panhandle Transit Authority: PanTran

Hi, Sandy. FYI

Hope you had a good weekend.

Patsy

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

From: <jccoadirector@frontiernet.net>  
Sent 10/15/2009 1:53:14 PM  
To: "dmanuel" <dmanuel@frontiernet.net>, "Lyn Widmyer" <lynwidmyer@gmail.com>, jsurkamp@comcast.net, fmorgan@jeffersoncountywv.org, pnoland@jeffersoncountywv.org  
Subject: Eastern Panhandle Transit Authority: PanTran

1815 Shenandoah River Drive  
Harpers Ferry WV 25438  
(304) 728-2777

October 15, 2009

Jefferson County Commission  
124 East Washington Street  
Charles Town WV 25414

Dear County Commission,

It has come to my attention there is an opportunity to serve as the Commission appointed Jefferson County representative on the Eastern Panhandle Transit Authority Board of Directors. I would like to take the opportunity to apply for the position and represent Jefferson County.

I have been actively researching, improving and expanding Jefferson County Public transportation as listed but not limited to community partnerships, agency approved transportation grants and rural transportation needs and awareness.

I am available at anytime for Commission addressed questions. I do look forward to hearing from you soon and appreciate the opportunity to represent Jefferson County.

Sincerely,

Shawwna R. Molina, CPRP

(Note, a hard copy has been delivered to County Commission office as of 10/15/09)

10/18/2009

**NOTICE OF PUBLIC HEARING  
PROPOSED INCREASE  
EMERGENCY 911 WIRELINE FEE**

The County Commission of Jefferson County will hold a public hearing on Monday, October 5<sup>th</sup>, 2009, in the Jefferson County Meeting Room located on the Ground Floor of the Old Charles Town Library, 200 East Washington Street, Charles Town, West Virginia beginning at 7:00 p.m.

The purpose of the meeting will be to hear public comment on the proposed increase in the Emergency 911 Wireline Fee (land line only) from the current fee of \$2.90 monthly to the proposed new fee of \$3.25. The public is invited to provide written or oral comment at this hearing.

No decision will be made at the hearing.

**By Order of The County  
Commission of Jefferson County  
Dale Manuel, President**

**SPECIAL SESSION:**

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the County Commission of said County and State continued and held at the Old Charles Town Library Ground Floor meeting room thereof on Monday, October 5, 2009, beginning at 7:00 o'clock p.m.

**PRESENT:** James Surkamp; President Pro-Tem  
Lyn Widmyer, Frances Morgan; Commissioners

Commissioner's Manuel and Noland were absent.

**In re: PUBLIC HEARING - JEFFERSON COUNTY PROPOSED INCREASE - EMERGENCY 911 WIRELINE FEE**

The County Commission held a Public Hearing to hear comment regarding the proposed increase in the Emergency 911 Wireline Fee.

The hearing started with the E 911 Director of Communications Jeff Polczynski giving an overview of current operations. Mr. Polczynski provided the following reports: summaries for 9-1-1 funding fee revenue, standard line county land lines VoIP and projected revenue from wire line and VoIP 9-1-1 fees.

Dr. Henry Christie, E-9-1-1 Advisory Board Committee member was present.

Dr. Christie and Mr. Polczynski reported on the E-9-1-1 Advisory Board Committee objectives and strategies.

No public comments were provided, written comments were received by Mr. Paul Burke.

No decisions were made. The Commission agreed by consensus to place this matter on the October 15, 2009 agenda for further consideration.

Motion by Widmyer, second by Morgan to adjourn at 7:10 p.m. Motion carried.

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

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JAMES SURKAMP, PRESIDENT PRO-TEM

Projected Revenue from Wireline and VoIP 9-1-1 Fees

FRONTIER COMMUNICATIONS

9-1-1 fee & projected fee for .10 increment as of  
Frontier subscriber count August 2009

	\$1.90	\$2.00	\$2.10	\$2.15	\$2.20	\$2.25	\$2.30	\$2.40	\$2.50
Landline Rate	1.90	2.00	2.10	2.15	2.20	2.25	2.30	2.40	2.50
Fee Collected on Standard Landlines	\$34,433.70	\$36,246.00	\$38,058.30	\$38,964.45	\$39,870.60	\$40,776.75	\$41,682.90	\$43,495.20	\$45,307.50
CENTREX Rate (.25 of standard rate)	0.475	0.500	0.525	0.538	0.550	0.563	0.575	0.600	0.625
Fee Collected on CENTREX Lines	\$1,127.18	\$1,186.50	\$1,245.83	\$1,276.49	\$1,306.15	\$1,334.81	\$1,364.48	\$1,423.80	\$1,483.13
Total Fee collected Standard and CENTREX	\$35,560.88	\$37,432.50	\$39,304.13	\$40,239.94	\$41,175.75	\$42,111.56	\$43,047.38	\$44,919.00	\$46,790.63
Minus Frontier Communications Admin Fee of 3%	\$1,066.83	\$1,122.98	\$1,179.12	\$1,207.20	\$1,235.27	\$1,263.35	\$1,291.42	\$1,347.57	\$1,403.72
Wireline Fees per month	\$34,494.05	\$36,309.53	\$38,125.00	\$39,032.74	\$39,940.48	\$40,848.22	\$41,755.95	\$43,571.43	\$45,386.91
Standard Landline Count as of August 2009	18,123								
CENTREX Landline Count as of August 2009	2,373								

VOYAGE

9-1-1 fee & projected fee for .10 increment as of  
Voyage subscriber count June 2009

	\$1.90	\$2.00	\$2.10	\$2.15	\$2.20	\$2.25	\$2.30	\$2.40	\$2.50
VoIP Rate	1.90	2.00	2.10	2.15	2.20	2.25	2.30	2.40	2.50
Fee Collected on VoIP Subscriber Lines	\$2,078.60	\$2,168.00	\$2,257.40	\$2,352.10	\$2,446.80	\$2,461.50	\$2,516.20	\$2,625.60	\$2,735.00
Standard VoIP Count as of June 2009	1,094								

Peak Collectors from All LECS	\$35,672.66	\$39,467.46	\$40,422.46	\$41,384.84	\$42,347.28	\$43,309.72	\$44,272.16	\$46,197.93	\$49,124.81
Frontier Wireline Revenue	\$38,249.78	\$47,421.89	\$48,393.06	\$49,364.18	\$50,335.30	\$51,306.42	\$52,277.54	\$54,203.38	\$57,130.22
Standard Wireline Revenue	\$231,983.79	\$207,660.04	\$184,756.27	\$173,305.89	\$161,855.51	\$150,405.13	\$138,954.75	\$127,504.37	\$116,053.99

Projected Revenue from Wireline and VoIP 9-1-1 Fees

FRONTIER COMMUNICATIONS									
9-1-1 fee & projected fee for .10 increment as of									
Frontier subscriber count August 2009									
	2.60	2.65	2.70	2.75	2.80	2.90	3.00	3.10	3.15
Landline Rate	2.60	2.65	2.70	2.75	2.80	2.90	3.00	3.10	3.15
Fee Collected on Standard Landlines	\$47,119.80	\$48,026.95	\$48,932.10	\$49,838.25	\$50,744.40	\$52,556.70	\$54,369.00	\$56,181.30	\$57,987.45
CENTREX Rate (.25 of standard rate)	0.650	0.663	0.675	0.688	0.700	0.725	0.750	0.775	0.798
Fee Collected on CENTREX Lines	\$1,542.45	\$1,572.11	\$1,601.78	\$1,631.44	\$1,661.10	\$1,720.43	\$1,779.75	\$1,839.08	\$1,868.74
Total Fee collected Standard and CENTREX	\$48,662.25	\$49,598.06	\$50,533.88	\$51,469.69	\$52,405.50	\$54,277.13	\$56,148.75	\$58,020.38	\$58,956.19
Minus Frontier Communications Admin Fee of 3%	\$1,459.87	\$1,467.94	\$1,516.02	\$1,544.09	\$1,572.17	\$1,628.31	\$1,684.46	\$1,740.61	\$1,768.69
Wireline Fees per month	\$47,202.38	\$48,110.12	\$49,017.86	\$49,925.60	\$50,833.34	\$52,648.81	\$54,464.29	\$56,279.76	\$57,187.50
Standard Landline Count as of August 2009									
CENTREX Landline Count as of August 2009									

VONAGE									
9-1-1 fee & projected fee for .10 increment as of									
Vonage subscriber count June 2009									
	2.60	2.65	2.70	2.75	2.80	2.90	3.00	3.10	3.15
VoIP Rate	2.60	2.65	2.70	2.75	2.80	2.90	3.00	3.10	3.15
Fee Collected on VoIP Subscriber Lines	\$2,844.40	\$2,899.10	\$2,953.80	\$3,008.50	\$3,063.20	\$3,117.60	\$3,282.00	\$3,391.40	\$3,446.10
Standard VoIP Count as of June 2009									

Current									
	2.90	3.00	3.10	3.15					
Current	\$2,900	\$3,000	\$3,100	\$3,150					
Current	\$55,821.41	\$57,748.29	\$59,675.16	\$59,833.60					
Current	\$0.00	\$1,924.95	\$3,849.75	\$4,872.79					
Current	\$0.00	\$28,095.62	\$44,937.03	\$57,745.39					

Projected Revenue from Wireline and VoIP 9-1-1 Fees

FRONTIER COMMUNICATIONS

9-1-1 fee & projected fee for .10 increment as of  
Frontier subscriber count August 2009

	\$3.20	\$3.25	\$3.30	\$3.35	\$3.40	\$3.50	\$3.60	\$3.65	\$3.70
Landline Rate	3.20	3.25	3.30	3.35	3.40	3.50	3.60	3.65	3.70
Fee Collected on Standard Landlines	\$57,993.60	\$58,899.75	\$59,805.90	\$60,712.05	\$61,618.20	\$63,430.50	\$65,242.80	\$66,148.95	\$67,055.10
CENTREX Rate (.25 of standard rate)	0.800	0.813	0.825	0.838	0.850	0.875	0.900	0.913	0.925
Fee Collected on CENTREX Lines	\$1,898.40	\$1,928.06	\$1,957.73	\$1,987.39	\$2,017.05	\$2,076.88	\$2,135.70	\$2,165.36	\$2,185.03
Total Fee collected Standard and CENTREX	\$59,892.00	\$60,827.81	\$61,763.63	\$62,699.44	\$63,635.25	\$65,506.88	\$67,378.50	\$68,314.31	\$69,250.13
Minus Frontier Communications Admin Fee of 3%	\$1,796.76	\$1,824.83	\$1,852.91	\$1,880.98	\$1,909.06	\$1,965.21	\$2,021.36	\$2,049.43	\$2,077.50
Wireline Fees per month	\$58,095.24	\$59,002.98	\$59,910.72	\$60,818.45	\$61,726.19	\$63,541.67	\$65,357.15	\$66,264.88	\$67,172.62

Standard Landline Count as of August 2009  
CENTREX Landline Count as of August 2009

VONAGE

9-1-1 fee & projected fee for .10 increment as of  
Vonage subscriber count June 2009

	\$3.20	\$3.25	\$3.30	\$3.35	\$3.40	\$3.50	\$3.60	\$3.65	\$3.70
VoIP Rate	3.20	3.25	3.30	3.35	3.40	3.50	3.60	3.65	3.70
Fee Collected on VoIP Subscriber Lines	\$3,600.80	\$3,555.50	\$3,610.20	\$3,664.90	\$3,719.60	\$3,829.00	\$3,938.40	\$3,993.10	\$4,047.80

Standard VoIP Count as of June 2009

Fee Collected from all LECs	\$51,438.04	\$52,068.48	\$52,698.92	\$53,329.36	\$53,959.80	\$54,590.24	\$55,220.68	\$55,851.12	\$56,481.56
Monthly	\$51,438.04	\$52,068.48	\$52,698.92	\$53,329.36	\$53,959.80	\$54,590.24	\$55,220.68	\$55,851.12	\$56,481.56
Qtrly	\$154,314.12	\$156,205.44	\$158,096.76	\$160,000.08	\$161,903.40	\$163,806.72	\$165,710.04	\$167,613.36	\$169,516.68
Yrly	\$617,252.48	\$624,831.36	\$632,410.24	\$640,000.12	\$647,589.00	\$655,177.88	\$662,766.76	\$670,355.64	\$677,944.52

Projected Revenue from Wireline and Voip 9-1-1 Fees

FRONTIER COMMUNICATIONS

9-1-1 fee & projected fee for .10 increment as of  
 Frontier subscriber count August 2009

