

## AGENDA FOR THURSDAY, NOVEMBER 19, 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. - Jefferson County Emergency Services Agency Appointment  
Interviews/Action
  
- ☐☐☐ 4. 10:00 a.m. - Greg Bailey - Legal Update and Report
  
- ☐☐☐ 5. 10:15 a.m. - Laura Rattenni and Mark Schiavone - Proposal to Disconnect  
Circuit Clerk's Office from the County Network
  
- ☐☐☐ 6. 10:30 a.m. - Joseph Sacchet - Update on Day Reporting Center
  
- ☐☐☐ 7. 10:45 a.m. - Barbara Miller - Homeland Security and Emergency Management -  
2009 Emergency Management Planning Grant - Discussion/Action
  
- ☐☐☐ 8. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report  
- Approve Resignation of James Casimiro  
- Approve Appointment of D. Frank Hill, III  
- Approve two estate accountings for Kay Jovanelly, Fiduciary  
Commissioner  
- Reopen Estate of Dorothy Tabb
  
- ☐☐☐ 9. 11:15 a.m. - Carol Crabtree - Region 9 - Early Action Compact for Air Quality  
Agreement
  
- ☐☐☐ 10. 11:30 a.m. - Bonding and Activity Report  
- Seth Rivard update on EPA meeting
  
- ☐☐☐ 11. 1:30 p.m. - County Commission Workshop - Longevity and Equity Pay for  
Employees - Discussion/Action

### OLD BUSINESS:

- 12. Legislative Issues
- 13. Kirk Davis, Sr., Capital Projects Manager - Grant Updates
- 14. Recovery Zone Bond Resources - Resolution Designating the Jurisdiction of the County as a Recovery Zone and Authorizing Documents in Connection with such Designation - Discussion/Action
- 15. Targeted, Limited Audit of County Finances - Discussion

**NEW BUSINESS:**

- 16. Stephanie Grove - Legal Update and Report
- 17. James Casimiro - Legal Update and Report
- 18. Mark Schiavone - Budget Updates
- 19. Mark Schiavone - Purchase of Battery Backup Devices for Network Switches
- 20. Appointment to the North Eastern Regional EMS, Inc.
- 21. Schedule Date to Discuss Work Programs and Projected Budgets with Department Heads and Elected Officials
- 22. Request for Approval of Employment - Nichelle Hosby - Administrative Assistant
- 23. Discussion and Action for 50 Percent of any Revenues that may be Generated by a Positive Vote on Table Games by the Citizens of Jefferson County be Allocated to Fire and EMS Services and Law Enforcement (DM)
- 24. Discussion on Outlining Commission Action Timeline on Possible Amendments to Current Zoning Ordinance and Amendments to the Subdivision Regulations (DM)
- 25. Discussion of Strategy for County Administrator Applicants and Schedule Date for Interviews (LW)
- 26. County Administrator Reports
- 27. County Commission Reports

**INFORMATION:**

- 28. Appointment to be made to the Jefferson County Public Service District on December 10, 2009.
- 29. Correspondence received from the Courthouse Facilities Improvement Authority concerning the approval of the financial assistance request for courthouse improvements.
- 30. Impact Fee Status Report received for October 2009.
- 31. Memorandums received from the Department of Capital Planning and Management concerning transfers of funds.
- 32. Information received from the County Clerk concerning providing donations to the Shenandoah Women's Center.
- 33. Animal Control activity report received for October 2009.
- 34. Invitation received to attend a reception in honor of Kathryn McAteer for service to the West Virginia Library Commission on November 20, 2009 at 6:00 p.m.
- 35. Notice received of the 3<sup>rd</sup> Annual Homeland Security Workshop on December 1, 2009.
- 36. Harpers Ferry National Historical Park Community Bulletin received.
- 37. Potomac Valley Audubon Society newsletter received for November 2009.
- 38. Correspondence received from the Division of Highways concerning the Statewide Transportation Improvement Program.
- 39. The Property Connection newsletter received.
- 40. Correspondence received from the Shepherdstown Public Library concerning the "Landfill to Library" project.
- 41. Abbreviated Final General Management Plan/Environmental Impact Statement for Harpers Ferry National Historical Park received from the National Park Service.
- 42. Meeting minutes received from the Jefferson County Public Service District.
- 43. Weekly settlement report for the Charles Town Races received from the West Virginia Lottery.
- 44. Notice received from State Tax Commissioner that Angela Banks has complied with the assessor's additional duties and she is entitled to \$15,000 per WV Code 7-7-6b.

☐☐☐ 45. Monthly publication of WVACO received.

☐☐☐ 46. Miscellaneous

**CORRESPONDENCE:**

☐☐☐ 47. Correspondence received from Gil N. Garcia concerning the Planning Commission agenda.

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

## 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, November 5, 2009, or as soon thereafter as the Commission may decide:

**Jefferson County Emergency Services Agency Board - Three 3 year terms ending November 2, 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.

**Jefferson County Emergency Service Agency Board**  
**Updated: October 2009**

Name	Address	Magisterial District	Affiliation	Notes
Toni Milbourne	PO Box 586 Harpers Ferry, WV 25425	Harpers Ferry	Public	
James E. Watson	PO Box 101, Charles Town, WV 25414 304-725-2570, 304-725-2514	Charles Town	Fire & Rescue Assc.	
Ed Smith, Ops Manager	116 East Washington St. Charles Town, WV 25414 304-728-3287	Charles Town		
R. Fred Collins	336 Ashley Drive Shepherdstown, WV 25443	Shepherdstown	Citizen	<i>Unofficially resigned November 2009</i>
Todd L. Will, II	1890 Meyerstown Rd. Charles Town, WV 25414	Kabletown	Fire	
Brian Eddy	118 Shannon Lane Kearneysville, WV 25430	Middleway	Public	
R.M. Pete Kelley	P.O. Box 1257 Shepherdstown, WV 25443	Shepherdstown	EMS	Up for reappoint 11/09 Left message re: Comm. Interviews on 11/5
Michael T. Mills	P.O. Box 1074 Harpers Ferry, WV 25425	Harpers Ferry	EMS	Up for reappoint 11/09 Left message re: Comm. Interviews on 11/5
Brenda Engle	50 Westhall Drive Charles Town, WV 25414	Kabletown	EMS	
Michael Alvarez	3775 Kabletown Rd. Charles Town, WV 25414	Kabletown	Public	
Paul Rosa	P.O. Box 1350 Harpers Ferry, WV 25425	Charles Town	EMS	
Brendan Soennecken	PO Box 542 Harpers Ferry, WV 25425 304-261-8178	Harpers Ferry	Interested applicant	Left message re: Comm. Interviews on 11/05
James K. Miceli	55 Star Lane Ranson, WV 25438	Ranson/Charles Town	Interested applicant	Left message re: Comm. Interviews on 11/12
John L. Matthews	59 General MacClellan Court Harpers Ferry WV 25425	Harpers Ferry	Interested applicant	Left message re: Comm. Interviews on 11/12

**JEFFERSON COUNTY EMERGENCY SERVICES AGENCY (JCESA)  
CURRENT BOARD COMPOSITION**

**Background**

The ordinance creating the Jefferson County Emergency Services Agency (JCESA) establishes a matrix for appointments to the board. It provides that the board shall be comprised of:

- 1 Commissioner
- 5 citizen members unaffiliated with any Jefferson County fire company
- 2 EMS representatives
- 2 Fire representatives
- 1 representative of the Jefferson County Fire & Rescue Association

The Medical Director serves as a non-voting *ex officio* member

In addition to the category of representation no more than three members may be from the same magisterial district. A recent amendment to the ordinance provides that the Commission and Fire & Rescue Association members shall not be counted in the magisterial district calculation.

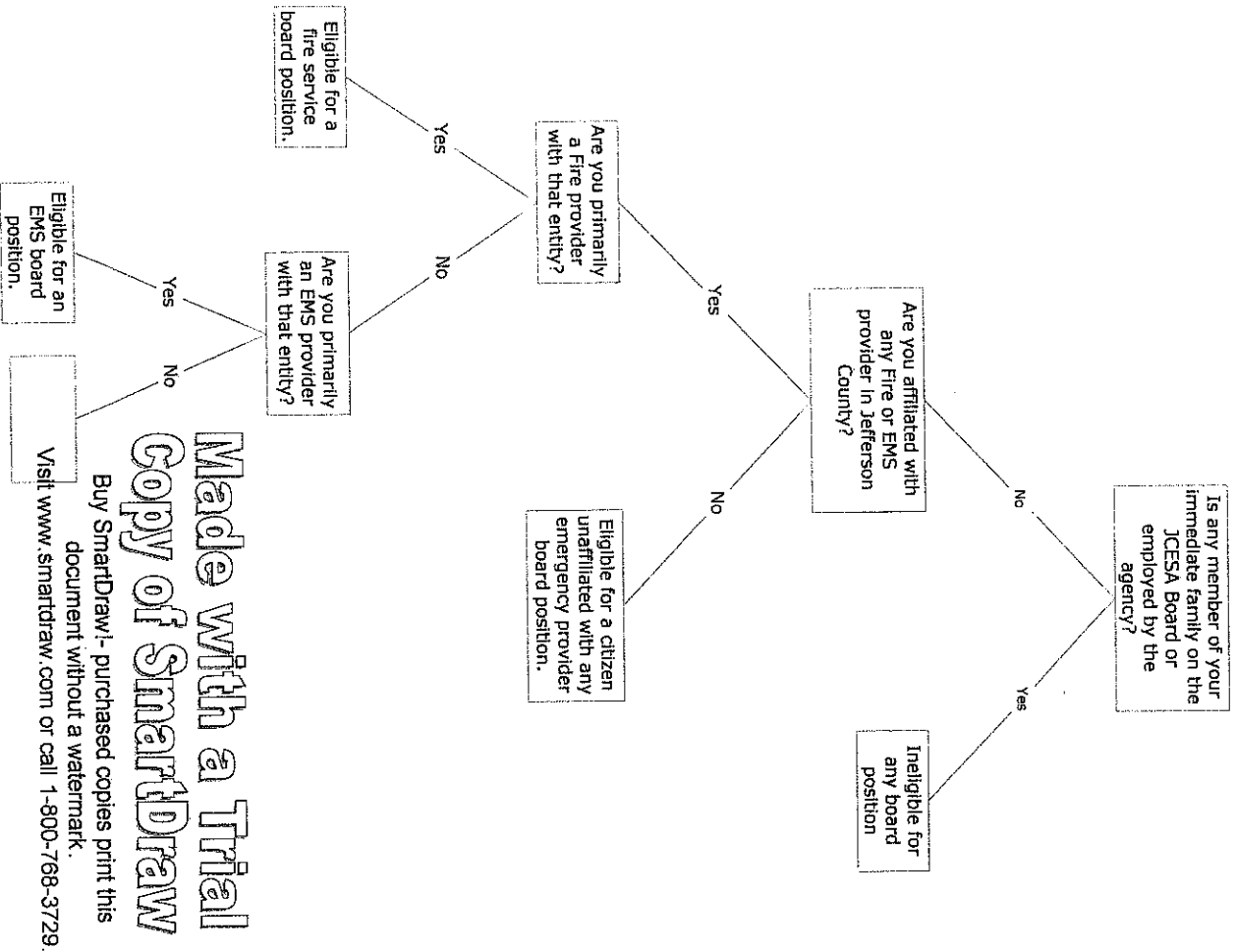
**Categories of Representation**

<b><u>Public</u></b>	<b><u>EMS</u></b>	<b><u>Fire</u></b>
Alvarez	Engle	Collins
Eddy	Kelley	Wilt
Milbourne	Mills	
	Rosa	

**Magisterial District Representation**

<b><u>Charles Town</u></b>	<b><u>Harpers Ferry</u></b>	<b><u>Kabletown</u></b>	<b><u>Middleway</u></b>	<b><u>Shepherdstown</u></b>
Engle	Milbourne	Alvarez	Eddy	Collins
Rosa	Mills	Wilt		Kelley

JEFFERSON COUNTY EMERGENCY SERVICES AGENCY (JCESA)  
Board Member Selection Decision Tree



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Copy of SmartDraw

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Visit [www.smartdraw.com](http://www.smartdraw.com) or call 1-800-768-3729.

**JEFFERSON COUNTY AMBULANCE AUTHORITY - 2007 Board Member Attendance\***

	January	February	March	April	May	June	July	August	September	October	November	December
Alvarez, Mike	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Davidson, Candy	YES	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	YES
Donohue, Dave	NO	NO	NO	NO	YES	YES	NO	NO	NO	RESIGNED	RESIGNED	YES
Eddy, Brian									NEW MEMBER 11/07			YES
Engle, Brenda	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES
Engle, Donnie	NO	NO	NO	NO	NO	YES	YES	YES	YES	NO	YES	YES
Good, Jeff	YES	NO	NO	NO	YES	YES	YES	YES	NO	NO	NO	YES
Hunsucker, Debra	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Jones, Robert	NO	NO	NO	NO	YES	YES	YES	YES	YES	YES	YES	YES
Kelley, Pete	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES
Mills, Mike	NO	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES
Rosa, Paul	NO	YES	YES	NO	NO	YES	YES	YES	YES	YES	YES	YES
Smith, Ed	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES	YES	YES

**JEFFERSON COUNTY AMBULANCE AUTHORITY - 2008 Board Member Attendance\***

	January	February	March	April	May	June	July	August	September	October	November	December
Alvarez, Mike	YES	NO	YES	YES	No Meeting	YES	YES	YES	No Meeting	YES	YES	YES
Eddy, Brian	YES	NO	YES	YES	No Meeting	YES	NO	YES	No Meeting	NO	NO	NO
Engle, Brenda	YES	YES	YES	YES	No Meeting	NO	NO	YES	No Meeting	YES	YES	YES
Engle, Donnie	YES	YES	YES	YES	No Meeting	NO	NO	YES	No Meeting	YES	YES	YES
Good, Jeff	YES	NO	NO	YES	No Meeting	YES	YES	YES	No Meeting	NO	YES	YES
Hunsucker, Debra	YES	NO	YES	NO	No Meeting	NO	NO	NO	No Meeting	NO	NO	NO
Jones, Robert	NO	NO	NO	NO	No Meeting	NO	NO	YES	No Meeting	NO	NO	NO
Kelley, Pete	YES	YES	YES	YES	No Meeting	YES	NO	YES	No Meeting	YES	YES	YES
Mills, Mike	YES	YES	YES	NO	No Meeting	YES	NO	YES	No Meeting	YES	YES	YES
Rosa, Paul	YES	YES	YES	YES	No Meeting	NO	YES	YES	No Meeting	YES	YES	YES
Smith, Ed	YES	YES	YES	YES	No Meeting	YES	YES	YES	No Meeting	YES	YES	YES

**JEFFERSON COUNTY EMERGENCY SERVICES AGENCY - 2009 Board Member Attendance**

	January	February	March	April	May	June	July	August	September 9/1/09 Spec Mtg	September	October	November	December
Alvarez, Mike	YES	YES	YES	YES	NO	YES	NO	NO	YES	NO	NO	NO	NO
Collins, Fred	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO
Eddy, Brian	YES	YES	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO
Engle, Brenda	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Good, Jeff	NO	YES	Effective March 2009 no longer a board member	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Hunsucker, Debra	NO	NO	Effective February 2009 no longer a board member	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO
Jones, Robert	NO	YES	NO	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES
Kelley, Pete	NO	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Manuel, Dale	N/A	N/A	YES	NO	NO	YES	YES	YES	YES	YES	YES	YES	YES
Milbourne, Toni	N/A	N/A	YES	NO	NO	YES	NO	YES	NO	NO	NO	NO	NO
Mills, Mike	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Rosa, Paul	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Watson, Jay	N/A	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES
Witt, Todd	N/A	YES	YES	YES	NO	YES	YES	NO	NO	NO	NO	NO	NO
Smith, Ed	YES	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES

\*This information does not reflect attendance at any of the special committee meetings.

Brendan Soennecken  
PO Box 542  
Harpers Ferry, WV 25425  
(304)261-8178

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

**RECEIVED**

OCT 28 2009

October 25, 2009

**Jefferson County Commission**

Dear Mr. Manuel,

In reference to the "Notice of Intent to Appoint" listed on the Commission's website, I would like to be considered as a candidate for appointment to the Jefferson County Emergency Services Agency Board. I have lived in Jefferson County for a number of years and reside currently with my wife and son at 401 Fillmore Street in the Harpers Ferry Magisterial District. While I have until now been unaffiliated with any Jefferson County fire company, I believe that my background in disaster relief and emergency services, as well as my volunteer service to the town of Harpers Ferry, have equipped me to contribute effectively to the Emergency Services Agency.

Since moving to Harpers Ferry, I have served in a number of positions in the community. In 2006 I was appointed to the Planning Commission, volunteering my time there until I was elected to the Harpers Ferry Town Council in 2007. While I chose not to run for reelection in 2009, I continue to serve as the town building inspector on an as-needed basis. Through my work with the town I have learned to appreciate the challenges facing communities throughout Jefferson County. At the same time I have also learned to recognize the resources and talent present in our communities, assets we can draw on as we address challenges going forward. As part of the Emergency Services Agency Board, I will work hard to foster understanding and create unified community based approaches to problem solving and planning.

For the past three years I have been employed as a Firefighter and Emergency Medical Technician with Loudoun County, Virginia. Through my job I have seen first-hand the challenges and benefits of working in a combination volunteer/career fire department. I have also been able to gain insight into the complexity of managing emergency services, particularly when adapting to rapid growth. If appointed, I believe my experience in the fire service will allow me to better anticipate and serve the public safety needs of the people of Jefferson County.

Please find my included resume which highlights some of my other professional and academic experience which I feel also enhance my ability to effectively serve Jefferson County as part of the Emergency Services Agency Board. Thank you for your time and consideration.

Sincerely,

  
Brendan Soennecken

## BRENDAN T. SOENNECKEN

PO Box 542  
Harpers Ferry, WV  
25425 USA

Tel: (304)261-8178  
E-mail: soennecken@gmail.com

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### PROFESSIONAL EXPERIENCE

**Loudoun County Department of Fire & Rescue, Virginia, USA**      **January 2007- Present**

**Firefighter/Emergency Medical Technician**

Working as part of a crew of five firefighters to staff a fire station and respond to emergency incidents. Engaging in patient care, emergency scene stabilization, and fire suppression activities. Communicating with the public through education events and community outreach programs.

**Corporation of Harpers Ferry, West Virginia, USA**      **July 2007- Present**

**Building Inspector**

Conducting inspections of all property improvements made within the nationally recognized historic district. Certifying compliance with building guidelines and ordinances. Writing and issuing all inspection reports, certificates, citations, and stop-work orders when necessary.

**Corporation of Harpers Ferry, West Virginia, USA**      **July 2007-July 2009**

**Councilman (elected office)**

Communicating with citizens and negotiating compromise within the community. Implementing development goals in a socially responsible manner. Designing projects and legislation to foster cooperation between residents, businesses, and the U.S. Department of Interior. Overseeing town business in a transparent manner while ensuring the sustainability of community resources.

**Carrot Cottage Industries, Harpers Ferry, West Virginia**      **June 2005 - December 2008**

**Self-employed/Carpenter/Restorer**

Working in historic property restoration. Providing project assistance, skilled labor, expertise and management of residential carpentry work and restoration activities, from conceptualization through to completion.

**IDEPIX LLC, Ardmore, Pennsylvania**      **October 2002 - June 2003**

**Marketing and Sales Consultant**

Designed, wrote, and edited Web and print materials for marketing multimedia and corporate communications products. Introduced proprietary communications products and strategies to executives of target companies using multimedia, Web-based, and print presentations.

**Accomplishments**

- Expanded company strategy, sales resources, and product applications to include making services available to the non-profit sector.
- Established relations and conducted meetings and product presentations with potential investors and partners.

## **INTERNATIONAL EXPERIENCE**

### **Partnership for Academic Development, Afghanistan**

**January - June 2002**

#### **Program Manager**

Established and managed the organization's in-country offices, resources and staff. Conducted community and regional level project research and planning. Established close working partnerships with other organizations and agencies for purposes of resource sharing.

#### **Accomplishments**

- Procured facilities, equipment, and supplies necessary for country offices.
- Successfully completed program description projects and project funding proposals that ensured funding by outside donors, government agencies, and partnering organizations.
- Maintained high-level communications with Afghan, United Nations and international agency officials to ensure accountability, transparency, and safety for all activities.
- Responsible for budgets and the allocation of resources for all projects and operations.
- Hired and trained a team of five Afghan nationals to help manage facilities and logistics.
- Cooperated with the UN and other agencies on remote-area medical assessments.
- Partnered with the Czech based People in Need Foundation on a needs assessment and direct aid distribution to 2,172 families in the earthquake-devastated district of Nahrin.
- Assisted with village health clinics hosted by U.S.-based Northwest Medical Teams.
- Implemented and supervised numerous projects that included giving aid to: a veterinary hospital, returning female medical students, private language schools, the University of Balkh, nutrition programs and medical clinics.

### **Balkans Freedom Trust, Gjakova, Kosovo**

**August - December 2001**

#### **Project Coordinator (Internship)**

Conducted needs assessments and wrote related project proposals. Researched grants and funding sources for education projects. Presented projects to donors and partner organizations.

#### **Accomplishments**

- Successfully wrote a grant proposal that received matched funding for a community education project targeting more than 100 students.

### **Organization for Security and Cooperation in Europe, Knin, Croatia**

**March - May 2001**

#### **Legal Assistant (Internship)**

Wrote and submitted organizational activity summaries and weekly status reports.

#### **Accomplishments**

- Conducted quantitative and qualitative field research on post-war housing stock culminating in a dissertation successfully submitted as part of an M.A. degree.
- Interviewed Croatian government officials and chief officers of international agencies regarding sensitive legal issues dealing with social responsibility, government transparency and human rights.

## EDUCATION

### The University of York, York, United Kingdom

M.A. Political Science, Post-war Recovery Studies

### The Pennsylvania State University, State College, Pennsylvania

B.A. International Politics (With High Distinction GPA 3.84)

### University of Colorado, Boulder, Colorado

PhD Candidate, Political Geography

## SKILL SET

### Language

- English (native speaker, U.S.)
- German (fluent/native speaker)

### Communications

#### Publications

- Soennecken, B. (2005), "The Geopolitics of Post-War Recovery". In C. Flint (ed.) *The Geography of War and Peace: From Death Camps to Diplomats* (pp. 415-436). New York, NY: Oxford University Press
- *Field Visit to Croatia* in the Post-war Reconstruction and Development Unit "Revival", P.6, Issue 15, August 2001

#### Public Speaking

- Session Chair: "War and Conflict" Association of American Geographers 2005 Annual Conference.
- *Graduate Teaching Assistant*: University of Colorado; Teaching 75 students three times a week and also teaching larger classes on specialty topics.

### Information Technology

Microsoft Office

Introductory GIS/ARC and GIS/MAP/Catalogue

Database, archival and Web research

## VOLUNTEER WORK and ASSOCIATIONS

- Shop Steward: International Association of Firefighters Local 3756, 2007 - Present
- Committee Member: Firefighter Benevolence Fund, 2008 - Present
- Board Member: Harpers Ferry Youth Program, 2008 - Present
- Planning Commissioner: Corporation of Harpers Ferry, 2006/2007
- Member: Association of American Geographers, 2004/2005
- Research Intern: ActionAid USA Washington, D.C., May - June 2004
- Grant Writer: Grenada Save the Children Development Agency, Grenada, Sept. 2002

Michael Mills  
P.O. Box 1074  
Harpers Ferry, WV 25425

RECEIVED

OCT 22 2009

JEFFERSON COUNTY COMMISSION

October 12, 2009

Attn: Dale Manuel  
The County Commission of Jefferson County  
P.O. Box 250  
Charles Town, WV 25414

Dear Commissioner Manuel,

I am in receipt of your letter from Sandra McDonald, concerning the pending expiration of my term on the Jefferson County Emergency Services Agency Board (JCESA Board).

The purpose of this letter is to advise you of my willingness to serve another term on the JCESA Board. As you are aware there are many changes in progress related to emergency services in Jefferson County, and many more changes to come. I believe that my experience and skills will add value as we move forward.

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

Sincerely,



Michael Mills  
H304-535-3126

cc: Sandra McDonald

P. O. Box 1257

October 5, 2009

Shepherdstown, WV 25443

Phone 304-876-3409 Cell 304-268-2884

Jefferson County Commission

P. O. Box 250

124 E. Washington Street

Charlestown, WV 25414

Attn: Commissioner Dale Manuel, President

Dear Sir:

By this letter, I am requesting to be reappointed to the Jefferson County Emergency Service Agency Board. At present, I am functioning as president of the board which includes the supervision of the operations, as the supervisor of the operations manager. Other responsibilities include being on the building committee that directs the building of our new Operations Center. This includes weekly meetings with the contractor, architect and county representatives. These meetings will continue until completion, estimated to be in January 2010.

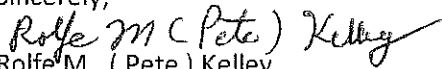
As a licensed health care provider (ESARN) by the WV Board of Nursing and the WV Department of Health, I serve on the Quality Assurance Committee. We function under the direction of Dr. Robert Jones MD, the county medical director. The committee reviews the care provided by the county EMS personnel as it relates to the applicable protocols.

I am on the selection committee to find a replacement for our retiring operations manager. I have extensive knowledge relating to fire operations, business management and the state EMS programs.

Attached is a chart showing my attendance to the board meetings which demonstrates my level of commitment to the program.

Thank you for your consideration.

Sincerely,

  
Rolfe M. (Pete) Kelley

CC: Commissioners Frances Morgan, Patsy Noland, Jim Surkamp, and Lyn Widmyer

RECEIVED

OCT 13 2009

JEFFERSON COUNTY COMMISSION



# Corporation of Harpers Ferry

1000 WASHINGTON STREET

P.O. BOX 217

Harpers Ferry, West Virginia 25425

(304) 535-2206

FAX (304) 535-6520

*James Arthur Addy*

MAYOR

COUNCIL MEMBERS

CHARLOTTE THOMPSON

DAN RISS

ELAYNE EDEL

JOE ANDERSON

PAT MORSE

RECORDER  
KEVIN CARDEN

TREASURER  
SHERRY CAIN

TOWN CLERK  
BRENDA SMITH

CLERK  
NICOLE MILLER

October 30, 2009

Mr. Dale Manuel  
President County Commission  
P.O. Box 250  
Charles Town, WV 25414

Dear Commissioner Manuel,

I understand that Brendan Soennecken has applied for a position on the Board of Jefferson County Emergency Services Agency.

He is a certified emergency service individual. While on the Harpers Ferry Town Council he provided reasoned forthright commentary on vital Town issues.

I would wholeheartedly endorse him for the position to which he has applied.

Sincerely,

*James A. Addy*  
James A. Addy  
Mayor of Harpers Ferry

**RECEIVED**

NOV 03 2009

Jefferson County Commission

Historic District  
Where The Shenandoah Meets The Potomac

James K Miceli

55 Star Lane  
Ranson, WV 25438  
Home 304.725.9607  
Cellular 703.727.9594  
James632@frontiernet.net

To Commissioners of Jefferson County:

My name is James K. Miceli. I have been a resident of Jefferson County for approximately eight (8) years. Being a resident in Jefferson County gives both me and my family the benefits of the small town living with the conveniences of big town services.

One of those services being the Jefferson County Emergency Services Agency. Having in the past been a firefighter/E.M.T. (10 + years of service) and also the member of a Rescue Squad Board of Directors, I would ask for your consideration in being appoint to the Jefferson County Emergency Services Agency Board for the open three (3) year term.

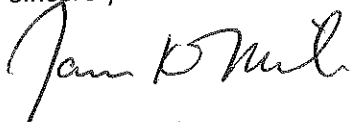
In the past, we have used the services of the JCESA and they have always been there not only for EMS related issues but also for Fire related issues. I am asking for consideration as I would like to be a part of an organization that aids the public at large without looking for reward or praise.

Attached is a copy of my current resume. I am currently employed as a computer consultant and work based out of Fairfax County, Virginia. I also am involved as a Tee-Ball coach every spring with the Summit Point Baseball League.

I feel that I would be a very good candidate for the open position and again would like to help the county at large.

Thank you for your time and consideration.

Sincerely



James K Miceli

**RECEIVED**

NOV 04 2009

Jefferson County Commission

**James K Miceli**

55 Star Lane  
Ranson, WV 25438  
Home 304.725.9607  
Cellular 703.727.9594  
James632@frontiernet.net

---

**Information Technology/Project Manager**

**Professional Profile**

Experienced IT professional with 15 years of expertise in Windows-based environments, networking and TCP/IP. Outstanding customer service skills resolving technical issues and educating end-users. Team player making significant contributions to team and individual success.

**Technical Skills**

**Applications:**

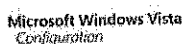
- Microsoft Windows Server 2003/ 2000/ NT
- Microsoft Small Business Server 2003/2000
- Microsoft Exchange Server
- Microsoft ISA Server
- Symantec/Veritas Backup Exec
- Symantec PC Anywhere
- Microsoft Office 2007/ 2003/2000/97
- Norton Corporate Antivirus Client Server
- Symantec Endpoint Protection
- AutoCAD
- Microsoft Expression
- Adobe Acrobat Professional

**Network Services:**

- TCP/IP
- Active Directory, Group Policy
- DNS
- WINS
- DHCP
- VPN
- ISA
- Terminal Services
- Routing and Remote Access,
- Network planning, wiring and cable terminations

**Hardware:**

- Network routers and switches
- Servers, desktops, laptops
- Printers, plotters, digitizers
- Firewalls and network wiring
- Wired, wireless network and broadband cards



## Certifications

### Microsoft:

- Microsoft Certified Professional - MCP
- Microsoft Certified System Administrator: Security – MCSA: Security
- Microsoft Certified System Engineer: Security - MCSE: Security
- Microsoft Certified Technology Specialist – MCTS Windows Vista Configuration
- Microsoft Certified System Administrator: Messaging – MCSA: Messaging

### CompTIA

- A+ Certification

## Professional Accomplishments

### Network Consultant

- Network consultant charged with the management, maintenance, and support for multiple clients.
- Recommend purchases and upgrades to existing company IT infrastructure under his management.
- Support of multiple industries including but not limited to, construction, healthcare, credit union/banking, education, nonprofit and not for profit associations.

### Information Technology Manager

- Achieved position of IT Manager after 5 years of working with current company's computer needs as a project manager for large construction company.
- In 5 years time, went from a Pentium 3 based MS NT 4.0 server and 20 workstation to currently managing 3 servers (1 - MS SBS Server 2003, 1 - MS Server 2003, 1 -Blackberry BES) and 31 workstations and 13 laptops with broadband connectivity.
- Support latest Microsoft Office 2007 Professional Suite, Windows Vista Professional, Windows XP Professional and other software packages.
- Instrumental in implementing a home-grown document management system that is available to all users via internal network and via terminal services for broadband capable laptops.

### Project Manager

- Estimating, bidding and managing jobs.
- Creation of RFI's and RFP's for a construction company.
- Customer support during construction projects.
- Hands on management of projects from inception to completion.

### IT Specialist

- Desktop and network support for National Cancer Institute.
- Part of 55 technician group that supported over 5,000 end users that included PCs and Macs.
- Responsible for the planning and execution of network cabling.

### Junior System Administrator

- Support for 50+ users and network for architecture firm.
- Developed standards for AutoCAD users to follow for consistent drawing production.
- Provided all desktop hardware and software support.



## Employment History

American Technology Services, Fairfax, VA	<b>Network Consultant</b>	2009-Present
Prospect Waterproofing Company, Sterling, VA	<b>IT/Project Manager</b>	2002 - 2008
Terrapin Systems, Rockville, MD	<b>Computer Specialist</b>	1999 - 2002
Tobey + Davis, Reston, VA	<b>System Administrator</b>	1998 - 1999

## Education

<b>Certificate, MCSE: Security on Windows Server 2003</b>	2008
AmbiTrain – Danvers, MA - MCSE Security on Windows Server 2003 certification, you must pass eight exams: Four core exams on networking systems, One core exam on client operating systems, One security design exam, Two security specialization exams.	
<b>Certificate, Home Inspector</b>	Present
American Home Inspectors Training Institute – New Berlin , WI - Comprehensive home study course is broken down in an easy and understandable format. You study at your own pace. The total system contains 9 study modules. The modules cover the following topics: Structure, Exteriors, Roofs, Electrical, Plumbing, Heating & Cooling, Interiors, Insulation & Ventilation, Business & Marketing	
<b>Certificate, Project Management</b>	2003
Associated Builders and Contractors - Virginia Chapter, Chantilly, VA - Coursework created by the National Center for Construction Education and Research. Included topics such as Human Relations, Negotiations, Problem Solving, Construction Documents and Documentation, Construction Planning, Estimating, Scheduling, Cost Awareness and Control, Resource Control, Quality Control and Safety.	
<b>Certificate, CompTIA A+</b>	2001
Orange Technologies, Gaithersburg MD CompTIA A+ Essentials validates knowledge of basic computer hardware and operating systems, covering skills such as installation, building, upgrading, repairing, configuring, troubleshooting, optimizing, diagnosing and preventive maintenance, with additional elements of security and soft skills.	
<b>Certificate, Computer Aided Design and Drafting</b>	1990
Grumman Data Systems Institute, Woodbury, NY - 1260 hours. Course that included the following topics: Applied Mathematics, Applied Physics, Applied Statics and Strengths, Manual Drafting, and Computer Aided Design and Drafting utilizing AutoCAD.	
<b>H.S. Diploma, Regents and General Studies</b>	1988
Massapequa High School, Massapequa, NY - Received the Industrial Arts Department Award of Excellence. Coursework included: Mechanical and Architectural Drafting, AutoCAD, Mathematics, Science, Spanish, Metal Shop, Wood Shop, and all other general study courses.	
<b>Volunteer</b>	
Jefferson Village Property Owners Association <b>Member - Board of Directors</b>	2004 - 2008
Purcellville Volunteer Rescue Squad, Purcellville, VA <b>Member - Board of Directors</b>	2001 - 2002
Hamilton Volunteer Fire Department, Hamilton, VA <b>Firefighter</b>	1998 - 1999
Massapequa Fire Department - Ladder Co. Two, Massapequa, NY <b>Firefighter/EMT</b>	1988 - 1998



Microsoft Windows Vista  
Configuration

**References:** Available upon request



Microsoft Windows Vista  
Configuration

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PERSONAL INFORMATION

NAME	John L Matthews
ADDRESS	59 General McClellan Ct
ADDRESS	
CITY	Harpers Ferry
STATE / PROVINCE	WV
OTHER	
COUNTRY	United States of America
OTHER	
ZIP	25425
DAYTIME PHONE NUMBER	9546090062
EVENING PHONE NUMBER	3047255624
CELL PHONE NUMBER	<del>5617075936</del> 3042835341
PAGER NUMBER	
INSTANT NOTIFICATION ADDRESS	
FAX NUMBER	
E-MAIL ADDRESS	john.l.matthews@secureskies.net

APPLICANT INFORMATION

Your current work location.