Landline Rate	3.75	3.80	3.90	4.00	4.10	4.20	4.25	4.30	4.40
Fee Collected on Standard Landlines	\$67,961.25	\$68,867.40	\$70,679.70	\$72,492.00	\$74,304.30	\$76,116.60	\$77,022.75	\$77,928.90	\$79,741.20
CENTREX Rate (.25 of standard rate)	0.938	0.950	0.975	1.000	1.025	1.050	1.063	1.075	1.100
Fee Collected on CENTREX Lines	\$2,224.69	\$2,254.35	\$2,313.68	\$2,373.00	\$2,432.33	\$2,491.65	\$2,521.31	\$2,550.98	\$2,610.30
Total Fee collected Standard and CENTREX	\$70,185.94	\$71,121.75	\$72,993.38	\$74,865.00	\$76,736.63	\$78,608.25	\$79,544.06	\$80,479.88	\$82,351.50
Minus Frontier Communications Admin Fee of 3%	\$2,105.58	\$2,133.65	\$2,189.80	\$2,245.95	\$2,302.10	\$2,358.25	\$2,386.32	\$2,414.40	\$2,470.55
Wireline Fees per month	\$68,080.36	\$68,988.10	\$70,803.57	\$72,619.05	\$74,434.53	\$76,250.00	\$77,157.74	\$78,065.48	\$79,880.96

Standard Landline Count as of August 2009  
 CENTREX Landline Count as of August 2009

VOIPAGE

9-1-1 fee & projected fee for .10 increment as of  
 Vonage subscriber count June 2009

Voip Rate	3.75	3.80	3.90	4.00	4.10	4.20	4.25	4.30	4.40
Fee Collected on Voip Subscriber Lines	\$4,102.50	\$4,157.20	\$4,266.60	\$4,376.00	\$4,485.40	\$4,594.80	\$4,649.50	\$4,704.20	\$4,813.60

Standard Voip Count as of June 2009

Form Collection from all LEGIS	\$72,184.86	\$71,144.10	\$73,070.17	\$73,925.08	\$72,915.93	\$80,844.80	\$81,807.24	\$82,769.66	\$84,694.66
Monthly Wireline Service	\$14,261.48	\$17,383.63	\$19,248.75	\$21,173.64	\$23,056.92	\$25,023.63	\$26,986.63	\$28,946.27	\$28,679.74
Standard Landline Service	\$1,933,637.38	\$1,927,886.94	\$1,930,888.75	\$1,934,088.67	\$1,937,189.48	\$1,940,289.70	\$1,943,289.95	\$1,946,289.21	\$1,949,287.73

Projected Revenue from Wireline and Voip 9-1-1 Fees

FRONTIER COMMUNICATIONS		9-1-1 fee & projected fee for .10 increment as of											
Frontier subscriber count August 2009		\$4.50	\$4.60	\$4.70	\$4.80	\$4.90	\$5.00	\$5.10	\$5.20	\$5.30			
Landline Rate	4.50	4.60	4.70	4.80	4.90	5.00	5.10	5.20	5.30				
Fee Collected on Standard Landlines	\$81,553.50	\$83,365.80	\$85,178.10	\$86,990.40	\$88,802.70	\$90,615.00	\$92,427.30	\$94,239.60	\$96,051.90				
CENTREX Rate (.25 of standard rate)	1.125	1.150	1.175	1.200	1.225	1.250	1.275	1.300	1.325				
Fee Collected on CENTREX Lines	\$2,669.63	\$2,728.95	\$2,788.28	\$2,847.60	\$2,906.93	\$2,966.25	\$3,025.58	\$3,084.90	\$3,144.23				
Total Fee collected Standard and CENTREX	\$84,223.13	\$86,094.75	\$87,966.38	\$89,838.00	\$91,709.63	\$93,581.25	\$95,452.88	\$97,324.50	\$99,196.13				
Minus Frontier Communications Admin Fee of 3%	\$2,526.69	\$2,582.84	\$2,638.99	\$2,695.14	\$2,751.29	\$2,807.44	\$2,863.59	\$2,919.74	\$2,975.88				
Wireline Fees per month	\$81,696.43	\$83,511.91	\$85,327.38	\$87,142.86	\$88,958.34	\$90,773.81	\$92,589.29	\$94,404.77	\$96,220.24				

Standard Landline Count as of August 2009  
CENTREX Landline Count as of August 2009

VONAGE		9-1-1 fee & projected fee for .10 increment as of											
Vonage subscriber count June 2009		\$4.50	\$4.60	\$4.70	\$4.80	\$4.90	\$5.00	\$5.10	\$5.20	\$5.30			
Voip Rate	4.50	4.60	4.70	4.80	4.90	5.00	5.10	5.20	5.30				
Fee Collected on Voip Subscriber Lines	\$4,923.00	\$5,032.40	\$5,141.80	\$5,251.20	\$5,360.60	\$5,470.00	\$5,579.40	\$5,688.80	\$5,798.20				

Standard Voip Count as of June 2009

Page Collector from BILLING	888,818.49	888,844.31	888,869.19	888,894.06	888,918.94	888,943.81	888,968.69	888,993.57	889,018.44
Monthly Billing Period	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04
Yearly Billing Period	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04	03/07/08-04

Projected Revenue from Wireline and VoIP 9-1-1 Fees

**FRONTIER COMMUNICATIONS**  
**9-1-1 fee & projected fee for .10 increment as of**  
**Frontier subscriber count August 2009**

Landline Rate	5.40	5.50	5.60	5.70	5.80	5.90	6.00
Fee Collected on Standard Landlines	\$97,884.20	\$99,676.50	\$101,488.80	\$103,301.10	\$105,113.40	\$106,925.70	\$108,738.00
CENTREX Rate (.25 of standard rate)	1,350	1,375	1,400	1,425	1,450	1,475	1,500
Fee Collected on CENTREX Lines	\$3,203.66	\$3,262.88	\$3,322.20	\$3,381.53	\$3,440.85	\$3,500.17	\$3,559.50
Total Fee collected Standard and CENTREX	\$101,087.79	\$102,939.38	\$104,811.00	\$106,682.63	\$108,554.25	\$110,425.88	\$112,297.50
Minus Frontier Communications Admin Fee of 3%	\$3,032.03	\$3,088.18	\$3,144.33	\$3,200.48	\$3,256.63	\$3,312.78	\$3,368.92
Wireline Fees per month	\$98,035.72	\$99,851.19	\$101,666.67	\$103,482.15	\$105,297.62	\$107,113.10	\$108,928.58

Standard Landline Count as of August 2009  
**CENTREX Landline Count as of August 2009**

**VOYAGE**  
**9-1-1 fee & projected fee for .10 increment as of**  
**Voyage subscriber count June 2009**

VoIP Rate	5.40	5.50	5.60	5.70	5.80	5.90	6.00
Fee Collected on VoIP Subscriber Lines	\$5,907.60	\$6,017.00	\$6,126.40	\$6,235.80	\$6,345.20	\$6,454.60	\$6,564.00

Standard VoIP Count as of June 2009

Fee Collected from all BECs	\$109,843.92	\$109,888.19	\$107,793.07	\$108,717.95	\$110,142.82	\$113,987.70	\$115,492.68
Monthly Yield Differences	\$49,721.91	\$50,076.72	\$51,977.00	\$53,899.84	\$55,827.44	\$57,746.28	\$59,671.16
Yield, Multiple, etc	\$317,482.88	\$300,997.99	\$323,653.97	\$346,759.42	\$369,865.84	\$392,929.48	\$416,033.96

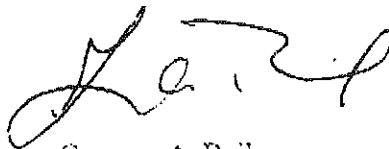


*Ms. Sandy Slusher-McDonald*  
*October 16, 2009*  
*Page 2*

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We look forward to serving the County Commission in this matter. Please do not hesitate to contact me at anytime if you have any questions regarding our representation.

Very truly yours,



Gregory A. Bailey  
Arnold & Bailcy, PLLC

---

Jefferson County Commission

By: \_\_\_\_\_

GAB/kz

Cc: Ralph Lorenzetti, Esq.  
Christopher Strocch, Esq.

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 BERRY MORGAN, in her official capacity,  
LYN WIDMYER, in her official capacity, and  
Commissioners of the County Commission of  
Jefferson County, West Virginia

Respondents.

NOTICE OF HEARING

The undersigned party shall bring its Motion to Extend Time to Answer before the  
Circuit Court of Jefferson County, Judge David Sanders on the 23<sup>rd</sup> day of October  
at 9:30 a.m

10/13/09  
Dated

Dale Manuel  
Jefferson County Commission President

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, in her official capacity, and  
Commissioners of the County Commission of  
Jefferson County, West Virginia**

**Respondents.**

**CERTIFICATE OF SERVICE**

I, C. Dale Manuel, President of the Jefferson County Commission, do hereby certify that  
on this 13<sup>th</sup> day of October, 2009, that I have served a true copy of the foregoing *Notice of  
Hearing* upon the following by first class United States Mail addressed as follows:

Sherman Lambert Sr.  
P.O. Box 300  
Shepherdstown, WV 25443



C. DALE MANUEL  
PRESIDENT, JEFFERSON COUNTY COMMISSION  
County Commission of Jefferson County  
Post Office Box 250  
Charles Town, West Virginia 25414  
304-728-3284 Telephone  
304-725-7916 Facsimile

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

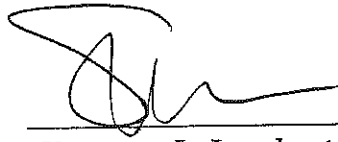
JEFFERSON COUNTY COMMISSION,  
C. DALE MANUEL, President, in his official capacity,  
JAMES T. SURKAMP, Vice President, in his official capacity,  
FRANCES BARRY MORGAN, in her official capacity,  
LYN WIDMYER, her official capacity, and  
PATRICIA NOLAND, in her official capacity,  
Commissioners of 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 2<sup>nd</sup> day of October 2009.

  
\_\_\_\_\_  
COUNSEL FOR THE PETITIONER

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 BERRY MORGAN, in her official capacity  
LYN WIDMYER, in her official capacity, and  
Commissioners of the County Commission of  
Jefferson County, West Virginia**

**Respondents.**

**MOTION TO EXTEND TIME TO ANSWER**

The alleged Defendant in this matter normally uses its counsel, the Prosecuting Attorney. Also, the Plaintiff in this matter also uses the Prosecuting Attorney for most of her legal matters. This creates, in the instant case, potential conflict for the Prosecutor's Office. Therefore, the County Commission of Jefferson County is in the process of retaining counsel to avoid potential conflict.

The Defendant in this matter, the Jefferson County Commission, moves and requests an additional 15 days to file its answer.

10/13/09  
Dated

Dale Manuel  
Jefferson County Commission President

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 BERRY MORGAN, in her official capacity,  
LYN WIDMYER, in her official capacity, and  
Commissioners of the County Commission of  
Jefferson County, West Virginia

Respondents.

CERTIFICATE OF SERVICE

I, C. Dale Manuel, President of the Jefferson County Commission, do hereby certify that  
on this 13<sup>th</sup> day of October, 2009, that I have served a true copy of the foregoing *Motion to  
Extend Time to Answer* upon the following by first class United States Mail addressed as  
follows:

Sherman Lambert Sr.  
P.O. Box 300  
Shepherdstown, WV 25443

Dale Manuel  
C. DALE MANUEL  
PRESIDENT, JEFFERSON COUNTY COMMISSION  
County Commission of Jefferson County  
Post Office Box 250  
Charles Town, West Virginia 25414  
304-728-3284 Telephone  
304-725-7916 Facsimile

SUMMONS

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA

Jennifer S. Maghan, Petitioner,

v.

Civil Action No.:09-C 299

C. Dale Manuel, Respondent.

496 14

To the above-named Respondent:

IN THE NAME OF THE STATE OF WEST VIRGINIA:

You are hereby summoned and required to serve upon Sherman L. Lambert, Sr., Esquire, petitioner's attorney, whose address is P.O. Box 3200, Shepherdstown, West Virginia, 25443, an answer, including any related counterclaim or defense you may have, to the petition filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, thereafter judgment, upon proper hearing and trial, may be taken against you for the relief demanded in the petition and you will be thereafter barred from asserting in another action any claim, cross-complaint or defense you may have, which must be asserted in the above styled civil action.

Dated: 9-28-09

*Spura E. Patteni*

CLERK OF COURT

By: *Bucky Chalk, Deputy*

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

RECEIVED  
SEP 24 2009  
JEFFERSON COUNTY  
CIRCUIT COURT

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  
Commissioners of the County Commission of  
Jefferson County, West Virginia

Respondents.

ORDER OF FILING PETITION AND SETTING HEARING

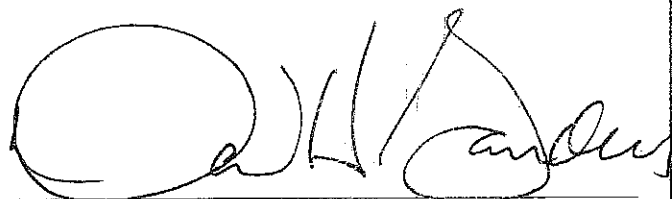
This 23<sup>d</sup> day of September, 2009, came the Petitioners, Jennifer S. Maghan,  
by counsel, Sherman L. Lambert, Sr., and SHERMAN L. LAMBERT, SR, PLLC, and offered  
for filing her Petition for Mandamus, pursuant to West Virginia Code § 53-1-1, et seq., which  
said Petition be and the same is hereby ORDERED filed.

Accordingly, it is ADJUDGED and ORDERED that this matter shall be and is hereby  
scheduled for hearing before this Court on the 22<sup>nd</sup> day of October, 2009 at 1:00 p.m.

The Clerk shall enter the above as of the day and date first above written and transmit  
an attested copy of this Order to Sherman L. Lambert, Sr., P.O. Box 3200, Shepherdstown,  
WV 25443 and to C. Dale Manuel, President of the Jefferson County Commission, Jefferson  
County Courthouse, 100 East Washington Street, Charles Town, West Virginia 25414; James  
T. Surkamp, Vice President of the Jefferson County Commission, Jefferson County  
Courthouse, 100 East Washington Street, Charles Town, West Virginia 25414; Frances Barry

Morgan, Member of the Jefferson County Commission, Jefferson County Courthouse, 100 East Washington Street, Charles Town, West Virginia 25414; Lyn Widmyer, Member of the Jefferson County Commission, Jefferson County Courthouse, 100 East Washington Street, Charles Town, West Virginia 25414; and Patricia Noland, Member of the Jefferson County Commission, Jefferson County Courthouse, 100 East Washington Street, Charles Town, West Virginia 25414.

Entered: 9/23/09



The Honorable David H. Sanders  
Judge of the 23<sup>rd</sup> Judicial Circuit  
Jefferson County, West Virginia

WCC

- S. Lambert
- ✓ C. Dale Manuel
- J. Surhamp
- F. Morgan
- L. Widmyer
- P. Noland

9/23/09  
AW

A TRUE COPY  
ATTEST:

LAURA E. RATTENNI  
CLERK, CIRCUIT COURT  
JEFFERSON COUNTY, W.VA.

BY Ashlyn White  
DEPUTY CLERK

\*In re: APPOINTMENT TO THE POTOMAC HEADWATERS RC&D  
By unanimous consent, the Commission agreed to remove this item from the agenda until September.

In re: OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT - REQUEST FOR FUNDING FOR THE RAPID NOTIFICATION SYSTEM  
This agenda item was discussed under "GENERAL FUND BUDGET REVISION WORKSHOP".

In re: APPROVAL OF AMENDED CLASSIFICATION PLAN TO INCLUDE ASSESSOR'S OFFICE - DISCUSSION/ACTION  
APPROVAL OF ASSESSOR'S OFFICE JOB DESCRIPTIONS - DISCUSSION/ACTION  
Motion by Widmyer, second by Noland to approve the amended classification plan to include the Assessor's office and to approve the Assessor's office job descriptions.  
Motion carried.

In re: JEFFERSON COUNTY SPONTANEOUS VOLUNTEER MANAGEMENT PLAN - DISCUSSION/ACTION  
JEFFERSON COUNTY DONATIONS MANAGEMENT PLAN - DISCUSSION/ACTION  
The Commission agreed to hold over any action on the agenda items for the Spontaneous Volunteer Management Plan and the Jefferson County Donations Management Plan and to request that Barbara Miller, Director of the Office of Homeland Security and Emergency Management provide a presentation.

In re: SCHEDULE ANNUAL PERFORMANCE EVALUATIONS FOR THOSE DEPARTMENT HEADS REVIEWED BY COUNTY COMMISSION  
Commissioner Widmyer discussed the performance evaluation forms and annual evaluations for department heads under the County Commission.  
Motion by Morgan, second by Widmyer to schedule the annual performance evaluations for those department heads reviewed by the County Commission on each consecutive Thursday in August 2009 at 2:30 p.m. Motion carried.

In re: REVIEW/APPROVE JOB DESCRIPTIONS FOR COUNTY ADMINISTRATOR STAFF: ADMINISTRATIVE ASSISTANT, EXECUTIVE ASSISTANT, RECEPTIONIST/OPERATOR  
The Commission agreed to hold a workshop in August to discuss this agenda item.

In re: REQUEST FROM JOE HANKINS FOR LETTER OF SUPPORT FOR \$50 MILLION GRANT PROGRAM FOR POTOMAC PRESERVATION LEGISLATION  
Motion by Surkamp, second by Manual to approve the letter of support for \$50 million Grant Program for the Potomac Preservation Legislation. Motion carried.

634 South Samuel St.  
Charles Town WV 25414  
304-725-5682  
October 7, 2009

Jefferson County Commission  
C/O Sandy Slusher McDonald, County Administrator  
124 E. Washington St.  
PO Box 250  
Charles town WV 25414

Dear Commission Members,

Please accept this letter as my application for the open position representing Jefferson County on the Potomac Headwaters Resource Conservation and Development Council. I became aware of the opening recently through a member of the Jefferson County commission, and I am very interested in becoming a member of the Council.

Although I am not a biologist by trade, I have always been keenly interested in environmental issues and protection of our natural resources. I believe my undergraduate degree in biology and graduate degree in environmental geography has given me an appreciation and understanding of the processes of the natural world that would enable me to be an asset to the group.

Throughout my 22 years of living in Jefferson County I have been a volunteer with a number of organization. I have always been a reliable volunteer and take the duties of a volunteer very serious. My volunteer experience runs the gamut of soccer coach for AYSO teams, PTA president at my children's school, and chairman of the Charles Town Zoning Appeals Board. Most recently I was on the Charles Town Parks and Rec. Board. References can be supplied if necessary.

Thank you for your consideration in this matter.

Sincerely,

Diana Walch

104 Wildflower Lane  
Shepherdstown, WV 25443  
May 23, 2009

Leslie D. Smith  
County Administrator  
The County Commission of Jefferson County  
P.O. Box 250  
Charles Town, WV 25414

Dear Ms. Smith,

This constitutes my letter of resignation from my position as Jefferson County Commission representative to the Potomac Headwaters RC&D Council. I shall appreciate your submitting this to the Commission.

I am resigning because I believe that my work is through. I am resigning with a profound sense of gratitude to the Jefferson County Commission for appointing me to this position as their representative. Because of this, with the strong support of RC&D Coordinator Roger Boyer, I was able to bring about a project dear to my heart, the RURAL OPTIONS project. It was personally rewarding to observe that interested Jefferson County farmers benefited greatly because of this.

Not only that, I have found our relationship over the years has been most rewarding, for the Commissioners have been clearly supportive of sustaining agriculture for interested Jefferson County farmers. This includes the essential financial support they have given as evidence of their commitment to Jefferson County agriculture and its farmers, as well as to the aims of the Potomac Headwaters RC&D Council.

It was immensely rewarding on a personal level to be able to work for so many years with the County Commissioners, RC&D Coordinator Roger Boyer, extension agent Craig Yohn, and dedicated farmers and other members of the JC Ag Task Force.

With the creative leadership of Jefferson County Agriculture Development Officer Kellie Boles, whose hiring was one of the first goals of The Ag Action Plan, the work started by the project continues to be in momentum and to be satisfying to observe.

My best wishes to you and to the Jefferson County Commissioners in your good work.

Sincerely,

  
Marian Buckner

104 Wildflower Lane  
Shepherdstown, WV 25443  
May 23, 2009

**RECEIVED**

MAY 27 2009

Leslie D. Smith  
County Administrator  
The County Commission of Jefferson County  
Charles Town, WV 25414

**Jefferson County Commission**

Dear Ms. Smith:

Thank you for your notice of May 20, 2009 about the forthcoming expiration of my term on the Potomac Headwaters RC&D Council.

When I received your letter, I realized that there had been a hitch, for I had resigned my position some time ago, submitting my resignation to Potomac Headwaters Coordinator, Rebecca MacLeod. As you know, Ms. MacLeod replaced Roger Boyer with whom I worked on the Rural Options project.

After submitting my resignation to the RC&D Coordinator, she informed me that RC&D would follow through with the Jefferson County Commission about my resignation. That did not happen, and the Coordinator apologized for this oversight in her message to me today.

It appears to have occurred because RC&D relationships with the WV County Commissions in the Potomac Headwaters region vary. Ms. MacLeod wrote me today that they are examining this whole situation in order to update their bylaws so future members start off with a clear understanding about what RC&D will expect from them.

It is clear to me that I should have followed through in the proper timing to make sure that the Jefferson County Commission was notified appropriately. In the press of deadlines related to my complete rewriting of my book, I did not handle this situation in an appropriate, timely way.

As for my reason for resigning, this became very clear when I realized our ambitious initial goals for the Rural Options project had been successfully attained. Also, work on this project and with the farmers is now being capably carried out by Kellie Boles, Jefferson County Agricultural Development Officer.

Please accept my apology for any confusion and delay that may have resulted. Enclosed is my letter of resignation. If you prefer another action, please let me know.

Sincerely,

*Marian Buckner*

#17

**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Capital Planning and Management**  
 114 East Washington Street  
 P.O. Box 250  
 Charles Town, WV 25414

Kirk E. Davis, Sr.  
 Capital Projects Manager  
 kdavis@jeffersoncountywv.org

Phone: (304) 728-3331  
 Fax: (304) 724-2178

TRANSMITTAL LETTER

Project No.: JC901 - Judge's Office

Date: 12th October 2009

From: Kirk E. Davis, Sr., Capital Projects Manager

To:	Jefferson County Commission
Mailing Address:	P.O. Box 250
	124 East Washington Street
City, State, Zip:	Charles Town, WV 25414
Attention:	Ms. Leslie Smith
Regarding:	Proposed Change orders for the Court room

The following are transmitted:

- Blue Prints/Plans   
  Specifications   
  Change Order   
  Addendum   
  Shop Drawings  
 Copy of Letter   
  Invoice   
  Other: For your approval Change order #1 and #2

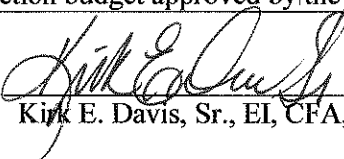
Copies	Date	Number	Description
3	30th September 2009	09-028	Proposed Change orders for the Court room

The above items are transmitted to you:

- As Requested   
  For Your Review   
  For Your Records/Use   
  For Your Approval  
 For Comments   
  Approved as Noted   
  Other: \_\_\_\_\_

MESSAGE:

Please review and present to the commission for their approval. All change orders are within the original construction budget approved by the Commission. Thank you

Signed:   
 Kirk E. Davis, Sr., EI, CFA, LEED

**FOR FINANCE USE ONLY**

<b>Payable To:</b>	<b>Amount: \$</b>
<b>Release Date:</b>	2009

Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

# Change Order

Project: 09-028 JCC - Court Room

Change Order: 1

Date: 9/30/2009

Architect's Project:

**To Contractor:**

Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236

**The Contract is changed as follows:**

Change Order No. 1

1 Additional Work Requested

\$22,838.99

*John Calandrese*  
**APPROVED**  
JC901  
12 OCT 2009

The original Contract Amount was	\$64,137.00
Net change by previously authorized Change Orders	\$0.00
The Contract Amount prior to this Change Order was	\$64,137.00
The Contract will be increased by this Change Order in the amount of	\$22,838.99
The new Contract Amount including this Change Order will be	\$86,975.99

The date of Substantial Completion as of the date of this Change Order therefore is

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACT AND OWNER.**

ARCHITECT	Rockwell Construction Co Inc CONTRACTOR 12348 Rockwell Lane Mercersburg, PA 17236	OWNER
<hr/>	<hr/>	<hr/>
(Signature)	<i>J. Craig Rockwell</i> (Signature)	(Signature)
By	J. Craig Rockwell	By
Date	9/30/09	Date

**Rockwell Construction Co Inc**

12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

**Change Request**

**To:** Jefferson County Commission  
114 E. Washington St.  
P.O. Box 250  
Charles Town, WV 25414

**Number:** 1  
**Date:** 9/30/09  
**Job:** 09-028 JCC - Court Room  
**Phone:**

**Description:** Additional Work Requested

**Reason:** Change in Scope

We are pleased to offer the following specifications and pricing to make the following changes:

- 1. Finish Hardware per Proposal (#11041)
- 2. Shamrock Contracting (#11042)
- 3. Four (4) Additional Doors (#11043)

Description	Labor	Material	Equipment	Subcontract	Other	Price
Finish Hardware		\$2,827.78				\$2,827.78
Extra Doors		\$4,068.28				\$4,068.28
Labor		\$2,240.00				\$2,240.00
Shamrock Contracting		\$10,980.01				\$10,980.01
					Subtotal:	\$20,116.07
			B & O Tax	\$17,288.29	0.75%	\$129.67
			RCC Fee	\$20,116.07	12.89%	\$2,593.25
					<b>Total:</b>	<b>\$22,838.99</b>

If you have any questions, please contact me at (717)328-5237.