LANGUAGE

Language	Oral Proficiency	Written Proficiency	Listening Proficiency
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TIME LIMIT

Permanent - No Time Limit

WORK HISTORY

Job Title	Employer	Dates	Salary	Federal Job?	Pay Plan-Series-Grade
Special Agent in Charge	US Department of Homeland Security/Transportation Security Administration/Federal Air Marshal Service	4/22/2008-Present		Yes	SV-1801-01
<p>The promotion potential grade or full performance level of this position:</p> <p><b>Location: (State, City, Country)</b> Reston, Virginia, United States of America</p> <p><b>Supervisor Name:</b> William Welby      <b>Phone:</b> 703-4873122      <b>Email:</b> william.welby@secureskies.net</p> <p>Permission to contact supervisor granted.</p> <p><i>As Special Agent in Charge (SAC) of the Medical Programs Branch (MPB) I am responsible for coordinating the efforts of the Branch to increase overall effectiveness. While I have been in this position only a short time, I feel that I have provided leadership, drive and direction to the branch. There are now clearly defined roles and responsibilities and I've suggested some organizational changes that will further increase the effectiveness of the branch.</i></p>					
Assistant Special Agent in Charge	US Department of Homeland Security/Transportation Security Administration/Federal Air Marshal Service	8/6/2007-4/22/2008		Yes	SV-1801-1
<p>The promotion potential grade or full performance level of this position:</p> <p><b>Location: (State, City, Country)</b> Reston, Virginia, United States of America</p> <p><b>Supervisor Name:</b> Ronald A. Musolino      <b>Phone:</b> 703-487-3254      <b>Email:</b> roonald.a.musolino@secureskies.net</p> <p>Permission to contact supervisor granted.</p> <p><i>As one of three ASACs within the Training Policy and Development division I am responsible for the Operations Branch. The Operations Branch coordinates training opportunities between all outside entities (FLETC and USDA) and the FAMS. The Operations Branch is also responsible for maintaining the following programs:</i></p> <ul style="list-style-type: none"> <li>-The LEO Flying Armed Training program</li> <li>-FAMS HQ management of the FAMIS database</li> <li>-Managed participation and coordinated instructors for the Foundations of Leadership program.</li> <li>-Distribution and records management of the Professional Development and Training Travel allocations to entities in TSA</li> <li>-Created and managed the FAMS Emergency Medical Services program</li> <li>-Created the DHS EMS Providers working team to facilitate EMS training opportunities throughout out all of the DHS EMS Programs.</li> </ul>					
Assistant To the Spct Agt in Charge	US Department of Homeland Security/Transportation Security Administration/federal Air Marshal Service	4/1/2005-8/6/2007		Yes	SV-1801-1
<p>The promotion potential grade or full performance level of this position:</p> <p><b>Location: (State, City, Country)</b> Miami, Florida, United States of America</p> <p><b>Supervisor Name:</b> David J. Johnson      <b>Phone:</b> 703 536 3367      <b>Email:</b> david.j.johnson@secureskies.net</p> <p>Permission to contact supervisor granted.</p> <p><i>As an ATSA within the Miami Field Office I was responsible for the day-to-day operations of Squad 7 and the FEMT unit. I was also responsible for all aspects of the medical program within the Miami Field Office as it pertained to training, physical examinations and coordination of field</i></p>					

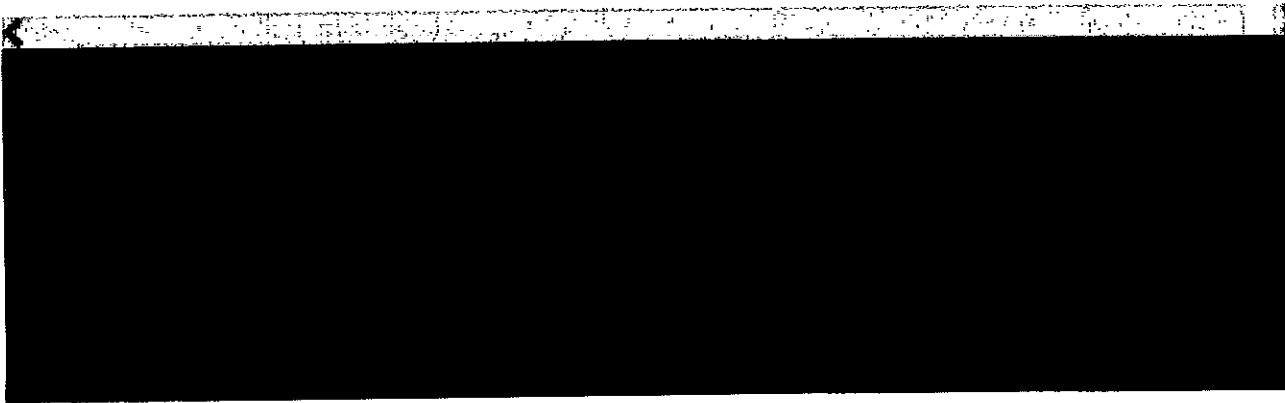
REFERENCES

Reference Name	Relation To Applicant	Title	Company	City, State
John Schaal		Assistant Special Agent in Charge- Philadelphia Field Office	FAMS	Philadelphia, Pennsylvania
PHONE: 610-537-2103 EMAIL: john.schaal@secureskies.net				
Ronald Musolino		Deputy Special Agent in Charge- Training Policy and Development Division	FAMS	Reston, Virginia
PHONE: 703 487 3254 EMAIL: ronald.a.musolino@secureskies.net				
David J. Johnson		Special Agent in Charge- Joint Coordination Center	FAMS	Reston, Virginia
PHONE: 703-563-3367 EMAIL: david.j.johnson@secureskies.net				
William Welby	Current Supervisor	Deputy Assistant Director- Office of Personnel and Training	FAMS	Reston, Virginia
PHONE: 703-487-3122 EMAIL: william.f.welby@secureskies.net				
Michael Novak		Assistant Director- Office of Personnel and Training	FAMS	Reston, Virginia
PHONE: 730-487-3251 EMAIL: michael.r.novak@secureskies.net				
Brett Gunter		Deputy Assistant Director- Office of Personnel and Training	FAMS	Reston, Virginia
PHONE: 703-487-3221 EMAIL: brett.a.gunter@secureskies.net				
Dennis Cropper	Former Supervisor	Special Agent in Charge- Office of Personnel and Training	FAMS	Reston, Virginia
PHONE: 703-487-3250 EMAIL: dennis.cropper@secureskies.net				
James Bauer	Former SAC	Special Agent in Charge-Miami Field Office	FAMS	Miami, Florida
PHONE: 954-858-0700 EMAIL: james.e.bauer@secureskies.net				

EDUCATION BACKGROUND

Name of School	City, State	Degree	Majors	Receive Date	Total Credits Earned	Cumulative GPA
LOUISIANA STATE UNIV-SHREVEPORT	Shreveport, Louisiana	Certificate	Weapons of Mass Distruction-Instructors program	06/2005		
Type of School: College, University, or Military College						
LYNN UNIVERSITY	Boca Raton, Florida	Bachelor's	Criminal Justice	12/2005	145	
Type of School: College, University, or Military College						
PALM BEACH COMMUNITY COLLEGE	Lake Worth, Florida	Certificate	Instructor Update	01/2005	4	
Type of School: College, University, or Military College						
US Department of Homeland Security	Atlantic City, New Jersey	Certificate	Federal Air Marshal Phase II Training	03/2004		

PALM BEACH COMMUNITY COLLEGE	Lake Worth, Florida	Certificate	Instructor Update	01/2005	4
	<b>Type of School:</b> College, University, or Military College				
US Department of Homeland Security	Atlantic City, New Jersey	Certificate	Federal Air Marshal Phase II Training	03/2004	
	<b>Type of School:</b> Vocational, Technical, or Trade School				
PALM BEACH COMMUNITY COLLEGE	Lake Worth, Florida	Certificate	Emergency Medical Technician Refresher	01/2004	32
	<b>Type of School:</b> College, University, or Military College				
FEMA/National Emergency Training Center	Emmitsburg, Maryland	Certificate	Emergency Response to Terrorism	09/2003	
	<b>Type of School:</b> Vocational, Technical, or Trade School				
UNIV OF MARYLAND-BALTIMORE COUNTY	Maryland, Maryland	Certificate	Critical Incident Stress Management: Basic	08/2003	14
	<b>Type of School:</b> College, University, or Military College				
PALM BEACH COMMUNITY COLLEGE	Lake Worth, Florida	Certificate	Advanced Cardiac Life Support-Instructor Program	01/2003	16
	<b>Type of School:</b> College, University, or Military College				
UNIV OF SOUTH FLORIDA	Tampa, Florida	Certificate	Bioterrorism Intervention	08/2003	40
	<b>Type of School:</b> College, University, or Military College				
State of Florida Department of Public Health	Tampa, Florida	Certificate	Special Operations	12/2003	
	<b>Type of School:</b> Vocational, Technical, or Trade School				
Federal Law Enforcement Training Center	Artesia, New Mexico	Certificate	Federal Air Marshal Phase I Training	06/2002	
	<b>Type of School:</b> Vocational, Technical, or Trade School				
FEMA/National Emergency Training Center	Emmitsburg, Maryland	Certificate	Advanced Leadership in Emergency Services	05/2001	
	<b>Type of School:</b> Vocational, Technical, or Trade School				
ST. PETERSBURG COLLEGE	St Petersburg, Florida	Certificate	Introduction to Community Policing	01/2001	8
	<b>Type of School:</b> College, University, or Military College				
PALM BEACH COMMUNITY COLLEGE	Lake Worth, Florida	Certificate	Building and Enhancing Leadership Style	10/2001	16
	<b>Type of School:</b> College, University, or Military College				
PALM BEACH COMMUNITY COLLEGE	Lake Worth, Florida				



#5 Received 10/29/09 [signature]

October 27, 2009

Ms. Laura Rattenni  
Jefferson County Circuit Clerk  
Jefferson County Courthouse  
Charles Town, WV 25414

Dear Laura,

The following is a summary of the hardware, software and services we propose to allow your office to disconnect from the County network, connect to the Supreme Court network, and move your document images and office documents to a new RAID server.

The proposed hardware is an IBM System x3400 7973 Quad Core Xeon E5410. We feel that the standard 2 GB memory will be adequate for the intended use. The system would be configured with 4 250 GB disk drives, a raid controller, redundant power supply, and an 80/160 GB tape drive. We also propose a 300 watt, 500VA UPS. Included with the server would be a trackpoint keyboard and 19" flat panel monitor.

Software proposed is Microsoft Server 2008 (downgraded to 2003), Symantec corporate anti-virus, and Backup Exec software. All software would be at government license prices.

We have also include an extended (3 year) manufacturer's warranty on the server (9-5x5, 4 hr response), and have included in the price a pack of 5 tape cartridges.

In addition to the hardware and software, we propose services to accomplish the following:

- Configure and install server hardware and software
- Reconfigure all of your office's PC's and printers for the new server and new network access
- Install and configure the anti-virus on the server and all your PC's
- Reconfigure all the Judges' PC's for the new raid server
- Reconfigure any Prosecuting Attorney Office PC's for the new raid server
- Migrate the data from the existing raid server to the new server and remove all documents and images from the old server

Note that our time estimate assumes that there will be no problems with the data migration, and that we will only have to monitor its progress periodically. We also suggest that this project be undertaken over a weekend, since the migration of the data from the existing raid server may take several days.

Our total estimate for this project is \$9,900, including travel and expenses.

Once complete, your office will not be on the same network as the rest of the County, and will access the AS/400 through a single connection from the AS/400 to the Supreme Court network. Your office will maintain its own backups of the new raid server, and will rely on your own administrative copy of the anti-virus software. We have not included any provision for a proxy server for this network, as it is protected via the Supreme Court network. If you wish to add the additional protection and monitoring of a proxy server to this configuration, it can be done at any time. We will coordinate our efforts with the Supreme Court to ensure a smooth transition to the private network.

Please let me know if you have any questions or concerns. I do have a significant amount of detail regarding the actual part numbers, etc. for the equipment and software proposed, but assumed you did not need that level of detail at this time.

Sincerely,

Michael L. Manley  
President

## Replacement of 5 Servers – County Commission

2 Dell PowerEdge R710 Raid 1	\$12,399.80
3 Dell PowerEdge R710 Raid 5	\$16,870.86
Total	\$29,270.66

### Overview:

This is a quote for 5 servers to replace the following servers box for box in order to isolate the County Commission: domain, email, virus, web, and raid server. This is not an accurate quote due to a lack of a network assessment.

**Note from vendor:** As initially stated, we are in no way suggesting that purchase/implementation of this equipment without us first providing an assessment of your environment to learn what servers are being utilized most and what systems are being utilized most by the users on your network. If virtualization is going to be implemented, this would not be the recommended purchase path either. This quote is per a request of 5 servers for specific programs to be run on each and we have selected Dell above.

**DELL****QUOTATION**

QUOTE #: 514598998

Customer #: 100973235

Contract #: 70137

Customer Agreement #: Dell Std Terms

Quote Date: 11/10/09

Date: 11/10/09 3:23:48 PM

Customer Name: JEFFERSON COUNTY COMMISSION

<b>TOTAL QUOTE AMOUNT:</b>	<b>\$17,050.86</b>		
<b>Product Subtotal:</b>	<b>\$16,870.86</b>		
<b>Tax:</b>	<b>\$0.00</b>		
<b>Shipping &amp; Handling:</b>	<b>\$180.00</b>		
<b>Shipping Method:</b>	<b>3rd Day</b>	<b>Total Number of System Groups:</b>	<b>1</b>

GROUP: 1	QUANTITY: 3	SYSTEM PRICE: \$5,623.62	GROUP TOTAL: \$16,870.86
<b>Base Unit:</b>	PowerEdge R710 with Chassis for Up to Six 3.5-Inch Hard Drives (224-4846)		
<b>Processor:</b>	PowerEdge R710 Shipping (330-4124)		
<b>Memory:</b>	4GB Memory (2x2GB), 1066MHz Dual Ranked UDIMMs for 1 Processor, Adv ECC (317-0225)		
<b>Monitor:</b>	Embedded Broadcom, GB Ethernet NICS with TOE and iSCSI Offload Enabled (430-2970)		
<b>Monitor:</b>	Embedded Broadcom, GB Ethernet NICS with TOE (430-1764)		
<b>Video Card:</b>	E5520 Xeon Processor, 2.26GHz 8M Cache, Turbo, HT, 1066MHz Max Mem (317-1206)		
<b>Video Memory:</b>	PowerEdge R710 Heat Sink for 1Processor (317-1224)		
<b>Video Memory:</b>	No Second Processor (311-3928)		
<b>Hard Drive:</b>	146GB 15K RPM Serial-Attach SCSI 3.5" Hot Plug Hard Drive (341-8718)		
<b>Hard Drive Controller:</b>	PERC 6/i SAS RAID Controller 2x4 Connectors, Internal, PCIe256MB Cache, x6 Chassis (341-9152)		
<b>Floppy Disk Drive:</b>	Power Saving BIOS Setting (330-3491)		
<b>Operating System:</b>	Windows Server 2008, Standard Edition, Includes 5 CALs (420-8352)		
<b>NIC:</b>	Broadcom 5709 Dual Port 1GbE NIC w/TOE iSCSI, PCIe-4 (430-3260)		
<b>Modem:</b>	iDRAC6 Enterprise (467-8648)		
<b>CD-ROM or DVD-ROM Drive:</b>	DVD ROM, SATA, INTERNAL (313-9092)		
<b>Sound Card:</b>	Bezel (313-7517)		
<b>Speakers:</b>	Riser with 2 PCIe x8 + 2 PCIe x4 Slot (320-7886)		
<b>Documentation Diskette:</b>	Dell Management Console (330-5280)		
<b>Documentation Diskette:</b>	Electronic System Documentation and OpenManage DVD Kit (330-3485)		
<b>Additional Storage Products:</b>	146GB 15K RPM Serial-Attach SCSI 3.5" Hot Plug Hard Drive (341-8718)		
<b>Feature</b>	RAID 1 for PERC 6/i or SAS 6/iR Controllers (341-8699)		
<b>Feature</b>	Sliding Ready Rails With CableManagement Arm (330-3477)		
<b>Service:</b>	Dell Hardware Limited Warranty Extended Year (993-8458)		
<b>Service:</b>	Dell Hardware Limited Warranty Plus On Site Service Initial Year (993-8447)		
<b>Service:</b>	Non-Mission Critical: 4-Hour 7x24 On-site Service After Problem Diagnosis, 2 Year Extended (992-8102)		
<b>Service:</b>	Non-Mission Critical: 4-Hour 7x24 On-site Service After Problem Diagnosis, Initial Year (993-2140)		
<b>Service:</b>	ProSupport for End Users: 7x24 HW/ SW Tech Support and Assistance for End Users, 3 Year (992-8332)		
<b>Service:</b>	Thank you choosing Dell ProSupport. For tech support, visit <a href="http://support.dell.com/ProSupport">http://support.dell.com/ProSupport</a> or call 1-800-945-33 (989-3439)		
<b>Installation:</b>	On-Site Installation Declined (900-9997)		

Misc:	High Output Power Supply Redundant, 870W (330-3475)
Misc:	Power Cord, NEMA 5-15P to C14, 15 amp, wall plug, 10 feet / 3 meter (310-8509)
Misc:	Power Cord, NEMA 5-15P to C14, 15 amp, wall plug, 10 feet / 3 meter (310-8509)

SALES REP:	Clifton Poff	PHONE:	1.512.725.0294
Email Address:	Clifton_Poff@Dell.com	Phone Ext:	7250294

Please review this quote carefully. If complete and accurate, you may place your order online at [www.dell.com/qto](http://www.dell.com/qto) (use quote number above). POs and payments should be made to *Dell Marketing L.P.*

If you do not have a separate agreement with Dell that applies to your order, please refer to [www.dell.com/terms](http://www.dell.com/terms) as follows:

If purchasing for your internal use, your order will be subject to *Dell's Terms and Conditions of Sale-Direct* including Dell's U.S. Return Policy, at [www.dell.com/returnpolicy#total](http://www.dell.com/returnpolicy#total). If purchasing for resale, your order will be subject to *Dell's Terms and Condition of Sale for Persons or Entities Purchasing to Resell*, and other terms of Dell's PartnerDirect program at [www.dell.com/partner](http://www.dell.com/partner). If your order includes services, visit [www.dell.com/servicecontracts](http://www.dell.com/servicecontracts) for service descriptions and terms.

Quote information is valid for U.S. customers and U.S. addresses only, and is subject to change. Sales tax on products shipped is based on "Ship To" address, and for downloads is based on "Bill To" address. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, with seller listed as *Dell Marketing L.P.*, to Dell's Tax Department at 800-433-9023. Please include your Customer Number.

For certain products shipped to end-users in California, a State Environmental Fee will be applied. For Asset Recovery/Recycling Services, visit [www.dell.com/assetrecovery](http://www.dell.com/assetrecovery).

**DELL****QUOTATION**

QUOTE #: 514599919

Customer #: 100973235

Contract #: 70137

Customer Agreement #: Dell Std Terms

Quote Date: 11/10/09

Date: 11/10/09 3:23:48 PM

Customer Name: JEFFERSON COUNTY COMMISSION

<b>TOTAL QUOTE AMOUNT:</b>	<b>\$12,519.80</b>		
<b>Product Subtotal:</b>	<b>\$12,399.80</b>		
<b>Tax:</b>	<b>\$0.00</b>		
<b>Shipping &amp; Handling:</b>	<b>\$120.00</b>		
<b>Shipping Method:</b>	<b>3rd Day</b>	<b>Total Number of System Groups:</b>	<b>1</b>

GROUP: 1	QUANTITY: 2	SYSTEM PRICE: \$6,199.90	GROUP TOTAL: \$12,399.80
Base Unit:	PowerEdge R710 with Chassis for Up to Six 3.5-Inch Hard Drives (224-4846)		
Processor:	PowerEdge R710 Shipping (330-4124)		
Memory:	4GB Memory (2x2GB), 1066MHz Dual Ranked UDIMMs for 1 Processor, Adv ECC (317-0225)		
Monitor:	Embedded Broadcom, GB Ethernet NICS with TOE and ISCSI Offload Enabled (430-2970)		
Monitor:	Embedded Broadcom, GB Ethernet NICS with TOE (430-1764)		
Video Card:	E5520 Xeon Processor, 2.26GHz 8M Cache, Turbo, HT, 1066MHz Max Mem (317-1206)		
Video Memory:	PowerEdge R710 Heat Sink for 1Processor (317-1224)		
Video Memory:	No Second Processor (311-3928)		
Hard Drive:	146GB 15K RPM Serial-Attach SCSI 3.5" Hot Plug Hard Drive (341-8718)		
Hard Drive Controller:	PERC 6/i SAS RAID Controller 2x4 Connectors, Internal, PCIe256MB Cache, x6 Chassis (341-9152)		
Floppy Disk Drive:	Power Saving BIOS Setting (330-3491)		
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NIC:	Broadcom 5709 Dual Port 1GbE NIC wTOE ISCSI, PCIe-4 (430-3260)		
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CD-ROM or DVD-ROM Drive:	DVD ROM, SATA, INTERNAL (313-9092)		
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Speakers:	Riser with 2 PCIe x8 + 2 PCIe x4 Slot (320-7886)		
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Feature:	RAID-5 for PERC 6/i Controller (341-8700)		
Feature:	Sliding Ready Rails With CableManagement Arm (330-3477)		
Service:	Dell Hardware Limited Warranty Extended Year (993-8458)		
Service:	Dell Hardware Limited Warranty Plus On Site Service Initial Year (993-8447)		
Service:	Non-Mission Critical: 4-Hour 7x24 On-site Service After Problem Diagnosis, 2 Year Extended (992-8102)		
Service:	Non-Mission Critical: 4-Hour 7x24 On-site Service After Problem Diagnosis, Initial Year (993-2140)		
Service:	ProSupport for End Users: 7x24 HW/ SW Tech Support and Assistance for End Users, 3 Year (992-8332)		
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Installation:	On-Site Installation Declined (900-9997)		
Misc:	High Output Power Supply Redundant, 870W (330-3475)		

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Misc:	146GB 15K RPM Serial-Attach SCSI 3.5" Hot Plug Hard Drive (341-8718)
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SALES REP:	Clifton Poff	PHONE:	1.512.725.0294
Email Address:	Clifton_Poff@Dell.com	Phone Ext:	7250294

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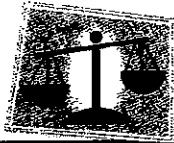
If you do not have a separate agreement with Dell that applies to your order, please refer to [www.dell.com/terms](http://www.dell.com/terms) as follows:

If purchasing for your internal use, your order will be subject to *Dell's Terms and Conditions of Sale-Direct* including Dell's U.S. Return Policy, at [www.dell.com/returnpolicy#total](http://www.dell.com/returnpolicy#total). If purchasing for resale, your order will be subject to *Dell's Terms and Condition of Sale for Persons or Entities Purchasing to Resell*, and other terms of Dell's PartnerDirect program at [www.dell.com/partner](http://www.dell.com/partner). If your order includes services, visit [www.dell.com/servicecontracts](http://www.dell.com/servicecontracts) for service descriptions and terms.

Quote information is valid for U.S. customers and U.S. addresses only, and is subject to change. Sales tax on products shipped is based on "Ship To" address, and for downloads is based on "Bill To" address. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, with seller listed as *Dell Marketing L.P.*, to Dell's Tax Department at 800-433-9023. Please include your Customer Number.

For certain products shipped to end-users in California, a State Environmental Fee will be applied. For Asset Recovery/Recycling Services, visit [www.dell.com/assetrecovery](http://www.dell.com/assetrecovery).

#6



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

## Berkeley/Jefferson Day Report Center

- I. Introduction and History of the Day Report Center's History in WV
- II. The Purpose of the Day Report Center
- III. Berkeley/Jefferson Day Report Center: How It Began; Where We Are Today

# 7

Commission Office Use Only	
Date on Agenda:	11/19
Appt Time or New Business:	10:45

**AGENDA REQUEST FORM**

Name: Barbara Miller

Department or Entity: Homeland Security and Emergency Management

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: November 19

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

If a specific date is needed, please provide reason for specific date:  
**Time Sensitive Grant Revision**

Subject: **2009 Emergency Management Planning Grant**

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

On August 6, the Commission approved the 2009 EMPG (Emergency Management Planning Grant) proposal in the amount of \$79,887. (Total Project of \$159,774, with 50% of those funds to be reimbursed through this grant.) This proposal was submitted to the WV Dept. of Homeland Security and Emergency Management. On November 4, I was notified that we will be awarded only \$59,000. (Total new Project of \$118,000) Due to this change, I need for you to approve the new amount and formally accept the grant.

The EMPG is the grant that reimburses the County for up to 1/2 of full time Emergency Management employees' salaries and planning funds. The period for this grant is January 1, 2009 through December 31, 2009. This is a matching funds grant with 50% coming from WVDHSEM and 50% from this department's regular budget.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **I move that we approve the 2009 EMPG Grant of \$59,000 from the West Virginia Division of Homeland Security and Emergency Management for the Jefferson County Homeland Security and Emergency Management Department.**

Attachments: Copy of new document that requires the County Commission President's signature in blue ink.

**STATE OF WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management**  
**SUB-GRANT AWARD**

<b>CFDA Number:</b> 97.042	<b>State Acct. No:</b> 6267
<b>Fiscal Year:</b> FFY2009	<b>Program Name:</b> 2009 EMPG
<b>Sub-Grant Period:</b> From: January 1, 2009 To: December 31, 2009	
<b>Project Name:</b> Jefferson County EMPG	
<b>Federal Grant Number:</b>	
<b>Sub-Grant Number:</b> 2009-19	

**Sub-Grantee Name & Address:**  
**F.E.I.N.**  
  
**Jefferson County Commission**  
**PO Box 250**  
**Charles Town, WV 25414**  
  
**Remit to: Jefferson Co Sheriff**  
**PO BOX 9**  
**Charlestown, WV 25414-0009**  
**Vendor # 51303**

**Project Notes**

Implement the project described in the submitted application. Further, follow all operational and grant-related reporting instructions from WVDHSEM, as applicable.

The submitted application has been reviewed, and the proposed project and budget as described in the application fall within all guidelines which govern the Homeland Security EMPG Grant Program.

Director, Administration WVDHSEM \_\_\_\_\_

I have reviewed this sub-grant award and the goals and objectives do fall within West Virginia's "HS Strategy, Goals, and Objectives", and the proposed budget fall within the grant guidelines.

Operations Director, WVDHSEM \_\_\_\_\_

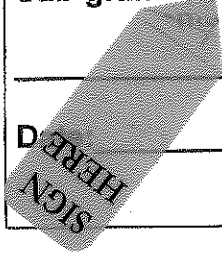
By signing and accepting this award the sub-grantee agrees to comply with all special conditions & assurances included in the application.

**TOTAL AMOUNT OF: \$59,000.00**  
  
**25% for Planning: \$14,750.00**

**Sub-grantee Authorized Official:**  
\_\_\_\_\_  
\_\_\_\_\_

**Director, WVDHSEM:**  
\_\_\_\_\_  
\_\_\_\_\_

**Date:** \_\_\_\_\_



# 8

Commission Office Use Only	
Date on Agenda:	11/19
Appt Time or New Business:	11:00

**COPY**

AGENDA REQUEST FORM

**RECEIVED**

Name: Lynn Fields and Karen Olden

NOV 10 2009

Department or Entity: Probate Office

Jefferson County Commission

Estimation of amount of time needed for appointment: 30 minutes estimate

Date Requested – 1<sup>st</sup> Choice: November 12<sup>th</sup>, 2009

Date Requested – 2<sup>nd</sup> Choice: November 19<sup>th</sup>, 2009

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

- Subject
- (1) Resignation of Fiduciary Commissioner, James Casimiro
  - (2) Appointment of Fiduciary Commissioner, D. Frank Hill, III
  - (3) Approval of two Estate Accountings from Kay Jovanelly on behalf of the Bank of Charles Town, Executor
  - (4) Re-open estate of Dorothy Tabb in order to file an amended appraisal

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

- (1) Approve resignation of James Casimiro
- (2) Approve appointment of D. Frank Hill, III
- (3) Approve two estate accountings for Kay Jovanelly, Fiduciary Com.
- (4) Reopen estate of Dorothy Tabb

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

- (1) Motion to remove James Casimiro as Fiduciary Commissioner
- (2) Motion to appoint D. Frank Hill, III, as Fiduciary Commissioner
- (3) Accountings to be approved for Kay Jovanelly, Fiduciary Commissioner
- (4) Order to reopen the estate of Dorothy Tabb

- Attachments:
- (1) Motion to remove James Casimiro as Fiduciary Commissioner
  - (2) Motion to appoint D. Frank Hill, III, as Fiduciary Commissioner
  - (3) Accountings to be approved for Kay Jovanelly, Fiduciary Commissioner
  - (4) Order to reopen the estate of Dorothy Tabb

**COPY**

October 15, 2009

James Casimiro, III

P.O. Box 728

Charles Town, WV 2514

The County Commission,

P.O. Box 28

Charles Town, WV 25414

Dear Members of the County Commission,

With your approval, I wish to tender my resignation as Fiduciary Commissioner for Jefferson County, WV. I wish that I didn't have to give this position up, but I feel that my position with the Prosecuting Attorneys office needs my full attention.

I appreciate having been given the opportunity to serve Jefferson County as a Fiduciary Commissioner and my experience was a good one. The knowledge and experience that I received in this short time is immeasurable.

Sincerely,



James Casimiro, III

**COPY**

JUNE K. JOVANELLY  
Fiduciary Commissioner

TO THE HONORABLE THE COUNTY COURT OF JEFFERSON COUNTY, IN THE  
STATE OF WEST VIRGINIA:

The undersigned Fiduciary Commissioner respectfully reports that heretofore the estate of *Glen E Widmyer* was by order referred to him for the determination of assets, proof of debts and claims, and for all other purposes in like case provided by law; that your Commissioner fixed upon the *\* UNKNOWN* as the time, and at his office in Charles Town, West Virginia, as the place, for the execution of the requirements of said order of reference, and published notice thereof in the manner and for the time required by law, in the *SPIRIT OF JEFFERSON* a newspaper of general circulation published in Jefferson County, West Virginia; that no debts were proved before your Commissioner, that on the *16* day of *October, 2009* *The Bank of Charles Town Trust, Exec.* of said estate, laid *its* accounts before your Commissioner for final settlement, together with a statement of all assets coming into *..4.5...* hands or properly chargeable to *LT* and all disbursements, together with the cancelled checks, receipts and vouchers therefor; that said settlement was completed on said date and the parties were notified; that your Commissioner published notice thereof in the *Spirit of Jefferson* in the manner and for the time required by law, and held said settlement in his office 10 days for objections and exceptions, and none having been taken thereto files the same for record.

Your Commissioner attaches hereto, as part of this report, an itemized statement of receipts and disbursements, as follows:

\* *This is an estate inherited from another Commissioner who has resigned. I do not have the previous file.*

*J. K. Jovanelly*  
Fiduciary Commissioner



July 01, 2009 To August 31, 2009

Account Name : Estate of Glenn E. Widmyer

Account No : 10-02406

## Court Accounting

	Principal	Income
Beginning Balance	-\$5,525.34	\$5,525.57
RECEIPTS-SCHEDULE A	0.00	0.00
DISBURSEMENTS-SCHEDULE B	-191.59	0.00
DIVIDENDS-SCHEDULE C	0.00	0.00
INTEREST-SCHEDULE D	0.00	20.09
FEES-SCHEDULE E	0.00	0.00
PURCHASES-SCHEDULE F	-20.00	0.00
SALES-SCHEDULE G	192.00	0.00
RECEIVED FREE-SCHEDULE H	0.00	0.00
DELIVERED FREE-SCHEDULE I	0.00	0.00
INFORMATION ENTRIES-SCHEDULE J	0.00	0.00
Closing Balance	-\$5,544.93	\$5,545.66

P.O. Drawer 40 • Charles Town, WV 25414  
Phone 304/728-2435 • Fax 304/728-2487



Trust & Financial Services

July 01, 2009 To August 31, 2009

Account Name : Estate of Glenn E. Widmyer

Account No : 10-02406

## Account Holdings

Quantity	Description	Tax Cost	Market Value
	<u>Money Market Funds - Taxable</u>		
69,929	Northern Institutional Government Select	69,929.00	69,929.00
	<i>Total</i>	69,929.00	69,929.00
	<i>Grand Total</i>	69,929.00	69,929.00
	<i>Net Cash</i>		0.73
	<i>Total Market Value</i>		69,929.73



**BANK OF CHARLES TOWN, EXECUTOR  
 FOR ESTATE OF GLENN E. WIDMYER #10-02406**

(rth\finalacc\)

**PROPOSED DISTRIBUTIONS  
 CALCULATED ON ASSET BALANCES AS OF:**

**August 31, 2009**

**ASSETS:**

	PRINCIPAL	INCOME
PRINCIPAL CASH	(\$5,544.93)	
INCOME CASH		\$5,545.66
TRANSFER		
NORTHERN INSTITUTIONAL GOV. SELECT FUND	\$5,545.66	(\$5,545.66)
CASH BALANCE *	\$69,929.00	
	<u>\$69,929.73</u>	<u>\$0.00</u>

**PROPOSED FINAL EXPENSES**

Estate Administration Fees (as allowed by beneficiaries)	\$63,000.00
Tax Preparation Fee: 2008 tax return	\$700.00
Tax Preparation Fee: Final 1041 for 2009	\$250.00
Fiduciary Commissioner Fees	\$150.00
Total Final Expenses	<u>\$64,100.00</u>

**Trust Assets for Distribution**

**\$5,829.73**

**PROPOSED FINAL DISTRIBUTION TO NAMED BENEFICIARY**

Leslie C. Widmyer	\$2,914.86
Tanya L. Lowery	\$2,186.15
Susan K. Smoot	\$728.72
	<u>\$5,829.73</u>

**Total Final Distributions to Beneficiaries**

**\$5,829.73**

**Estate Asset Balance**

**\$0.00**

\* Does not include net income accrued and received after the date of this accounting through the date of actual distribution to beneficiary



BANK OF CHARLES TOWN, EXECUTOR  
FOR Estate of Glenn E. Widmyer  
Account # 10-02406

(H:\fin\exec\)

PAGE 16

BANK OF CHARLES TOWN, EXECUTOR


BY:   
DAVID S. SMITH, VICE PRESIDENT

DATE:

October 14, 2009

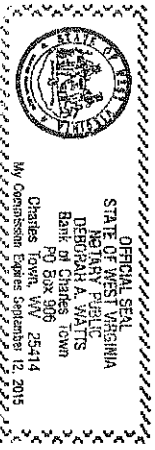
Subscribed and Sworn before me

this 14th day of October, 2009

  
Notary Public

My commission expires:

September 12, 2015



**COPY**

JUNE K. JOVANELLY  
Fiduciary Commissioner

TO THE HONORABLE THE COUNTY COURT OF JEFFERSON COUNTY, IN THE  
STATE OF WEST VIRGINIA:

The undersigned Fiduciary Commissioner respectfully reports that heretofore the estate of *Robert P. McGarry* was by order referred to him for the determination of assets, proof of debts and claims, and for all other purposes in like case provided by law; that your Commissioner fixed upon the *9<sup>th</sup> of June, 2009* as the time, and at his office in Charles Town, West Virginia, as the place, for the execution of the requirements of said order of reference, and published notice thereof in the manner and for the time required by law, in the *SPIRIT OF JEFFERSON* a newspaper of general circulation published in Jefferson County, West Virginia; that no debts were proved before your Commissioner, that on the *23* day of *October, 2009* *the BANK OF CHARLES TOWN, EXECUTOR* of said estate, laid *lts* accounts before your Commissioner for final settlement, together with a statement of all assets coming into *lts* hands or properly chargeable to *lt* and all disbursements, together with the cancelled checks, receipts and vouchers therefor; that said settlement was completed on said date and the parties were notified; that your Commissioner published notice thereof in the *SPIRIT OF JEFFERSON* in the manner and for the time required by law, and held said settlement in his office 10 days for objections and exceptions, and none having been taken thereto files the same for record.