Submitted by: Richard Harmon  
Rockwell Construction Company

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph: 7173285237

# Change Order

Project: 09-028 JCC - Court Room

Change Order: 1

Date: 9/30/2009

Architect's Project:

**To Contractor:**

Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236

**The Contract is changed as follows:**

Change Order No. 1

1 Additional Work Requested

\$22,838.99

*[Handwritten Signature]*  
**APPROVED**  
JC901  
12 OCT 2009

The original Contract Amount was	\$64,137.00
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<hr/> <i>(Signature)</i>	<i>[Handwritten Signature]</i> <hr/> <i>(Signature)</i> J. Craig Rockwell	<hr/> <i>(Signature)</i>
By	By	By
Date	9/30/09 Date	Date

# Rockwell Construction Co Inc

12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

## Change Request

To: Jefferson County Commission  
114 E. Washington St.  
P.O. Box 250  
Charles Town, WV 25414

Number: 1  
Date: 9/30/09  
Job: 09-028 JCC - Court Room  
Phone:

**Description:** Additional Work Requested

Reason: Change in Scope

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3. Four (4) Additional Doors (#11043)

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Rockwell Construction Company

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

**Rockwell Construction Co Inc**

12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

*Change Order*

**Project:**  
09-028 JCC - Court Room

**Change Order: 1**  
**Date: 9/30/2009**

**Architect's Project:**

**To Contractor:**  
Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236

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Change Order No. 1

1 Additional Work Requested \$22,838.99

*[Handwritten Signature]*  
**APPROVED**  
JC901  
12 OCT 2009

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_____	_____	_____
(Signature)	(Signature)	(Signature)
_____	J. Craig Rockwell	_____
By	By	By
_____	9/30/09	_____
Date	Date	Date

Rockwell Construction Co Inc

12345 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

**Change Request**

To: Jefferson County Commission  
114 E. Washington St.  
P.O. Box 250  
Charles Town, WV 25414

Number: 1  
Date: 9/30/09  
Job: 09-028 JCC - Court Room  
Phone:

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					<b>Total:</b>	<b>\$22,838.99</b>

If you have any questions, please contact me at (717)328-5237.

Submitted by: Richard Harmon  
Rockwell Construction Company

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

**Rockwell Construction Co Inc**

12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

**Change Order**

**Project:**  
09-028 JCC - Court Room

**Change Order: 2**

**Date: 9/30/2009**

**Architect's Project:**

**To Contractor:**

Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236

**The Contract is changed as follows:**

Change Order No. 2

2 Judge's Cabinets Alterations

\$-6,755.75

*Mike Calahan*  
**APPROVED**  
JC901  
12 OCT 2009

The original Contract Amount was	\$64,137.00
Net change by previously authorized Change Orders	\$22,838.99
The Contract Amount prior to this Change Order was	\$86,975.99
The Contract will be increased by this Change Order in the amount of	\$-6,755.75
The new Contract Amount including this Change Order will be	\$80,220.24

The date of Substantial Completion as of the date of this Change Order therefore is

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACT AND OWNER.**

ARCHITECT	Rockwell Construction Co Inc CONTRACTOR 12348 Rockwell Lane Mercersburg, PA 17236	OWNER
_____ (Signature)	<i>J. Craig Rockwell</i> (Signature)	_____ (Signature)
By	J. Craig Rockwell	By
_____ Date	9/30/09 Date	_____ Date

**Rockwell Construction Co Inc**

12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

**Change Request**

To: Jefferson County Commission  
114 E. Washington St.  
P.O. Box 250  
Charles Town, WV 25414

Number: 2  
Date: 9/30/09  
Job: 09-028 JCC - Court Room  
Phone:

Description: Judge's Cabinets Alterations

Reason: Change in Scope

We are pleased to offer the following specifications and pricing to make the following changes:

Description	Labor	Material	Equipment	Subcontract	Other	Price
Judge's Cabinets Alterations		\$-6,755.75				\$-6,755.75
					Subtotal:	\$-6,755.75
					Total:	\$-6,755.75

If you have any questions, please contact me at (717)328-5237.

Submitted by: Richard Harmon  
Rockwell Construction Company

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

## Change Order

Project: 09-028 JCC - Court Room

Change Order: 2  
Date: 9/30/2009

Architect's Project:

To Contractor:  
Rockwell Construction Co Inc  
12348 Rockwell Lane  
Mercersburg, PA 17236

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2 Judge's Cabinets Alterations

\$-6,755.75

*Kirkland*  
**APPROVED**  
JC901  
12 OCT 2009

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By	J. Craig Rockwell	By
_____ Date	9/30/09 Date	_____ Date

**Rockwell Construction Co Inc**

12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

**Change Request**

To: Jefferson County Commission  
114 E. Washington St.  
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If you have any questions, please contact me at (717)328-5237.

Submitted by: Richard Harmon  
Rockwell Construction Company

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

**Rockwell Construction Co Inc**

12348 Rockwell Lane  
Mercersburg, PA 17236  
Ph : 7173285237

# Change Order

**Project:**  
09-028 JCC - Court Room

**Change Order: 2**  
**Date: 9/30/2009**

**Architect's Project:**

**To Contractor:**  
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12348 Rockwell Lane  
Mercersburg, PA 17236

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*[Handwritten Signature]*  
**APPROVED**  
JC901  
12 OCT 2009

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If you have any questions, please contact me at (717)328-5237.

Submitted by: Richard Harmon  
Rockwell Construction Company

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

Legal letter to SSI confirming Commission #18  
vote of October 8th illegal nature of Steptoe proceeding -  
(IS)

agenda item: RCS Security - Messrs Davis &  
Polk - clarify services, cost, ~~reporting~~  
& oversight policy. (JS)

#19  
agenda

Commission Office Use Only

#50

Date on Agenda:

Appt Time or New Business:

### AGENDA REQUEST FORM

Name: Sandy McDonald

Department or Entity: County Commission

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: \_\_\_\_\_

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

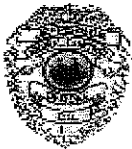
If a specific date is needed, please provide reason for specific date:

Subject: **New Business**

Please provide the County Commission with a description of your request or presentation, including any background information: **Review, Comment and approve the job advertisement for County Administrator**

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

Attachments:



Jefferson County Animal Control  
 161 Poor House Farm Road Kearneysville, WV 25430  
 Phone: (304) 728-3289 Fax: (304) 728-4889



**September 2009 Activity Report**

JEFFERSON COUNTY COMMISSION

<b>Dogs Picked Up</b>	
County	19
Charles Town	1
Shepherdstown	0
Ranson	5
Harpers Ferry/Bolivar	3
Dogs Brought In	3
Misc	9
<b>TOTAL</b>	<b>40</b>

<b>Animal Bites Investigated</b>	
County	9
Charles Town	0
Shepherdstown	0
Ranson	1
Harpers Ferry/Bolivar	1
Cat Bites	1
Miscellaneous	0
<b>TOTAL ANIMAL BITES</b>	<b>12</b>

<b>Complaints Answered</b>	
County	40
Charles Town	6
Shepherdstown	0
Ranson	7
Harpers Ferry/Bolivar	2
<b>TOTAL</b>	<b>55</b>

<b>Check Welfare Complaints Answered</b>	
County	19
Charles Town	3
Shepherdstown	0
Ranson	3
Harpers Ferry/Bolivar	1
<b>TOTAL</b>	<b>26</b>

<b>Wildlife Complaints Investigated</b>	
County	7
Charles town	2
Shepherdstown	0
Ranson	2
Harpers Ferry/ Bolivar	0
Rabies Test Positive	0
Rabies Test Negative	0
<b>TOTAL WILDLIFE COMPLAINTS</b>	<b>11</b>

<b>Aggressive Dog Complaints</b>	
County	11
Charles Town	2
Shepherdstown	0
Ranson	1
Harpers Ferry/Bolivar	0
<b>TOTAL</b>	<b>14</b>

<b>Disposition Report</b>	
Return To Owner	12
Adopted	1
Euthanized	14
Rescued	8
Foster Care	0
Still Here	4
Dec	1
<b>TOTAL</b>	<b>40</b>
Citations/Summons/Warrants Issued	0
Warning Citations Issued	3

<b>Money Collection Report</b>	
Impound/R.T.O /with Boarding	840
Adoptions	0
Owner Surrender	200
Donations	0
Report Fees	25
Reimbursement of vet bill	360
Misc	0
<b>TOTAL</b>	<b>1425</b>

<b>ACO COMPLAINT RESPONSE</b>			
Unit #	Responses	O/C Respon	Total Respons
AC-1	33	1	34
AC-2	19	0	0
AC-3	31	2	33
AC-4	32	0	32

2008-Total Complaints Answer:1380  
 2009-Total Calls For Month 118  
 2009-Total Calls for the year 1163

*Information*



**Jefferson County Animal Control**  
 161 Poor Farm Road Kearneysville, WV 25430  
 Phone: (304) 728-3289 Fax: (304) 728-4889



**In Ticket Log**

DATE	COMPL.#	IN TICKET #	AREA	LOCATION	Parvo Vaccine #	BREED	COLOR	GENDER	RUN	RTO	Adoption	Rescue	Euth	ACO #
9/1/2009	09-1051	47382	County	295 Ambrase Drive		DSH Cat	Calico	Female	Pzr				Euth	AC-2
9/1/2009	09-1052	47383	County	150 Reynard Road	09-0243	G. Shepherd	Black/Tan	Male	A-12		Rescue			AC-2
9/1/2009	09-1052	47384	County	150 Reynard Road	09-0242	G. Shepherd	Black/Tan	Male	A-10		Rescue			AC-2
9/1/2009	09-1052	47385	County	150 Reynard Road	09-0241	G. Shepherd	Black/Tan	Female	A-10		Rescue			AC-2
9/3/2009	09-1063	47386	County	Dianne Court	09-0244	Cairn Terr. Mix	Tan	Female	B-10	RTO				AC-2
9/6/2009	09-1066	47387	County	1827 Wide Horiz. Blvd.	09-0245	Husky	Black/White	Male-N	B-10	RTO				AC-4
9/6/2009	09-1069	47388	Ranson	Lance St.	09-0246	Pit Bull	Tan/White	Male	B-6	RTO				AC-4
9/8/2009	09-1075	47389	Ranson	Fairfax Blvd/McIver St	09-0247	Lab	Black	Female	B-2	RTO				AC-1
9/9/2009	09-1076	47390	Brought In	Shannondale		DSH Cat	Calico	Female					Euth	AC-2
9/9/2009	09-1081	47391	County	3320 Old Leetown Pike		Raccoon							Dec	AC-1
9/9/2009	09-1082	47392	County	46 Brighton Place	09-0248	Labrador	Yellow	Male-N	B-5	RTO				AC-4
9/10/2009	09-1085	47393	County	31 Maddex Square Dr.	09-0249	Beagle	Tr-Colored	Male-N	B-5	RTO				AC-4
9/11/2009	09-1089	47394	County	Flowing Springs Rd.	09-0250	Cattle Dog Mix	Tr-Colored	Male	B-5	Sill	Here			AC-4
9/11/2009	09-1090	47395	O/S B/I	993 Archer Road		Beagle	Tr-Colored	Male/N					Euth	AC-2
9/12/2009	09-1093	47396	County	183 Wellington Court		Retriever	Reddish	Male/N					Euth	AC-2
9/12/2009	09-1096	47397	O/S B/I	310 John Risher Road	09-0251	Rott/Pit Mix	Br/Bk	Female	B-6				Euth	AC-2
9/12/2009	09-1097	47398	Bohler	45 Bohler Ct Apt 304	09-0252	Terrier Mix	Tan		B-7				Euth	AC-2
9/13/2009	09-1098	47399	County	704 C Jefferson Ave	09-0253	Weslie	White	Female/S	B-2				Euth	AC-2
9/13/2009	09-1100	47400	Ranson	216 Hot Wheals Drive		Raccoon	Bk/Tan						Euth	AC-2
9/13/2009	09-1101	47401	County	331 Foothill Lane		DSH Cat	Stripe	unk	Friez				Euth	AC-2
9/14/2009	09-1091	47402	County	145 Scoobies Sawmill Ln	09-0254	Pitbull	Bk/White	Female	B-3				Euth	AC-2
9/14/2009	09-1102	47403	County	73 5th Street	09-0255	Beagle	Tr-Colored	Male	B-1	RTO				AC-3
9/15/2009	09-1107	47404	County	69 Jophours Rd	09-0256	G. Shepherd	Tan/Black	Female	B-8			Rescue		AC-2







# Jefferson County Health Department

ROBERT E. JONES, M.D.  
HEALTH OFFICER

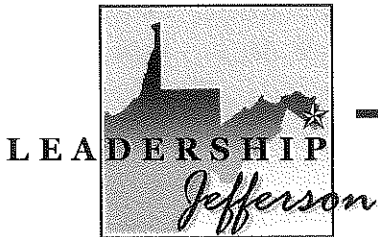


1848 WILTSHIRE ROAD, SUITE 1  
KEARNEYSVILLE, WV 25430  
ENVIRONMENTAL: (304) 728-8416  
FAX: (304) 728-3314  
MEDICAL: (304) 728-8416  
FAX: (304) 728-3319

September 2009

1 CAT confined  
4 Dog confined

35



29 Keyes Ferry Road, Suite 200 | PO Box 426 | Charles Town, WV 25414-0426  
304-725-2055 | www.jeffersoncounty.com  
askinner@skinnerfirm.com

October 7, 2009

**RECEIVED**

Jefferson County Commission  
PO Box 250  
124 E. Washington Street  
Charles Town, WV 25414

OCT 09 2009

**Jefferson County Commission**

RE: Leadership Jefferson

Dear County Commissioners,

The current class of Leadership Jefferson would like to invite you to join us on Wednesday, November 11, 2009, at noon for a lunchtime talk featuring Russ Sobel, an economics professor at West Virginia University. He will be discussing his new book "The Rule of Law: Perspectives on Legal and Judicial Reform in West Virginia." This talk will be held at the Holiday Inn Express in Charles Town, WV.

Russell S. Sobel is a Professor of Economics and holder of the James Clark Coffman Distinguished Chair in Entrepreneurial Studies at West Virginia University. Dr. Sobel has published over 150 books and articles on economic policy, including a best-selling collegiate text book titled "Principles of Economics." He serves on the advisory boards of five major professional and academic organizations and as Senior Economist and Director of the Center for Economic Growth for the Public Policy Foundation of West Virginia. Dr. Sobel edited the book "The Rule of Law" as a follow up book to "Unleashing Capitalism." Considering the Governor's Independent Commission on Judicial Reform is focusing on many of the issues addressed in this book, we at Leadership Jefferson thought the County Commission might have an interest in attending.

Please let me know by Wednesday, October 21, 2009, if you will be able to join us.

Very truly yours,

Andrew C. Skinner

ACS/aes



Jefferson County Office of Homeland Security and Emergency Management  
28 Industrial Blvd., Suite 101  
Keameysville, WV 25430

#36

**Jefferson County Commissioners:**

- Dale Manuel, President**
- James Surkamp, Vice President**
- Frances Morgan**
- Patsy Noland**
- Lyn Widmyer**

**Jefferson County Office of Homeland Security and Emergency Management Steering Committee:**

- John Sherwood, Chair**
- Bill Lingenfeller, Vice Chair-Eastern Panhandle Chapter, American Red Cross**
- Katherine Dunbar, Good Shepherd Inter-Faith Caregivers**
- Mason Carter, Jefferson County Department of Engineering**
- Jeffrey A. Polczynski, EPN, Jefferson County Emergency Communications Center**
- Dale Manuel, County Commission Representative**
- Kelly Parsons, Nichols, DeHaven & Associates**
- Jay Watson, Jefferson County Fire Association**
- Bobby Shirley, Jefferson County Sheriff**
- Sue Lawton, Jefferson County PSD**
- Jane Peters, Jefferson County Development Authority**
- Pamela Holstein-Wallace, Region 3 Homeland Security Planner**
- Holly Morgan-Frye, Shepherd University Service Learning Program**
- Amy Jones, Jefferson County Department of Health**

**Staff:**

- Barbara J. Miller, CFM  
Director  
304-728-3290-Office  
304-283-4227-Mobile  
bmiller@jeffersoncountywv.org**
- Terri Mehling, Planner/Program Manager/  
Deputy Director  
304-728-3229-Office  
304-279-8233-Mobile  
tmehling@jeffersoncountywv.org**
- Jennifer D. Magglo, Administrative Assistant,  
Public Information Officer and Volunteer Coordinator  
304-724-8914-Office  
304-279-8125-Mobile  
jmagglo@jeffersoncountywv.org**

**Fax: 304-728-3320**

September 25, 2009

RECEIVED

OCT 09 2009

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

JEFFERSON COUNTY COMMISSION

Commissioners:

As a part of the requirements for the CRS (Community Rating System of the National Flood Insurance Program), I am required to do an annual update of our goals, objectives and strategies from the Jefferson County Risk Assessment and Mitigation Plan. While the interest of the ISO (Insurance Services Office) lies only within our floodplain management, I have chosen to report on all of the goals listed within the plan.

As you may recall, we are required by FEMA to update our plan every 5 years. Our latest plan was approved by you, WV Division of Homeland Security and Emergency Management, and FEMA in July, 2008. The Risk Assessment and Mitigation Planning Committee continues to meet to work on these goals.

The requirement for CRS credit is that I send a copy of the report to you and to the local newspaper, The Spirit of Jefferson. This requirement has now been fulfilled and all of our CRS documentation has been sent to ISO for their review for our continued participation in the CRS program.

Sincerely,

Barbara J. Miller, CFM  
Director

Jefferson County Multi-Jurisdictional All Hazards Mitigation Plan Action Plan Annual Update  
September 30, 2009

Prepared by: Barbara J. Miller, CFM  
Jefferson County Homeland Security and Emergency Management

**GOAL 1: Protect Jefferson County's agricultural assets and local water supply from the negative effects of drought.**

Objective 1.1: Increase the stability of the public drinking water supply in Jefferson County.

Strategy 1.1.1: Provide for an emergency backup power supply at all water treatment facilities in Jefferson County.

Status Notes: Municipalities and PSD continue to look for funding to purchase back up power supplies. They continue to research grants or other funding opportunities for this purpose.

Objective 1.2 Increase public awareness as to the agricultural effects of drought, as well as the ramifications to the public water supply.

Strategy 1.2.1: Develop an informational brochure to distribute to local farmers and residents, encouraging citizens to take water saving measures.

Status Notes: NRCS, Farm Services and USDA distribute information regularly. Public service announcements are also made regularly on local radio stations.

Strategy 1.2.2 Consider passing ordinances to prioritize or control water use, particularly for emergency situations such as firefighting.

Status Notes: Jefferson County is working on new ordinances. The stormwater management ordinances have been updated since the last report.

**GOAL 2: Reduce the potential effects of earthquakes in Jefferson County**

Objective 2.1 Educate the public as to the potential for earthquakes in West Virginia, specifically in Jefferson County.

Strategy 2.1.1 Develop an informational brochure explaining the potential for earthquakes. The brochure should include information pertaining to measures to take to safe-proof homes and other structures from the potential effects of earthquakes.

Status Notes: No progress has been made on this strategy.

Strategy 2.1.2 Encourage the implementation of structural mitigation techniques such as wall bracing, reinforcing walls with fiber materials, the installation of dampers or vibration isolation bearings in new construction.

Status Notes: Jefferson County planning ordinances are being updated at this time.

**GOAL 3: Reduce the negative effects of flooding in Jefferson County:**

Objective 3.1 Target owners of properties within identified hazard areas for additional outreach regarding mitigation and disaster preparedness.

**Strategy 3.1.1** Distribute letters to all property owners in the county regarding potential flood hazards as required for participation in the Community Rating System (CRS).

**Status Notes:** Completed yearly, JCHSEM, as a part of the requirements for the CRS of the National Flood Insurance Program, mails letters of notice to residents within the floodplain on or near repetitive loss areas about property protection and the availability of flood insurance.

**Strategy 3.1.2** Continue to hold local course on the National Flood Insurance Program (NFIP) for realtors, bankers, and insurers.

**Status Notes:** These courses used to be held in our community yearly. Mr. Sobota, who used to instruct these courses for ISO, left there and went to work for FEMA. To our knowledge, no one in FEMA III is teaching these courses. When/if they are available in the future, we would like to have them taught in our community.

**Objective 3.2** Evaluate and update existing floodplain ordinances to meet or exceed the NFIP standards.

**Strategy 3.2.1:** Work with the municipalities to update all floodplain ordinances adopted prior to 1987.

**Status Update:** The WVDHSEM Mitigation Department is working with all municipalities and county officials statewide to update their ordinances to bring them to 2009 compliance levels for the NFIP.

**Objective 3.3** Improve the enforcement of existing floodplain regulations.

**Strategy 3.3.1** Provide additional training to county and municipal development officials on NFIP requirements.

**Status Notes:** FEMA, WVDHSEM, JCHSEM held a joint meeting in January, 2009 where municipality and county representatives learned about the updated flood maps and required ordinance updates.

**Objective 3.4** Ensure that flood insurance policies remain affordable through county and municipal government programs.

**Strategy 3.4.1:** Support Jefferson County's efforts to continue the CRS program.

**Status Notes:** Jefferson County submitted an application to enter the CRS Program in 2005. The County entered the program in 2006, when Governor Joe Manchin and WVDHSEM Director, Jimmy Gianato and Mitigation Director, Robert Perry traveled to Jefferson County to present the County Commission with their CRS Plaque recognizing our achievements as the first County in West Virginia to become a CRS community. The County continues to remain a CRS community.

**Strategy 3.4.2** Provide training to municipalities on the CRS program and encourage them to participate.

**Status Notes:** Robert Perry, NFIP State Coordinator has been invited to the County to conduct NFIP training.

**Strategy 3.4.3** Obtain updated information on the number of NFIP policy holders in Jefferson County and its municipalities.

**Status Notes:** Each year new AW-214 (Repetitive Loss Properties) forms are sent to us from FEMA with the latest up-to-date information.

**Objective 3.5** Identify all repetitive loss structures throughout the county.

**Strategy 3.5.1** Collect updated information of the number and location of all repetitive loss properties throughout the county and the municipalities.

**Status Notes:** Conducted yearly. An updated list of repetitive loss properties was obtained from ISO for properties located in the unincorporated areas of the County. 20 properties were identified. Of these, 2 of them remain unidentified from the description of the property given by FEMA, one no longer has a structure on the property because it was destroyed in the last flood, four owners were offered mitigation, but were not interested, three are not primary residences, three were acquired under the HMGP #DR-1168 and are now managed as open space, one was elevated to the Base Flood Elevation under HMGP #DR-1168, one owner has shown no interest in mitigation efforts, another was elevated to the BFE, paid for by the property owner. The remaining properties are prime candidates for mitigation if the property owners are interested.

**Strategy 3.5.2:** Develop a database of information on all repetitive loss properties including maps.

**Status Notes:** This project has been completed. Information in the Jefferson County GIS Department.

**Strategy 3.5.3:** Identify owners of repetitive loss properties who are interested in participating in future property acquisition and relocation projects.

**Status Notes:** No funding has become available for this strategy.

**Objective: 3.6** Update Flood Hazard Mapping

**Strategy 3.6.1** Work with FEMA and WVDHSEM on the Map Modernization Program to improve local FIRMS (Flood Insurance Rate Maps).

**Status Notes:** Met with representatives of FEMA, WVDHSEM, County and Municipal planners and officials in January, 2009 to review maps. The County Commission received a letter dated June 23, 2009 from FEMA that the new maps for final flood hazard determination are in compliance with Title 44, Chapter I, Part 67, Code of Federal Regulations. FEMA basically digitized existing maps, but no new studies were performed.