Your Commissioner attaches hereto, as part of this report, an itemized statement of receipts and disbursements, as follows:

*June K. Jovanelly*  
*Fiduciary*  
*Commissioner*

P.O. Drawer 40 • Charles Town, WV 25414  
Phone 304/728-2435 • Fax 304/728-2487



Trust & Financial Services

---

TO: CLERK OF JEFFERSON COUNTY  
JEFFERSON COUNTY, WEST VIRGINIA

**FINAL ACCOUNTING**

EXECUTOR OF  
THE ESTATE OF ROBERT P. MCGARRRY, JR.

ACCOUNTING PERIOD:  
OCTOBER 1, 2008 TO SEPTEMBER 1, 2009  
BANK OF CHARLES TOWN, EXECUTOR



Account Name : Estate of Robert P. McGarry, Jr

October 01, 2008 To September 01, 2009

Account No : 10-02434

# Court Accounting

	Principal	Income
Beginning Balance	\$ 0.00	\$ 0.00
RECEIPTS-SCHEDULE A	118,593.19	0.00
DISBURSEMENTS-SCHEDULE B	-5,825.55	-676.13
DIVIDENDS-SCHEDULE C	557.79	3,727.38
INTEREST-SCHEDULE D	0.00	342.99
FEES-SCHEDULE E	0.00	0.00
PURCHASES-SCHEDULE F	-353,819.51	0.00
SALES-SCHEDULE G	237,100.18	0.00
RECEIVED FREE-SCHEDULE H	0.00	0.00
DELIVERED FREE-SCHEDULE I	0.00	0.00
INFORMATION ENTRIES-SCHEDULE J	0.00	0.00
<b>Closing Balance</b>	<b>-\$ 3,393.90</b>	<b>\$ 3,394.24</b>

P.O. Drawer 40 • Charles Town, WV 25414  
Phone 304/728-2435 • Fax 304/728-2487



Trust & Financial Services

October 01, 2008 To September 01, 2009

Account Name : Estate of Robert P. McGarry, Jr

Account No : 10-02434

## Account Holdings

Quantity	Description	Tax Cost	Market Value
351,445	<u>Money Market Funds - Taxable</u>		
	Northern Institutional Government Select	351,445.00	351,445.00
	<i>Total</i>	<b>351,445.00</b>	<b>351,445.00</b>
	<u>Common Stock</u>		
2,100	Potomac Bancshares, Inc.	23,310.00	12,810.00
	<i>Total</i>	<b>23,310.00</b>	<b>12,810.00</b>
	<i>Grand Total</i>	<b>374,755.00</b>	<b>364,255.00</b>
	<i>Net Cash</i>		<b>0.34</b>
	<i>Total Market Value</i>		<b>364,255.34</b>



**BANK OF CHARLES TOWN, EXECUTOR  
 FOR ESTATE OF ROBERT P. MCGARRY, JR. - #10-02434**

(rth/finlacc)

**PROPOSED DISTRIBUTIONS  
 CALCULATED ON ASSET BALANCES AS OF:**

**September 1, 2009**

**ASSETS:**

	PRINCIPAL	INCOME
PRINCIPAL CASH	(\$3,393.90)	
INCOME CASH		\$3,394.24
TRANSFER		
Potomac Bancshares, Inc.	\$3,394.24	(\$3,394.24)
NORTHERN INSTITUTIONAL GOV. SELECT FUND	\$12,810.00	
CASH BALANCE *	\$351,445.00	
	<b>\$364,255.34</b>	<b>\$0.00</b>

**PROPOSED FINAL EXPENSES**

Estate Administration Fees Per WV Code 44-4-12a	\$19,360.00
Tax Preparation Fee: 2008 1041	\$600.00
Tax Preparation Fee: Final 1041	\$350.00
Fiduciary Commissioner fees	\$150.00
Total Final Expenses	<b>\$20,460.00</b>

Trust Assets for Distribution

\$343,795.34

**PROPOSED FINAL DISTRIBUTION TO NAMED BENEFICIARY**

Potomac Bancshare, Inc. Distribution according to Last Will & Testament

Robert E. Moore - 300 shares	\$1,830.00
Robert C. Tabb - 300 shares	\$1,830.00
Howard C. Tabb - 300 shares	\$1,830.00
Walter C. Tabb - 300 shares	\$1,830.00
Bobby R. & Linda J. Housden - 300 shares jointly	\$1,830.00
Lyle C. Tabb, III - 300 shares	\$1,830.00
David C. Tabb - 300 shares	\$1,830.00

Total Distribution Value for Potomac Bancshares Inc. Stock

\$12,810.00



**BANK OF CHARLES TOWN, EXECUTOR  
 FOR Estate of Robert P. McGarry, Jr. Account #10-02434**

(rth/finalacc)

Total Cash for Distribution to named beneficiaries

\$330,985.34

Bobby R. & Linda J. Housden	\$6,757.11
Aroha S. Cassell	\$11,820.81
Matthew H. Cassell	\$11,820.81
Alan R. Cassell	\$11,820.81
Megan C. Updegraff	\$11,820.81
Justin M. Cassell	\$11,820.81
Walter C. Tabb	\$11,820.81
Robert C. Tabb	\$11,820.81
David C. Tabb	\$11,820.81
Howard C. Tabb	\$11,820.81
Citizens Fire Company	\$13,508.84
Shepherdstown Fire Company	\$13,508.84
Independent Fire Company	\$13,508.84
American Diabetes Association	\$6,757.11
Christian Appalachian Project	\$13,508.84
Cedar Ridge Ministries	\$6,757.11
The Salvation Army	\$13,508.84
St. Jude's Children's Research Hospital	\$13,508.84
St. Labre Indian School	\$13,508.84
Coral Ridge Ministries Media, Inc.	\$6,757.11
American Institute for Cancer Research	\$13,508.84
Tri-County Pastorial Counseling Services	\$6,757.11
American Red Cross	\$13,508.84
South Jefferson Ministerial Alliance Society	\$13,508.84
Animal Welfare of Jefferson County	\$6,757.11
WBUC-FM Radio	\$6,757.11
Elk Branch Presbyterian Church	\$13,508.84
Robert E. Moore-Check payable to Charlotte Winters per Assignment dated 07/30/09	\$28,701.04

Total Proposed Final Distributions to Beneficiaries

(\$330,985.34)

ESTATE ASSET BALANCE

\$0.00

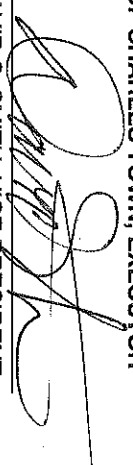
\* Does not include net income accrued and received after the date of this accounting through the date of actual distribution to beneficiary



**BANK OF CHARLES TOWN, EXECUTOR**  
**FOR Estate of Robert P. McGarry, Jr.**  
**ACCOUNT: 10-02434**

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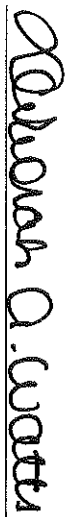
(if final page)

**BANK OF CHARLES TOWN, EXECUTOR**  
BY:   
DAVID S. SMITH, VICE PRESIDENT

DATE: October 21, 2009

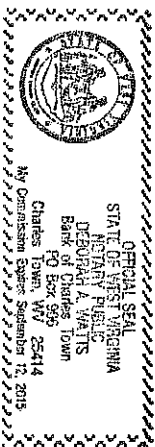
Subscribed and Sworn before me

this 21st day of October, 2009

  
Notary Public

My commission expires:

September 12, 2015



**Sandy McDonald**

---

**From:** "Bette Kidwell" <BKidwell@region9wv.com>  
**To:** "Sandy McDonald" <sandy@jeffersoncountywv.org>  
**Sent:** Friday, November 06, 2009 11:46 AM  
**Subject:** Request to be on agenda

Sandy,

Commissioner Manuel and Carol Crabtree, Region 9, need to be on the Nov. 19<sup>th</sup> agenda. It is in regards to the Early Action Compact for Air Quality agreement.

Commissioner Manuel was in this mornings' meeting for Air Quality, please see him for any questions.

Thank you,

Bette

Bette J. Kidwell  
Administrative/Project Assistant

Region 9  
Eastern Panhandle Regional Planning & Development Council  
400 W. Stephen Street, Suite 301  
Martinsburg, WV 25401  
(304) 263-1743

This communication and any files or attachments transmitted with it may contain information that is confidential, privileged and exempt from disclosure under applicable law. It is intended solely for the use of the individual or the entity to which it is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination, or copying of this communication is strictly prohibited and may be unlawful. If you have received this email in error, please contact the sender immediately and delete the material from any computer.

## AGREEMENT

THIS AGREEMENT, between the Eastern Panhandle Regional Planning and Development Council (hereinafter Region 9) and the signatories to the Early Action Compact for Air Quality, namely the City of Martinsburg, West Virginia, the County Commission of Jefferson County, West Virginia and the County Commission of Berkeley County, West Virginia (hereinafter EAC), dated this the 1<sup>st</sup> day of July, 2009, is for the purpose of implementation/maintenance of the goals identified and established by EAC, as those goals are set forth in documentation approved and adopted by said signatories and presented to the United States Environmental Protection Agency for its consideration.

WHEREAS, the parties hereto have entered into discussions which have resulted in the desire of EAC to retain Region 9 to perform certain services, implementing/maintaining the goals and employing the strategies developed for reduction of ozone levels in the jurisdictions governed by the EAC signatories; and

WHEREAS, Region 9 has agreed to serve in the capacity of facilitator of implementation/maintenance, to manage the program agreed upon by the EAC signatories;

NOW, THEREFORE, in consideration of the payment to Region 9 by the EAC of sixty three thousand four hundred and fifty-seven dollars (\$63,457) or 10% of the total outlay for its services, to be paid on or before the 31<sup>st</sup> day of July, 2009, the parties hereto agree as follows:

1. Region 9 shall act as manager and administrator of the EAC program by employing the services of an Air Quality Coordinator, facilitating the implementation/maintenance of the goals and strategies developed by the EAC for reduction of ozone levels in the Eastern Panhandle of West Virginia, and by administering the program components which have been or may be developed in furtherance of the goals above referenced.
2. The parties agree that Region 9 shall utilize the consideration herein provided to retain and manage an Air Quality Coordinator; to purchase necessary hardware and software for use in the operation of the program; and, to defer other program expenses as deemed appropriate.
3. In addition to the utilization of monies as described immediately above, the parties agree that Region 9 shall be paid an administrative charge of six thousand three hundred and forty six dollars (\$6,346), or 10% of the total outlay, for its services.
4. Region 9 shall develop a budget for the expenditure of the consideration and shall provide a copy of the same to the EAC.

5. The term of this agreement shall be one year, the contract terminating on June 30, 2010, unless the same is renewed by the parties herein. Any such renewal shall be in writing and shall set forth revised terms upon which agreement has been reached.

6. This agreement may be terminated earlier upon thirty days notice by either party. In the case of such termination, any unencumbered funds remaining shall be returned to the EAC.

7. Region 9 shall provide an annual report to the EAC setting forth the actions taken in pursuit//maintenance of the goals and strategies referenced above.

8. The EAC shall provide to Region 9 appropriate direction and policy feedback on the needs of the Compact signatories and their perception as to the progress being made.

9. This is the entire agreement. It shall not be amended except by written amendment endorsed by all parties.

Done this 1st day of July, 2009, at Martinsburg, Berkeley County, West Virginia.

---

George Karos, Mayor  
City of Martinsburg

---

Dale Manuel, President  
Jefferson County Commission

---

Ronald Collins, President  
Berkeley County Commission

---

Carol A. Crabtree, Executive Director  
Eastern Panhandle Regional Planning and  
Development Council-Region 9

# Progress Report for the Eastern Panhandle Air Quality Program

**November 6, 2009**

The 2009 ozone season for the Eastern Panhandle has ended and was by far the most successful season since the Early Action Plan was implemented. The 2009 ozone season completed with no air quality action days forecasted or occurring. Prior to the implementation of the Early Action Plan, the Eastern Panhandle experienced four to six air quality alert days each season. That number has steadily reduced since 2006. Each year, 2006 through 2008, there was one ozone alert per year. This year there were none.

Listed below is a table comparing the past three ozone seasons and the number of Green (good air quality), Yellow (moderate air quality) and Orange (unhealthy for sensitive groups) days for each year.

Year	2007	2008	2009
Green	124	129	146
Yellow	23	23	7
✓ Orange	1	1	0

The number of days when the air quality was moderate (Yellow) has also declined. These results are based on data provided by the West Virginia Department of Environmental Protection, Air Quality Division.

The program continued its air quality forecast service throughout the 2009 season.

## **Education and Outreach**

The air quality program continued its most visible and important function of education and outreach to citizens, local schools and organizations.

- Earth Day event – Martinsburg War Memorial Park: This was a successful event at the start of the ozone season. The park had many environmentally focused vendors. Eight new subscribers were added to the ozone forecast email distribution service.

- Driver Education students: The program continues to make presentations to the fall and spring driver education classes in each of the three high schools: Jefferson, Washington and Hedgesville. Besides each student's new responsibilities as

related to driving, they also have new environmental responsibilities. Each presentation stresses these responsibilities and the environmental choices the new drivers will be making over their entire driving career. The presentations teach the students about the causes and affects of ozone pollution, how to identify situations where unnecessary pollution is being created, providing solutions for eliminating unnecessary pollution, keeping vehicles properly maintained and keeping tires properly inflated.

- Friends of the Opequon: An air quality presentation was made to this organization during a monthly meeting. One of the attendees of the presentation will send the program manager information on a home school coalition as a place for presentations. One of the attendees asked that the program stress using landscaping to reduce mowing, this can also benefit local ground and surface water by reducing run-off. Excessive run-off can carry pollutants and sediment into local streams

- Eagle Intermediate School: Participated for the second year in the school's Discovery Camp. This is an annual 2-day event at the school. The program included an air quality presentation and art contest. The students were asked to draw a picture related to air quality issues based on the information presented to them. Each student received air quality brochures to take home and share with their parents.

### **Media Coverage**

The program continues writing a monthly column for the Shepherdstown Chronicle. Over the years these columns have generated comments and phone calls from readers. Per the editor of the Chronicle, they regularly receive positive comments for the information provided in the columns. The 2009 topics included:

- Shepherdstown Chronicle column – May
  - “The Good, the Bad and the Ugly – Describing when ozone is good (up high), bad (nearby) and ugly (smog)
- Shepherdstown Chronicle column – June
  - “A Bad Air Day” – the affect ozone has on our health
- Shepherdstown Chronicle column – July
  - “Frequently Asked Questions About Ozone” – answers to major ozone issues
- Shepherdstown Chronicle column – August
  - “Pitfalls to Long Term Ozone Pollution” – the cumulative affects of ozone
- Shepherdstown Chronicle column – September
  - “Greening Your Way To Cleaner Air” – using landscaping techniques to reduce pollution

For the second consecutive year, the program was permitted to write a guest column for the Journal. The column appeared prior to Air Quality Awareness Week, sponsored by the National Weather Service. The title of the column was “Be Air Aware”.

The program was interviewed three times this year by the print media and once by a local NPR reporter. The interviews were by:

The Journal – related to Air Quality Awareness Week

The Journal – related to the 2009 American Lung Association, “State of the Air” report. Related to this interview, the program contacted Kevin Stewart of the American Lung Association (ALA) to discuss their report and get a better understanding of the differences in their report compared to information distributed by the EPA.

The Herald-Mail – related to the 2009 American Lung Association Report.

Interviewed by Cecilia Mason of West Virginia NPR related to Air Quality Awareness Week. This interview aired as part of a larger air quality program on May 5, 2009.

### **Miscellaneous**

- Attended the West Virginia Environmental Academy meeting in Charleston, WV. An annual event sponsored by the West Virginia Chamber of Commerce. Presentations by state officials and private industry related to significant environmental issues that may affect operations and business activities.
- Submitted a CARE grant to address particulate matter pollution in the Eastern Panhandle. This grant was not awarded.
- Researched eligibility for federal grant 66.113. This grant is for organizations that actually perform monitoring and analysis of air quality data, similar to what the WV DEP does. To be eligible for this grant, the air quality program would need a staff of 8 to 12 individuals to perform the necessary work. Spoke with Fred Durham of the WV DEP and an individual from the EPA to clarify the work load and qualifications. Allegheny County, PA is one of the few counties in the nation operating at this level; this is usually a state function. Their involvement is due to their heavy industrial areas. The Eastern Panhandle does not have industrial sites.
- Participated in a FOCUS grant to create paths/trails in Berkeley Co.
- Spoke at length with Kevin Stewart of the American Lung Assoc., discussing their annual report and discrepancies with the EPA's standards for measuring air quality. The ALA has higher standards than the EPA in their report.
- Received a call from a local citizen RE: school buses idling at the Hedgesville Burger King and polluting the air. Contacted the Transportation Dept. of the school board RE: their idling policy and sent them a letter documenting the conversation I had with the local citizen. Offered to make an air quality presentation to his group.
- Sent a letter to City Hospital requesting any information they had related to hospital/ emergency room visits for respiratory related illnesses (asthma, bronchitis, COPD, emphysema, etc.). Offered to make an air quality presentation to this group.
- Contacted Jefferson County Chamber of Commerce to place air quality brochures in the July newsletter.
- Toured the Essroc facility.

## **EPA Program and Standard Changes**

### **Ozone**

The EPA has announced they are reconsidering the 2008 national smog standards to ensure they are scientifically sound and protective of human health. When the standard was changed from 80 ppb to 75 ppb, there were many organizations, including the EPA's independent Clean Air Scientific Advisory Committee (CASAC), advocating lower standards, some for reducing the standard to as low as 60 ppb. The CASAC proposed a standard between 60 and 70 ppb. In a letter to the EPA, the CASAC strongly disagreed with the new standard of 75 ppb. Based on scientific research and the need to protect citizen's health, the standard should be no higher than 70 ppb.

The EPA will propose any revisions to the ozone standards by December 2009 and will issue a final decision by August 2010.

The Eastern Panhandle was designated as an attainment area based on the old standards of 80 ppb. When the air quality program started, the Eastern Panhandle's monitored ozone reading was 86 ppb. The Eastern Panhandle's monitored readings at the time of attainment were 75 ppb, the same as the new standard. The EPA's attainment status should be maintained at least through August of 2010.

### **Particulate Matter (PM 2.5)**

The EPA is proposing to determine that the West Virginia portions of three non-attainment areas for the 1997 fine particulate (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS) have clean data for the 1997 PM<sub>2.5</sub> NAAQS. Berkeley County is one of those three areas. This proposed determination is based upon quality assured, quality controlled and certified ambient air monitoring data that show that these areas have monitored attainment of the 1997 PM<sub>2.5</sub> NAAQS based on 2006-2008 data.

In addition quality controlled and quality assured monitoring data for 2009 that are available in the EPA Air Quality System (AQS) database, but not yet certified, show these areas continue to have clean data as measured against the 1997 PM 2.5 NAAQS. The current annual monitored average for Berkeley County is 14.9 micrograms per cubic meter. The annual standard is 15. At the time Berkeley County was designated to be non-attainment; the reading was 15.8 micrograms per cubic meter.

If the EPA makes this proposed determination final, the requirements for Berkeley County to submit an attainment demonstration, associated reasonable measures, a reasonable further progress plan, contingency measures and other planning State Implementation Plans (SIPs) related to attainment of the standard shall be suspended as long as the area continues to meet the 1997 PM 2.5 NAAQS.

Attached is a copy of a letter I wrote to the EPA. A similar letter was sent to the EPA by the director of the Air Quality Division of the WV DEP.

This is similar to the Early Action Plan option provided to the Berkeley/Jefferson Counties as related to ozone pollution. Sanctions and/or official actions would be on hold until a time when the monitored readings were again in violation of standards. The EPA has not issued any recent press releases related to changes in the PM2.5 standards as compared to the possible ozone standards changes.

### **Energy Assessment Kit**

After four ozone seasons of outreach and education to various organizations within the Eastern Panhandle, it has been difficult to find new groups who have not been addressed. Attempts to revisit organizations who have heard the presentation have not been successful. To address new businesses, local governments, organizations and individuals, an Energy Assessment Kit is being developed. It is estimated that 30% of all energy generated in the United States is wasted. The assessment kit is aimed at reducing that wasted energy in the Eastern Panhandle.

The focus of this kit is reducing energy used by a business, an organization or an individual. By reducing energy being used, (electricity, gasoline, fuel oil, etc.), reduced levels of ground level ozone pollution will be one of the main beneficiaries of the kit.

#### **Kit Contents:**

- Instructions on how to use the assessment kit
- Text description of the various steps to complete the assessment
- Checklist for beginning the project
- Assessment forms
  - Doors
  - Insulation
  - Lighting/Electric
  - Plumbing
  - Windows
  - Individual meter spreadsheet
  - Multiple meter spreadsheet
  - Sample spreadsheets
- Energy management – an ongoing issue
- Resources for more information

The kit will create an awareness of the problem, explain how reducing energy usage can be approached in a manageable manner and provide a plan for assessing energy usage, identify problem areas and instruct how to reduce energy usage. A complete energy assessment can be a daunting task for any organization. The kit will get an organization started and show them how to complete the task in phases that are manageable and still result in reduced energy usage.

This kit will be presented to Jefferson and Berkeley Counties, each municipality and every school in the two counties. The air quality program will assist anyone interested in completing the kit to assess and reduce their energy usage.

The kit will be applicable to both large and small business. The program will contact local businesses to determine their interest in using the kit and will provide guidance to complete their assessment. These kits are also relevant to home owners wishing to reduce their energy usage.

This kit and the effort to complete the energy assessment fit into the EPA's program for energy reduction. The direct benefit for the Eastern Panhandle is a reduction in pollutants. The kit will:

- Reduce fossil fuel emissions in a manner that is environmentally sustainable
- Reduce total energy use of participants
- Improve energy efficiency in buildings and transportation

Each of the above reduces pollutants that form ground level ozone.

For most organizations, businesses or individuals, the primary benefit of completing the assessment and implementing recommended changes will be financial. Most organizations can realize a 10% reduction in energy consumption and energy expense by implementing simple procedural changes. Reductions up to 20% can be realized with moderate expenses for new equipment or supplies. Financial savings achieved by these practices will translate into cleaner for our region.

From May 2008 through the present, the air quality program manager has implemented many of the ideas included in the assessment kit. He has seen a 10% annual reduction in his electric bills. Much of this came from simply turning off unneeded lights and appliances and not heating unused space in the winter. Since June 2009, the program manager has reduced the usage of overhead lighting in his office by about 95%.

How many offices could turn off their lights and still function efficiently? What office machines are left on continuously that can be turned on and off only when needed? Are there storage areas with lights on? What lights can be replaced with more efficient bulbs? Are there more energy efficient materials that can be used on a renovation project than currently planned, such as windows? The assessment kits will get people thinking about these and other issues that can be resolved to reduce energy.

This project can become normal operating procedures as people get used to new energy policies and behaviors. The assessments are not designed to be a one time effort, but are designed to become recurring events in an organization. Annual reviews are recommended. Improvements can always be made.

A limited number of folders will be available. All assessment kit contents will be available on the Clean Air Connection website.

## Summary

The efforts of the local air quality program in support of state and federal programs and regulations have resulted in cleaner air for the Eastern Panhandle. With continuing awareness, education and participation local citizens and organizations have contributed to this success.

## Looking to the future

- The EPA
  - It is very likely the EPA will establish new standards for ozone pollution in 2010. Based on current monitored data, the Eastern Panhandle would be designated a non-attainment area as early as 2011.
  - Officially, the Berkeley County is still a non-attainment area for PM 2.5.
- I-81 Corridor Coalition
  - By continuing to work within the Eastern Panhandle and participating in the I-81 Corridor Coalition, local and regional contributions to cleaning the air will make it possible to continue reducing local ground level ozone pollution.
  - Membership in the coalition has increased along with participation. They expect to have federal funding within two years.
  - To date approximately 60 environmental organizations and local governments have been contacted along the corridor to introduce them to the coalition and create an awareness of the environmental issues.
- The economy
  - The local air quality has benefited by the current economic conditions. With the recession, people are driving less, power plant pollution is reduced due to decrease use of electricity, and industry production is down causing less pollution.
  - Each of these pollution sources will increase as the economy recovers. Local pollution levels will again rise.
  - Economic recovery will generate new economic growth. This will increase levels of pollution.
  - The population of the Eastern Panhandle continues to grow; increased pollution is part of that growth.
- Local participation
  - The success of the local program has made it harder to find new outlets for presentations.
  - The Energy Assessment kit is another step in creating an awareness of local air quality issues, offering a solution to the problem and saving money for anyone who participates in the assessment. The kit will broaden participation in the air quality program throughout the community.

# 11

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>11/19</u></p> <p>Appt Time or New Business: <u>1:30</u></p>
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**AGENDA REQUEST FORM**

Name: Patsy Noland

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: November 19, 2009

Date Requested – 2<sup>nd</sup> Choice: December 3, 2009

If a specific date is needed, please provide reason for specific date: To implement a pay equity plan and a longevity pay plan, effective as of the next pay period.

Subject: Longevity and equity pay for employees.

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

Effective as of the next pay period, implement the salary equity plan for employees and department heads as proposed in the Proposed Salary Range, as amended to the mid-point of the original equity salary plan, said sum amounting to \$76,861. Furthermore, to implement a longevity pay plan as a supplement to the salary equity plan at the rate of \$100 x years of service per employee. To use the previously set aside funds to implement the proposed salary equity plan including a supplement for years of service, which shall be paid by separate check and would not increase the base salary. All subsequent checks for longevity pay shall be received on the anniversary of employees hire date and is to include retirement benefits. Cap the rate at 20 years of service. The total cost to implement salary equity and longevity is \$167,861.

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

Effective as of the next pay period, I move to implement the pay equity plan as outlined in the Proposed Salary Range at a cost of \$76,861 as well as a supplemental pay plan for years of service for all county employees and department heads at a rate of \$100 per year of service, to be capped at 20 years of service and paid by separate check, said total being approximately \$91,000; and to use the funds previously set aside by this commission to implement the pay equity plan and a longevity pay plan, after which each employee shall receive a separate check issued annually for years of service, which shall be due on the anniversary of the employee's hire date, said sum shall not be included in the base salary.

Attachments: Proposed Salary Range to Mid-Point as proposed by Consultant, Don Jacobs.

Employee Name:	Department:	Title:	Current Salary:	Classification:	Hire Date:	As of:	Length of Service:	DOB:
Barney, Matthew	Assessor	Appraiser	\$29,120	II	8/13/2007	11/9/2009	2 years, 2 months	1/18/1979
Krabal, Michael	Assessor	Appraiser	\$27,000	II	3/17/2008	11/9/2009	1 years, 7 months	7/9/1981
Thompson, Hope	Assessor	Clerk	\$32,000	II	6/28/2004	11/9/2009	5 years, 3 months	10/1/1975
Mickey, Jason	Assessor	Appraiser	\$26,000	II	3/23/2009	11/9/2009	0 years, 7 months	5/25/1968
Silvious, R.	Assessor	Clerk I	\$25,000	II	3/23/2009	11/9/2009	0 years, 7 months	5/29/1984
Hosby, Vanda	Assessor	Clerk I	\$25,000	II	3/23/2009	11/9/2009	0 years, 7 months	2/23/1966
Bennett, Monica	Assessor	Senior Clerk	\$36,491	III	4/2/2001	11/9/2009	8 years, 6 months	11/23/1967
Williams, Russell	Assessor	Senior Appraiser	\$33,000	III	2/25/2002	11/9/2009	7 years, 7 months	1/18/1954
Hill, Karen	Assessor	Senior Clerk	\$36,491	III	5/28/2002	11/9/2009	7 years, 4 months	4/13/1949
Hardy, Paula	Assessor	Assr Personal Assistant	\$48,263	III	5/22/1989	11/9/2009	20 years, 5 months	8/14/1956
Bowers, Elizabeth J.	Assessor	Appraiser Coordinator	\$45,320	IV	7/15/1986	11/9/2009	23 years, 3 months	3/26/1959
Myers, Victoria	Assessor	Mapper	\$51,500	IV	5/23/2005	11/9/2009	4 years, 5 months	11/29/1967
Fields, Rhonda	Assessor	Assessor Chief Clerk	\$50,000	V	12/5/1994	11/9/2009	14 years, 10 months	7/24/1971

total years

90

# ASSESSOR OF JEFFERSON COUNTY

104 East Washington Street  
Charles Town, WV 25414

Angela L. Banks

728-3224

November 10, 2009

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

Dear County Commissioners:

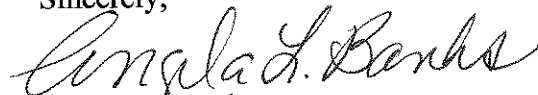
I am requesting a lump sum of \$25,000 to use for pay raises in my office. This figure does include retirement and social security.

My staff's salary is based on a 40 hour work week in lieu of a 35 hour work week. The Jacob's study does not take this in consideration.

I know the work that my staff does, and I feel that I can distribute the raises in a fair way based on performance and responsibilities.

I will of course take whatever lump sum you approve. I would greatly appreciate your consideration and approval of my request.

Sincerely,



Angela L. Banks  
Assessor of Jefferson County  
304-728-3225

#14

Recovery Zone Bond Resources - Resolution Designating the Jurisdiction of the County as a  
Recovery Zone and Authorizing Documents in Connection with such Designation -  
Discussion/Action

Old Business

## Recovery Zone Bond Resources-Use Them or Lose Them

Spurred by the economic turmoil going on now for more than a year, Congress and the President enacted the American Recovery and Reinvestment Act (ARRA) last February creating a number of temporary programs designed to assist revenue-strapped public and private borrowers that include states, counties, cities, private businesses, developers, and others.

Two of these programs, all of which expire at the end of next year, are administered by the counties and authorize borrowers to issue what are known as Recovery Zone Bonds in order to borrow money on a federally-subsidized and discounted basis up to a certain predetermined limit. This allocation cap or limit is based on a federal formula for each county's unemployment numbers from the end of 2007 to the end of 2008. The result is that many, but not all, of West Virginia's 55 counties received enough allocation to utilize these discounted bonds for economic development projects. On the bright side, it is worth mentioning that the counties that received little or no allocation were also counties that did not experience the heavier job losses that counties with more allocation experienced.

Nevertheless, there is a major catch to be resolved, a significant misunderstanding to be clarified, and a few legitimate concerns to be cleared up before our state, local governmental entities and private borrowers can begin taking advantage of the \$225 million in ARRA discounted bond issuing authority.

Let's start with the major catch. Here it is: current West Virginia law does not permit counties to re-allocate Recovery Zone Bond resources to other governmental entities within their jurisdiction such as cities and public service districts. This means that West Virginia cities, public service districts and other eligible public entities, which collectively make up the majority of borrowers in the state with adequate revenue streams to utilize these programs, are unable to do so without legislative action. There was an attempt back in August to enact enabling legislation allowing counties to re-allocate these resources to other public entities in their jurisdiction and to also provide for a mechanism to recapture and redirect waived or unused allocation. But to date, this legislation is still in need of passage.

Now let's turn to the misunderstanding I spoke of earlier and make clear a very important distinction. While it is true that the counties need enabling legislation to re-allocate these Recovery Zone Bond resources to other public borrowers within their jurisdiction, the IRS has stated that counties do not require enabling legislation if the county uses these resources for a county project. Moreover, the counties do not require enabling legislation if they are a conduit issuer whereby they issue bonds on behalf of a business or developer and lend the proceeds to this borrower.

Finally, let's address a few concerns that have been raised regarding Recovery Zone Bonds. First, it has been suggested that there may be an overall lack of interest in these resources. My own personal experience regarding this issue is quite to the contrary. I have been contacted by many public and private borrowers who have expressed significant interest in learning how to access these resources

and my colleagues have received similar interest from potential borrowers as well.

A second concern stems from the fact that borrowers could end up using these resources without sufficient debt capacity to pay back their debt obligations. This is a legitimate concern and I would respond by stating that a significant amount of due diligence and risk assessment is carried out in the underwriting process well before any decision to issue bonds is made. This thorough examination of a potential borrower's cash flow and debt capacity prior to making financing decisions has historically resulted default rates on tax-exempt municipal bonds of less than 1%.