**Objective 3.7** Assess vulnerability of transportation systems and assets located in hazard areas.

**Strategy 3.7.1.** Work with WV Division of Highways to identify areas of frequent roadways flooding and develop mitigation strategies.

**Status Notes:** No action has been taken on this strategy to date.

**GOAL 4: Lessen hail damage to property and agriculture assets in Jefferson County.**

**Objective 4.1:** Provide local residents with advanced warning of impending hailstorms.

**Strategy 4.1.1:** Coordinate efforts with the local media to post advance warnings of hailstorms.

**Status Notes:** Have Coordinated with the National Weather Service on this issue. Local media received weather warnings direct from the NWS.

**Strategy 4.1.2:** Encourage the use of NOAA weather radios among residents that continuously broadcast National Weather Service (NWS) forecasts and provide direct warnings to the public for natural, technological, and man-made hazards.

**Status Notes:** Jefferson County utilizes Storm Ready and has weather radios throughout the county. Information about NOAA Weather radios is included in preparedness education and during the CERT Disaster Preparedness Class.

**Objective 4.2:** Minimize damage to public and private structures as a result of hailstorms

**Strategy 4.2.1:** Encourage the use of laminated glass in window panes during all new construction.

**Status Notes:** Ongoing, during new construction.

**GOAL 5: Take measures to lessen the probability and severity of hazardous materials incidents in Jefferson County and the Cities of Charles Town and Ranson.**

**Objective 5.1:** Conduct a Hazardous Materials Survey or Commodity Flow Study to better understand the nature and extent of hazardous materials risks throughout the county.

**Strategy 5.1.1:** Apply for Hazardous Materials Emergency Preparedness (HMEP) grant from WVDHSEM to finance the development of a Commodity Flow Study to determine what hazardous materials are used, stored, and shipped through the county.

**Status Notes:** The Jefferson County LEPC conducted a countywide Commodity Flow Study in 2007 to identify all hazardous materials that are either stored or traveling through the county and its municipalities.

**Strategy 5.1.2:** Identify strategies to mitigate risks from the transportation and/or storage of hazardous materials in Jefferson County and the City of Ranson.

**Status Notes:** The Jefferson County LEPC conducted a commodity flow study in 2007 using the results of the study, the LEPC has decided to develop a Propane (LP Gas) Risk Assessment. In 2008, the LEPC conducted Phase I of their Propane Risk Assessment, assessing all tanks over 10,000 gallons. In 2009, the LEPC conducted Phase II of their Propane Risk Assessment, assessing all tanks under 10,000 gallons, but over 1,000 gallons, as well as, the Thompson Bulk Plant, which was built after the larger assessment had already been completed. Additionally, the LEPC held a Table Top Exercise on September 22, 2009 to test the response capabilities to deal with a scenario of a motor vehicle accident involving the Amerigas Plant in Ranson.

**Objective 5.2:** Increase public safety and awareness with regards to hazardous materials incidents.

**Strategy 5.2.1:** Increase education and awareness about shelter-in-place opportunities. JCHSEM Director to develop and deliver information to all county residents through community groups and/or publications, information on how to shelter in place and when it is appropriate to do so.

**Status Notes:** The Jefferson County Board of Education developed a School Crisis Plan for man-made or acts of God disaster events. Two new sections have been added to the Plan-Terrorism and Sheltering in Place. Additionally, they are training school personnel about sheltering in place and have ordered supplies to keep in the schools for such emergencies. An exercise for shelter in place was held.

**Objective 5.3:** Ensure adequate training and resources for emergency organizations and personnel.

**Strategy 5.3.1:** Teach Community Emergency Response Team (CERT) classes in Jefferson County.

**Status Notes:** By invitation of the WV Division of Homeland Security and Emergency Management, the Jefferson County Commission sent a letter of intent to apply for a CERT grant on June, 19, 2003. Rather than to start another similar committee, Jefferson County Homeland Security and Emergency Management's Steering Committee acts as the County's Steering Committee. JCHSEM operated the CERT Program in Jefferson County.

**GOAL 6: Protect Jefferson County's and Harpers Ferry's populations and critical assets from Landslides.**

**Objective 6.1:** Enact ordinances to limit development in areas prone to landslide.

**Strategy 6.1.1:** Develop ordinances requiring logging companies to clean and replant areas that they log. The ordinance should include the amount of replanting that is expected.

**Status Notes:** Jefferson County Planning Commission is working to develop new ordinances throughout the county.

**Objective 6.2:** Provide information to the public on best methods to protect mountainous properties from landslides.

**Strategy 6.2.1:** Develop and distribute educational materials concerning erosion and sediment control and slope stabilization to assets located in landslide prone areas, including the proper installation of erosion control blankets, turf reinforcement mats, silt fences, filter bags, channel dikes and dams and turbidity barriers.

**Status Notes:** No action has been taken on this strategy to date.

### **GOAL 7: Reduce the potential for damages as a result of Land Subsidence**

**Objective 7.1:** Protect critical infrastructure.

**Strategy 7.1.1:** Conduct a detailed vulnerability analysis on the county's infrastructure to see what losses could be incurred during a land subsidence event (in pertinent areas).

**Status Notes:** No action has been taken on this strategy to date. No funding has been identified for such a study.

**Strategy 7.1.2:** Establish a long-term monitoring program to track the occurrence and distribution of subsidence. Even if groundwater withdrawals were reduced to the level of estimated annual recharge in the near future, primary and residual subsidence would continue for 5 to 10 years.

**Status Notes:** No action has been taken on this strategy to date.

### **GOAL 8: Reduce the potential for damages as a result of Thunderstorms in Jefferson County**

**Strategy 8.1.1:** Coordinate with the National Weather Service (NWS) to warn residents of severe thunderstorm conditions.

**Status Notes:** Jefferson County utilizes Storm Ready, NOAA weather radios and local media to warn residents.

**Strategy 8.1.2:** Encourage the use of NOAA Weather Radios among residents that continuously broadcast NWS forecasts and provide direct warnings to the public.

**Status Notes:** Utilization of Storm Ready and local media outlets. Information about NOAA Weather Radios is included in at least one of JCHSEM's newsletters each year.

**Strategy 8.1.3:** Continue to conduct National Weather Service Storm Spotter classes.

**Status Notes:** Skywarn Stormspotter Classes have been held regularly since 2003. Staff from the Baltimore-Washington Office of the National Weather Service comes to Jefferson County to teach the classes. Over 250 trained spotters in the county are the result of this training. Courses taught include: Basic Stormspotter, Advanced Basic Stormspotter, Flooding Stormspotter, Thunderstorm/Tornado Stormspotter, Winter storm Stormspotter, and Hurricane Stormspotter.

**Strategy 8.1.4:** Ensure that surge protection, such as surge protectors and grounding, has been installed on all critical electronic equipment owned by county government.

**Status Notes:** This strategy has been completed.

**Objective 8.2:** Decrease the probability of utility failures as a direct result of severe thunderstorms.

**Strategy 8.2.1:** Coordinate with the power company to periodically trim trees near power lines to prevent limb breakage and power failures.

**Status Notes:** The power company has made efforts to clear right of ways and continues to do so.

### **GOAL 9: To Reduce the damages from severe wind and tornadoes in Jefferson County.**

**Objective 9.1:** Increase public awareness that severe wind and tornadoes are imminent.

**Strategy 9.1.1:** Coordinate with the National Weather Service (NWS) to warn residents of impending severe winds and possible tornado conditions.

**Status Notes:** Jefferson County utilizes the NWS, NOAA, and the EAS to warn local residents

**Objective 9.2:** Minimize future damage from severe wind or tornadoes throughout Jefferson County by increasing control over construction activities.

**Strategy 9.2.1:** Reduce the risk of mobile home damage by suggesting the use of tie-downs with ground anchors appropriate for the soil type.

**Status Notes:** This is a new strategy, no action has been taken on this item to date.

**Objective 9.3:** Evaluate existing shelters to determine adequacy for current and future populations.

**Strategy 9.3.1:** Ensure that all shelters have adequate emergency power resources.

**Status Notes:** Eastern Panhandle Chapter of the American Red Cross updated their "Disaster Services "GO" Book-volumes 1 and 2 in June of 2007. This book's purpose is to provide a guide for the delivery of the disaster services of the Red Cross, including sheltering. Jefferson County schools are the primary shelter sites for ARC. Site surveys were conducted to observe the dining facilities, bathroom facilities, and kitchens in each identified shelter. The Jefferson County Senior Center, Oakland United Methodist Church, Covenant Baptist Church, and Asbury United Methodist Church have been surveyed and have signed shelter agreements with the ARC. Emergency Power continues to be a shortfall. A large generator has been installed in Jefferson High School as well as in the new Washington High School. The Red Cross has worked with the Jefferson County Board of Education to establish and update agreements for feeding and other assistance in case of a situation such as Pandemic Flu in three additional schools. The Jefferson County Health Department has a Point of Dispensing (POD) site located at T.A. Lowery Elementary and Wildwood Middle Schools.

**Strategy 9.3.2:** Establish a protocol for the sharing of annual shelter survey information between the local Red Cross Chapter and the JCHSEM.

**Status Notes:** Ongoing and annually, the Eastern Panhandle Chapter of the American Red Cross maintains information on the site of each approved shelter. They also have information on how many people can be housed or fed at the site and availability of back-up power resources/available there. They meet with the JCOHSEM on an annual basis.

#### **GOAL 10: Reduce the effects of severe winter storms on Jefferson County and the Town of Bolivar**

**Objective 10.1:** Minimize future damage from severe winter storms throughout Jefferson County by increasing response capabilities.

**Strategy 10.1.1:** Coordinate with local private contractors to develop mutual aid agreements for emergency snow removal, also develop a Debris Management Plan that can be implemented following a disaster occurrence.

**Status Notes:** This is a new strategy. The State is still deciding how they want to handle debris management planning. No funding is available at this time for Debris Management Planning.

**Objective 10.2:** Educate the general public on proper procedures to take to prepare for a winter storm.

**Strategy 10.2.1:** Develop brochures that describe the proper procedures to take to safeguard against and prepare for winter storms.

**Status Notes:** Jefferson County included Business Continuity Planning information in their display at the 2003-2006 Jefferson County Fairs. Information included the FEMA Business Disaster Planning Guide, a booklet that was prepared for the Business Continuity Planning Workshops locally and information from the Institute for Business and Home Safety.

#### **GOAL 11: Protect the general public in Jefferson County from potential chemical, biological, or Weapons of Mass Destruction terrorist events.**

**Objective 11.1:** Increase countywide preparedness for terrorist attacks

**Strategy 11.1.1:** Develop and/or enhance terrorist incident response annexes in the county Emergency Operations Plan (EOP).

**Status Notes:** This annex is currently being updated.

**Strategy 11.1.2:** Increase the knowledge of the general public concerning preparedness through the preparation of informational brochures, town meetings, training seminars, etc.

**Status Notes:** This information is currently being taught in CERT class by the Jefferson County Sheriff's Department.

**Strategy 11.1.3:** Coordinate with local media to alert the public as to the current threat status.

**Status Notes:** JCHSEM has an excellent working relationship with all local and regional media outlets.

**Objective 11.2:** Enact response programs to cope with terrorist attacks should they occur

**Strategy 11.2.1:** Establish trauma centers to offer medical attention and counseling to affected populations in the event of a terrorist event.

**Status Notes:** Jefferson Memorial Hospital has taken several steps toward coping with the medical surge that would result from a terrorism scenario. They have acquired tents that they could use for additional triage and medical operations areas when needed. They have special decontamination equipment, as well.

**Strategy 11.2.2:** Continue education and training efforts of first responders and emergency personnel.

**Status Notes:** This is conducted countywide on an ongoing schedule.

**Strategy 11.2.3:** Consider providing heightened security at public gatherings, special events, hazardous materials facilities and critical community facilities and industries.

**Status Notes:** Law Enforcement does increase security at events where it is deemed necessary or that have high ranking officials in attendance.

**Strategy 11.2.4:** Make arrangements or otherwise establish mass morgue facilities to be used following potential mass casualty events.

**Status Notes:** No action has been taken on this strategy to date.

#### **GOAL 12: To protect Jefferson County's population and forests from Wildfires**

**Strategy 12.1.1:** Create displays for children's programs that teach safety. Examples of information to be used would be similar to that on the FEMA for kids CD and/or the Sparky Fire Safety Program.