A third concern floating around is that these programs have created winners and losers, the result of which is that counties with no allocation, or too little allocation to finance a project, are left out of the process. However, remember that these seemingly left out counties also lost fewer jobs than the counties with higher allocations. Moreover, if a special session were to be called and the enabling legislation is passed, then all counties, as well as the public entities within the counties, would all be eligible to pursue waived or unused allocation.

So let's recap the issues. On the one hand, counties can use Recovery Zone Bond resources immediately without enabling legislation for their own projects or projects that counties sponsor through conduit bond issuance on behalf of private borrowers. On the other hand, counties cannot re-allocate these resources to cities, public service districts, and other public borrowers in their jurisdiction without enabling legislation. The end result is that, without state legislative action, the majority of West Virginia's public borrowers will lose out on an enormous and rare opportunity to cost-effectively finance dozens of much-needed economic development projects around the state and take full advantage of \$225 million in Recovery Zone Bond resources.

The County Commissioners of \_\_\_\_\_, West Virginia, in regular session in its offices at \_\_\_\_\_, West Virginia \_\_\_\_\_, at \_\_\_\_\_ .m. on \_\_\_\_\_, 2009, with the following members present:

\_\_\_\_\_  
\_\_\_\_\_  
Commissioner \_\_\_\_\_ moved the adoption of the following resolution, and Commissioner \_\_\_\_\_ seconded the motion.

A RESOLUTION DESIGNATING THE JURISDICTION OF THE COUNTY AS A RECOVERY ZONE AND AUTHORIZING DOCUMENTS IN CONNECTION WITH SUCH DESIGNATION.

WHEREAS, on February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act of 2009 (the Recovery Act); and

WHEREAS, the Recovery Act provides for the issuance of Recovery Zone Bonds within a "recovery zone";

WHEREAS, counties may designate areas in the county that have significant poverty, significant unemployment, significant home foreclosure, or general distress as a "recovery zone"; and

WHEREAS, there is **[significant poverty, significant unemployment, significant home foreclosure, and general distress]** throughout the County; and

NOW, THEREFORE, BE IT RESOLVED by this County Commission of the County of \_\_\_\_\_, West Virginia, that:

SECTION 1. That this Board, as the legislative authority of the County, for purposes of Section 1400U-1(b) of the Internal Revenue Code of 1986, as amended, hereby designates the County of \_\_\_\_\_, West Virginia as a "recovery zone".

SECTION 2. **[This Board hereby finds there is significant poverty, significant unemployment, a significant rate of home foreclosures, general distress] in the County.**

SECTION 3. That any County Commissioner and the County Clerk be and hereby are authorized to execute and deliver on behalf of the County any certificates, documents and instruments in connection with the designation of the County as a "recovery zone" as may be required, necessary or appropriate, including, without limitation, transcript certificates. Such documents shall be subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution thereof by the proper officer of this County.

SECTION 4. That the provisions of this Resolution are hereby declared to be severable and, if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Resolution.

SECTION 5. It is found and determined that all normal actions of this County Commission concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Commission, and that all deliberations of this Commission and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Chapter 6, Article 9A of the West Virginia Code titled Open Governmental Proceedings, as well as the rules of this Commission in accordance therewith.

SECTION 6. This Resolution shall be effective from and after its adoption.

A roll call being had upon the question of the passage of the foregoing resolution, the vote thereon resulted as follows:

_____	_____
_____	_____
_____	_____

The foregoing is a true and correct copy of a resolution adopted by the County Commission of \_\_\_\_\_, West Virginia, on \_\_\_\_\_, 2009.

Dated: \_\_\_\_\_, 2009

\_\_\_\_\_  
Clerk, \_\_\_\_\_ County Commission  
\_\_\_\_\_ County, West Virginia

## **County eligible for new bonds**

Berkeley could access the most recovery money of any in W.Va.

By John McVey / Journal staff writer

*POSTED: June 24, 2009*

MARTINSBURG - Berkeley County stands to get the most of any county in West Virginia from two new bond programs established through the American Recovery and Reinvestment Act, because the amounts allocated to counties is based on employment declines in 2008.

Berkeley County had the greatest employment decline in 2008 of West Virginia's 55 counties, according to the U.S. Bureau of Labor Statistics.

Berkeley County could access more than \$30.6 million in loans through the two Recovery Zone bond programs - about \$12.3 million in RZ Economic Development bonds and about \$18.4 million in RZ Facility bonds, according to the U.S. Department of the Treasury's Web site at [www.ustreas.gov](http://www.ustreas.gov).

"These bonds will make more investment capital possible for West Virginia's local economies, and they will help local governments get the financing they need for key economic development projects, including public infrastructure development," U.S. Sen. Jay Rockefeller, D-W.Va., said in a news release.

However, according to the Bureau of Labor Statistics Web site, the unemployment rate for West Virginia in 2008 ranged from a low of 4.1 percent in January to a high of 4.5 percent in December. The average monthly unemployment rate was 4.27 percent.

Matt Turner, communications director for Gov. Joe Manchin, said West Virginia's unemployment lags about a year behind other states.

"We didn't see a dramatic unemployment increase in 2008," he said Tuesday in a telephone interview. "That was one of our good years."

It was not until 2009 that unemployment in West Virginia began to rise. The rate was 5.2 percent for January, 6 percent for February, 6.8 percent for March, 7.7 percent for April and the preliminary rate for May is 8.6 percent, which is exactly double the rate for May 2008, according to the BLS site.

Counties, municipalities and other public entities, such as public service districts, development authorities, transit authorities, etc., are eligible for RZ Economic Development bonds, explained Robert Steptoe, an associate with Crews and Associates Inc. in Morgantown.

Private, for-profit businesses are eligible for the RZ Facility bonds, he said in a recent telephone interview.

In West Virginia, all the bonds in both categories would be issued by the county government, he said, because there are no cities in the state with populations of 100,000 or more people.

Crews and Associates Inc. is an investment banking firm that has done business with counties, municipalities and public entities throughout the tri-county.

"It's a pretty innovative way to jump start the economy - to get us back on track," Steptoe said, describing the RZ bonds program.

County commissions would designate recovery zones through a simple resolution, he said.

"It is left to (the county commissions') own discretion to site recovery zones," Steptoe said. "But it has to be a zone where there has been a loss of jobs, foreclosures or ... economic distress."

An entire county could be designated a recovery zone or parts of a county, he said. The RZ Economic Development bonds can be used by governmental entities for public, capital projects and for job training and education.

The Internal Revenue Service has defined what private sector activities are eligible for the RZ Facility bonds, Steptoe said, which include construction of office buildings, research parks, shopping centers, warehouses, manufacturing plants and resorts and hotels.

Gambling facilities, liquor stores, golf courses and residential developments are not eligible for the bonds, Steptoe said.

The RZ Economic Development bonds would be taxable and offered at a conventional interest rate, he said. However, the county issuing the bonds can apply to the Treasury Department for a direct-payment subsidy for 45 percent of the interest.

The RZ Facilities bonds would be tax exempt and would be issued at a lower interest rate, he said.

"The tax exempt bond market was hit hard by the economy," Steptoe said. "This idea is to expand the market for tax exempt bonds."

The Raleigh Street Extension and Meridian Pointe development in Martinsburg are perfect examples of projects that would qualify for both bond programs, he said.

The Raleigh Street Extension will be between West Race Street and Edwin Miller Boulevard.

Meridian Pointe and Meridian Pointe North is a mixed-use development near the future intersection of Raleigh Street and Edwin Miller Boulevard.

The development makes up a tax increment financing district. The additional real property tax revenues generated by the development will go toward funding the Raleigh Street Extension.

Martinsburg City Manager Mark Baldwin said during a telephone interview Monday that the city would have to evaluate the programs, regarding timing and method of payment.

"Even if we have bonds available to us, do we have a project ready to go?" he asked rhetorically. "And we would need a revenue source to pay for the bonds."

Any RZ Economic Development bond Martinsburg or the developers of Meridian Pointe might want to pursue would have to go through the Berkeley County Commission.

"We have no specific details at this time (about the bonds), but it would be the next area we'll be exploring," Deborah Hammond, Berkeley County administrator, said in a telephone interview Tuesday.

The state allocations were released by the Treasury Department on June 12.

The total amount allocated for West Virginia is \$90 million in RZ Economic Development bonds and \$135 million in RZ Facility bonds, according to the Treasury Department's Web site.

Jefferson County is eligible for a little more than \$7 million in RZ Economic Development bonds and about \$10.5 million in RZ Facility bonds.

Those are the fourth highest amounts allocated to the state's counties.

Cabell County is eligible for the second most and Kanawha County is eligible for the third most.

Morgan County stands to access about \$1.9 million in RZ Economic Development bonds and about \$2.8 million in RZ Facility bonds.

Ten West Virginia counties are not eligible for any bond money, according to the Treasury Web site, because there was no decline in employment in those counties during the 2008 calendar year.

The bonds must close by Dec. 31, 2010, Steptoe said.

Area	Recovery Zone		
	Residual	Economic Development Bond	Recovery Zone Facility Bond
West Virginia		90,000,000	135,000,000
Barbour County, WV		0	0
Berkeley County, WV		12,246,000	18,368,000
Boone County, WV		723,000	1,084,000
Braxton County, WV		233,000	349,000
Brooke County, WV		1,213,000	1,820,000
Cabell County, WV		9,101,000	13,651,000
Calhoun County, WV		0	0
Clay County, WV		262,000	394,000
Doddridge County, WV		307,000	460,000
Fayette County, WV		0	0
Gilmer County, WV		1,010,000	1,515,000
Grant County, WV		366,000	550,000
Greenbrier County, WV		3,194,000	4,791,000
Hampshire County, WV		2,966,000	4,449,000
Hancock County, WV		1,599,000	2,399,000
Hardy County, WV		2,718,000	4,078,000
Harrison County, WV		3,372,000	5,058,000
Jackson County, WV		1,436,000	2,154,000
Jefferson County, WV		7,022,000	10,532,000
Kanawha County, WV		7,086,000	10,628,000
Lewis County, WV		0	0
Lincoln County, WV		609,000	914,000
Logan County, WV		0	0
McDowell County, WV		0	0
Marion County, WV		421,000	631,000
Marshall County, WV		1,471,000	2,206,000
Mason County, WV		2,273,000	3,409,000
Mercer County, WV		1,000,000	1,500,000
Mineral County, WV		1,649,000	2,473,000
Mingo County, WV		0	0
Monongalia County, WV		0	0
Monroe County, WV		644,000	966,000
Morgan County, WV		1,877,000	2,815,000
Nicholas County, WV		0	0
Ohio County, WV		2,114,000	3,171,000
Pendleton County, WV		614,000	921,000
Pleasants County, WV		366,000	550,000
Pocahontas County, WV		574,000	862,000
Preston County, WV		0	0
Putnam County, WV		2,119,000	3,179,000
Raleigh County, WV		1,679,000	2,518,000
Randolph County, WV		3,030,000	4,545,000
Ritchie County, WV		1,203,000	1,805,000
Roane County, WV		604,000	906,000
Summers County, WV		416,000	624,000
Taylor County, WV		758,000	1,136,000
Tucker County, WV		975,000	1,463,000
Tyler County, WV		728,000	1,092,000
Upshur County, WV		357,000	535,000
Wayne County, WV		3,521,000	5,281,000
Webster County, WV		262,000	394,000

## **Part III – Administrative, Procedural, and Miscellaneous**

### **Recovery Zone Bond Volume Cap Allocations**

#### **Notice 2009-50**

##### **SECTION 1. PURPOSE**

This notice provides guidance regarding the maximum face amount of recovery zone economic development bonds (“Recovery Zone Economic Development Bonds”) and recovery zone facility bonds (“Recovery Zone Facility Bonds”) (together, “Recovery Zone Bonds”), that may be issued by each State and counties and large municipalities within each State before January 1, 2011 under §§ 1400U-2 and 1400U-3, respectively, of the Internal Revenue Code (“Code”), as provided in § 1400U-1 of the Code. As applicable to §§ 1400U-1 through 1400U-3, § 103(c)(2) provides that the term “State” includes the District of Columbia and any possession of the United States. This notice also provides certain interim guidance for Recovery Zone Bonds. In general, Recovery Zone Bonds provide tax incentives for State and local governmental borrowing at lower borrowing costs to promote job creation and economic recovery that is targeted to areas particularly affected by employment declines.

##### **SECTION 2. BACKGROUND**

###### **.01 INTRODUCTION**

Section 1401 of Title I of Division B of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009) (“ARRA”), added §§ 1400U-1

through 1400U-3 to the Code authorizing State and local governments to issue Recovery Zone Bonds. Section 1400U-1 imposes a national bond volume limitation ("volume cap") of \$10 billion for Recovery Zone Economic Development Bonds and \$15 billion for Recovery Zone Facility Bonds. The volume cap for Recovery Zone Bonds is allocated among the States and counties and large municipalities within the States based on relative declines in employment in 2008.

In general, Recovery Zone Economic Development Bonds may be used to finance certain "qualified economic development purposes" and Recovery Zone Facility Bonds may be used to finance certain "recovery zone property," both as described further herein, generally for use within designated "recovery zones," as described below. Section 1400U-1(b) provides that, for purposes of §§ 1400U-1 through 1400U-3, the term "recovery zone" means: (1) any area designated by the issuer as having significant poverty, unemployment, rate of home foreclosures, or general distress; (2) any area designated by the issuer as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (3) any area for which a designation as an empowerment zone or renewal community is in effect as of the effective date of ARRA, which effective date is February 17, 2009.

## .02 BACKGROUND ON BUILD AMERICA BONDS

Section 1531 of ARRA added § 54AA to the Code, authorizing State and local governments, at their option, to issue two general types of Build America Bonds ("Build America Bonds") as taxable governmental bonds with Federal subsidies for a portion of their borrowing costs. Section 54AA(d) of the Code defines the term "Build America

Bond” generally to mean any taxable State or local governmental bond (excluding a private activity bond under § 141) that meets the following requirements: (1) the interest on such bond would (but for § 54AA) be excludable from gross income under § 103; (2) the bond is issued before January 1, 2011; and (3) the issuer makes an irrevocable election to have § 54AA apply. The Federal subsidies for a portion of the borrowing costs on Build America Bonds take the form of either tax credits provided to holders of the bonds or refundable tax credits paid to State and local governmental issuers of the bonds. Build America Bonds have different levels of Federal subsidies and different program requirements with respect to uses of proceeds depending on the particular type of Build America Bond.

The first type of Build America Bond provides a Federal subsidy through Federal tax credits to investors in the bonds in an amount equal to 35 percent of the total coupon interest payable by the issuer on taxable governmental bonds (net of the tax credit), which represents a Federal subsidy to the State or local governmental issuer equal to approximately 25 percent of the total return to the investor (including the coupon interest paid by the issuer and the tax credit). This type of Build America Bond will be referred to in this Notice as “Build America Bonds (Tax Credit).” This type of Build America Bond generally may be used to finance any governmental purpose for which tax-exempt governmental bonds (excluding private activity bonds under § 141) could be issued under § 103 (“tax-exempt governmental bonds”) and must comply with all requirements applicable to the issuance of tax-exempt governmental bonds.

The second type of Build America Bond provides a Federal subsidy through a refundable tax credit paid to State or local governmental issuers by the Treasury

Department and the Internal Revenue Service (“IRS”) in an amount equal to 35 percent of the total coupon interest payable to investors in these taxable bonds. This type of Build America Bond will be referred to in this Notice as “Build America Bonds (Direct Payment).” This type of Build America Bond generally may be used to finance only capital expenditures and certain issuance costs and reasonably required reserve funds.

Recovery Zone Economic Development Bonds under § 1400U-2 represent a third type of Build America Bond. Recovery Zone Economic Development Bonds are comparable to Build America Bonds (Direct Payment), except that they provide for a deeper Federal subsidy through a refundable tax credit paid to State or local governmental issuers in an amount equal to 45 percent (rather than 35 percent) of the total coupon interest payable to investors in these taxable bonds and they have different program requirements regarding eligible uses of proceeds for qualified economic development purposes within recovery zones, as described further herein.

For additional information regarding Build America Bonds generally, see § 54AA and the initial implementation guidance on Build America Bonds set forth in Notice 2009-26, 2009-16 I.R.B 833 (April 20, 2009).

### **SECTION 3. RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS**

#### **.01 RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS TREATED AS QUALIFIED BONDS UNDER § 6431**

Section 1400U-2(a) provides that a Recovery Zone Economic Development Bond shall be treated as a “qualified bond” for purposes of § 6431 (relating to the refundable credit for qualified bonds allowed and payable to the issuer in the case of Build America Bonds (Direct Payment)). Section 1400U-2(a) further provides that, for

purposes of § 6431(b) (relating to the amount of the refundable credit allowed and payable to the issuer of qualified bonds), the amount of the refundable credit shall be 45 percent of the coupon interest payable on the bonds rather than 35 percent of such interest as is the case with Build America Bonds (Direct Payment). In determining the amount of coupon interest payable on the bonds for purposes of calculating the refundable credit, original issue discount is not treated as a payment of interest. See H.R. Conf. Rep. 111-16, 111<sup>th</sup> Cong., 1<sup>st</sup> Sess. (February 12, 2009).

.02 DEFINITION OF RECOVERY ZONE ECONOMIC DEVELOPMENT BOND

Section 1400U-2(b)(1) defines the term “Recovery Zone Economic Development Bond” to mean any bond that is issued as part of an issue that meets the following requirements: (1) the bond is a Build America Bond (as defined in § 54AA(d)); (2) the bond is issued before January 1, 2011; (3) 100 percent of the excess of (i) the available project proceeds (as defined in § 54A to mean sale proceeds of such issue less not more than 2 percent of such proceeds used to pay issuance costs, plus investment proceeds thereon), over (ii) the amounts in a reasonably required reserve (within the meaning of § 150(a)(3)) with respect to such issue, are to be used for one or more qualified economic development purposes, and (4) the issuer designates such bond for purposes of § 1400U-2.

.03 DEFINITION OF QUALIFIED ECONOMIC DEVELOPMENT PURPOSE

Section 1400U-2(c) defines the term “qualified economic development purpose” for purposes of § 1400U-2 to mean any expenditures for purposes of promoting development or other economic activity in a recovery zone, including (1) capital expenditures paid or incurred with respect to property located in the recovery zone, (2)

expenditures for public infrastructure and construction of public facilities, and (3) expenditures for job training and educational programs. This broad definition of qualified economic development purpose includes capital expenditures (as defined in § 1.150-1(b) of the Income Tax Regulations) and working capital expenditures to promote development or other economic activity in a recovery zone. For this purpose, an eligible financing of qualified expenditures includes a reimbursement of those expenditures under the reimbursement rules contained in § 1.150-2. By contrast, Recovery Zone Economic Development Bonds generally may not be issued to refinance expenditures in “refunding issues” (as defined in § 1.150-1). Further, for this purpose, Recovery Zone Economic Development Bonds may be used to reimburse otherwise-eligible expenditures under § 1.150-2 that were paid or incurred after the effective date of ARRA and that were financed originally with temporary short-term financing issued after the effective date of ARRA, and such reimbursement will not be treated as a refunding issue under §§ 1.150-1(d) or 1.150-2(g).

#### .04 CERTAIN OTHER APPLICABLE RULES

Section 6431(c) provides that for purposes of applying the arbitrage investment restrictions under § 148, the yield on a qualified bond (including, for this purpose, a Recovery Zone Economic Development Bond), shall be reduced by the refundable credit allowed under § 6431. Section 6431(d) provides that, for purposes of § 6431, “interest payment date” means each date on which interest is payable by the issuer under the terms of the bond. Section 54AA(d)(2)(A) provides that, for purposes of the restrictions against Federal guarantees of tax-exempt bonds under § 149(b), a Build America Bond (including, for this purpose, a Recovery Zone Economic Development

Bond) shall not be treated as federally guaranteed by reason of the refundable credit allowed under § 6431. Section 54AA(d)(2)(C) provides that a bond (including, for this purpose, a Recovery Zone Economic Development Bond) shall not be treated as a Build America Bond under § 54AA(d)(1) if the issue price has more than a *de minimis* amount (determined under rules similar to the rules of § 1273(a)(3)) of premium over the stated principal amount of the bond.

#### **SECTION 4. RECOVERY ZONE FACILITY BONDS**

##### **.01 RECOVERY ZONE FACILITY BONDS TREATED AS EXEMPT FACILITY BONDS**

Section 103(a) provides that, except as otherwise provided in § 103(b), interest on State or local bonds is excludable from gross income for Federal income tax purposes. Under § 103(b), interest on a State and local bond that is a “private activity bond” under § 141(a) generally is not excludable from gross income unless the bond meets the requirements for a qualified private activity bond under § 141(e). Section 141(e) provides that an “exempt facility bond” under § 142 is one type of qualified private activity bond that may be issued with interest thereon excludable from gross income under § 103(a). Section 1400U-3(a) provides that, for purposes of §§ 141 through 150, the term “exempt facility bond” includes any Recovery Zone Facility Bond. Section 1400U-3(b) defines the term “Recovery Zone Facility Bond” to mean any bond issued as part of an issue if: (A) 95 percent or more of the net proceeds (as defined in § 150(a)(3)) of such issue are to be used for recovery zone property; (B) such bond is issued before January 1, 2011; and (C) the issuer designates such bond for purposes of § 1400U-3.

## .02 RECOVERY ZONE PROPERTY

Section 1400U-3(c)(1) defines the term “recovery zone property” to mean any property to which § 168 (relating to the accelerated cost recovery system) applies (or would apply but for § 179 (relating to electing to expense certain depreciable business assets)) if: (A) such property was constructed, reconstructed, renovated, or acquired by purchase (as defined in § 179(d)(2)) by the taxpayer after the date on which the designation of the recovery zone took effect; (B) the original use of which in the recovery zone commences with the taxpayer; and (C) substantially all of the use of which is in the recovery zone and is in the active conduct of a qualified business (as defined in § 1400U-3(c)(2)) by the taxpayer in the recovery zone. For purposes of § 1400U-3(c)(1), which provides that the term “recovery zone property” means, in part, any property to which § 168 applies (or would apply but for § 179), any property of a character generally subject to the allowance for depreciation under § 168 (or that would be generally subject to such allowance but for § 179) will be treated as “recovery zone property,” without regard to whether the particular property is owned by any State or local governmental entity that is not subject to Federal income taxation, provided that such property otherwise meets the requirements under § 1400U-3(c)(1).

## .03 USE OF RECOVERY ZONE PROPERTY IN QUALIFIED BUSINESSES

Section 1400U-3(c)(1)(C) requires that substantially all of the use of recovery zone property involve the active conduct of a qualified business (as defined in § 1400U-3(c)(2)) by the taxpayer in the recovery zone. Section 1400U-3(c)(2) defines the term “qualified business” to mean any trade or business except that (A) the rental to others of real property located in a recovery zone shall be treated as a qualified business only if

the property is not residential rental property (as defined in § 168(e)(2)), and (B) such term shall not include any trade or business consisting of the operation of any facility described in § 144(c)(6)(B) (relating to the prohibition on the use of proceeds of a qualified redevelopment bond for any private or commercial golf course, country club, massage parlor, hot tub facility, suntan facility, racetrack or other facility used for gambling, or any store the principal business of which is the sale of alcoholic beverages for consumption off premises).

#### .04 OTHER APPLICABLE RULES

Section 1400U-3(c)(3) provides that rules similar to rules of § 1397D(a)(2) and (b) (relating to substantial renovations and sale-leasebacks) shall apply for purposes of § 1400U-3(c). Section 1400U-3(d) provides that § 146 (relating to the private activity bond volume cap) and § 147(d) (relating to limitations on acquisition of existing property) shall not apply to any Recovery Zone Facility Bond. Except as otherwise provided in this Notice or in future administrative or regulatory guidance, rules applicable to exempt facility bonds under § 142 apply to Recovery Zone Facility Bonds.

### **SECTION 5. INTERIM GUIDANCE AND RELIANCE**

#### 01. IN GENERAL

Pending the promulgation and effective date of future administrative or regulatory guidance, taxpayers may rely on the interim guidance provided in this Notice.

#### 02. REASONABLY REQUIRED RESERVE OR REPLACEMENT FUND

Section 1400U-2(b)(1)(A) requires that 100 percent of the excess of (i) the available project proceeds (as defined in § 54A to mean sale proceeds of such issue less not more than 2 percent of such proceeds used to pay issuance costs, plus

investment proceeds thereon), over (ii) the amounts in a reasonable required reserve (within the meaning of § 150(a)(3)) for an issue of Recovery Zone Economic Development Bonds be used for qualified economic development purposes. Section 1400U-3(b)(1)(a) requires that 95 percent or more of the “net proceeds” (as defined in § 150(a)(3)) of an issue of Recovery Zone Facility Bonds be used for recovery zone property. Section 150(a)(3) defines the term “net proceeds” to mean, with respect to any issue, the proceeds of such issue reduced by amounts in a “reasonably required reserve or replacement fund.” For these purposes, § 148(d) provides rules for a reasonably required reserve or replacement fund.

Section 148(d)(1) generally provides that a bond shall not be treated as an arbitrage bond solely by reason of the fact that an amount of the proceeds of the issue of which such bond is a part may be invested in higher yielding investments which are part of a reasonably required reserve or replacement fund. The amount of such proceeds shall not exceed 10 percent of the proceeds of such issue unless the issuer establishes to the satisfaction of the Secretary that a higher amount is necessary. Section 148(d)(2) provides that a bond issued as part of an issue shall be treated as an arbitrage bond if the amount of the proceeds from the sale of such issue which is part of any reserve or replacement fund exceeds 10 percent of the proceeds of the issue (or such higher amount which the issuer establishes is necessary to the satisfaction of the Secretary). Section 1.148-2(f) of the Income Tax Regulations provides additional rules regarding reasonably required reserve or replacement funds.

### .03 INFORMATION REPORTING FOR RECOVERY ZONE BONDS

(i) Recovery Zone Economic Development Bonds. For information relating to information reporting and direct payments of refundable credits to issuers of Recovery Zone Economic Development Bonds, rules similar to those applicable for information reporting and payment of credit to issuers of qualified bonds under § 6431 shall apply. See Notice 2009-26, 2009-16 I.R.B. 833 (April 20, 2009).

(ii) Recovery Zone Facility Bonds. The information reporting requirement for tax-exempt bonds under § 149(e) applies to Recovery Zone Facility Bonds under § 1400U-3(a). Information reporting returns for Recovery Zone Facility Bonds are required to be submitted at the same time and in the same manner as those required under § 149(e) for exempt facility bonds on such forms as shall be prescribed by the IRS for such purpose. Pending further guidance from the IRS regarding the applicable forms to be used for such information reporting for Recovery Zone Facility Bonds, in the case of an issue of Recovery Zone Facility Bonds, the issuer must submit to the IRS an information return on Form 8038, *Information Return for Tax-Exempt Private Activity Bond Issues*, at the same time and in the same manner as required under § 149(e), with modifications as described below. Issuers of Recovery Zone Facility Bonds should complete Part II of Form 8038 by checking the box on Line 11q (Other), writing "Recovery Zone Facility Bonds" in the space provided for the bond description, and entering the issue price of the Recovery Zone Facility Bonds in the Issue Price column. For purposes of this notice, the term "issue" has the meaning used for tax-exempt bond purposes in § 1.150-1(c).

.04 ELIGIBLE ISSUERS IN GENERAL AND ALLOCATIONS OF VOLUME CAP  
TO ULTIMATE BENEFICIARIES

Eligible issuers of Recovery Zone Bonds include States, political subdivisions as defined for purposes of § 103, and entities empowered to issue bonds on behalf of any such entity under rules similar to those for determining whether a bond issued on behalf of a State or political subdivision constitutes an obligation of that State or political subdivision for purposes of § 103 and § 1.103-1(b) of the Income Tax Regulations. Further, eligible issuers include otherwise-eligible issuers in conduit financing issues (as defined in § 1.150-1(b)). An eligible issuer may issue Recovery Zone Bonds based on a volume cap allocation received by the eligible issuer itself or by a conduit borrower or other ultimate beneficiary of the issue of the bonds. In all events, the eligible costs for qualified economic development purposes or recovery zone property, as applicable, financed with the proceeds of an issue of Recovery Zone Bonds under §§ 1400U-2 or 1400U-3, respectively, must relate to any such purpose or property that is located within, or attributable to, both the jurisdiction of the issuer of the bonds and the jurisdiction of the entity authorized to allocate volume cap to an issue of bonds for the financing of such purpose or property.

Entities authorized to allocate volume cap to ultimate beneficiaries consist of States (with respect to allocations waived or deemed waived by any county or large municipality), counties, and large municipalities (as defined in § 1400U-1(a)(3)(B)) that receive volume cap allocations under § 1400U-1(a)(3)(A). Such States, counties, and large municipalities may use such volume cap themselves for eligible costs or may allocate such volume cap received to ultimate beneficiaries in any reasonable manner as they shall determine in good faith in their discretion for use for eligible costs for qualified economic development purposes or recovery zone property, as applicable. In

the event that a county or large municipality that receives an allocation of volume cap under § 1400U-1(a)(3)(A) of Recovery Zone Economic Development Bonds or Recovery Zone Facility Bonds does not possess substantial taxing, eminent domain, *and* police powers, any entity the jurisdiction of which includes such county or large municipality may issue bonds and designate such bonds as Recovery Zone Economic Development Bonds or Recovery Zone Facility Bonds, as applicable, on behalf of, and for the benefit of, such county or municipality, subject to the applicable volume cap limitations for those Recovery Zone Bonds allocated to such county or large municipality. In such case, the proceeds of an issue of Recovery Zone Economic Development Bonds or Recovery Zone Facility Bonds under §§ 1400U-2 or 1400U-3, respectively, must be allocated to eligible costs for qualified economic development purposes or recovery zone property, as applicable, that is located within, or attributable to, both the jurisdiction of the issuer of the bonds and the jurisdiction of the county or large municipality that received the volume cap allocation under § 1400U-1(a)(3)(A). Thus, for example, a county or large municipality that received a volume cap allocation under § 1400U-1(a)(3)(A) may issue bonds and designate them as Recovery Zone Economic Development Bonds or Recovery Zone Facility Bonds, as applicable, for use of that volume cap by an ultimate beneficiary (including such county or large municipality itself or another entity) or another eligible issuer may issue bonds and designate them as Recovery Zone Economic Development Bonds or Recovery Zone Facility Bonds, as applicable, for use of that volume cap by an ultimate beneficiary (including such county or municipality or another entity), based on an allocation by such county or large municipality of that volume cap to an ultimate beneficiary. In all events,

the proceeds of the issue must be used to finance eligible costs for qualified economic development purposes or recovery zone property, as applicable, that is located within, or attributable to, both the jurisdiction of the issuer of the bonds and the jurisdiction of the county or large municipality authorized to allocate volume cap to an ultimate beneficiary of the issue of Recovery Zone Bonds for the financing of those purposes or property.

#### 05. WAIVERS OF VOLUME CAP ALLOCATIONS

Section 1400U-1(a)(3)(A) provides that a county or large municipality may waive any portion of a volume cap allocation received for Recovery Zone Bonds. Upon any such waiver, the State in which such county or large municipality is located shall be authorized to reallocate the waived volume cap in any reasonable manner as it shall determine in good faith in its discretion.

#### 06. DESIGNATIONS OF RECOVERY ZONES

As further described in Section 2.01 of this Notice, § 1400U-1(b) requires, in part, that issuers “designate” eligible recovery zones based on certain specified criteria. For this purpose, any State, county, or large municipality that receives a volume cap allocation for Recovery Zone Bonds may make these designations of recovery zones in any reasonable manner as it shall determine in good faith in its discretion.

### **SECTION 6. ALLOCATIONS OF RECOVERY ZONE BOND VOLUME CAP**

#### 01. VOLUME CAP DESIGNATIONS IN GENERAL

Sections 1400U-2(b)(2) and 1400U-3(b)(2) provide generally that the maximum face amount of the applicable type of Recovery Zone Bonds designated for issuance by an issuer cannot exceed the amounts of volume cap for the applicable Recovery Zone

Bonds allocated to such issuer under § 1400U-1. For this purpose, these designations, including associated determinations of qualified economic development purposes, may be made by an issuer in any reasonable manner as it shall determine in good faith in its discretion, taking into account the special rules for eligible issuers under Section 5.04 of this Notice.

#### .02 VOLUME CAP ALLOCATIONS IN GENERAL

Section 1400U-1(a)(1)(A) provides that, subject to § 1400U-1(a)(1)(B) (relating to minimum allocations), generally, the Secretary shall allocate the \$10 billion national volume cap for Recovery Zone Economic Development Bonds and the \$15 billion national volume cap for Recovery Zone Facility Bonds among the States in the proportion that each State's 2008 State employment decline bears to the aggregate of the 2008 State employment declines for all of the States. Section 1400U-1(a)(1)(B) provides that the Secretary shall adjust the allocations under § 1400U-1(a)(1)(A) for any calendar year for each State to the extent necessary to ensure that no State receives less than 0.9 percent of the national volume cap for Recovery Zone Economic Development Bonds and 0.9 percent of the national volume cap for Recovery Zone Facility Bonds.

Section 1400U-1(a)(2) provides that for purposes of § 1400U-1(a), the term "2008 State employment decline" means, with respect to any State, the excess (if any) of (A) the number of individuals employed in such State determined for December 2007, over (B) the number of individuals employed in such State determined for December 2008. The volume cap allocations provided pursuant to this Notice are based on Local Area Unemployment Statistics ("LAUS") data for December 2007 and December 2008

released by the United States Bureau of Labor Statistics. See generally

<http://www.bls.gov/lau/home.htm>.

Section 1400U-1(a)(3)(A) provides generally that each State with respect to which an allocation is made under 1400U-1(a)(1) is required, without discretion, to reallocate such allocation among the counties and large municipalities in such State in the proportion that each county's or municipality's 2008 employment decline bears to the aggregate of the 2008 employment declines for all the counties and municipalities in such State. For purposes of § 1400U-1(a)(3)(A), the term "large municipality" means a municipality with a population of more than 100,000. For purposes of determining the local employment decline under § 1400U-1(a)(3), the employment decline of any county or large municipality is determined in the same manner as the determination of the State employment decline under 1400U-1(a)(2), except that in the case of a municipality any portion of which is in a county, such portion is treated as part of such municipality and not as part of such county.

### .03. STATE ALLOCATIONS OF RECOVERY ZONE BOND VOLUME CAP

Pursuant to § 1400U-1(a), the \$10 billion national volume cap for Recovery Zone Economic Development Bonds and the \$15 billion national volume cap for Recovery Zone Facility Bonds under §§ 1400U-2 and 1400U-3, respectively, are allocated among the States as follows:

<b>State</b>	<b>Recovery Zone Economic Development Bond Allocations (in dollars)</b>	<b>Recovery Zone Facility Bond Allocations (in dollars)</b>
Alabama	244,676,000	367,014,000
Alaska	90,000,000	135,000,000
Arizona	90,000,000	135,000,000
Arkansas	90,000,000	135,000,000

<b>State</b>	<b>Recovery Zone Economic Development Bond Allocations (in dollars)</b>	<b>Recovery Zone Facility Bond Allocations (in dollars)</b>
California	806,225,000	1,209,338,000
Colorado	99,018,000	148,527,000
Connecticut	90,000,000	135,000,000
Delaware	90,000,000	135,000,000
District of Columbia	90,000,000	135,000,000
Florida	538,485,000	807,727,000
Georgia	355,785,000	533,677,000
Hawaii	90,000,000	135,000,000
Idaho	90,000,000	135,000,000
Illinois	666,972,000	1,000,457,000
Indiana	313,081,000	469,621,000
Iowa	90,000,000	135,000,000
Kansas	90,000,000	135,000,000
Kentucky	97,120,000	145,681,000
Louisiana	90,000,000	135,000,000
Maine	90,000,000	135,000,000
Maryland	208,860,000	313,291,000
Massachusetts	222,676,000	334,013,000
Michigan	773,050,000	1,159,575,000
Minnesota	132,154,000	198,231,000
Mississippi	90,000,000	135,000,000
Missouri	229,143,000	343,715,000
Montana	90,000,000	135,000,000
Nebraska	90,000,000	135,000,000
Nevada	90,000,000	135,000,000
New Hampshire	90,000,000	135,000,000
New Jersey	251,104,000	376,655,000
New Mexico	90,000,000	135,000,000
New York	370,098,000	555,147,000
North Carolina	418,154,000	627,231,000
North Dakota	90,000,000	135,000,000
Ohio	422,637,000	633,955,000
Oklahoma	90,000,000	135,000,000
Oregon	103,450,000	155,175,000
Pennsylvania	154,008,000	231,012,000
Rhode Island	100,882,000	151,322,000
South Carolina	115,041,000	172,562,000
South Dakota	90,000,000	135,000,000
Tennessee	231,417,000	347,126,000
Texas	90,000,000	135,000,000
Utah	90,000,000	135,000,000
Vermont	90,000,000	135,000,000
Virginia	104,396,000	156,595,000
Washington	90,000,000	135,000,000
West Virginia	90,000,000	135,000,000
Wisconsin	158,811,000	238,217,000
Wyoming	90,000,000	135,000,000

<b>State</b>	<b>Recovery Zone Economic Development Bond Allocations (in dollars)</b>	<b>Recovery Zone Facility Bond Allocations (in dollars)</b>
American Samoa	90,000,000	135,000,000
Guam	90,000,000	135,000,000
Northern Marianas	90,000,000	135,000,000
Puerto Rico	92,757,000	139,136,000
US Virgin Islands	90,000,000	135,000,000
<b>Total</b>	<b>10,000,000,000</b>	<b>15,000,000,000</b>

**.04. LOCAL SUBALLOCATIONS OF RECOVERY ZONE BOND VOLUME CAP AMONG COUNTIES AND LARGE MUNICIPALITIES**

The Treasury Department and the IRS recognize that the required local suballocations of the national volume cap for Recovery Zone Bonds among counties and large municipalities impose administrative burdens for the States and involve mandatory local suballocations without State discretion. Accordingly, the Treasury Department and the IRS undertook to determine these required local suballocations. For purposes of these local suballocations among counties and large municipalities, certain county-equivalent entities (including independent cities that are not otherwise located within counties, parishes, boroughs, and similar entities) are treated as counties in the same manner that the Bureau of Labor Statistics treats such entities as county-equivalent entities in its employment data. This undertaking to provide local suballocations is intended to facilitate prompt availability of Recovery Zone Bonds as a source for State and local governmental borrowing at lower borrowing costs to promote job creation and economic recovery in areas particularly affected by employment declines.

Pursuant to § 1400U-1(a)(3), the State volume caps of the \$10 billion national volume cap for Recovery Zone Economic Development Bonds and the \$15 billion

national volume cap for Recovery Zone Facility Bonds under §§ 1400U-2 and 1400U-3, respectively, are reallocated locally among the counties and large municipalities within the States (except that no such local reallocations are being provided for the Possessions of the United States (see Section 6.05 of this Notice below)) in a document regarding the Recovery Zone Bond volume cap allocations being posted on the IRS's website at the following web address: <http://www.irs.gov/taxexemptbond/index.html> under the heading in the index entitled "IRS Releases Guidance on ARRA Bond Provisions," to be available on the same date that this Notice is released publicly. Stated differently, these local suballocations will be accessible by going to the IRS website at <http://www.irs.gov>, then clicking on the heading "Tax-exempt Bond Community" in the top right corner, then clicking on the heading in the index entitled "IRS Releases Guidance on ARRA Bond Provisions," and then clicking on the subheading regarding the Recovery Zone Bond volume cap allocations, starting on the same date that this Notice is released publicly.

#### **05. SPECIAL RULES FOR VOLUME CAP ALLOCATIONS RECEIVED BY THE POSSESSIONS**

In recognition of the disparate local governmental organizational structures and disparate availability of employment data for the Possessions of the United States, the Possessions may allocate locally, reallocate locally, or use directly their respective State allocations of volume cap for Recovery Zone Bonds in any reasonable manner as they may determine in good faith in their discretion.

#### **SECTION 7. EFFECTIVE DATE OF VOLUME CAP ALLOCATIONS**

The allocations of national volume cap for Recovery Zone Bonds in Section 6 of this Notice are effective for bonds issued on or after February 17, 2009.

**SECTION 8. DRAFTING INFORMATION**

The principal authors of this notice are Zoran Stojanovic and Timothy L. Jones of the Office of Associate Chief Counsel (Financial Institutions and Products). For further information regarding this notice, contact Mr. Stojanovic or Mr. Jones on (202) 622-3980 (not a toll-free call).

#15

AGENDA ITEMS – FIRST MEETING IN NOVEMBER

- ① Targeted, Limited Audit of County Finances - Discussion (JS)

#18

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

**F. Mark Schiavone**  
**Director**  
**Impact Fee Coordinator**

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

**MEMORANDUM**

**RECEIVED**

**TO:** Sandy McDonald  
**FROM:** F. Mark Schiavone *fmj*  
**DATE:** Wednesday, November 04, 2009  
**SUBJECT:** Partnership for Affordable Housing

NOV 04 2009

JEFFERSON COUNTY COMMISSION

Sandy,

If you could bring this up during the Administrator's Report section on Thursday. The issue is that the Partnership for Affordable Housing asked for \$20,000 for FY 2010 and that was the original approved amount. When the budget was adjusted following the unencumbered fund balance adjustments, that budget line was restored to \$40,000, which was the amount the Commission gave to the Partnership in FY 2009.

I think the intent of the Commission was to fund this agency to the tune of \$40,000. The documentation in the request falls short of that. I need clarification from the Commission that it is alright to go ahead and release the remaining \$20,000 – again taking the total contribution to \$40,000 which is the current budgeted amount in line 401-05-567-000-GG-000.

*New Business*



March 15, 2009

Dear President Manuel and members of the County Commission:

The Board of the Partnership for Affordable Housing, a nonprofit organization devoted to the creation of affordable housing has authorized me to write to you to make a formal request for \$20,000 in funds for the Partnership for fiscal year 09-10. These funds would be used to continue the work that the "Partnership" started in 2007-08 & 2008-09 with the original funds allocated by you. These funds allowed us to have professional staffing and to start the process of creating affordable housing in Jefferson County.

We are pleased to inform you that we have finally obtained our 501C3 status and we are working to file our CHDO application with the HOME consortium. We are hoping to be certified as a CHODO in the near future.

As we reported to you at the HOME hearing, over the past years, we have created a website for our organization; we worked on the new Zoning Ordinance with Tony Redman to ensure that affordable housing was included; we worked to develop housing and actually were prepared to obtain some lots in Ranson, but the project was not financially feasible; and we increased our cooperation with both Charles Town and Ranson.

The recent changes in the housing market has made us reconsider our priorities and at this time we believe that the best direction for the Partnership that will further our mission is for us to provide information and assistance to homeowners who may be in trouble; to assist persons seeking to purchase homes and to assist renters both in seeking housing and in understanding their rights and responsibilities.

Our hope in the next year is to obtain HOME funds to assist us with possibly a down payment assistance payment or a rental assistance program, both eligible activities. At the same time, we want to start housing information and counseling program to provide needed information and assistance to the residents of Jefferson County as noted above. HOME funds cannot be used to provide this general assistance. We are asking you for these funds to help us with our proposed housing information and counseling program and for operation of the Partnership.

If you desire further information and to want us to make a formal presentation, please contact either Jerry Bucey or me.

Thank you for your consideration.

Sincerely,

Annette van Hilst  
Secretary to the Board

CC: Leslie Smith, County Administrator

**F. Mark Schiavone**

---

**From:** Leslie D. Smith [ldsmith@jeffersoncountywv.org]  
**Sent:** Tuesday, July 21, 2009 10:21 AM  
**To:** 'F. Mark Schiavone'  
**Subject:** RE: Unencumbered fund balance

It was not in the vlt fund account. It was in cc contributions to other governmental units 001.401.05.567.000.GG.000.

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

---

**From:** F. Mark Schiavone [mailto:mschiavone@jeffersoncountywv.org]  
**Sent:** Tuesday, July 21, 2009 8:35 AM  
**To:** 'Leslie D. Smith'  
**Subject:** RE: Unencumbered fund balance

Sally gave me a call yesterday morning and said all was posted and closed.

Where in the budget did we fund the Partnership for Affordable Housing last year? It looked from the spreadsheet that you sent during budget that it was funded from a line other than the video lottery contribution line.

Mark

F. Mark Schiavone  
Director and Impact Fee Coordinator  
Department of Capital Planning and Management  
Jefferson County Government  
114 E. Washington Street  
Charles Town, WV 25414  
(304) 728-3331 (general)  
(304) 728-3337 (direct)  
(304) 724-2178 (fax)

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

**From:** Leslie D. Smith [mailto:ldsmith@jeffersoncountywv.org]  
**Sent:** Monday, July 20, 2009 5:22 PM  
**To:** 'F. Mark Schiavone'  
**Subject:** RE: Unencumbered fund balance

If the year is closed and all posted – that sounds good.

Leslie

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

**From:** F. Mark Schiavone [mailto:mschiavone@jeffersoncountywv.org]  
**Sent:** Monday, July 20, 2009 12:05 PM  
**To:** 'Leslie D. Smith'  
**Cc:** Sally Gran  
**Subject:** Unencumbered fund balance

Leslie,

Sally Gran has closed June. Her calculations, including accounting for the \$4,139 in open purchase orders comes to a positive balance of \$3,325,414.63. How does that agree with your calculations?

Mark

F. Mark Schiavone  
Director and Impact Fee Coordinator  
Department of Capital Planning and Management  
Jefferson County Government  
114 E. Washington Street  
Charles Town, WV 25414  
(304) 728-3331 (general)  
(304) 728-3337 (direct)  
(304) 724-2178 (fax)

Account Number	Description	2009 Budget	2009 Actual	2010 Request	2010	
					Approved	Rev 004
001-401-01-101-000-GG-000	CO COMM OFFICIAL SALARY	184,000.00	99,507.80	184,000.00	184,800.00	184,800.00
001-401-01-103-000-GG-000	CO COMM SALARY/WAGES	202,163.00	115,511.98	251,185.00	205,031.00	205,031.00
001-401-01-104-000-GG-000	CO COMM FICA EXPENSE	24,116.00	13,117.54	27,106.00	24,293.52	24,293.52
001-401-01-104-001-GG-000	CO COMM MEDICARE EXPENSE	5,641.00	3,067.79	6,340.00	5,681.55	5,681.55
001-401-01-105-000-GG-000	CO COMM GROUP INSURANCE	86,600.00	39,288.75	95,940.00	74,826.00	74,826.00
001-401-01-106-000-GG-000	CO COMM RETIREMENT	40,737.00	22,375.21	48,091.00	43,101.41	43,101.41
001-401-01-108-001-GG-000	CO COMM OVERTIME	2,000.00	0.00	2,000.00	2,000.00	2,000.00
001-401-01-108-002-GG-000	CO COMM EXTRA HELP	0.00	0.00		0.00	0.00
		<u>545,257.00</u>		<u>614,662.00</u>	<u>539,733.48</u>	<u>539,733.48</u>
001-401-02-212-000-GG-000	CO COMM PRINTING	1,000.00	0.00	1,000.00	1,000.00	1,000.00
001-401-02-214-000-GG-000	CO COMM TRAVEL	5,000.00	90.00	5,000.00	1,500.00	5,000.00
001-401-02-216-000-GG-000	CO COM MAIN/REP-EQUIPMENT	9,000.00	3,661.43	9,000.00	9,000.00	9,000.00
001-401-02-218-000-GG-000	CO COMM POSTAGE	400.00	35.24	400.00	400.00	400.00
001-401-02-219-000-GG-000	CO COMM BLDG/EQUIP RENTAL	5,000.00	150.00	5,000.00	1,000.00	5,000.00
001-401-02-220-000-GG-000	CO COMM ADS/LEGAL PUBS	8,000.00	1,980.41	8,000.00	4,000.00	8,000.00
001-401-02-221-000-GG-000	CO COMM TRAIN/EDUCATION	4,000.00	575.09	4,000.00	4,000.00	4,000.00
001-401-02-222-000-GG-000	CO COMM DUES/SUBSCRIPTION	16,000.00	14,742.46	18,000.00	16,000.00	16,000.00
001-401-02-223-000-GG-000	CO COMM PROF SERVICES	25,000.00	16,806.14	35,000.00	20,000.00	25,000.00
001-401-02-224-000-GG-000	CO COMM AUDIT COSTS	30,000.00	0.00	30,000.00	30,000.00	30,000.00
001-401-02-229-000-GG-000	CO COMM COURT COSTS	0.00	0.00		0.00	0.00
001-401-02-230-000-GG-000	CO COMM CONTRCTD SERVICES	85,000.00	38,279.99	130,000.00	40,000.00	85,000.00
001-401-02-235-000-GG-000	REMIT FEES COLLECTED	0.00	0.00		0.00	0.00
001-401-02-236-000-GG-000	CO COMM-REFUND ERROR PYMT	0.00	0.00		0.00	0.00
001-401-02-240-000-GG-000	CO COMM-REFUNDS/REIMBURSE	0.00	0.00		0.00	0.00
		<u>188,400.00</u>		<u>245,400.00</u>	<u>126,900.00</u>	<u>188,400.00</u>
001-401-03-341-000-GG-000	CO COMM MATERIAL/SUPPLIES	10,000.00	2,411.87	10,000.00	6,000.00	10,000.00
001-401-03-348-000-GG-000	CO COMM CHG BY OTHR FUNDS	0.00	0.00		0.00	0.00
001-401-03-349-000-GG-000	CO COMM CHG BO GOV UNITS	0.00	0.00		0.00	0.00
		<u>10,000.00</u>		<u>10,000.00</u>	<u>6,000.00</u>	<u>10,000.00</u>
001-401-05-566-000-GG-000	CO COMM CONTR OTHR FUNDS	35,114.00	0.00	100,000.00	35,114.00	35,114.00
001-401-05-567-000-GG-000	CO COMM CONTR OTH GOV UNT	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00
001-401-05-568-000-GG-000	CO COMM OTHR CONTRIBUTION	1,009,807.00	70,500.00	130,000.00	78,000.00	1,619,788.00
001-401-05-568-000-GG-001	CO COMM CONTRIBTN - OZONE	21,633.00	21,632.49	21,633.00	21,633.00	21,633.00
001-401-05-568-000-GG-002	CO COMM CONTR-WATER STUDY	80,000.00	25,467.70	80,000.00	0.00	80,000.00
		<u>1,186,554.00</u>		<u>371,633.00</u>	<u>174,747.00</u>	<u>1,796,535.00</u>
	<b>401 TOTALS</b>	<u>1,930,211.00</u>		<u>1,241,695.00</u>	<u>847,380.48</u>	<u>2,534,668</u>

**West Virginia Board of  
Risk and Insurance Management**

90 MacCorkle Avenue, SW, Suite 203  
South Charleston, WV 25303

November 4, 2009

Phone: (304) 766-2646  
FAX: (304) 766-2653  
Toll Free: 1-800-345-4666  
www.state.wv.us/brim

Payment Due By: ~~December 1, 2009~~  
Quarter Ending: ~~March 31, 2010~~

RECEIVED

Account Number: 319

NOV 04 2009

JEFFERSON COUNTY COMMISSION  
P.O. BOX 250  
CHARLES TOWN WV 25414

Jefferson County Commission

To Whom It May Concern:

This invoice is your entities' quarterly billing for continued coverage in the State Insurance Plan. This billing includes charges for the types of insurance listed below. The following is a summary of your account:

Liability:	\$67,189.00
Property:	\$22,358.00
<b>QUARTERLY PREMIUM DUE</b>	<b>\$89,547.00</b>

Return the bottom portion of this invoice with your check, made payable to the "West Virginia Board of Risk and Insurance Management", in the amount indicated as "Quarterly Premium Due". Include this documents' invoice number on the remitted check. Payment is due on or before the date stated above.

Failure to remit payment by December 1, 2009, will result in cancellation for nonpayment of premium.

To ensure proper credit use the original payment stub and the enclosed envelope. Payments should be mailed to:  
PO Box 1373, Charleston, WV 25325-1373.

DETACH AND RETURN THE PAYMENT STATEMENT LOCATED BELOW

BOARD OF RISK AND INSURANCE MANAGEMENT - SENATE BILL 3 PREMIUM

Liability Due: \$67,189.00      Property Due: \$22,358.00      Quarterly Premium Due: \$89,547.00

Payment Check Number:  
Invoice Number: 319103

Remit To:  
West Virginia Board of Risk and  
Insurance Management  
PO Box 1373  
Charleston, WV 25325-1373

Account Number: 319

JEFFERSON COUNTY COMMISSION  
P.O. BOX 250  
CHARLES TOWN WV 25414

Budget updates

000319103000319000008954700120109

19

Commission Office Use Only

Date on Agenda:

Appt Time or New Business: *New*

RECEIVED

NOV 04 2009

AGENDA REQUEST FORM

Jefferson County Commission

Name: Mark Schiavone

Department or Entity: Department of Capital Planning & Management

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: 11/12

Date Requested – 2<sup>nd</sup> Choice: 11/19

If a specific date is needed, please provide reason for specific date: As soon as possible so that another power outage does not affect the network.

Subject: Purchase of Battery Backup Devices for Network Switches

Please provide the County Commission with a description of your request or presentation, including any background information: Some network switches do not have adequate or any battery backup or protection from fluctuations in voltage. Any interruption to the power supply will result in interruption of network traffic. Such a network outage would affect all computer systems including access to the iSeries (AS/400), RAID server, email, internet, etc. Suggested that purchase come from: 401-05-568 County Comm Other Contrib (\$78,000) or 986-04-459 County Comm Cap Outlay (\$20,000).

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Approve the purchase of 6 power supply units designed for networking equipment in the amount of \$1,942.78.

Attachments: Quote from TigerDirect



<b>Quote No. 207824</b>	
<b>Created</b> 10/28/2009	<b>Expires</b> 11/17/2009

**Bill To:**

**DEPARTMENT OF CAPITAL PLANNING**  
*Charlotte Hernandez-velez*  
 114 EAST WASHINGTON STREET  
 AND MGT JEFFERSON COUNTY  
 CHARLES TOWN WV, 25414

**Ship To:**

**DEPARTMENT OF CAPITAL PLANNING**  
*Charlotte Hernandez-velez*  
 114 EAST WASHINGTON STREET  
 AND MGT JEFFERSON COUNTY  
 CHARLES TOWN WV, 25414  
 Phone: (304) 728-3374

Dear Charlotte Hernandez-velez,

This document contains your quote summary. Should you have any additional questions or wish to complete your order, please feel free to call us at 8883784437. Please refer to quote number 207824 when contacting us for assistance.

Regards,  
 Ricardo Chumbiauca  
 Tel: 8883784437  
 Fax: 3054154366  
 Ricardo.Chumbiauca@Tigerdirect.com

SKU	Manuf Part No	SKU Descrip	Unit Price	Qty	Total
T105-5340	SNMPWEBCARD	TRIPPLITE SNMP WEB CARD	\$210.99	5	\$1,054.95
T105-5010	SMART500RT1U	TrippLite SMART500RT1U 500VA 6 Output UPS	\$159.99	5	\$799.95
<b>SUBTOTAL</b>					\$1,854.90
<b>FREIGHT (UPS GROUND)</b>					\$87.88
<b>TAX</b>					\$0.00
<b>TOTAL</b>					<b>\$1,942.78</b>

**ADDITIONAL COMMENTS:**

Hi Charlotte this is a new quote considering only the UPS for the switches.

---

Ask your agent about installation. We now offer expert hardware and software deployment services. No job is too big for us to handle from a simple small network to an enterprise level rollout. [Click here to request an installation quote](#)

---

Thank you for the opportunity to provide you with the pricing and information above. The following terms and conditions apply to this quotation:

- This offer is valid through the expiration date highlighted above. Because of market volatility, memory & CPU pricing is whatever the market pricing is at time of order entry.
- This offer is contingent on quantities listed and is subject to product availability.
- Prices are subject to change without further notice in the event the manufacturer/supplier raises the price.
- State and county taxes will be assessed when applicable.
- Original or faxed copy of the purchase order is required on all PO orders.
- Returns of defective and mis-picked software and some hardware are limited to exchanges only. Some defective hardware covered by the Manufacturers' warranty must be handled directly through the respective manufacturer.
- All sales are final on special ordered items (no return, exchanges, or refunds).
- A Return Authorization Number (RMA) is required on all returns. The RMA can only be issued within 30 days of the original ship date.
- Shipping charges are contingent on quantity orders, total weight of products and unusual size.

## 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, November 12, 2009, or as soon thereafter as the Commission may decide:

**North Eastern Regional EMS, Inc. - One 2 year term ending  
October 31, 2011**

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

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



# THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304-728-3284

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

Fax: 304-725-7916



October 21, 2009

Pete Kelley  
P.O. Box 1257  
Shepherdstown, WV 25443

Dear Mr. Kelley:

Please be advised that your term on the North Eastern Regional EMS, Inc. will expire on October 31, 2009. Until the County Commission has acted to appoint someone for another two year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, November 12, 2009 or as soon thereafter as the Commission may decide.

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

For the Commission,

Sandy Slusher McDonald  
Acting County Administrator

10-26-09

I would accept reappointment to this board if it is the  
Commission's pleasure.

R M Kelley

RECEIVED

OCT 26 2009

JEFFERSON COUNTY COMMISSION

**NORTH EASTERN REGIONAL EMS, INC.**

Rolfe "Pete" Kelley  
P.O. Box 1257  
Shepherdstown, WV 25443  
h: 876-3409  
2 years 10/31/2009

Rusty Morgan  
P.O. Box 130  
Rippon, WV 25441  
725-6670  
2 years 10/31/2010

Commission Office Use Only

#21

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: New Business

Date Requested – 1<sup>st</sup> Choice: November 19th

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

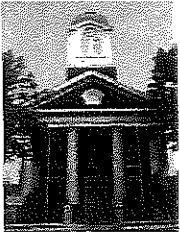
If a specific date is needed, please provide reason for specific date:

Subject: **New Business**

Please provide the County Commission with a description of your request or presentation, including any background information: **Schedule dates to discuss work programs and projected budgets with Department Heads and Elected Officials**

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

Attachments:



# THE COUNTY COMMISSION OF JEFFERSON COUNTY

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



Phone: 304-728-3284

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

Fax: 304-725-7916

**To:** All Elected Officials & Department Heads

**From:** County Commission of Jefferson County *JCC/tyr*

**Date:** November 9, 2009

**Re:** Work Plan for Fiscal Year 2011

---

The County Commission will be conducting a series of work sessions with each elected official and department head beginning December 2009 concerning your department's work plan for the upcoming fiscal year that begins July 1, 2011. In that respect, the Commission would like for each of you to develop a work plan for your office to discuss at these work sessions. This will be an annual process that the Commission will begin this year as a precursor to the annual budget process in February and March. In subsequent years, the Commission would like to complete this process in the first quarter of each fiscal year (July-September).

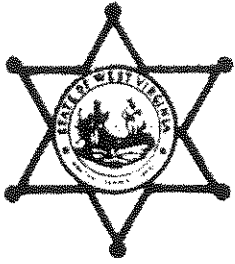
The typical work plan begins with a short description or summary of the plan, an introduction or background of the department, activities for the fiscal year (goals and objectives), the resources needed to complete or achieve the activities i.e., personnel, supplies, capital and the rationale for the requested resources. Finally, what results you expect and what value or value added will be received by the taxpayer for these services. All of this, of course, culminates in the budget request for your department.

We realize this is something new and a lot to ask of each of you. However, with funding and revenues becoming more constrained each year, the Commission has determined that every program or plan must be fiscally justified and that the funding and priority process must begin much earlier in the budget planning year.

We ask that you provide the plan for your department(s) to the Commission office no later than noon on November 30, 2009.

Thank you for your support and cooperation in this most important project.

JCC/tyr



Telephone: 728-3205  
Tax Office: 728-3220  
Fax: 728-3299

## SHERIFF and TREASURER of Jefferson County

Robert E. Shirley  
P.O. Box 9  
Charles Town, WV 25414

**RECEIVED**

November 9, 2009

NOV 10 2009

Jefferson County Commission  
124 East Washington St  
Charles Town WV 25414

Jefferson County Commission

Re: Request for Work Plan

Honorable Commissioners:

I have received your request for a work plan for the upcoming fiscal year. I regret to inform you that I will be unable to fulfill your request.

I oversee the largest department of any single elected official. I have approximately 75 employees, three offices to maintain and a reserve staff. The time allotted for me to acquire the information needed to appropriately accomplish this task is not feasible.

Between employees out injured, sick, on bereavement, vacation and training, not to mention holidays and meetings, I do not have adequate time to meet with my staff to be able to obtain their needs and wishes for the upcoming year to formulate such a plan.

My budget requirements will also vary based upon the outcome of the December 5<sup>th</sup> vote and upon the improvement of the economy. If the table games pass, I will need more deputies to handle the influx in visitors to the county and the traffic accidents and crime that could come with them and without an upswing in the economy I will have to request more deputy positions to be able to handle the calls for service for those that have turned to crime to sustain their families. As sad as it is, I find that more and more the answer to "Why did you do it?" is "I can't find a job" or "I need to support my family".

I am more than willing to provide you with a work plan; however I would like to submit it to you after the first of the year. The additional time will afford me greater knowledge as to my needs and the opportunity to determine those of my staff.

Respectfully Submitted,

Robert E. Shirley  
Sheriff and Treasurer  
Jefferson County

Commission Office Use Only

Date on Agenda: 11/19/09

Appt Time or New Business: new

#33

**AGENDA REQUEST FORM**

Name: Sandy Slusher McDonald

Department or Entity: County Commission

Estimation of amount of time needed for appointment: New Business

Date Requested – 1<sup>st</sup> Choice: November 19, 2009

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

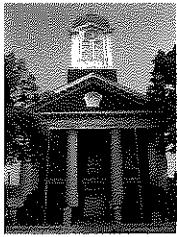
If a specific date is needed, please provide reason for specific date:

Subject: **Request for Approval of Employment – Nichelle Hosby – Administrative Assistant**

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **I move the approval of Nichelle Hosby as a full-time administrative assistant in the County Commission office.**

Attachments: **memo**



# THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304/728-3284

[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

Fax: 304/725-7916



TO: Jefferson County Commission

FROM: Sandy Slusher McDonald *SSM*  
Acting County Administrator

DATE: November 12, 2009

RE: Approval of Employment

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I am requesting approval of employment of Nichelle Hosby as a full-time administrative assistant in the County Commission office. Ms. Hosby has been working as a temporary employee in our office and has proven herself to be very well qualified for this position. I highly recommend the continuation of Ms. Hosby's employment as a full-time employee in this position.

Upon approval, Ms. Hosby's full-time employment start date will be Monday, November 23, 2009. Since, Ms. Hosby has already been working for the County for over a month, I recommend a 60 day probationary period beginning November 23, 2009. The starting salary will be \$29,000 and upon successful completion of the probationary period, the salary will increase to \$30,000.

Thank you for your consideration.

cc: Nichelle Hosby

I move that 50 percent of any revenues that may be generated by a positive vote on table games by the citizens of Jefferson County be allocated to fire and EMS services and law enforcement.

#34

Commission Office Use Only

Date on Agenda: 11/19/09

Appt Time or New Business: New

**AGENDA REQUEST FORM**

Name: Dale Manuel

Department or Entity: County Commission

Estimation of amount of time needed for appointment: New Business

Date Requested – 1<sup>st</sup> Choice: November 19th

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: **Discussion on outlining Commission action timeline on possible amendments to current Zoning Ordinance and amendments to the Subdivision Regulations**

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

Attachments:

Discussion on outlining Commission action timeline on possible amendments to current Zoning Ordinance and amendments to the Subdivision Regulations.

*Dale Manuel*

#25

Commission Office Use Only

Date on Agenda: 11/19/09

Appt Time or New Business: New

**AGENDA REQUEST FORM**

Name: Lyn Widmyer

Department or Entity: County Commission

Estimation of amount of time needed for appointment: New Business

Date Requested – 1<sup>st</sup> Choice: November 19th

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: **Discussion of strategy for County Administrator applicants and schedule date for interviews**

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

Attachments:

428

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, December 10, 2009, or as soon thereafter as the Commission may decide:

**Jefferson County Public Service District - 1 six year term ending December 1, 2015**

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.

elc-to

JEFFERSON COUNTY PUBLIC SERVICE DISTRICT

340 Edmond Road, Suite A  
Kearneysville, WV 25430  
Telephone Number: (304)-725-4647  
Fax Number: (304)-725-5976

General e-mail:

[gm@jcpsd.com](mailto:gm@jcpsd.com)

Jack Lantzy  
162 Meadowlark Lane  
Shepherdstown, WV 25443  
800-841-9643 h: 876-2728  
6 years 12/01/2009

Joseph Hankins  
977 Turner Road  
Shepherdstown, WV 25443  
h: 876-1138 w: 876-2815 ext. 212  
[j.hankins@freshwaterinstitute.org](mailto:j.hankins@freshwaterinstitute.org)  
6 years 12/01/2011

Jim Cummins  
P.O. Box 83  
Bakerton, WV 25410  
876-3234  
6 years 12/01/2013

16-13A-3

59  
RECEIVED

NOV 04 2009



WEST VIRGINIA Jefferson County Commission  
COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY  
2003 QUARRIER STREET  
CHARLESTON, WV 25311

L. D. EGNOR  
CHAIRMAN

KRIS RICHMOND  
EXECUTIVE DIRECTOR

November 1, 2009

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

Dear Commissioner,

The Courthouse Facilities Improvement Authority is pleased to announce that your financial assistance request for courthouse improvements has been approved. This project will be identified as CFIA 19-01-100209 with the maximum amount of the award to be \$80,000.00.

As you will recall from our application and information sections, this is an 80%-20% reimbursement program with a maximum of three (3) reimbursement draw downs based on the submission of relevant documentation. Please note that the funding assistance project is not valid until the Contract Agreement has been signed by both parties.

This letter of notification will be followed by the distribution of the following documentation:

- Funding Assistance Award Notice
- Funding Assistance Contract Agreement
- Funding Assistance Application submitted by Jefferson County.

**You may sign these documents and return them by mail or attend the contract signings. The contract signings will take place at the CFIA offices at 2003 Quarrier Street in Charleston, WV. Contracts will be signed on the afternoon of December 3, 2009 and the morning of December 4, 2009. Please contact me ASAP as to what date you will arrive.**

Commissioner, we are pleased to be working with Jefferson County on this much needed courthouse improvement.

Sincerely,

A handwritten signature in cursive script that reads "Kris Richmond".

Kris Richmond  
Executive Director

CC: L. D. Egnor, Chairman,  
Courthouse Facilities Improvement Authority

District Senators and Delegates

# COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY

7<sup>th</sup> Cycle

## Contract Signings

- Contracts, Award notices, etc. will be mailed to each county funded during this 7<sup>th</sup> cycle.
  
- The contract can be signed by the Commission President ONLY.
  
- Contracts may be returned one of two ways:
  - By attending the Contract Signing at the CFIA Offices in Charleston on the afternoon of December 3<sup>rd</sup> or the morning of December 4<sup>th</sup>. CFIA Board Members will attend and pictures will be taken.
  - Option 2 is to return the contracts via US Mail, UPS, FedEx, etc. These may NOT be returned by fax or email. For the contract to be valid, we must have a signed contract with original ink signatures no later than January 1, 2010.

Kris Richmond, Executive Director, **will not** visit counties this year to sign contracts. We apologize for any inconvenience this may cause.

If you have any questions or comments, please contact us at (304) 558-5435 or via email at [kris.richmond@wvcfia.com](mailto:kris.richmond@wvcfia.com).

NOV 03 2009

# Impact Fee Status Report October 2009

Jefferson County Commission

## Department of Capital Planning and Management/Office of Impact Fees

### Summary

Date Range: Thursday 1 October through Friday 30 October 2009

Report Date: 02 November 2009.