**Status Notes:** The JCHSEM booth at the 2003-2009 Jefferson County Fairs has included information on Fire Safety (NFPA Sparky the Fire Dog Coloring and Activity Books). Disaster Preparedness Coloring Books, Robbie and Julia-The Disaster Twins, and Herman, PIC Storybooks, Exty and Hydro Activity Books, and Coloring Books from the Home Safety Council. Additionally, JCHSEM participates each October for Fire Safety Month. Our staff and volunteers go to schools and daycare centers to teach children about fire safety.

**Strategy 12.1.2:** Encourage residents in rural areas to inspect and clean their chimneys at least once a year.

**Status Notes:** Local fire companies are providing this information to homeowners.

**Strategy 12.1.3:** Encourage residents and businesses to maintain their property in or near forested areas (including short grass; thinned trees and removal of low hanging branches, cleaning of dead or dry leaves, needles, twigs, etc.), and to create a buffer zone (defensible space) between structures and adjacent forests.

**Status Notes:** Local Fire companies do this.

#### **GOAL 13: Reduce or eliminate the negative effects of various other hazards in Jefferson County, and improve upon the protection of the citizens of Jefferson County from all natural and man-made hazards.**

**Objective 13.1:** Develop and distribute public awareness materials about natural hazard risks, preparedness, and mitigation.

**Strategy 13.1.1:** Create displays for use at public events (health fair, public awareness day, and county fair). This display would include pictures and information, such as that contained in FEMA's Retrofitting for Homeowners Guide, Elevating Your Flood Prone Home, Elevating Residential Structures, and information on the NFIP.

**Status Notes:** The JCHSEM's display at the Jefferson County Fair includes mitigation information. The display highlights the Jefferson County Risk Assessment and Mitigation Plan, flood homeowner's and business mitigation information, information about elevating homes, retrofitting information, and National Flood Insurance Information. Flooding handouts include: Are You Protected from the Next Flood? Coping a Flood-Before, During and After, Answers to Questions about the NFIP, Avoiding Flood Damage: A

checklist for homeowners, Top 10 Facts about Flood Insurance, What you need to know about Federal Disaster Assistance and National Flood Insurance, Myths and Facts about the NFIP, How the NFIP works, NFIP Insurance Agent's Lowest Floor Guide, NFIP Increased Cost of Compliance Coverage, things you should know about flood insurance, An Ounce of Prevention is Worth a Pound of Cure, Floods, The Awesome power, Tropical Cyclones and Inland Flooding, Homeowners Guide to Retrofitting. The JCHSEM has a 10'X10' display and two tabletop display boards that are used for events. Flood Mitigation materials are available any time that the display is up, as well as from the Homeland Security Office. An Animals in Disaster Display was developed and used at the Jefferson County Fair. It includes information about domestic pets, agricultural animals and horses. In addition to the display board, brochures were available, including: The American Red Cross/The Humane Society of the United States, "Pets and Disasters-GET PREPARED"; The Humane Society of the United States, "Disaster Preparedness for Pets"; The Humane Society of the United States, "Disaster Preparedness for Horses"; The Humane Society of the United States, "Disaster Preparedness for Livestock"; The National Humane Education Society's, "Disaster and Your Pets"; The Veterinary Medical Association's, "Saving the Whole Family" and the Jefferson County Animals in Disaster Plan. The new table top display was used at the Jefferson County Fair and at Furry Fun Fest at Briggs Animal Adoption Center. In recent years, JCHSEM has been setting up information booths at the Bark in the Park event, Ranson Festival, ShepFest, PetCo Valentine Day and other community events.

**Strategy 13.1.2:** Create materials that are targeted towards tourist populations. Work with the Jefferson County Convention and Visitors Bureau, the US Park Service and others to alert tourists to potential natural hazard areas and what to do if a natural or man-made hazard occurs during their visit to Jefferson County.

**Status Notes:** No action has been taken on this project to date.

**Strategy 13.1.3:** Send news releases to local newspapers, radio and TV stations about pre-disaster information. Our media strategies are designed to reach all areas of Jefferson County.

**Status Notes:** the following media is used for distribution of information:

- JCS Television (Channel 19), Charles Town,
- Comcast Cable, Ranson, WV
- NBC-25 Television, Hagerstown, MD
- WEPM 1340 AM, Martinsburg, WV (EAS)
- WKMZ 95.9 FM, Martinsburg, WV
- WLTF 97.5 FM, Martinsburg, WV (
- WXVA 1550 AM, Winchester, VA
- WZFM 98.3 FM, Winchester, VA
- WSHC 89.7 FM, Shepherd Univer
- WRNR 740 AM, Martinsburg, WV • WUSQ 102.5 FM, Winchester, VA
- WVEP 88.9 FM, WV Public Radio, Shepherdstown, WV
- The Spirit of Jefferson Newspaper, Charles Town, WV
- The Journal Newspaper, Martinsburg
- The Herald-Mail News
- The Shepherdstown Chronicle, Shepherdstown
- The Shepherdstown Observer, Shepherdstown
- The Frederick News-Post Newspaper, Frederick, MD
- Morgan Messenger,
- Quad State Business Journal, Hagerstown, MD
- The Buyers Guide, Martinsburg, WV The Gazette, Martinsburg, WV
- The Listener (on-line at <http://listener.homestead.com/>), Charles Town, WV
- \*Facebook Group

**Strategy 13.1.4:** Create a public speaking series to include topics such as types of natural disaster and risk, how to develop a family disaster plan, how to develop a family disaster supply kit, how to develop a business continuity plan, simple type of mitigation projects for homeowners, etc. These speaking engagements will be offered to civic groups such as the Rotary and Kiwanis Clubs, the Chamber of Commerce, Church and interfaith groups, etc.

**Status Notes:** The following program topics are available to groups:

- General Information about the JCHSEM Programs.
- Citizen Corps. CERT (Community Emergency Response Teams).
- Lunch N Learn Sessions
- The National Flood Insurance Program
- Safety in the Workplace
- Risk Assessment/All Hazards
- Business Continuity
- Family Disaster Plans.
- Family Disaster Supply Kits.

Animals in Disaster. NOAA Weather Radios (Do you know the difference between a watch and a warning.

Flood Safety, Tornado Safety, Winter Storm Safety, Fire Safety Lightening & thunderstorm Safety. Taking Shelter From the Storm. Kids Programs (Fire Safety with Sparky the Fire Dog or Danger Ranger, Thunderstorm Safety,

**Strategy 13.1.5:** Ensure that the Red Cross citizen's disaster course is held on a frequent basis.

**Status Notes:** The American Red Cross will hold a variety of courses, including: Adult and child CPR, Basic First Aid, Intro to Disaster Services, Mass Care, Shelter Operations, and others at the local Red Cross.

**Strategy 13.1.6:** Update the county website to provide hazard related information that is easily accessible. The County Commission website has formation about disaster preparedness and related activities. The plan is to expand and update the County's website as needed and as appropriate in a timely manner to benefit all County residents.

**Status Notes:** the county's Website at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org) is maintained by County Commission administrative staff. The Homeland Security portion of the website is updated as necessary.

**Strategy 13.1.7:** Continue to work with the Jefferson County Schools about mitigation education and awareness and discuss ways to better integrate mitigation into the curriculum.

**Status Notes:** Currently our volunteers are admitted to the schools during Fire Prevention Month-October. We have a wide variety of fire safety materials from the NFPA and the US Fire Administration that we use with the students throughout the county.

**Strategy 13.1.8:** Continue to work with non-governmental organizations (youth services, professional, religious) to promote mitigation education and awareness.

**Status Notes:** These programs and workshops have been held repeatedly over the past 5 years in a variety of settings.

**Strategy 13.1.9:** Establish all-hazard resource centers to be located in the main office of the county and cities. The centers will act as a repository for information on local hazard identification, preparedness, and mitigation strategies for use by citizens, realtors, and lenders.

**Status Notes:** These resource centers have been established in the local libraries as a requirement for the Community Rating System activities. Additionally there is a media center within the Office of Homeland Security that contains a section on Flooding, with additional sections on Disaster Preparedness, Fire and Fire Safety, Weather, a Children's section, counter-terrorism and mitigation.

**Objective 13.2:** Provide protection for domestic pets, livestock and wildlife during and following disasters in Jefferson County.

**Strategy 13.2.1:** Develop adequate emergency shelter and evacuation plans for animals (domestic pets, livestock, and wildlife). Establish a committee representative of all areas of the county that will include vets, pet store owners, the Humane Society, animal shelters, the WVU Extension Service and other interested parties to work on animal -specific evacuation and sheltering needs.

**Status Notes:** JCHSEM has an Animals in Disaster Committee. The Committee has developed an "Animals in Disaster Plan" which identified risks and vulnerabilities to the county's animal population. These populations include domestics, agricultural, wildlife, and exotic pets. The plan identifies resources and emergency shelters for animals in times of disaster.

**Objective 13.3:** Ensure adequate training and resources for emergency organizations and personnel.

**Strategy 13.3.1:** Meet with groups of potential volunteers to attempt to increase the number of trained responders. Groups will include all county fire departments, doctors, nurses and EMS personnel who may become first responders in a bio-terrorism event.

**Status Notes:** The CERT Classes have been taught in Jefferson County since 2003. About 150 people have completed the course and there are currently 11 volunteer instructors. The youngest CERT is 20 years of age; the eldest is 88 years of age. CERT Volunteers are from throughout Jefferson County.

**Objective 13.4:** Provide training for local first responders.

**Strategy 13.4.1:** Conduct annual tabletop disaster exercises with local law enforcement, emergency managers, city and county officials, and other disaster response agencies.

**Status Notes:** A disaster-drill was conducted on June 8<sup>th</sup>, 2003. The scenario was that there was a train derailment that was carrying various hazardous materials. The Red Cross opened the shelter at the Senior Citizens Center and fed people and gave out blankets. WVDEP did the evaluation along with 2 National Guardsmen. Jefferson Memorial Hospital set up their decontamination tent and the fire department had their aerial truck and two pumpers for decontamination.

There are two (2) exercises held at Jefferson Memorial Hospital each year that the community participates in.

Several members of the Jefferson County Responder community participated in a Pandemic Flu Exercise in Berkeley County in June, 2006.

A Tabletop Exercise was held on September 20, 2006 at the US Customs & Border Patrol Facility by CSX Railroad. This was a hazardous materials train derailment exercise.

A Tabletop Exercise was held in August 2007 as a cross border exercise. Several members of the Jefferson County Responder community participated in the functional exercise involving a terrorist attack in October 2007.

In 2008, Jefferson County participated in the CWID TTX and Functional Exercises and the NLE08, National Level Exercise.

In 2009, Jefferson County participated in POTUS Inauguration, a TTX Propane Exercise, the National VIPER exercise and the Volant Freight National Exercise.

**Strategy 13.4.2:** Provide information about local, regional, state, and federal training opportunities to fire departments, EMS, ambulance services, and other emergency responders.

**Status Notes:** A list of all known training was developed and is listed in the JCHSEM Public Awareness, Education and Training Strategies. Training includes: • CERT Basic Training • ERG (Emergency Response Guidebook) Training • Basic Storm Spotter Training with National Weather Service • Flood Storm Spotter Training • Advanced Storm Spotter Training • Winter Storm Spotter Training • National Flood Insurance Training for Lending Institutions and Insurance Agencies • National Flood Insurance Program for Local Officials Workshop • Safety & Security in the Workplace and Evacuations • Business continuity Planning and Holiday Fire Safety. Additionally, the West Virginia Region III Homeland Security Coordinator maintains a training schedule for the region.

**Objective 13.5:** Direct new development away from high hazard areas.

**Strategy 13.5.1:** Review existing regulations to ensure adequacy in reducing the amount of future development in identified hazard areas.

**Status Notes:** Ordinances are being reviewed and revised.

**Strategy 13.5.2:** Review all comprehensive plans to ensure that designated growth areas are not in hazard areas.

**Status Notes:** Ordinances are being reviewed and revised.

**Strategy 13.5.3:** Review all capital improvement plans to ensure that infrastructure improvements are not directed towards hazardous areas.

**Status Notes:** Ordinances are being reviewed and revised.

**Objective 13.6:** Improve emergency preparedness in Jefferson County and its incorporated municipalities.

**Strategy 13.6.1:** Review the existing Jefferson County Emergency Operations Plan (EOP) and update where necessary based on the recommendations of the Jefferson County hazard Mitigation Plan.