Process Number Range: 0900113 - 0900132

Total Applications: 20

Total Non-Exempt: 17

*Of which:*

Commercial: 1 (Ranson)

Residential: 16

*Of which:*

County: 9

Municipal: 7 (Ranson)

Total Exempt: 4

*Of which:*

Commercial: 0

Residential: 3

*Of which:*

County: 3

Municipal: 0

Tables 1 through 7 summarize impact fee processing for the month of October 2009:

**Table 1. Form 100 Tallies**

	Exempt	Residential Applications	Commercial Applications	Total
1-31 October 2009	3	16	10	20
Fees collected		\$181,904.00	\$314.00	\$182,218.00
<i>Of which</i>				
School Impact Fee		\$159,344.00		\$159,344.00
Law Enforcement Fee		\$2,096.00		\$2,096.00
Parks & Recreation Fee		\$10,616.00		\$10,616.00
Fire & EMS Fee		\$9,848.00	\$314.00	\$10,162.00

**Table 2. Financial Data – Department of Impact Fees General Account (3111776)**

Description	Amount
Opening Statement Balance (1 October 09)	\$95,496.59
October Deposits (1 – 31 October 2009)	\$195,288.00
Interest Earned (31 October 08)	\$179.33
School Sep Transactions (withdraws via transfer on 16 October 2009)	(\$94,495.75)
Law Sep Transactions (withdraws via transfer on 16 October 2009)	(\$2,106.05)
Parks & Rec Sep Transactions (withdraws via transfer on 16 Sep 2009)	(\$6,116.16)
Fire & EMS Sep Transactions (withdraws via transfer on 16 Sep 2009)	(\$5,848.63)
Ending Statement Balance 31 October 2009)	\$182,397.33
<i>Outstanding Credits(deposits through 02 November 2009)</i>	<i>0.00</i>

**Table 3. Financial Data – School Impact Fee Account (3107582)**

Description	Amount
Opening Balance (1 October 2009)	\$2,495,897.22
Interest Earned (31 October 2009)	\$4,106.33
Sep Transactions (deposits via transfer on 16 October 2009)	\$94,495.75
Ending Balance (31 October 2009)	\$2,594,499.30

**Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)**

Description	Amount
Opening Balance (1 October 2009)	\$18,417.77
Interest Earned (31 October 2009)	\$31.47
Sep Transactions (deposits via transfer on 16 Sep 2009)*	\$2,106.05
Ending Balance 31 October 09	\$20,555.29

**Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)**

Description	Amount
Opening Balance (1 October 2009)	\$114,635.03
Interest Earned (31 October 2009)	\$190.08
Sep Transactions (deposits via transfer on 16 October 2009)	\$6,116.16
Check 028 (Requisition 09R0052)	(\$5.85)
Ending balance 31 October 09	\$120,941.27

**Table 6. Financial Data – Fire & EMS Impact Fee Account (3122816)**

Description	Amount
Opening Balance (1 October 2009)	\$428,464.88
Interest Earned (31 October 2009)	\$696.28
Sep Transactions (deposits via transfer on 11 October 2009)	\$5,848.63
Ending Balance (31 October 2009)	\$435,009.79

**Table 7. Total Impact Fees as of 02 November 2009 /1**

Description	Amount
Department of Impact Fees General Account	\$182,397.33
School Impact Fee Account	\$2,594,499.30
Law Enforcement Fee Account	\$20,555.29
Parks & Recreation Impact Fee Account	\$120,941.27
Fire & EMS Impact Fee Account	\$435,009.79
<b>Total</b>	<b>\$3,353,402.98</b>

Notes:

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

610

# Form 100 Transaction Summary

Jefferson County Government – Department of Impact Fees

Applications with IFC Signature Dates/Form 190 Processing Dates between Tuesday, October 01, 2009 and Wednesday, October 30, 2009

Process Number	Application Date	Last Name	First Name	Tax District	Deed	Pag	Tax Parcel	Impact Fee	Agreement Date	Exemption Reason
0900120	10/21/2009	Yuen	Koo	04 Harpers Ferry	1069	338	3C 92-93	\$0.00	10/21/2009	Replacement of habitable DU with another DU
0900121	10/23/2009	Wilt	Beverly	04 Harpers Ferry	416	363	15 88.2	\$0.00	10/23/2009	Replacement of habitable DU with another DU
0900123	10/23/2009	Buracker	Mary	09 Shepherdstown	232	335	17 2	\$0.00	10/23/2009	Replacement of habitable DU with another DU

**Category Count: 3**

**Category Total \$0.00**

### Non-Exempt Applications

0900113	10/06/2009		Dan Ryan	02 Charles Town	1018	71	6A 18	\$13,070.00	10/06/2009	N/A
0900114	10/08/2009	Sawyer	Thomas	09 Shepherdstown	1049	500	19A 9	\$13,070.00	10/08/2009	N/A
0900115	10/09/2009	Corbin	Norman & Lora	02 Charles Town	1069	518	23A 113	\$13,070.00	10/09/2009	N/A
0900116	10/16/2009		THZ Enterprises	09 Shepherdstown	975	69	8C 353	\$13,070.00	10/16/2009	N/A
0900117	10/16/2009		THZ Enterprises	09 Shepherdstown	975	69	8c 358	\$13,070.00	10/16/2009	N/A
0900118	10/16/2009		THZ Enterprises	09 Shepherdstown	975	69	8C 349	\$13,070.00	10/16/2009	N/A
0900119	10/16/2009		Dan Ryan	07 Middleway	1005	548	2A 101	\$13,070.00	10/16/2009	N/A
0900122	10/23/2009		Buck and	08 Ranson Corp	.	.	11 17.3	\$314.00	10/23/2009	N/A
0900124	10/27/2009	Albright	Noreen	09 Shepherdstown	472	514	3 11	\$13,070.00	10/27/2009	N/A
0900125	10/30/2009		Dan Ryan	08 Ranson Corp	984	168	8C 128	\$9,668.00	10/30/2009	N/A
0900126	10/30/2009		Dan Ryan	08 Ranson Corp	984	168	8C 129	\$9,668.00	10/30/2009	N/A
0900127	10/30/2009		Dan Ryan	08 Ranson Corp	984	168	8C 130	\$9,668.00	10/30/2009	N/A
0900128	10/30/2009		Dan Ryan	08 Ranson Corp	984	168	8C 131	\$9,668.00	10/30/2009	N/A
0900129	10/30/2009		Dan Ryan	09 Shepherdstown	984	168	8C 132	\$9,668.00	10/30/2009	N/A
0900130	10/30/2009		Dan Ryan	08 Ranson Corp	984	168	8C 133	\$9,668.00	10/30/2009	N/A
0900131	10/30/2009		Dan Ryan	08 Ranson Corp	984	168	8C 134	\$9,668.00	10/30/2009	N/A

0900132

10/30/2009

Dan Ryan

08 Ranson Corp 984

168 8C 135

\$9,668.00

10/30/2009 N/A

**Category Count: 17**

**\$182,218.00**

**Category Total**

**Grand Total**

**\$182,218.00**

#31

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

F. Mark Schiavone  
Director  
Impact Fee Coordinator

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

MEMORANDUM

TO: Sandy Slusher McDonald, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone  
DATE: Monday, 02 November 2009  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's School Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County School Impact Fee Account (Bank of Charles Town account 3107582)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of October 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900113** through **0900132**, inclusive. Within this range there were 16 non-exempt impact fee payments. This amounts to **\$159,344.00**.
- Interest earned by the Office of Impact Fees General Account in October 2009 amounts to **\$179.33**, of which **\$156.02** is attributed to fees collected for School.

**As per the attached invoice, the total amount of this transfer is \$159,500.02.**

Check # 726

**Jefferson County Commission**

P.O. Box 250  
 Charles Town, WV 25414

**Invoice**

**Number:** 9048

**Date:** 11/2/2009

**Bill To:**

Department of Capital Planning and Management  
 114 E. Washington Street  
 Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
 102 Industrial Blvd.  
 Suite 100  
 Kearneysville, WV 25430

**P.O. Number**

0

**Vendor Number**

**Dept./Line**

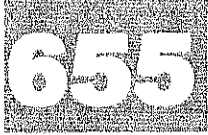
**Item # Charged**

**Description**

**Amount**

	Impact Fee payments collected for month of October 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582).	\$159,344.00
	Interest earned by the Office of Impact Fees General Account October 2009.	\$156.02
	Impact Fee Process Numbers 0900113 through 0900132, inclusive. Within this range, there were 16 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$159,500.02</b>

**Notes/Comments:** Transfer of funds into School Impact Fee Account (3107582).



**Account Withdraws**  
 Department of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 726

Trace 20091102:39357.72

Date 11/2/2009

Series 1

Recipient Sheriff of Jefferson County

Amount \$159,344.00

Account 3107582

Signature 1 Dale Manuel

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: Transfer of October fees.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
10/7/2009	0900113	2003-3	11/24/2005	\$11,358.00
10/9/2009	0900114	2003-3	11/24/2005	\$11,358.00
10/9/2009	0900115	2003-3	11/24/2005	\$11,358.00
10/19/2009	0900116	2003-3	11/24/2005	\$11,358.00
10/19/2009	0900117	2003-3	11/24/2005	\$11,358.00
10/19/2009	0900118	2003-3	11/24/2005	\$11,358.00
10/19/2009	0900119	2003-3	11/24/2005	\$11,358.00
10/26/2009	0900122	2003-3	11/24/2005	\$0.00
10/28/2009	0900124	2003-3	11/24/2005	\$11,358.00
10/30/2009	0900125	2003-3	11/24/2005	\$8,560.00
10/30/2009	0900126	2003-3	11/24/2005	\$8,560.00
10/30/2009	0900127	2003-3	11/24/2005	\$8,560.00
10/30/2009	0900128	2003-3	11/24/2005	\$8,560.00
10/30/2009	0900129	2003-3	11/24/2005	\$8,560.00
10/30/2009	0900130	2003-3	11/24/2005	\$8,560.00
10/30/2009	0900131	2003-3	11/24/2005	\$8,560.00
10/30/2009	0900132	2003-3	11/24/2005	\$8,560.00

**Total amount for this withdraw \$159,344.00**

**Total amount for this account \$159,344.00**

**Total amount all accounts \$159,344.00**

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

F. Mark Schiavone  
Director  
Impact Fee Coordinator

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

**MEMORANDUM**

TO: Sandy Slusher McDonald, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone  
DATE: Monday, 02 November 2009  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Law Enforcement Impact Fee Account (Bank of Charles Town account 3120120)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of October 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900113** through **0900132**, inclusive. Within this range there were 16 non-exempt impact fee payments. This amounts to **\$2,096.00**.
- Interest earned by the Office of Impact Fees General Account in October 2009 amounts to **\$179.33**, of which **\$1.79** is attributed to fees collected for Law Enforcement.

**As per the attached invoice, the total amount of this transfer is \$2,097.79.**

Check # 727

**Jefferson County Commission**

P.O. Box 250  
 Charles Town, WV 25414

**Invoice**

**Number:** 9049

**Date:** 11/2/2009

**Bill To:**

Department of Capital Planning and Management  
 114 E. Washington Street  
 Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
 102 Industrial Blvd.  
 Suite 100  
 Kearneysville, WV 25430

**P.O. Number**

0

**Vendor Number**

**Dept./Line**

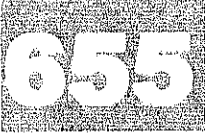
**Item # Charged**

**Description**

**Amount**

	Impact Fee payments collected for month of October 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120).	\$2,096.00
	Interest earned by the Office of Impact Fees General Account October 2009.	\$1.79
	Impact Fee Process Numbers 0900113 through 0900132, inclusive. Within this range, there were 16 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$2,097.79</b>

**Notes/Comments:** Transfer of funds into Law Enforcement Impact Fee Account (3120120).



**Account Withdraws**  
 Department of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 727

Trace 20091102:39425.92

Date 11/2/2009

Series 2

Recipient Sheriff of Jefferson County

Amount \$2,096.00

Account 3120120

Signature 1 Dale Manuel

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: Transfer of October fees.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
10/7/2009	0900113	2005-1	3/22/2005	\$262.00
10/9/2009	0900114	2005-1	3/22/2005	\$262.00
10/9/2009	0900115	2005-1	3/22/2005	\$262.00
10/19/2009	0900116	2005-1	3/22/2005	\$262.00
10/19/2009	0900117	2005-1	3/22/2005	\$262.00
10/19/2009	0900118	2005-1	3/22/2005	\$262.00
10/19/2009	0900119	2005-1	3/22/2005	\$262.00
10/26/2009	0900122	2005-1	3/22/2005	\$0.00
10/28/2009	0900124	2005-1	3/22/2005	\$262.00
10/30/2009	0900125	2005-1	3/22/2005	\$0.00
10/30/2009	0900126	2005-1	3/22/2005	\$0.00
10/30/2009	0900127	2005-1	3/22/2005	\$0.00
10/30/2009	0900128	2005-1	3/22/2005	\$0.00
10/30/2009	0900129	2005-1	3/22/2005	\$0.00
10/30/2009	0900130	2005-1	3/22/2005	\$0.00
10/30/2009	0900131	2005-1	3/22/2005	\$0.00
10/30/2009	0900132	2005-1	3/22/2005	\$0.00

**Total amount for this withdraw** \$2,096.00

**Total amount for this account** \$2,096.00

**Total amount all accounts** \$2,096.00

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

F. Mark Schiavone  
Director  
Impact Fee Coordinator

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

**MEMORANDUM**

TO: Sandy Slusher McDonald, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone  
DATE: Monday, 02 November 2009  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Parks & Recreation Impact Fee Account (Bank of Charles Town account 3122808)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of October 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900113** through **0900132**, inclusive. Within this range there were 16 non-exempt impact fee payments. This amounts to **\$10,616.00**.
- Interest earned by the Office of Impact Fees General Account in October 2009 amounts to **\$179.33**, of which **\$10.76** is attributed to fees collected for Parks & Recreation.

**As per the attached invoice, the total amount of this transfer is \$10,626.76.**

**Check # 728**

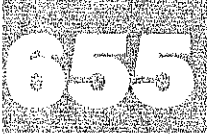
**Jefferson County Commission**P.O. Box 250  
Charles Town, WV 25414**Invoice****Number:** 9050**Date:** 11/2/2009**Bill To:**Department of Capital Planning and Management  
114 E. Washington Street  
Charles Town, WV 25414**Pay To:**Jefferson County Sheriff  
102 Industrial Blvd.  
Suite 100  
Kearneysville, WV 25430**P.O. Number**

0

**Vendor Number****Dept./Line****Item # Charged****Description****Amount**

	Impact Fee payments collected for month of October 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808).	\$10,616.00
	Interest earned by the Office of Impact Fees General Account October 2009.	\$10.76
	Impact Fee Process Numbers 0900113 through 0900132, inclusive. Within this range, there were 16 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$10,626.76</b>

**Notes/Comments:** Transfer of funds into Parks & Recreation Impact Fee Account (3122808).



**Account Withdraws**  
 Department of Impact Fees - Jefferson County Government

Account 3111776

Parks & Rec

Check Number 728

Trace 20091102:39482.55

Date 11/2/2009

Series 3

Recipient Sheriff of Jefferson County

Amount \$10,616.00

Account 3122808

Signature 1 Dale Manuel

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: Transfer of October fees.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
10/7/2009	0900113	2005-2	5/12/2005	\$752.00
10/9/2009	0900114	2005-2	5/12/2005	\$752.00
10/9/2009	0900115	2005-2	5/12/2005	\$752.00
10/19/2009	0900116	2005-2	5/12/2005	\$752.00
10/19/2009	0900117	2005-2	5/12/2005	\$752.00
10/19/2009	0900118	2005-2	5/12/2005	\$752.00
10/19/2009	0900119	2005-2	5/12/2005	\$752.00
10/26/2009	0900122	2005-2	5/12/2005	\$0.00
10/28/2009	0900124	2005-2	5/12/2005	\$752.00
10/30/2009	0900125	2005-2	5/12/2005	\$575.00
10/30/2009	0900126	2005-2	5/12/2005	\$575.00
10/30/2009	0900127	2005-2	5/12/2005	\$575.00
10/30/2009	0900128	2005-2	5/12/2005	\$575.00
10/30/2009	0900129	2005-2	5/12/2005	\$575.00
10/30/2009	0900130	2005-2	5/12/2005	\$575.00
10/30/2009	0900131	2005-2	5/12/2005	\$575.00
10/30/2009	0900132	2005-2	5/12/2005	\$575.00

**Total amount for this withdraw \$10,616.00**

**Total amount for this account \$10,616.00**

**Total amount all accounts \$10,616.00**

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

F. Mark Schiavone  
Director  
Impact Fee Coordinator

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

**MEMORANDUM**

TO: Sandy Slusher McDonald, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone  
DATE: Monday, 02 November 2009  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Fire & EMS Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Fire & EMS Impact Fee Account (Bank of Charles Town account 3122816)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of October 2009.

This transfer consists of two components:

- Impact Fee Process Numbers **0900113** through **0900132**, inclusive. Within this range there were 17 non-exempt impact fee payments. This amounts to **\$10,162.00**.
- Interest earned by the Office of Impact Fees General Account in October 2009 amounts to **\$179.33**, of which **\$10.76** is attributed to fees collected for Fire & EMS.

**As per the attached invoice, the total amount of this transfer is \$10,172.76.**

**Check # 729**

**Jefferson County Commission**

P.O. Box 250  
Charles Town, WV 25414

**Invoice**

**Number:** 9051

**Date:** 11/2/2009

**Bill To:**

Department of Capital Planning and Management  
114 E. Washington Street  
Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
102 Industrial Blvd.  
Suite 100  
Kearneysville, WV 25430

**P.O. Number**

0

**Vendor Number**

**Dept./Line**

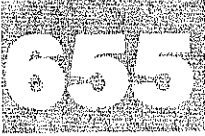
**Item # Charged**

**Description**

**Amount**

	Impact Fee payments collected for month of October 2009 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Fire & EMS Impact Fees Bank Account (3122816).	\$10,162.00
	Interest earned by the Office of Impact Fees General Account October 2009.	\$10.76
	Impact Fee Process Numbers 0900113 through 0900132, inclusive. Within this range, there were 17 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$10,172.76</b>

**Notes/Comments:** Transfer of funds into Fire & EMS Impact Fee Account (3122816).



**Account Withdraws**  
 Department of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 729

Trace 20091102:39547.48

Date 11/2/2009

Series 4

Recipient Sheriff of Jefferson County

Amount \$10,162.00

Account 3122816

Signature 1 Dale Manuel

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

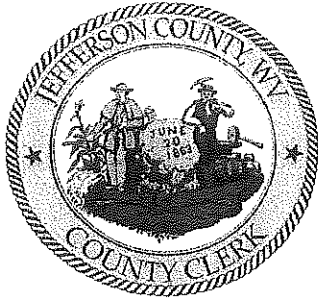
Notes: Transfer of October fees.

Deposit Date	Process Number	Ordinance	Enact Date	Amount
10/7/2009	0900113	2005-3	5/12/2005	\$698.00
10/9/2009	0900114	2005-3	5/12/2005	\$698.00
10/9/2009	0900115	2005-3	5/12/2005	\$698.00
10/19/2009	0900116	2005-3	5/12/2005	\$698.00
10/19/2009	0900117	2005-3	5/12/2005	\$698.00
10/19/2009	0900118	2005-3	5/12/2005	\$698.00
10/19/2009	0900119	2005-3	5/12/2005	\$698.00
10/26/2009	0900122	2005-3	5/12/2005	\$314.00
10/28/2009	0900124	2005-3	5/12/2005	\$698.00
10/30/2009	0900125	2005-3	5/12/2005	\$533.00
10/30/2009	0900126	2005-3	5/12/2005	\$533.00
10/30/2009	0900127	2005-3	5/12/2005	\$533.00
10/30/2009	0900128	2005-3	5/12/2005	\$533.00
10/30/2009	0900129	2005-3	5/12/2005	\$533.00
10/30/2009	0900130	2005-3	5/12/2005	\$533.00
10/30/2009	0900131	2005-3	5/12/2005	\$533.00
10/30/2009	0900132	2005-3	5/12/2005	\$533.00

**Total amount for this withdraw \$10,162.00**

**Total amount for this account \$10,162.00**

**Total amount all accounts \$10,162.00**



#33

*Jennifer S. Maghan*  
*Jefferson County Clerk*

**RECEIVED**

NOV 10 2009

Happy Holidays Everyone:

**Jefferson County Commission**

Please help the Jefferson County Clerk's Office show support for the Shenandoah Women's Center during this holiday season. This may be done by dropping off the items listed in the red holiday box located just outside the County Clerk's Office Door. If you have any questions, please contact Bonnie Dorman or Jerri Herbert at 304-728-3215.

Please submit your donations no later than December 11, 2009, to allow us time to present your donations to the Women's Center.

Thanks for your support.

# Shenandoah Women's Center

## Winter 2009

### Holiday Wish List

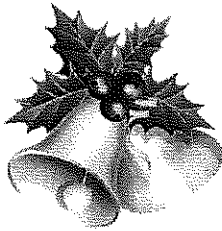
At this time we are only accepting the items listed below.

Items with an asterisk (\*) represent items that are urgently needed.

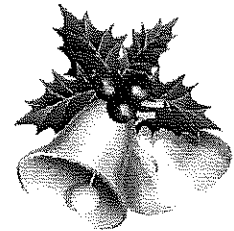
#### Miscellaneous

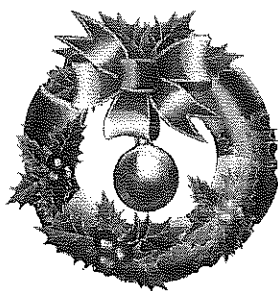
- \*Pre-paid phone cards, in amounts of \$10, \$15, and \$25
- \*Pre-paid grocery cards for Martin's or Food Lion, in amounts of \$25, \$50, and \$75
- \*Gift Cards from Martin's, Walmart, Food Lion and Sheetz (in any amount)

#### Kitchen/Laundry



Paper towels  
Toilet paper  
Tissues  
Laundry detergent (powder)  
Fabric softener sheets  
Liquid hand soap  
Dish soap  
Bath towels/Washcloths  
Dish towels (cloth)





### Household cleaning supplies

- \* Lysol, Ajax, Windex, Clorox Clean-up, scrub pads, wet mops, buckets, rubber gloves, Toilet bowl cleaner, air fresheners, etc.

### Hair Care

- \* Ethnic hair care products (brand name "Pink")

### Medicine Cabinet

(Please check that all over the counter medications have not expired)

#### Pregnancy test kits

- \* Pain relievers, adult and child
  - \*(Tylenol, Advil, Aleive, Aspirin – generic is fine)
  - \* Cold/Flu medicine, adult and child
    - \* Cough syrup and drops
- Allergy medicine
- Anti-diarrhea medicine
- Antacids/heartburn medicine (Mylanta, Tums, Rolaids, etc.)
- Thermometers
- \* Lice Treatment Kits



## Mission Statement

The Shenandoah Women's Center is dedicated to the self-empowerment of battered or abused persons and their children, and, therefore, is committed to the elimination of personal and societal violence in the lives of women, men and children.

The Shenandoah Women's Center believes that violence against women and children results from the use of threat of force or actual force to achieve and maintain control over others in intimate relationships, and also results from domination and societal abuses of power. The Shenandoah Women's Center recognizes that the abuses of power in society fostering battering and perpetuate conditions which condone violence against women and children. Therefore, it is the mission of the Shenandoah Women's Center to work for the major societal changes necessary to eliminate both personal and societal violence against all people.

The Shenandoah Women's Center, as a community resource center, offers counseling, education, shelter, support, and advocacy for any person who experienced or is threatened by domestic or sexual violence. The Shenandoah Women's Center identifies, investigates, and seeks to eliminate domestic violence and sexual assault.



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



#33

### October 2009 Activity Report

<b>Dogs Picked Up</b>	
County	25
Charles Town	5
Shepherdstown	0
Ranson	6
Harpers Ferry/Bolivar	9
Dogs Brought In	3
Misc	5
<b>TOTAL</b>	<b>63</b>

<b>Animal Bites Investigated</b>	
County	9
Charles Town	1
Shepherdstown	0
Ranson	1
Harpers Ferry/Bolivar	0
Cat Bites	2
Miscellaneous	1
<b>TOTAL ANIMAL BITES</b>	<b>14</b>

<b>Complaints Answered</b>	
County	42
Charles Town	8
Shepherdstown	1
Ranson	7
Harpers Ferry/Bolivar	3
<b>TOTAL</b>	<b>61</b>

<b>Check Welfare Complaints Answered</b>	
County	10
Charles Town	1
Shepherdstown	0
Ranson	0
Harpers Ferry/Bolivar	0
<b>TOTAL</b>	<b>11</b>

<b>Wildlife Complaints Investigated</b>	
County	4
Charles town	2
Shepherdstown	0
Ranson	0
Harpers Ferry/ Bolivar	0
Rabies Test Positive	0
Rabies Test Negative	1
<b>TOTAL WILDLIFE COMPLAINTS</b>	<b>6</b>

<b>Aggressive Dog Complaints</b>	
County	13
Charles Town	0
Shepherdstown	0
Ranson	0
Harpers Ferry/Bolivar	0
<b>TOTAL</b>	<b>13</b>

<b>Disposition Report</b>	
Return To Owner	19
Adopted	2
Euthanized	6
Rescued	12
Foster Care	0
Still Here	13
Dec	1
<b>TOTAL</b>	<b>53</b>
Citations/Summons/Warrants Issued	11
Warning Citations Issued	3

<b>Money Collection Report</b>	
Impound/R.T.O /with Boarding	755
Adoptions	40
Owner Surrender	100
Donations	0
Report Fees	50
Reimbursement of vet bill	140
Misc	0
<b>TOTAL</b>	<b>1085</b>

<b>ACO COMPLAINT RESPONSE</b>			
Unit #	Responses	O/C Respon	Total Respos
AC-1	38	1	39
AC-2	1	0	1
AC-3	50	2	52
AC-4	13	0	13

2008-Total Complaints Answered: 1380  
 2009-Total Calls For month: 105  
 2009-Total Calls For year: 1268



**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	Paw Vaccine #	BREED	COLOR	GENDER	RUN	RTO	Adoption	Rescue	Euth	ACO #
10/1/2009	09-1169	47422	County	Route 9/mission Rd	09-0267	Basset Hound	Tri	Male N	B-6	RTO				AC-3
10/1/2009	09-1169	47423	County	Route 9/mission Rd	09-0268	Shepherd X	Brindle	Female	B-6	RTO				AC-3
10/1/2009	09-1140	47424	Harpers Ferry	129 Day St.	09-0269	Jack Russ. X	Yellow	Female	B-2				Euth	AC-1
10/1/2009	09-1140	47425	Harpers Ferry	129 Day St.	09-0270	Jack Russ. X	Tan/White	Female	B-2				Euth	AC-1
10/1/2009	09-1140	47426	Harpers Ferry	129 Day St.	09-0271	Jack Russ. X	Brown/White	Female	B-2				Euth	AC-1
10/1/2009	09-1171	47427	County	97 Second St		DSH Cat	Grey Tabby	Female	PR 1			Rescue		AC-3
10/1/2009	09-1172	47428	Shannondale	159 Fern Dr	09-0272	Turkish Akbash	White	Male N	B-6			Rescue		AC-3
10/2/2009	09-1140	47429	Harpers Ferry	129 Day St.	09-0273	Jack Russ. X	White	Female	B-8			Rescue		AC-1
10/2/2009	09-1140	47430	Harpers Ferry	129 Day St.	09-0274	Jack Russ. X	Tan/White	Male	B-8			Rescue		AC-1
10/2/2009	09-1140	47431	Harpers Ferry	129 Day St.	09-0275	Jack Russ. X	Tan/White	Male	B-8			Rescue		AC-1
10/2/2009	09-1174	47432	County	2948 Bowers Rd.	09-0276	Spaniel	Liver/White	Female	B-4	RTO				AC-1
10/2/2009	09-1174	47433	County	2948 Bowers Rd.	09-0277	Spaniel	Liver/White	Female	B-4	RTO				AC-1
10/2/2009	09-1176	47434	County	1620 Earle Road		Raccoon			F#1				Dec	AC-1
10/5/2009	09-1178	47435	Charles Town	305 W. Congress St.	09-0278	Hound Mix	Bk/Tan	Male	B-10			Rescue		AC-1
10/5/2009	09-1178	47436	Charles Town	305 W. Congress St.	09-0279	Shih Tzu	Bk/Tan	Male	A-11			Rescue		AC-1
10/5/2009	09-1179	47437	Ranson	301 S. Mildred St.	09-0280	Terrier Mix	Bk/White	Male	A-1	RTO				AC-3
10/7/2009	09-1187	47438	County	Poor Farm Rd.	09-0281	Schnauzer	Black	Female	A-1		Adoption			AC-4
10/7/2009	09-1189	47439	Harpers Ferry	Washington St.	09-0282	Hound Mix	Black/White	Male	B-4	RTO				AC-3
10/7/2009	09-1190	47440	County	74 Welby Hill		Lab	Black	Spayed	A-2	RTO				AC-1
10/7/2009	09-1190	47441	County	74 Welby Hill		Lab	Yellow	N	A-3	RTO				AC-1
10/8/2009	09-1192	47442	Ranson	214 Thumper Drive	09-0283	Akita	Bk/White	M-N	B-4	RTO				AC-1
10/9/2009	09-1194	47443	County	2244 Box Factory Rd	09-0284	Beagle	Tri	M	B-7			Rescue		AC-3
10/9/2009	09-1195	47444	Charles Town	203 Hale Road		Squirrel	Brown	Female	F#r				Euth	AC-3

10/10/2009	09-1199	47446	County	177 Fifth St Shen Jet		DLH Cat	Black	Unknown	Fzr					Euth	AC-3
10/11/2009	09-1201	47447	County	18630 Charles Town Rd		Pit Bull	Tan	Male	A-5					Euth	AC-3
10/13/2009	09-1204	47445	Charles Town	Campbell Drive	09-0285	Husky	Gray/White	Female	B-4		Rescue				AC-3
10/14/2009	09-1210	47448	County	1072 Catfall Run Rd		Shepherd X	Black/Tan	Female	Vel		Rescue				AC-3
10/15/2009	09-1216	47449	Shannondale	1092 Johnnycake Ln.	09-0286	Labrador Mix	Black	Male	B-1	RTO					AC-1
10/15/2009	09-1217	47450	West Ridge Hills	29 Red Maple Ln.	09-0287	Labrador Mix	Black	Male-N	B-2	RTO					AC-4
10/15/2009	09-1219	47451	Ranson	300 S. Preston St.	09-0288	Lab Mix	BK/White	Female	B-8						AC-1
10/15/2009	09-1220	47452	County	264 Hillcrest Dr	09-0289	Chihuahua	Tan/White	Male	A-11	RTO					AC-3
10/16/2009	09-1221	47453	County	1267 Wheatland Rd.	09-0290	Akita	Bm/White	Male	B-1						AC-3
10/16/2009	09-1223	47454	County	1539 Keyes Ferry Rd.	09-0291	Lab Mix	Yellow	Female	B-9						AC-3
10/16/2009	09-1222	47455	Hidden River	707 Hidden Hollow Dr.	09-0292	Border Collie	BK/White	Male	A-12	RTO					AC-3
10/16/2009	09-1222	47456	Hidden River	707 Hidden Hollow Dr.	09-0293	Hound Mix	Tn-Colored	Female	A-12	RTO					AC-3
10/18/2009	09-1227	47457	Ranson	N. Mildred St.	09-0294	G. Shepherd	BK/Tan	Female	A-4						AC-3
10/18/2009	09-1228	47458	County	475 Old Cave Rd	09-0295	Lab Mix	Black/Bm	Male	A-3						AC-3
10/19/2009	09-1230	47459	Ranson	E. 12th Ave.	09-0296	Boxer Mix	BK/White	Female	A-2	RTO					AC-3
10/19/2009	09-1231	47460	Ranson	E. 12th Ave.	09-0297	Pit Bull	Wh/Bk	Female	A-1	RTO					AC-1
10/19/2009	09-1215	47461	County	401 Morgan Grove Rd.	09-0298	Corgi Mix	BK/Tan	Male	A-12						AC-3
10/20/2009	09-1233	47462	Charles Town	60 Campbell Drive	09-0299	Shepherd X	White	Male-N	B-10						AC-3
10/20/2009	09-1237	47463	Brought In/Stray	Happy Creek	09-0300	Terrier Mix	BK/Tan	Male	A-7		Adopted				AC-2
10/20/2009	09-1238	47465	Harpers Ferry	600 Fillmore St.	09-0301	Terrier Mix	Tn-Colored	Male	B-2	RTO					AC-4
10/20/2009	09-1239	47464	Brought In	6000 Kabletown Rd.	09-0302	Lab Mix	Tan	M			Rescue				AC-1
10/21/2009	09-1245	47466	Willowbrook	54 Mallard Court		DLH Cat	Gray/White	Unknown	AWS		Rescue				AC-3
10/21/2009	09-1247	47467	Charles Town	Campbell Drive	09-0303	Husky	Gray/White	Female	B-4	RTO					AC-1
10/28/2009	09-1258	47468	County	38 Scobies Sawmill Rd.	09-0304	G. Shepherd	Black/Tan	Female	B-4						AC-1
10/29/2009	09-1261	47469	Brought In / Own	797 Patriots Way	09-0305	Akita	White	Female	B-7						AC-4
10/30/2009	09-1270	47470	County	1605 Bruceclown Road	09-0306	Lab Mix	Black	Female	B-6						AC-4
10/30/2009	09-1271	47471	County	332 Walling Drive	09-0308	Lab Mix	Bm/White	Female	A-11	RTO					AC-1
10/30/2009	09-1271	47472	County	332 Walling Drive	09-0307	Lab Mix	Choc	Female	A-11						AC-1







# Jefferson County Health Department

ROBERT E. JONES, M.D.  
HEALTH OFFICER



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

## October Animal Control Report

10/5/09	1	Raccoon	Tested	Negative
10/14/09 10/26/09	2	Dogs	Quarantined	Alive + Well
10/8/09 10/23/09 10/27/09	3	CATS	Quarantined " Lost CAT	Alive + Well

**RECEIVED**

NOV 03 2009

**Jefferson County Commission**

THE WEST VIRGINIA LIBRARY COMMISSION,  
FOSL (FRIENDS OF SHEPHERDSTOWN LIBRARY)  
AND THE  
SHEPHERDSTOWN PUBLIC LIBRARY

REQUEST YOUR PRESENCE AT A  
RECEPTION IN HONOR OF

**KATHRYN MCATEER**

FOR HER EIGHT YEARS OF SERVICE TO  
THE WEST VIRGINIA LIBRARY  
COMMISSION  
AND HER DEDICATION TO THE LIBRARY  
COMMUNITY

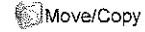
RECEPTION AT THE HOME OF  
ELIZABETH WHEELER AND CARLOS  
NIEDERHAUSER  
202 S. PRINCESS ST. (NEXT TO JEFFERSON  
SECURITY BANK)  
NOVEMBER 20, 2009  
6:00 TO 8:00PM

RSVP: 304-876-2783 OR  
TAYLOR\_H@MARTIN.LIB.WV.US

#34

#35

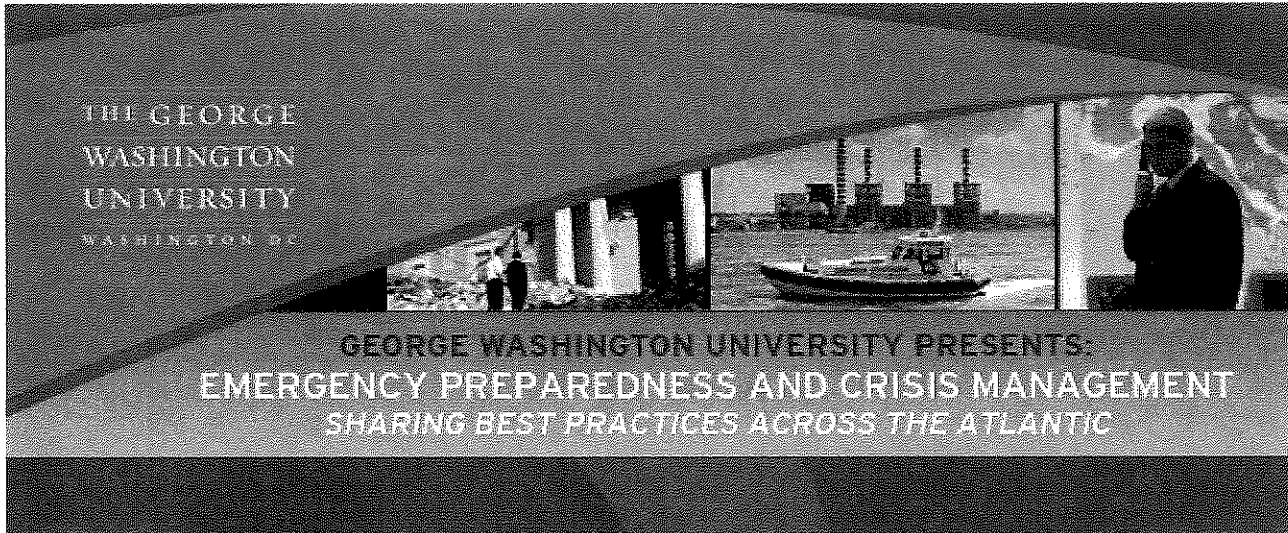
You're Invited: 3rd Annual Homeland Security Workshop on 12/1



Show Header

Print Hide Envelope

From: HSToday [Add to Address Book](#)  
 To: [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org)  
 Date: Tuesday, November 03, 2009 1:59:05 PM  
 Subject: You're Invited: 3rd Annual Homeland Security Workshop on 12/1



**TUESDAY, DECEMBER 1, 2009**

This 3rd Annual Homeland Security Workshop will allow attendees to share best practices between the United States and Europe focused on emergency preparedness, special event planning and execution, and homeland security.

**REGISTER TODAY AT [www.HomelandSecurity2009.com](http://www.HomelandSecurity2009.com)**

**Date:** Tuesday, December 1, 2009  
8:00am to 2:00pm

**Location:** The Marvin Center - GWU  
Continental Ballroom  
800 21st Street, NW  
Washington, DC

**Metro:** Foggy Bottom (Orange and Blue Lines)

*Continental breakfast and lunch will be provided.*

**Event Topics:**

- Special event security, planning, and execution
- Emergency preparedness and response
- Crisis management and disaster recovery
- Critical infrastructure protection
-

RECEIVED

Harpers Ferry National Historical Park

National Park Service  
U.S. Department of the Interior



# Community Bulletin



Walk of the Descendants

## John Brown Sesquicentennial a Success

Persistent weekend rains did little to dampen the enthusiasm of thousands of visitors attending the 150th commemoration of John Brown's Raid at Harpers Ferry NHP this past weekend.

In 1859, abolitionist John Brown, believing he could free slaves, selected Harpers Ferry as his starting point. Determined to seize the 100,000 weapons at the arsenal and to then use the Blue Ridge Mountains for guerrilla warfare, Brown launched his raid on Sunday evening, October 16, 1859. His 21-man "army of liberation" seized the armory and several other strategic points. Thirty-six hours after the raid began, with most of his men killed or wounded, Brown was captured in the armory fire engine house (now known as "John Brown's Fort") when U.S. Marines stormed the building.

Brought to trial at nearby Charles Town, Brown was found guilty of treason, of conspiring with slaves to rebel, and murder. He was hanged on December 2, 1859. John Brown's short-lived raid failed, but his trial and execution focused the nation's attention on the moral issue of slavery and headed the country toward civil war.

Commemorative events began on Friday. Over 100 walkers braved the elements that night for the symbolic

trek retracing the six-mile route that Brown and his men took from the Kennedy Farm to Harpers Ferry. The commemorative walk concluded with a moving candle-lit program at John Brown's Fort.

Saturday's activities were well attended, especially the premiere performance of "Tattered Souls," a theatrical jazz performance by composer/arranger/musician Delfeayo Marsalis. Played to a standing-room only crowd, many in attendance said it was the highlight of their weekend.

Creative hands-on activities kept visitors of all ages actively engaged in the Family & Youth Tent. Who knew reading, writing and art could be so much fun? "The only problem, besides the weather," said one mother as her children participated in an art activity, "is there is so much to do and we can't do it all."

As skies brightened a bit on Sunday, the Walk of the Descendants program followed the footsteps of Brown and his men during the raid. Descendants of townspeople, militia, marines, raiders and John Brown participated with special readings as ranger David Fox recounted the events of the raid. Alice Keesey Mecoy, great-great-great-granddaughter of John Brown said,

"This weekend, commemorating such an important part of history, has been an emotional roller coaster that I have been honored to be a part of."

The U.S. Marine Corps Historical Company and the Marine Band from Quantico Marine Base presented the role of the marines during the raid and entertained with music of the period. Lt. General G.R. Christmas, USMC Ret., led a procession and wreath laying at John Brown's Fort honoring USMC Pvt. Luke Quinn, killed during the raid.

Excerpts from "John Brown's Body" by Stephen Vincent Benet were introduced by Kathleen Kennedy Townsend, who said this poetry had been her uncle's favorite. Her uncle was President John F. Kennedy. Presented by actor Danny Glover, Fred Morsell, JaBen Early, Terry Leonino and Greg Artzner and accompanied by the Maryland Symphony Orchestra String Ensemble, the performance was unforgettable. Many visitors were excited to see Danny Glover and thrilled he had taken the time and had an interest in this historical commemoration.

One visitor perhaps summed it up best. "This is a once-in-a-lifetime event and I wanted my family to be a part of it. It's something we'll remember forever."

## Veterans Day Free for Veterans and Military

Interior Secretary Salazar will continue the practice of admitting free-of-charge U.S. Veterans, members of the U.S. Armed Forces and their families to most public lands managed by the Dept. of the Interior and Agriculture, including Harpers Ferry National Historical Park, on November 11, Veterans Day.

"The fine men and women of the armed forces, both past and present, have fought to keep all Americans free," said Kempthorne. "Allowing free admission to our public lands is a small, but appropriate way for us to say 'thank you' to these American heroes and their families. My hope is that they experience an enjoyable day on our nation's public lands."



National Park Service  
U.S. Department of the Interior

The history of Harpers Ferry has few parallels in the American drama. It is more than one event, one date, or one individual. It is multi-layered, involving a diverse number of people and events, decisions and actions that influenced the course of our nation's history. Visit Harpers Ferry and step into history.

Harpers Ferry National Historical Park  
P.O. Box 65  
Harpers Ferry, West Virginia 25425

Visitor Center  
304-535-6029

Harpers Ferry Historical Association Bookshop  
304-525-6881

Harpers Ferry NHP Home Page  
[www.nps.gov/hafe/](http://www.nps.gov/hafe/)

The National Park Service cares for the special places saved by the American people so that all may experience our heritage.

## Upcoming Events

Nov 1 "Under Fire: The Battle of Harpers Ferry 1862" Bolivar Heights Battlefield Members of the living history groups, Baltimore Light Artillery, Fredericksburg Light Artillery and the Liberty Rifles will portray Confederate artillery soldiers and conduct the demonstrations. Programs at 12, 2 & 3.

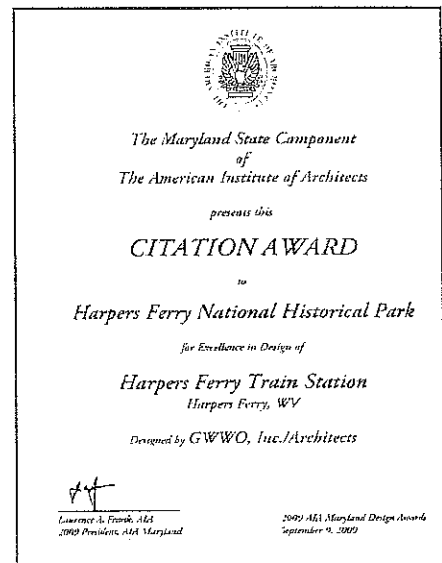
November 7 - 8 "Luxury or Necessity? Victorian Preserved Foods" 11-4pm Join the living history staff and volunteers at Roeder's Confectionery as they demonstrate the differences between tin can and glass preserved foods.

November 7 "If John Brown did not end the war that ended slavery, he did at least begin the war that ended slavery." 1 and 3 pm Lower Town. Dramatic debate with Fred Morsell as Frederick Douglass and Jim Getty as Abraham Lincoln.

December 5 - 6 "Prospects of Peace: A Soldiers Prayer 1864" Saturday 12-9pm, Sunday 11-4pm A special program focusing on Yuletide 1864 when Harpers Ferry soldiers attempted to create their own version of Christmas on the battle front.

## American Institute of Architects Award

The Maryland State American Institute of Architects recently presented a Citation Award to Harpers Ferry NHP for excellence in design of the Harpers Ferry Train Station. Park Architect Peter Dessauer was on hand to accept the award. According to Dessauer, "This is great recognition for a project that took 8 years to bring to completion and restored a vital part of Harpers Ferry history."



The Quantico Marine Corps Band on parade during the John Brown 150th Commemoration.



Potomac Valley Audubon Society  
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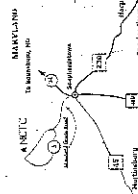
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November 2009 Printed on 100% post-consumer waste recycled paper Volume 28, Issue 3



**PVAS BOARD**

The PVAS Board meets every other month on the first Wednesday of the month (Sept.-June). Meeting location will be announced prior to meetings. These meetings are open to all PVAS members.

**PVAS Officers and Board Members**

- President: Peter Smith 304 876-1139 ..... psmith@potomacvalley.org
- Vice President: Nancy Kirsbaum ..... nkirsb@comcast.net
- Secretary: Minu Gombath ..... gombathm@potomacvalley.org
- Treasurer: Wayne Braunstein 304 728-7181 ..... wbraun@potomacvalley.org
- Board Development: Don Briggs ..... dbriggs@potomacvalley.org
- Board Members-at-Large: Susan Brookerson ..... sbrookers@potomacvalley.org
- Clark Dixon ..... cdixon@potomacvalley.org
- Rob Foxton ..... rfoxton@potomacvalley.org
- Larg Jenkins ..... largj@potomacvalley.org
- Georgia Joppesen ..... gjoppes@potomacvalley.org
- John Katsenweber ..... jkatsenweber@comcast.net
- Carylyn Thomas ..... cthomas@potomacvalley.org
- Emeritus Board Members: Diana Mills 304 267-3482 ..... dmills@potomacvalley.org
- Bill Bellon ..... bellon@highes.net
- Jean Neely ..... jneely@comcast.net

**Special Contacts**

- Executive Director: Kristin Alexander 304 626-3397 ..... kalexander@potomacvalley.org
- Web Master: Kathy Bilou ..... kbilou@potomacvalley.org
- PVAS Wildlife Rescue Council: Diana Mills ..... 304-267-3482

# Potomac Valley Audubon Society

## VALLEY VIEWS

Volume 28 Issue 3 November 2009

### Eidolon Parking Lot and Road Work Completed

The new parking lot at our Eidolon Nature Preserve is now finished, and the roadwork inside the preserve has also been completed.



The new Eidolon Parking Lot

The parking lot is located about 200 yards inside the preserve's gated entrance. Designed to accommodate school and group visits to the preserve, it is gravel-surfaced and includes a bus turnaround and room for parking up to 24 cars and 2 buses.

For individuals visiting the preserve on their own, the small parking area just outside the gate has been expanded as much as possible and now includes room for two to three vehicles.



Road Before

The gravel road inside the preserve has been repaired and upgraded significantly, with new surfacing and greatly improved drainage.



Road After

The contractor for all this work was Clinton Reed, of Berkeley Springs.

The total cost of the project was \$20,000. Funding has come from proceeds of the preserve's endowment, grants from the Tom and Virginia Seely Foundation and the Carl M. Freeman Foundation, a donation from CND Bank, and donations from individuals in the community.

The next project at the preserve will be retrofitting its old stone cottage, so the structure can be used as a shelter and educational pavilion.

Because of new concerns about the strength of the cottage walls,

this project has become somewhat more complicated than originally envisioned.

More specifically, a post and beam framework will have to be erected inside the cottage walls to support a new roof and this, in turn, will necessitate cutting through the cottage's concrete floor to provide proper footings for the posts.

The complexity and cost of the footing work won't be known until the floor is opened up.

Mountain View Builders, of Berkeley Springs, has stepped forward to help PVAS with the footing job.

If all goes well it may be possible to complete that job this fall.

In any case, if finances permit, PVAS hopes to move forward next summer with construction of the post and beam framework and roof.

### Yankauer Trail Grant Gets Final OK

The West Virginia Department of Transportation has given PVAS the final go-ahead to begin using a \$31,350 grant to make the Cedar Loop trail at the Yankauer preserve wheelchair accessible.

Governor Joe Manchin announced the approval of this grant more than a year ago, on September 5, 2008.

The Cedar Loop trail is 0.2 miles in length. The new grant will fund installation of a permeable but wheelchair-friendly surface as well as new interpretive signs and benches that are accessible to those in wheelchairs.

These improvements will allow visitation by and programs for patients from the Veterans' Administration hospital, local Senior Centers, special needs students from local schools, day care centers/nurschools and families with strollers, and any visitor in a wheelchair.

Work on the improvements will begin shortly.

The grant is being provided through the West Virginia Recreational Trails Program, which is administered by the Department of Transportation, using Federal Highway Administration funds.

Potomac Valley Audubon Society is people dedicated to preserving, restoring, and enjoying the natural world through education and action.

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## President's Porch



Hello everyone:  
Elsewhere in this newsletter, you'll note that we've now completed our first big capital projects at the Eidolon Nature Preserve: a large parking lot and bus turnaround near the entrance to the preserve and major improvements to the gravel road that runs from the preserve gate up to the old stone cottage near the top of the mountain.

These are the first steps toward providing the infrastructure needed to support group events at the preserve, primarily educational programming for children.

The next step will be to re-roof the preserve's old stone cottage, to provide sheltered space for educational programming and other activities. We're hoping to complete this project next year.

The last step will be to construct a small satellite parking lot and bus turnaround near the cottage, to further facilitate its use. That project will be undertaken as additional funds become available, hopefully in 2011.

Why do we bother with all this?

The answer is simple: it's what the donor of the Eidolon property, Marguerite Zapoliec, wanted.

Marguerite and her husband, Louis, were not only passionate about nature they were also passionate about education.

(Both of them were economists; she had studied at a variety of institutions, including the London School of Economics and Political Science, and he had studied at Cambridge and taught at Stanford University.)

And so Marguerite wanted to see Eidolon used to promote greater appreciation and understanding of the natural world, especially among children.

And to accomplish that in this day and age you need to provide facilities that meet certain commonly agreed upon standards.

We're not there yet but we're getting there, and we're looking forward to the time in the not-too-distant future when we can begin offering educational programming at Eidolon in earnest.

And we greatly appreciate the financial support we've received from the Tom and Virginia Seely Foundation, the Carl M. Freeman Foundation, CNB Bank, and individuals in the Morgan County community.

—Peter Smith

### Notice of Omission

The photo in last month's newsletter of the home that was the site of our October 24 fundraiser should have been credited to Sterling "Rip" Smith. PVAS regrets this omission.

## Pick Up Birdseed Orders November 7

REMINDER - Birdseed Pick-Up Day is November 7 from 10:00 am until Noon at the location you designated on your Order Form. If this is a problem for you, please let Diana Mullis know at [dianamullis@aol.com](mailto:dianamullis@aol.com) or 304-267-3482. Thank you for your order!

## Eidolon Trail Blazes Being Up-graded

Improvements are being made to the hiking trails at the Eidolon Nature Preserve.

The trail paths and the blaze colors used to denote them will remain the same but the blazes are being re-done to bring them up to Appalachian Trail Maintenance Manual standards.

Tree bark is being scraped to provide a flat surface for the blazes, and all blazes will be perfectly rectangular and a consistent 2 x 7 inches in size.

This will make the blazes easier to spot and follow, and they should also be more durable.

All blazes will be located on the right-hand side of the trails.

An example of the new blaze system is shown in the photo above, which was taken at the lower entrance to the white trail.

The re-blazing of the White Trail is now complete and the Yellow Trail will be the next project.

Joe Gentile, the Eidolon caretaker, welcomes comments and suggestions regarding the project and invites volunteers to help. You can reach him at 304-258-3197 or [bjblackmores@valpo.com](mailto:bjblackmores@valpo.com) or 44 Elderberry Drive, Berkeley Springs, WV 25411-6363.

## PVAS & Master Naturalists Support Science Olympiad

PVAS and Potomac Valley Master Naturalists continue to be major contributors to the annual Jefferson County Science Olympiad. This year's event was held September 28-30, and October 5-7 at the For the Love of Children Outdoor Education Center near Shannondale. The Olympiad is sponsored by the Jefferson County school system. All of the county's sixth graders come to the site for a day of science-related activities.

This year, 15 of the stations over the two weeks were PVAS/PVMN led, meaning that we saw about 540 children at the Olympiad. Our stations included predator/prey games, molecule activities, bird walks, and other science-related activities.

The Science Olympiad continues to be a wonderful opportunity for sixth grade students to be exposed to a wide variety of science subjects and learn how they are applied in real-world situations.

complete instructions, and *Winter Bird Highlights*, an annual summary of Feeder-Watch findings.

Participant Nancy Carr of Harrisburg, Oregon, sums up her Project FeederWatch experience: "Thanks for the wonderful opportunity to share our love of birding and to participate in something meaningful!"

Regional highlights based on 2008-09 FeederWatch reports:

**Southwest & California:** On most lists: House Finch, fewer reports; Western Scrub-Jay, Increasing; Lesser Goldfinch and Eurasian Collared-Dove.

**Southeast & South-Central:** On most lists: Northern Cardinal, Increasing; White-winged Dove and Eurasian Collared-Dove. Rare bird: Yellow-headed Blackbird (Florida).

**Pacific Northwest & Rocky Mountains:** On most lists: Dark-eyed Junco, Increasing; Anna's Hummingbird and Golden-crowned Sparrow. Rare bird: Yellow-throated Warbler (Albera).

**Northeast quarter of U.S. & Southeastern Canada:** On most lists: Black-capped and Carolina Chickadees, Fewer reports; Evening Grosbeak. Rare bird: Green-tailed Towhee (New Jersey).

**North-Central & Mid-Central:** On most lists: Downy Woodpecker, Fewer reports; American Crows, Increasing; American Robin and Cedar Waxwing. Rare bird: Cape May Warbler (Saskatchewan).

**Alaska & Northern Canada:** On most lists: Common Redpoll, Increasing; Pine Grosbeak and Bohemian Waxwing, Fewer reports; Steller's Jay, Rare bird: Purple Finch (Alaska).

*The Cornell Lab of Ornithology is a membership institution dedicated to interpreting and conserving the earth's biological diversity through research, education, and citizen science focused on birds. Visit the Cornell Lab's web site at [birds.cornell.edu](http://birds.cornell.edu).*

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Call us toll-free at (800) 853-BIRD (2473)

## Calendar of Events

Oct 30-Nov 2:	Weekend trip to the Great Smoky Mountains
Nov 1:	Potomac Valley Nature Writers meeting
Nov 7:	Pick up bird seed 10-12am at 3 locations
Nov 7:	Eagle and hawk-watching trip in Harpers Ferry area
Nov 7:	Field trip to owl-banding station on South Mountain
Nov 11:	PVAS program: Monarch Butterflies
Nov 14:	Volunteer Day at Yankauer
Nov 14-15:	Master Naturalist Workshop—Leave No Trace Trainer Course
Dec 6:	Potomac Valley Nature Writers meeting
Dec 9:	<b>NO PVAS MEETING IN DECEMBER</b>
Dec 11:	Potomac Valley Nature Photographers
Dec 19:	Jefferson County Christmas Bird count
Jan 2:	Berkeley & Morgan county Christmas Bird Count

## JOIN PVAS TODAY!

We now offer two kinds of memberships:

### 1. PVAS Local Membership

Here's what you get:

- Access to a wide variety of PVAS programs and events for adults and children.
- Discounts for selected chapter activities, like children's summer camps.
- A subscription to PVAS's newsletter and e-mail alerts about events and programs of special interest.
- ALL your dues stay here to support local PVAS efforts!

To become a local member: Enclose a check for \$20 (\$15 for seniors and students). Please make check out to "PVAS." This fee covers membership for everyone in your household for one year.

### 2. Dual Membership with National Audubon

You get all the benefits of PVAS membership plus membership in the National Audubon Society, which includes a subscription to *Audubon* magazine. If you select this option, almost all of your dues will go to National Audubon. To obtain a dual membership, enclose a check for \$20 if you are joining PVAS for the first time or \$35 to renew an existing PVAS membership (\$15 in either case for seniors and students). Make check out to "National Audubon Society."

### Membership Form

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Phone (optional): \_\_\_\_\_  
E-mail: (optional): \_\_\_\_\_  
Membership Type (check one): \_\_\_\_\_

### PVAS Local Membership

(For PVAS local membership, check the box following if you do NOT want PVAS to share your contact information with National Audubon: \_\_\_\_\_)

### Dual Membership with National Audubon

I'd like to get *Valley Views* by e-mail \_\_\_\_\_ US mail \_\_\_\_\_ (check one)  
\_\_\_\_\_  
(Audubon chapter code CS275802)

### Clip and mail this form to:

Membership Chair, PVAS  
PO Box 578  
Shepherdstown, WV 25443

Thank you for your support!

### RED DOT ALERT!

If a red dot appears on your mailing label, your membership may have expired and this could be your last issue of *Valley Views*. Take action to renew your Dual membership or Local membership.

The members of the 2009 class who received their certifications as Certified Master Naturalists were Sherry Arnold, Bland Campbell, Alison Dailley, Keith Dailley, MacDonald Duncan, Karen Fugel, Kelly Haidreth, Jim Jenkins, Nan Johnson, Tamra Monroe, Joe Oserman, and Steven Warrick.

The following members of the 2008 class who chose to take two years to complete their certification were also recognized: Sandra Bloom, Lana Lee Clark, Sheri Cooper, Susan DiMarino, Helen Herlocker, Wendy Lee Maddox, Susan Marklin, and David Penneck. Bruni Hayth of the 2007 class was recognized for completing the certification requirements at the event as well.

Finally, all those Master Naturalists who completed all of the required coursework and volunteer hours in 2009 to remain certified were recognized:

Debbie Crouse (2008)  
Barry Cutler (2008)  
Marika Cutler (2008)  
Carol Del-Cole (2008)  
Clark Dixon (2006)  
Ora Dixon (2006)  
Suzi Taylor (2007)  
Don Henry (2008)  
Kathryn Henry (2008)  
Leigh Jenkins (2008)

The co-chairs of the Potomac Valley Master Naturalists, Wanda Miller and Ellen Murphy, expressed gratitude to the program's participants, instructors, and Coordinating Committees, and thanked PVAS and the West Virginia Department of Natural Resources for their continuing support.

PVAS's Master Naturalist program will offer its fourth year of instruction beginning in Spring of 2010. Watch upcoming issues of *Valley Views* and the PVAS website for details about the course schedule and application information.

The program is aimed at allowing individuals to increase their understanding and appreciation of the natural world while helping to serve their communities and the environment through organized educational programs and citizen-science research.

Participants receive classroom and field training in a broad range of topics in the fields of natural history and environmental education.

After completing their 64 hours of training and 30 hours of volunteer work, participants are certified as West Virginia Master Naturalists. They can then engage in such activities as leading interpretive walks at state parks, assisting biologists with research, and giving presentations to school children and other groups. To remain certified they annually must take 8 hours of training and participate in 16 hours of volunteer activity.

## November Program Will Focus on Monarch Butterflies

PVAS will sponsor a presentation about "The Magic of Monarch Butterflies" the evening of Wednesday, November 11, at the National Conservation Training Center outside Shepherdstown.

The program will be held at 7:00 p.m. in Room 151 of the Center's Instructional West Building.

The speaker will be Nicole Hamilton, of the Loudoun Wildlife

Conservancy.

She will review the lifecycles and habitats of these insects, with a focus on their annual winter migration to Mexico.

She will also provide information about creating local monarch waystations and share tips on traveling to Mexico to view the monarch winter sanctuaries there.

Admission is free and anyone is welcome to attend.

Ms. Hamilton's presentation will be preceded by a brief presentation by one of this year's summer camp scholarship winners: Zachary Barb, of Capon Bridge, WV, who was awarded a PVAS scholarship to attend the Burgundy Center for Wildlife Studies camp.

## Potomac Valley Master Naturalists Host National Conference

The Potomac Valley Master Naturalists served as the local hosts to the fifth annual national conference of the Alliance of Natural Resource Outreach and Service Programs (ANROSP) September 28-October 1. Held at the National Conservation Training Center, over 60 people involved in Master Naturalist or similar programs around the country gathered to learn from each other's experiences in administering the programs and training volunteers.

The week began with the ANROSP Board coming to the Yankeeter Preserve where five representatives of our Potomac Valley Master Naturalists greeted the members and shared with the group how they are using their Master Naturalist training at the preserve and in surrounding communities. The Board members were duly impressed at the skills and dedication of these representatives! After the short presentation, the group went on a short, guided walk of the preserve to orient them to the ecosystem of our corner of West Virginia.

The conference opened the next day with a welcome from Jim Ferguson of the WV Division of Natural Resources who oriented all conference participants to the unique natural history of the state. Over the week, participants attended sessions on volunteer management, partnerships, risk management, and open discussion forums.

Many Potomac Valley Master Naturalists attended the workshops to increase their own skills for our local program. Some of our own chapter members even presented at the conference. Ellen Murphy presented a session on the "Passports" developed and used by Master Naturalists at the NCTC Open House in 2008. Suzi Taylor showed the group the "Nature Explorer Backpacks" she developed for PVAS, and Clark Dixon, Nancy Little, Wanda Miller, Ellen Murphy, and Kelly Smith led a panel discussion about PVAS's "Kickoff Weekend" at Cawapon State Park.

PVAMN members arranged a variety of field trips for conference participants including tours of Ice Mountain, The Conservation Fund's Freshwater Institute, Ecology of Harpers Ferry, Cawapon State Park, and the National Zoo Conservation and Research Center in Front Royal. They also arranged for music, campfires and storytelling at social events through the week.

The conference was a tremendous success and groups from across the country were duly impressed at what our very young Master Naturalist chapter can do. A special thank you goes to the local committee of Master Naturalists for pulling together a most

impressive conference: Clark Dixon (chair), Ora Dixon, Barry and Marika Cutler, Kathryn Henry, and David Penneck. Other PVAMN members who provided valuable logistical and organizational support during the conference included Kristin Alexander, Mantle Cunningham, Nan Johnson, Ellen Murphy, Diane Sylvester, and Eldon and Virginia Winston. Many thanks to all for representing our chapter so well.

## PVAS Taking a Winter Break in December

This year we are taking a winter break from our regular monthly meeting in December. There will be no general meeting on the second Wednesday for that month. In addition, the January issue of *Valley Views*, which is prepared in mid-December, will also be taking a break, so there won't be a January issue of *Valley Views*.

That doesn't mean that all activities will stop so make sure to check the calendar of events that will be published in the next issue of *Valley Views* for dates and times of scheduled events and activities. If you haven't already subscribed, you can also stay in touch with current events by asking to be put on our "Heads Up" list for email notices. Request to be added by sending an email to [PVASmail@aol.com](mailto:PVASmail@aol.com) containing your name, the email address you wish to use, and the words "Heads Up".

## Matt Orsie to Lead November 7 Eagle and Hawk Watch

PVAS will sponsor a field trip to watch migrating eagles and hawks in the Harpers Ferry area on Saturday, November 7.

Anyone with an interest is invited to participate.

The primary migrants at this time should be Golden Eagles and Northern Goshawks, and the site selected for this trip will offer a prime vantage point to watch these magnificent birds as they ride the thermals along ridgelines.

Local birding expert Matt Orsie will lead the trip and help identify the birds seen.

Participants will gather at 8:30 a.m. at the entrance to the Marlin's Supermarket in the Jefferson Crossroads shopping Center on Route 340 across from Charles Town Ruces and Stos just east of Charles Town.

From there, Matt will lead the group to a location in southeastern Jefferson County that offers access to a stunning overlook of the Shenandoah Valley.

Getting to the overlook will involve a short but moderately strenuous three-eighths mile hike up to the Appalachian Trail, so the trip is not suitable for anyone who needs assistance.

The length of the stay at the monument will depend on how the hawk flight is going. If conditions are good, the trip may last until about 4:00 p.m. Participants can leave whenever they wish, however.

Participants should bring a packed lunch, water, and binoculars if they have them and be prepared for possibly very cold and windy

weather conditions.

No pre-registration is needed for this trip and there is no fee. Hawks do not fly if it is raining, so the trip may be shifted to November 18 (or cancelled altogether) if conditions warrant.

For more information contact Matt at 304-261-5602 or [wvbird@aol.com](mailto:wvbird@aol.com).

## Annual Owl-banding Trip Set for November 7

PVAS is once again sponsoring a special nighttime field trip to watch an expert catch, band, and release migrating owls on South Mountain, in Washington County, Maryland.

The trip will be held on Saturday, November 7. It will start at about 9:15 p.m. and last until about 11:00 p.m.

These trips have long been a favorite for whole families, and anyone with an interest is invited to participate. There is no fee.

The expert who will conduct the banding is Steve Hujy, who has been banding owls on the mountain for many years as part of Project OwlNet.

The owls he will be banding are the Northern Saw-Whet Owl, the smallest owl in eastern North America. Visits to the banding site offer a unique opportunity to see these birds up close and learn about their life history.

Pre-registration is essential because space for the trip is limited to 20 persons.

To pre-register or get more information contact Carolyn Thomas at 304-267-3115 or [wvbeethomas@aol.com](mailto:wvbeethomas@aol.com).

This trip involves a walk over uneven ground and it is therefore not recommended for anyone who needs assistance.

Participants should bring a flashlight and be sure to dress warmly.

The trip will be cancelled if it is raining.

## Winchester Birding Festival Set for November 7

The Northern Shenandoah Valley Audubon Society (Shenandoah Audubon) will hold its ninth annual Birding Festival on November 7 in Winchester, Virginia.

The event will include bird walks at 8:00 a.m., noon and 4:00 p.m., basic birding classes; children's activities including a youth art contest; two live raptor presentations; and talks about local birds and their nests.

Birdseed, birdhouses and other birding items will be offered for sale.

All of the events except for the morning and afternoon bird walks will take place at Winchester's Jim Barnett City Park.

All events will be free.

For more information contact Judy Hagan at [jhagan5a@aol.com](mailto:jhagan5a@aol.com) or 540-667-6778.



**Don't Miss American Conservation Film Festival**  
The Seventh Annual American Conservation Film Festival will be held in Shepherdstown November 5-8.

Held in cooperation with the National Conservation Training Center and the U.S. Fish and Wildlife Service, the festival is always inspiring.  
It encompasses local and national feature-length and short films and includes thought-provoking talks and panel discussions, children's films, a student filmmaker forum and competition, and a meet-the-filmmaker reception.

This year's festival will feature dozens of different films at various locations, including NCTC, Shepherd University, and downtown Shepherdstown.

Festival organizers will maintain an information center throughout the festival period at Shepherdstown's War Memorial Building. Most showings are free of charge.

For the schedule and full information, visit the festival website at [www.conservationfilm.org](http://www.conservationfilm.org) or call 304-876-7373.

**Remember United Way/CFC Fund Drives**

Remember that the annual fundraising campaigns of the United Way of the Eastern Panhandle and the Combined Federal Campaign (CFC) are underway.

Both campaigns will last through December 15. PVAS receives funding from United Way and CFC each year and encourages its members to give to their campaigns.

CFC is, of course, the mechanism for federal employees to contribute to their local United Way. PVAS members who are federal employees can designate PVAS as the recipient of all or part of their CFC contribution by entering PVAS's CFC number (29061) on the CFC form that they file with their employing agency.

If you have any questions, please contact Kristin Alexander at [pvasmall@aol.com](mailto:pvasmall@aol.com) or 304-676-3397.

**"Leave No Trace" Master Naturalist Workshop**

PVAS will offer its final Master Naturalist Workshop of the year, a Leave No Trace Program trainer course, on November 14 and 15.

The workshop will be held at the 350-acre For the Love of Children Outdoor Education Center in Jefferson County, off Mission Road past Shandonale.

It will begin at 7:00 p.m. on Saturday, November 14, include an overnight stay that evening, and ends at 4:45 p.m. Sunday.

Participants will earn credits toward becoming a certified trainer in the Leave No Trace program, which teaches individuals and groups how to reduce their impacts while they enjoy the outdoors.

The workshop is intended primarily as an elective course for individuals enrolled in PVAS's Potomac Valley Master Naturalist Program. However, it is also open on a space-available basis to PVAS members and others who are interested.

Enrollment is limited to 20 persons.

The fee to participate is \$25 per person and pre-registration required.

A Saturday evening snack, Sunday breakfast and Sunday lunch will be provided at no extra cost.

See the PVAS website for details or contact PVAS at 304-676-3397 or [pvasmall@aol.com](mailto:pvasmall@aol.com).

**The Cornell Lab of Ornithology Help Project Feeder-Watch Track Backyard Birds**

*Bird watchers needed to help scientists discover changes in bird populations*

**There was a massive southern movement of Pine Siskins during the 2008-09 season.**  
*Ithaca, NY*—What happens in the backyard should not stay in the backyard—at least when it comes to bird feeders. By sharing information about which birds visit their feeders between November and April, backyard bird watchers can help scientists track changes in bird numbers and movements from year to year, through Project FeederWatch, a citizen-science program from the Cornell Lab of Ornithology and Bird Studies Canada.