**Status Notes:** Jefferson County updates the EOP annexes. The EOP was updated and made NIMS compliant in January, 2008. The 2009 version is ready for adoption.

**Objective 13.7:** Improve coordination and communication among disaster response organizations, local, and county governments.

**Strategy 13.7.1:** Expand the mission and membership of the Jefferson County Local Emergency Planning Committee (LEPC) to act as a countywide disaster task force.

**Status Notes:** The LEPC meets on a quarterly basis.

**Objective 13.8:** Update equipment at the E 911 Communications Center

**Strategy 13.8.1:** Develop a plan to implement the Needs Assessment recommendations developed by the Public Safety System Consultant.

**Status Notes:** Jefferson County has built a new co-located Emergency Operations Center and Emergency Communication Center. We have migrated to the new IRP Radios. This strategy has been completed.

**Objective 13.9:** Develop public/private partnerships toward the protection of private properties.

**Strategy 13.9.1:** Continue to support initiatives established under the Jefferson County Project Impact.

**Status Notes:** In August 2007, the Jefferson County Offices of Emergency Management and Homeland Security were merged to include the following projects: • Steering Committee • Animals in Disaster Committee • Emergency Planning for People with Special Needs Committee • Public Awareness, Education and Training Committee • Partnership and Volunteer Development Committee • Risk Assessment and Mitigation Planning Committee • Counter Terrorism Committee

**Strategy 13.9.2:** Evaluate the feasibility of the continuation of a funded Project Impact Coordinator position in Jefferson County.

**Status Notes:** Jefferson County Commission combined the Office of Homeland Security and the Emergency Management Department in August, 2007. The new Department of Homeland Security and Emergency Management is a part of the County's Budget. This strategy is complete.

**Objective 13.10:** Improve coordination of mitigation efforts between the National Park Service and the Town of Harpers Ferry.

**Strategy 13.10.1:** Establish a formal process for the Town of Harpers Ferry and the Park Service to coordinate disaster related efforts, which will include defining boundaries and establishing responsibilities.

**Status Notes:** This strategy is on-going between the Park Service and the Town.

**Strategy 13.10.2:** Conduct training exercises that include representatives from the Town of Harpers Ferry and the Park Service to facilitate increased coordination.

**Status Notes:** CSX Railroad held training and exercise in early part of 2007. In 2009, a representative of CSX came to the State LEPC/SERC conference for a presentation on living with railroads in your community.

**Objective 13.11:** Identify and protect historic structures throughout the county that are at risk from hazards

**Strategy 13.11.1:** Conduct a survey of all historic sites that are located in hazard areas and develop mitigation strategies to protect any at-risk historic properties.

**Status Notes:** Properties on the National Historic Register have been identified and mapped by the Jefferson County GIS Department.

**Objective 13.12:** Ensure measures are being taken to address hazard risks with regards to commercial and commuter rail lines.

**Strategy 13.12.1:** Contact representatives of rail lines to collect information about emergency planning and risks associated with rail services in the county.

**Status Notes:** This strategy is complete.

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# International Swine Flu Conference

Conference: November 23-24, 2009 Workshops: November 25, 2009  
Toronto, Canada

October 12, 2009

Dale Manuel  
Commissioner  
Jefferson County, West Virginia

Re: International Swine Flu Conference

via fax 3047257916

Dear Dale Manuel,

We are pleased to inform you of the opportunity to attend the International Swine Flu Conference, November 23-24, 2009, in Toronto, Canada.

Swine flu is now formally a global H1N1 flu pandemic and has been reported in 191 countries. The World Health Organization has recently reported that of over 375, 000 human cases of Swine Flu, 4, 500 were fatal.

The International Swine Flu Conference will include leaders in public health, business, science, first response, and of nonprofit sectors who will focus on response to this first pandemic in the age of globalization and prepare for a potential second wave of H1N1 virus this fall. As the WHO expects an influenza pandemic to unfold in two or three successive waves.

Each day of the conference will offer papers on a wide range of topics including:

- o Preparing Community Strategies
- o Local Partnership and Participation
- o Delivery of Vaccine and Antiviral Medication
- o Emergency Response and Hospital/Healthcare Coordination
- o Prevention Education Efforts and Risk Communication
- o Command, Control and Management

Over 20 breakout sessions will be offered addressing a wide range of topics, including:

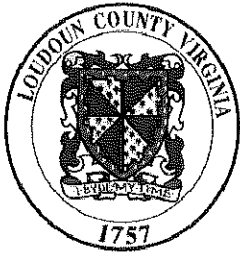
- o Breakout 1. School/University Planning
  - o Breakout 2. Psychological Issues
  - o Breakout 3. Business Continuity Planning
  - o Breakout 4. Continuity of Operations (COOP) and Continuity of Government Planning
  - o Breakout 5. Emergency Management Services
  - o Breakout 6. First Responders: Public Works
  - o Breakout 7. Workplace-based Planning
  - o Breakout 8. Community-Based Planning
- And many more...

We anticipate your participation to this first global flu epidemic in 41 years. Should you have any questions regarding this event, please do not hesitate to contact me at 202-536-5000 or via email at [Virginia.Blanco@New-Fields.com](mailto:Virginia.Blanco@New-Fields.com).

Sincerely Yours,  
Virginia Blanco, Project Manager  
H1N1 Task Force

New-Fields Exhibitions, Inc.  
1101 Pennsylvania Avenue, NW, Sixth Floor South, Washington, DC 20004  
Phone (202) 536-5000 Fax (202) 280-1239 [www.New-Fields.com](http://www.New-Fields.com)

If you have received this fax from us in error or no longer wish to receive future fax correspondence from our company call us toll free (877) 485-2242 and follow the prompts.



Loudoun County, Virginia

[www.loudoun.gov](http://www.loudoun.gov)

Office of Transportation Services – MSC #69

1 Harrison Street, S.E., 4th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 737-8624 • Fax (703) 737-8513

October 8, 2009

RECEIVED

OCT 13 2009

Leslie D. Smith, County Administrator  
Jefferson County, West Virginia  
PO Box 250  
Charles Town, WV 25414-0250

Jefferson County Commission

Dear Ms. Smith:

As part of the legal notice requirements contained in Section 15.2-2204 (Amended) of the Code of Virginia, the following regulations must be addressed relating to notification of adjacent counties and municipalities:

“When a proposed comprehensive plan or amendment thereto, a proposed change in zoning map classification, or an application for special exception or variance involves any parcel of land located within one-half mile of a boundary of an adjoining county or municipality of the Commonwealth, then, in addition to the advertising and written notification as above required, written notice shall also be given by the local commission, or its representative, at least ten days before the hearing to the chief administrative officer, or his designee, of such adjoining county or municipality.”

Therefore, in accordance with the above regulations, this is to inform you that the Loudoun County Planning Commission will hold a public hearing on Comprehensive Plan Amendment, CPAM 2005-0009, Countywide Transportation Plan Update.

The draft CPAM, amends all chapters and appendices of the Revised Countywide Transportation Plan which was adopted on July 23, 2001. Proposed amendments include updates and revisions to both the CTP text and maps including significant changes to the Route 50, Route 267, Route 7, and Route 28 corridors and recommendations for HOV lanes, limited access, and additional transit facilities.

The public hearing will take place at the County Government Center, 1 Harrison Street, S.E., Leesburg, Virginia on **Thursday, October 29, 2009, at 6:00 p.m.** Written comments can be provided to the Loudoun County Planning Commission, c/o Loudoun County Office of Transportation Services, 1 Harrison St., S.E., 4th Floor, P.O. Box 7000, Leesburg, Virginia, 20177-7000.

The draft policy language and maps will be available on October 15, 2009 in the Loudoun County Office of Transportation Services and online at [www.loudounctp.com/documents/](http://www.loudounctp.com/documents/). A second notification letter will be sent to you October 23, 2009.

Should you have any questions, please do not hesitate to contact me at (703) 737-8624.

Sincerely,

*Andrew G. Beacher*  
Andrew Beacher, PE, Project Manager  
CPAM 2005-0009, Countywide Transportation Plan Update

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

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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	\$ 128,262.42	\$ 128,262.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ 6,028.55	\$ 636.48	\$ 6,117.24	\$ 2,481.00
08/15/09	\$ 162,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.79	\$ 28,070.37	\$ 2,964.61	\$ 28,492.73	\$ 11,606.64
08/22/09	\$ 152,520.82	\$ 76,260.31	\$ 76,260.31	\$ 9,471.53	\$ 26,355.56	\$ 2,783.50	\$ 26,752.12	\$ 10,897.60
08/29/09	\$ 180,945.84	\$ 80,472.92	\$ 80,472.92	\$ 9,994.74	\$ 27,811.44	\$ 2,937.28	\$ 28,229.90	\$ 11,499.58
09/05/09	\$ 181,598.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,823.84	\$ 2,949.13	\$ 28,343.99	\$ 11,548.06
09/12/09	\$ 172,573.84	\$ 86,286.92	\$ 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	\$ 8,895.26	\$ 24,195.51	\$ 2,555.37	\$ 24,559.56	\$ 10,004.45
09/26/09	\$ 138,833.74	\$ 69,316.87	\$ 69,316.87	\$ 8,609.16	\$ 23,955.81	\$ 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	\$ 2,838.44	\$ 25,357.93	\$ 10,329.68
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 8,850.81	\$ 24,071.25	\$ 2,542.25	\$ 24,433.44	\$ 9,953.08
<b>Subtotal</b>	<b>\$ 2,319,547.64</b>	<b>\$ 1,815,805.57</b>	<b>\$ 703,742.07</b>	<b>\$ 87,404.78</b>	<b>\$ 243,213.25</b>	<b>\$ 25,666.58</b>	<b>\$ 246,872.71</b>	<b>\$ 100,564.75</b>

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending
	October 10, 2009
	FY10
<b>To be Deposited on:</b>	<b>October 19, 2009</b>
<b>Amount Played</b>	<b>74,744,112.73</b>
<b>Amount Won</b>	<b>67,171,272.60</b>
<b>Amount Promo</b>	<b>276,793.00</b>
<b>MWAP Contribution</b>	<b><u>40,773.05</u></b>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>7,255,274.08</u></b>
<b>Administrative Costs @ 4%</b>	<b>290,210.96</b>
<b>Excess Lottery Fund @ 4%</b>	<b><u>0.00</u></b>
<b>Net Terminal Revenue</b>	<b><u>6,965,063.12</u></b>
<b>Surcharge @ 10%</b>	<b>0.00</b>
<b>State Share Excess @ 58%</b>	<b>0.00</b>
<b>Track Share of Capital Reinvestment @ 42%</b>	<b>0.00</b>
Track Share of Capital Reinvestment @ 42% - 36%	\$ -
Track Share of Capital Reinvestment @ 42% - 4%	\$ -
<b>Adjusted Net Terminal Revenue</b>	<b><u>6,965,063.12</u></b>
<b>Racetrack @ 46.50% / 42%</b>	<b>3,238,794.35</b>
<b>Lottery Fund @ 30% / 0%</b>	<b>2,089,518.93</b>
<b>Excess Lottery Fund @ 0% / 41%</b>	<b>0.00</b>
<b>Race Track Purses @ 7% / 14% / 8%</b>	<b>975,198.84</b>
<b>Workers' Compensation Debt Reduction @ 7%</b>	<b>0.00</b>
<b>Employee Pension Fund @ 1% / .5%</b>	<b>69,650.63</b>
<b>Greyhound Development @ .75%</b>	<b>52,237.97</b>
<b>Thoroughbred Development @ .75%</b>	<b>52,237.97</b>
<b>Racing Commission @ 1%</b>	<b>69,650.63</b>
<b>County/Municipality @ 2%</b>	<b>139,301.28</b>
<b>3% Funds:</b>	
<b>Tourism Promotion Fund @ 1.375%</b>	<b>95,769.62</b>
<b>Development Office Promotion Fund @ .375%</b>	<b>26,118.99</b>
<b>Research Challenge Fund @ .5%</b>	<b>34,825.32</b>
<b>Capitol Renovation and Improvement Fund @ .6875%</b>	<b>47,684.81</b>
<b>2004 Capitol Complex Parking Garage Fund @ .0625%</b>	<b>4,353.16</b>
<b>1% Funds:</b>	
<b>State Capitol Complex Parking Garage @ 1%</b>	<b>0.00</b>
<b>Cultural Facilities and Capitol Resources @ .5%</b>	<b>34,825.32</b>
<b>Capitol Dome and Capitol Improvements @ .5% / 1%</b>	<b><u>34,825.32</u></b>
	<b><u>6,965,063.12</u></b>