Project FeederWatch begins on November 14 and runs through early April. Taking part is easy. Anyone can count the numbers and kinds of birds at their feeders and enter their information on the FeederWatch website. Participants submitted nearly 117,000 checklists last season. Since 1987, more than 40,000 people from the United States and Canada have taken part in the project.

"To get the most complete picture of bird movements, we always need new sets of eyes to tell us what species are showing up at backyard feeders," says David Bonter, leader of Project Feeder-Watch. "Participants always tell us how much fun it is and how good it feels to contribute to our understanding of birds by submitting their sightings."

Project FeederWatch is for people of all ages and skill levels. To learn more and to sign up, visit [www.feederwatch.org](http://www.feederwatch.org) or call the Cornell Lab toll-free at (866) 982-2473. In return for the \$15 fee (\$12 for Cornell Lab members) participants receive the *Feeder-Watcher's Handbook*, an identification poster of the most common feeder birds, a calendar,

*Gillette © Cornell Lab of Ornithology*

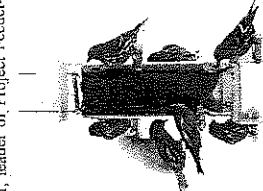


Photo of Pine Siskins by Steve Gillette © Cornell Lab of Ornithology

**Eidolon Nature Preserve Fall 2009 Hunting and Hiking Schedule**

The land now known as the Eidolon Nature Preserve has been hunted by neighboring families for generations, and when Marquie Zapolone willed the land to the Nature Conservancy, she stipulated that hunting should be allowed to continue there.

Accordingly, and also in the interest of maintaining a healthy forest and viable animal populations, the Nature Conservancy and PVAS are permitting hunting on the property.

To balance the safety of hikers and the interests of deer hunters, we ask all visitors to observe the following rules during deer season:

- Hunters must be licensed by the state and follow all applicable state laws and regulations.
  - For their part, hikers should exercise appropriate caution during hunting season and wear at least one item of blaze orange clothing.
  - In accordance with state law, no hunting will be permitted on Sundays.
  - The Eidolon Nature Preserve will close its trails to hikers for the entire first week of the firearm season for deer hunting (November 23 through 28 this year) and every Saturday thereafter until the season ends on December 12.
  - On all other days during the firearm season for deer, the trails will be open to hikers from 10 a.m. until 3 p.m. only.
- Please see the schedule below for specifics.

2009 Eidolon Hunting and Hiking Schedule at a glance	
Monday, November 23 - Saturday, November 28	First week of firearm season for deer - Trails closed to hikers every day
Sunday, November 29	No hunting
Monday, November 30 - Friday, December 4	Trails open to hikers 10 a.m. - 3 p.m. only
Saturday, December 5	Trails closed to hikers all day
Sunday, December 6	No hunting
Monday, December 7 - Friday, December 11	Trails open to hikers from 10 a.m. - 3 p.m. only
Saturday, December 12	Trails closed to hikers all day - Last day of firearm season for deer

**Wee Naturalist Program at Craft-Works**

The very popular preschool program we call "Wee Naturalists" is now available in southern Jefferson County thanks to a partnership with CraftWorks, a craft school six miles south of Charles Town.

The fields, forest and wetland CraftWorks offers are perfect for young explorers to discover nature with a favorite adult. Suzi Taylor, an environmental educator who offers the programs for PVAS, leads child/adult pairs in fun-filled activities with a different theme each month. November's theme will be "A Little Bit of Art" and

December's theme is "Snowflakes and Snowbirds."

The program became so popular at Yankauer that a second session was added each month to meet the demand. The CraftWorks partnership allows us to expand the program further, and to reach Jefferson County residents for whom Yankauer is a significant drive.

The programs at CraftWorks will take place the third Thursday of each month, in November and December. (These programs will be in addition to the monthly "Wee Naturalist" programs at Yankauer, held on the third Wednesday of each month.)

The times of the program, 9:30-11 a.m., and themes, are the same at both sites. The program is open to children ages 3 to 5. All participating children must be accompanied at each session by a parent, grandparent or other adult relative, or guardian.

The program is aimed at providing regular opportunities for small children and loving adults to explore nature together safely under the guidance of an experienced PVAS instructor. All sessions are conducted rain or shine and use a hands-on discovery approach. To ensure that everyone receives close, personal attention, enrollment is limited to ten child/adult teams per session.

Families may register for one, several, or all of the sessions at either the CraftWorks or Yankauer locations but pre-registration is required. The fee will be \$7 per child/adult team per session.

The Wee Naturalists program was initiated last January with start-up funding provided by a grant from the Eastern West Virginia Community Foundation's Two Rivers Giving Circle.

Pre-registration is required for both locations. To register for the Thursday programs at CraftWorks, go to [www.CraftWorksatCool-Spring.org](http://www.CraftWorksatCool-Spring.org). Registration materials for the Wednesday programs at Yankauer can be found at [www.PotomacValley.org](http://www.PotomacValley.org). For more information, contact the Wee Naturalist Director, Suzi Taylor, at 301-432-1908.

**Master Naturalist Program Wraps up Third Year**

PVAS's Potomac Valley Master Naturalist (PVMN) program wrapped up its third year with an annual meeting on September 26 at Cacapon State Park. More than 40 members, families, and friends attended.

The event was held on National Public Lands Day, so the day included a volunteer project for Cacapon State Park and seed collection for the Growing Native program. Those who volunteered were presented with a certificate for free entrance into a national public area (national park, wildlife refuge, or forest) on a day of their choice in recognition for their service.

The annual meeting followed the volunteer activities, where the group reviewed its many accomplishments over the past year. Kelly Smith of Cacapon State Park and Ora Dixon of the National Conservation Training Center were also present. The group recognized the two representatives and expressed appreciation for use of each facility, and Kelly and Ora in turn thanked the group for their contributions to their mutual sites and the community.

Following the annual meeting, the group held an awards ceremony recognizing those who completed their 64 hours of class work plus 30 hours of approved volunteer service to their communities.



#38

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Joe Manchin III  
Governor

RECEIVED

October 28, 2009

NOV 02 2009

Jefferson County Commission

To Whom It May Concern:

The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures over the next four years. One of the requirements to funding any projects with FHWA or FTA funds is that each proposed project undergo a public "review and comment period". Therefore, additions or deletions to the STIP and certain changes to projects currently in the STIP must meet this requirement before federal funds can be obtained. Accordingly, I am again requesting your assistance in making available (to anyone who wishes to review them) the attached modified listing of proposed amendments to the approved 2009-2014 STIP.

All written comments are to be received no later than November 9, 2009, and should be addressed to:

Mr. Robert L. Pennington, Director  
Program Planning and Administration Division  
West Virginia Division of Highways  
Building 5, Room A-816  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0430

Should you need additional information, please call (304) 558-3113. Thank you for your assistance in this matter; your efforts are indeed appreciated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert L. Pennington for RLP".

Robert L. Pennington, Director  
Program Planning and Administration Division

RLP:Wb

Attachment

cc: Mr. Tony Tarone, Federal Transit Administration – w/ attachment  
Mr. Jeff Blanton, Federal Highway Administration – w/ attachment  
Mr. Kevin Burgess, Federal Highway Administration – w/ attachment  
Ms. Susan O'Connell, Division of Public Transit – w/ attachment

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2009-2014  
PROGRAM AMENDMENT FOR 2009

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	TOTAL PHASE COST	FEDERAL DOLLAR COST	FEDERAL COST CHANGE
PROJECT COMMENTS														
GREENBRIE	2010			7/28/2010	IM	CON	1 064	WHITE SULPHUR SPRINGS REST AREA	CONST RESTROOM, REN FACILITIES	S313 64 17940	IM0644175D	\$4,213,000	\$3,791,700	
8-NEW PROJECT														
HARRISON	2010			11/28/2009	IM	CON	1 079	MEADOWBROOK REST AREA	CONST RESTROOM, REN FACILITIES	S317 79 12300	IM0793224D	\$6,135,500	\$5,521,950	
8-NEW PROJECT														

#39

**Questions? Suggestions? Comments?**

We want to hear from YOU! Are you pleased with our Program? Call us or write to us with any questions, suggestions or comments. We would also like to hear the "success stories" you have in utilizing surplus property!

**West Virginia State Agency for Surplus Property**  
 Hours: 8:30 am to 4:30 pm, Monday through Friday

Specializing in:

- Office Furniture and Equipment
- Shop Equipment
- Electronic Equipment
- Tires, Engines, Vehicle Parts
- Rolling Stock and Heavy Equipment
- Plus Many More Items

**Information:** For property information and availability, contact the Federal or State Warehouse Supervisors at 766-2626 or call toll free at 1-800-576-7587.

**Terms:** All organizations must present a check — no cash. Organizations may be billed if proper credentials are presented. State agencies will be billed.

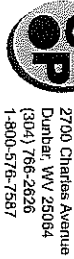
### Terms and Conditions of Sale

**FEDERAL AND STATE REGULATIONS:** Acceptance of Federal equipment and supplies by users who have established eligibility to participate in the WVSASP is subject to certifications and agreements identified on the reverse side of the Distribution Document. 1: Federal equipment and supplies are restricted to institutional use only, not personal use, and are to be used for a minimum of one year. 2: All vehicles and items with an acquisition cost of \$5,000.00 or more shall be used for the purpose(s) for which acquired within one year from the date the property was invoiced and used for 18 months thereafter. 3: During the restriction period, the property shall not be sold, traded, leased, lent, bailed, cannibalized, encumbered or otherwise disposed of or removed from the State of West Virginia without the express approval of the WVSASP. The recipients of Federal property are urged to contact the WVSASP prior to taking any actions which might be interpreted as modifying any of the certifications and agreements stated on the reverse side of the Distribution Document.

**TERMS:** Net 30 days to all users unless previous arrangements have been made. Payment must be by check issued against an eligible organization. No personal checks, money orders or cash transactions are permitted.

**SHIPPING:** All service charges are FOB Dunbar Warehouse unless expressly indicated. Out-shipping can be arranged by calling (304) 766-2626. Delivery charges will be added to the invoice.

**West Virginia State Agency for Surplus Property**



2700 Charles Avenue  
 Dunbar, WV 26084  
 (304) 766-2626  
 1-800-576-7587

Governor: Joe Manchin III  
 Cabinet Secretary: Robert W. Ferguson, Jr.

Manager: Ken Foye  
 Editor: Diane Holley-Brown  
 Contributing Reporters:  
 Tony Cleary  
 Chad Williamson

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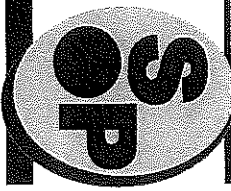
Jefferson County Commission

## THE PROPERTY

# Connection

A Publication of the West Virginia State Agency for Surplus Property

Fall 2009 • Volume 25, Issue 2



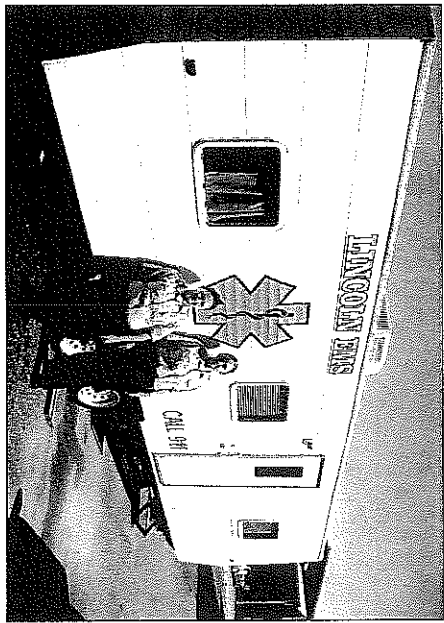
## Federal Government Trailers Become Welcome Opportunity for Surplus' Eligible Organizations

When Darren DeMatie, director of the Tri-State Fire Academy, received information about an opportunity to purchase travel trailers through the West Virginia State Agency for Surplus Property (WVSASP), he jumped at the chance. "When I received word, I looked into it and saw it was an excellent opportunity for the academy," he said.

Surplus Property Manager Ken Foye said the trailers were originally purchased by the Federal Emergency Management Agency (FEMA) for use as temporary housing for disaster victims. However, the units were barely used, with many brand new.

The WVSASP contacted eligible organizations, who may be interested in purchasing the trailers and mobile homes. These organizations were responsible for pick up and transport from one of three locations: Cumberland, Md.; Prosbury, Md.; and Fort Pickett, Va. Eligible organizations submitted a letter of request to WVSASP stating the number of units requested and the intended use for the units.

Foye said 31 eligible organizations from 19 different counties took advantage of the offer, obtaining 54 travel trailers and 11 mobile homes. "The federal government



Pictured with the FEMA trailer purchased by Lincoln County Emergency Medical Services is Field Training Officer Brenda Scarborough and CPR driver Pamela Foye. The trailer is being used as a mobile first aid/casualty incident unit, as well as for travel to health fairs and displays throughout the county.

paid more than \$1.2 million for these units, and Surplus Property was able to charge the eligible organizations only a \$1,000 service charge per unit," Foye said. "It was a total of \$65,000 to cover our costs to administer the program, so this was an incredible bargain for those eligible organizations."

DeMatie said the Tri-State Fire Academy purchased two of the

### In Other News...

- **Manager's Perspective:** New Surplus Property Initiative Assists Small Businesses
- Retail Sales Adds to List of Duties for Anthony Cooper
- Great Computer Buys Await at Surplus Property

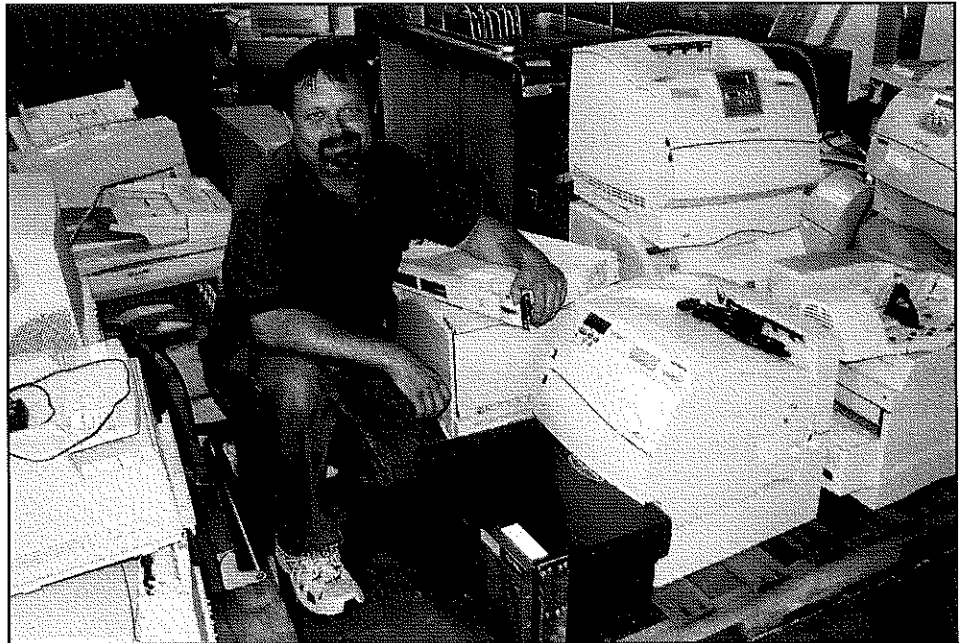
Please see TRAILERS, Page 2

# Retail Sales Adds to List of Responsibilities for Surplus Property's Anthony Cooper

Ask Anthony Cooper about his job as a supervisor at the West Virginia State Agency for Surplus Property (WVSASP) and he can rattle off a lengthy list of to-do items for nearly any day of the week. "It is definitely a job that is constantly expanding," he said.

With a list of responsibilities ranging from unloading and scheduling truck deliveries to working with customers on day-to-day sales to setting up auctions and researching market sale price for merchandise, Cooper said he rarely finds himself with a boring moment. "This job is constant," he said. "There is constantly something coming in, and something that needs done."

Cooper came to WVSASP 10 years ago through a temporary employment agency. He eventually was hired on full time as a storekeeper.



With new merchandise continually arriving at the West Virginia State Agency for Surplus Property, supervisor Anthony Cooper rarely has an opportunity to get bored, he said.

Five years later, he became a supervisor.

Cooper said he has seen a wealth of change in just those five years. Among those changes has been the change to daily public sales, enacted following passage of House Bill 4664 during the 2008 Regular Session. The legislation ended the previous process of having prospective buyers place sealed bids on items and then make a second trip if they were the winning bid. WVSASP is allowed to become a more retail-oriented operation where items can be purchased on the spot.

The change to public sales has been a big improvement, Cooper said, with increased foot traffic at the Dunbar site. "The customers seem to like it," he said. "It lets them buy the merchandise all in one trip."

That uptick in traffic means also more customers, and Cooper said

he enjoys the increased interaction with customers. "Some of the customers, we see them so regularly, they become almost like family," he said. "You get to know them on a first-name basis."

But Cooper was quick to note that public sales have not altered how WVSASP works with eligible organizations, holding requested items for five days before making them available for public sales.

With the increase in public sales has come a corresponding drop in the number of auctions at the Dunbar site, though Cooper said they are still necessary. "We do get so much merchandise that the auctions are the only way to relieve the pressure," he said.

The continual flow of new items keeps Cooper busy, though. "It is constant, and everyday it is something new," he said.

**The Property Connection,** published quarterly by the West Virginia State Agency for Surplus Property, is distributed to all eligible customers.

**Joe Manchin III**  
Governor, State of West Virginia

**Robert W. Ferguson, Jr.**  
Cabinet Secretary  
Department of Administration

**David Tincher**  
Director, Purchasing Division

**Ken Frye**  
WVSASP Manager

**Diane Holley-Brown**  
Editor

**Tony O'Leary**  
Writer

**Chad Williamson**  
Writer

# Great Computer Buys Await at Surplus Property

The West Virginia State Agency for Surplus Property (WVSASP) can save those shopping for desktop computers time a lot of time digging through mounds of advertising flyers in search of a great deal. With more than 300 computers in stock at any given time, WVSASP has computer deals which are near impossible to top by retail outlets.

WVSASP Supervisor Anthony Cooper said buyers can get computers for just a little more than \$100, which includes computer, monitor, keyboard and mouse. An entire package will cost more if the larger, flat-screen monitors are part of the package, but even then, an entire set up does not exceed \$200, Cooper said.

Organizations registered with WVSASP, particularly small non-profit businesses and schools, frequently outfit offices and computer labs with desktop computers purchased at the Dunbar warehouse, at a fraction of the cost of compared to retail prices.

Cooper said most computers average between 512 megabytes to 1 gigabyte in memory with 40 to 80 gigabytes of hard drive space.

"I do not know where else anyone can get a quality computer for less than \$200," Cooper said. Even with many eligible organizations taking advantage of the low prices at WVSASP, Cooper added the continual turnover of computers in state agencies allows WVSASP to remain well stocked.

"When desktop computers are turned in to us from state agencies, if they have Window XP on it, we have a technician here who wipes it clean with special software and then re-installs basic Windows XP. If a computer is



Rows of desktop computers are ready for sale at the West Virginia State Agency for Surplus Property warehouse in Dunbar. At any given time, there are more than 300 computers in stock with most costing less than \$150 for a computer, monitor, mouse and keyboard.

turned in with Windows 2000, it is wiped clean and no Windows system is installed," Cooper said. "If buyers want additional programs, like Microsoft Office, they would have to buy those and install them on their own."

Consumers have noticed too. The convenience to purchase from WVSASP is another plus as members of the general public can walk onto the property and make a purchase that day.

Cooper said customers can shop unassisted or staff can assist in finding the desired items. "We had a nice rush on computers right before the school year started," said Cooper, noting how individuals can make purchases daily at WVSASP. "We had college students making purchases for when they go back to school and parents making purchases for their home needs."

## New Shelving Makes for More Retail-Friendly Experience at WVSASP

For customers at the West Virginia State Agency for Surplus Property (WVSASP), things may seem a little *elevated*. WVSASP recently purchased shelving to use in its warehouse at its Dunbar location to create a more retail-oriented feeling for daily sales.

Supervisor Anthony Cooper said the shelving was purchased to allow more space for merchandise and customers. "The shelving really helps, because now we can actually see what we have, as can the customers," he said. "Items are coming up off the floor and they are displayed better, while also giving customers more area to test some merchandise."

Cooper said the display is more attractive and allows them to keep better track of inventory and locate items quicker.

## New Surplus Property Initiative Assists Small Businesses

Being receptive to new ideas is a key component in maintaining a successful operation at the West Virginia State Agency for Surplus Property (WVSASP).

One such initiative, which has been discussed in recent months, has now become a reality. I am pleased to announce a partnership through the U.S. Small Business Association (SBA), which partners select small businesses and the federal surplus property program.

These businesses are defined by the SBA as "owned and controlled by socially and economically disadvantaged individuals." This is a new proposal, which we expect to prove beneficial to those eligible businesses as well as to WVSASP.

In this agreement, the SBA will provide WVSASP with a list of qualified businesses, which are eligible to receive federal surplus property. These businesses are commonly referred to as "8(a) organizations" referencing the section of the Small Business Act that provides the eligibility guidelines

### THE MANAGER'S PERSPECTIVE

KEN FRYE



for private sector participants to receive federal surplus property. These businesses are granted the same status as the eligible government and non-profit organizations that we currently serve.

This is the first time ever WVSASP has made the federal surplus property program available to the private sector. The working arrangements are near identical with our current federal surplus clients.

As the SBA provides WVSASP with a list of eligible private sector 8(a) organizations, a list will be maintained of their preferred items which may vary from trucks and automobiles to chairs and air compressors. When an 8(a) organization wishes to obtain a federal

surplus property item, it will place its request through WVSASP. As with our current eligible organizations, if we obtain the item, a service fee will be charged based on the acquisition cost and the method for which the property was picked up.

The 8(a) organization is contractually obligated to use the property as outlined by the SBA for three years. The 8(a) organization may gain clear title of the item after one year following graduation from the business development program.

In discussions with several of my Surplus Property director counterparts in other states, all have indicated that this arrangement has provided positive results to their surplus property programs.

Likewise, the SBA has been a good partner. Knowing this is a win-win situation for all participants, I look forward to our agency attaining the same positive results and assisting our state's small business community.

## TRAILERS

Continued from Page 1

travel trailers to use as part of their training exercises, one as a command shelter during field trainings, and the other as a rehabilitation center for trainees.

Since the units are air-conditioned with refrigeration units, they are perfect for trainees to rest and rehydrate, lessening the stress and strain placed on bodies during the exhaustive training.

"We feel it will make our trainings safer. The trainees can carry that training into their everyday lives," DeMartie said. He added that the units could also be set up as backup units for the Cabell County Health Department, as the academy is part of the Continuity of Operations (COOP) plan for the department.

For Irish Watson, director of Lincoln County Emergency Medical Services (EMS), the 14 foot-by-

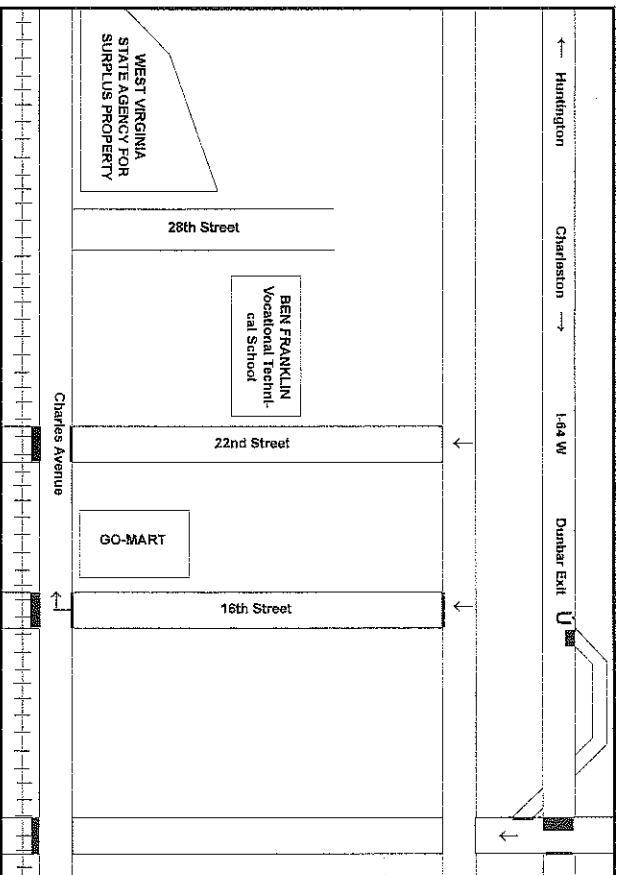
32 foot trailer her eligible organization purchased will have multiple uses, including establishing a mobile first aid/mass casualty incident (MCI) unit and repurposing for health fairs and special events throughout the county.

"We were extremely impressed with the trailer. It was in very good condition, and the cost for the quality was amazing," she said.

Watson said the opportunity came as a chance to purchase a trailer through other means had fallen through. She praised the efforts of WVSASP in helping eligible organizations secure the trailers.

"Working with them was just wonderful," she said. "They were incredibly helpful and they explained exactly what we needed to do."

## Surplus Property Warehouse Location



**DIRECTIONS:** Exit I-64 at Dunbar/Roxalana Road, turn right on Roxalana Road then turn onto WV-25 West. At 16th Street, turn left. Go to intersection with Charles Avenue -- if you miss 16th Street, go to 22nd Street which is also a throughway. Turn right onto Charles Avenue, continue to 28th Street and turn right. The West Virginia State Agency for Surplus Property is on that corner inside the cyclone fence.

### SHARE THE GOOD NEWS!

If you know of an organization that might be interested in our program, please clip this coupon and pass it on --

#### IS YOUR ORGANIZATION...

1.  Local or State unit of government Agency created by government  
OR  
2a.  Educational institution  
 Public Health Agency  
 Senior Citizen Group  
 Child Care Center  
 Library  
 Museum  
 Public Service Agency  
AND  
Non-Profit (IRS 501(c)(3) status required)

If either 1. or 2a. and b. is checked you may be eligible to participate in the Surplus Property Program.  
MAIL THIS FORM FOR MORE INFORMATION

#### RETURN TO:

West Virginia State Agency for Surplus Property  
2700 Charles Avenue  
Dunbar, WV 25004

Please send me an **Application for Eligibility**  
Please have a representative contact me  
Please visit our organization and offer a presentation

Name \_\_\_\_\_ Title \_\_\_\_\_

Organization Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ County \_\_\_\_\_

Telephone Number \_\_\_\_\_

Shepherdstown Public Library  
German and King Streets  
P.O. Box 278  
Shepherdstown, WV 25443

RECEIVED

NOV 05 2009 November 2, 2009

Jefferson County Commission

Commissioner Lyn Widmyer  
124 E Washington St.  
Charles Town, WV 25414

Dear Ms. Widmyer:

I am writing to update you on the progress of the "Landfill to Library" project of the Shepherdstown Public Library (SPL). The 4.5 acre former municipal dump was used by the municipality of Shepherdstown from 1954 until 1969. It was evaluated by EPA in 2001 and designated a "brownfield" at that time, with only household waste and minimal chemicals present. When SPL expressed an interest in reclaiming the property for a new, "green" library, the response was remarkably enthusiastic – from local citizens to the town council, from Shepherd University to the County Commission, from EPA to WVDEP.

In May 2009, SPL was selected as one of five demonstration projects at the annual Library Journal Design Seminar – this year exploring "green" alternatives and solutions for libraries. As a result, it received the expert attention of a national architecture firm, which created three potential scenarios for use of the land and construction of the library.

The Northern WV Brownfields Assistance Center (NWVBAC) has taken on the project as an exciting example of an imaginative and worthwhile end use of a brownfield. Patrick Kirby, the Center's director, has helped lay out a number of steps towards the realization of the project.

In September, SPL was invited to the annual Brownfields Conference in Morgantown. We were asked to give a presentation – one of five – to a panel that included representatives from EPA, WVDEP, Benedum Foundation, WVU, the banking field and other funders. After the presentation, we were encouraged by Patrick and the panel members to move forward on a number of fronts.

The first was the reassessment of the Brownfield, conducted at no charge by WVDEP in mid-September to update the 2001 findings. The results will be available in December.

The second action was to apply to EPA for an Assessment Grant. The grant was submitted in mid-October in collaboration with Region 9, SPL, and NWVBAC. This grant will enable us to apply for the next EPA Cleanup Grant in 2010. In the meantime there are tentative plans to apply for a WV Humanities Council grant to put on a "mini" Brownfields workshop in the area, in collaboration with Shepherd University or the National Conservation Training Center.

We are very excited about this project and believe that it is an excellent answer to our limited capacity issues, as well as being a responsible, responsive and innovative approach to constructing a new, appropriate library for the residents of Jefferson County.

Thank you for your support and interest and we will continue to keep you updated as things unfold.

Sincerely,



Hali Taylor, Director



# United States Department of the Interior

NATIONAL PARK SERVICE  
Harpers Ferry National Historical Park  
P.O. Box 65  
Harpers Ferry, West Virginia 25425

IN REPLY REFER TO:

D18 (HAFE)

#41  
**RECEIVED**  
October 22, 2009

NOV 05 2009

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

**Jefferson County Commission**

Ladies and Gentlemen:

Enclosed is an *Abbreviated Final General Management Plan/Environmental Impact Statement* for Harpers Ferry National Historical Park. Together with the draft plan sent to you in September 2008, it finalizes the process for developing and implementing an approximately 20 year plan for the management, interpretation, and development of Harpers Ferry National Historical Park.

An abbreviated final plan provides corrections to errors made in the original plan, responds to comments made during public review, and identifies changes made to the original plan based on public comment. Together, the draft plan and this abbreviated document constitute the General Management Plan to be implemented at Harpers Ferry.

The planning process for the General Management Plan began in 2003 with the publication of a notice in the *Federal Register* (August 28). Over the next six years, through public meetings, newsletters, discussions with individuals by park staff, and review of the draft plan by the public, refinements were made.

Following distribution of this abbreviated plan and a 30 day no-action period, a "Record of Decision" will be signed by the National Historical Park Superintendent and the National Park Service Regional Director documenting the selection of the alternative to be implemented.

I would like to take this opportunity to express my appreciation for your continued interest in this very special place. Working together, we have developed a General Management Plan that maintains a variety of opportunities while continuing to preserve and protect the natural and cultural resources of Harpers Ferry National Historical Park.

Sincerely,

Rebecca L. Harriett  
Superintendent

Enclosure

# Jefferson County Public Service District

RECEIVED

4/2  
NOV 04 2009

Jefferson County Public Service District  
Regular Board Meeting  
October 5, 2009

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, October 5, 2009 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Secretary, Jim Cummins; Treasurer, Jack Lantzy; General Manager, Susanne Lawton; Administrative Assistant, Ashley Wilt; Pentree Engineers, John Tuggle and Zane Summerfield; District Legal Counsel, Jim Kelsh and Commission Liaison to the Public Service District, Commissioner Lyr Widmyer.

Chairman Hankins called the meeting to order at 7:00PM.

## Public Comments

Rick Pescatani, a resident from Breckenridge, had a question for the Board regarding the Districts right for eminent domain under WV Code Chapter 54. Mr. Kelsh informed Mr. Pescatani that the District does have the authority to condemn as do other public utilities under Chapter 54, which references 2 methods of taking properties both available to the District.

## OLD BUSINESS

### Review Minutes of September 14, 2009 Regular Board Meeting

The minutes of the September 14, 2009 regular Board meeting were approved as presented.

**Action:** Motion made by Mr. Cummins and seconded by Mr. Lantzy to accept the September 14, 2009 minutes as presented. Approved 2-0. (Mr. Cummins abstained from voting since he was absent from the meeting.)

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

John Tuggle updated the Board. He would like to discuss the funding approach with the District and Lee Snyder and assemble the new IJDC application to submit next month.

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

### Discuss the Scheduling of an Early Phase Mountain Water Project Public Meeting

Ms. Lawton and Lee Snyder formed a small committee to assist in keeping the public informed on the status of the project and consider their comments. The group is scheduled to meet on October 6<sup>th</sup>. Ms Lawton will keep the Board informed on the progress.

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

### Update on Flowing Springs Wastewater Treatment Plant

John Tuggle updated the Board. Mr. Tuggle is waiting to submit the NPDES permit until he meets with Mike Warwick from DEP to review the plans. The Board discussed the possibility of a rate increase for District customers due to the loss of ARRA funding for the wastewater treatment plant. Mr. Kelsh informed the Board that Chuck Young from Cox Hollida Price will have the Rule 42T completed within the next week for a non-project related rate increase. The Board scheduled a Special meeting for October 15<sup>th</sup> at 7pm to discuss the revised Rule 42T relating to the possibility of a non-project related rate increase based on the decrease in revenue and the increase in operating costs. The Board would also like to add to the agenda a discussion on the funding proposal package from Pentree for the Mountain Water Project.

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

### Consider New Elementary School Mainline Extension Agreement

Mr. Kelsh had a conference call with the Board of Education Counsel last month. The Board is waiting to hear back from the Board of Education after its monthly meeting.

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

**NEW BUSINESS**

Review Annual Reports for Water and Sewer System

The District staff and Board reviewed the Annual Reports for both water and sewer for fiscal year ending 6/30/09 done by Cox Hollida Price.

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

Consider Approval of Extension of the BAN

Ms. Lawton informed the Board that MVB Bank has approved a 6-month extension for the BAN which is being used to pay for engineering design work done by Pentree Inc. relating to the Flowing Springs Wastewater Treatment Plant.

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to direct staff to continue working on the 6-month extension of the Bond Anticipation Note to MVB Bank and complete any necessary paperwork. Unanimously approved.**

Consider Approval of Alternate Mainline Extension Agreement with B.C. Partners for Breckenridge East

This item was tabled until Executive Session.

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

Consider USGS Contract Extension for Rocky Marsh Streamgages

This past June, the Board approved the District entering into a contract with U.S. Geological Survey (USGS) to provide funding for the second half of the 2009 contract formerly funded by the Jefferson County Commission for the operation and maintenance of the Rocky Marsh Run streamgage. The Nature Conservancy Freshwater Institute wanted to fill the funding gap, but is not a government entity, therefore not able to enter into a contract with USGS. With the contract in the District's name, the Freshwater Institute could reimburse the District and then both the Freshwater Institute and the USGS would split the costs for one-half year for the operation and maintenance of the streamgage totaling \$3,587.50 each. With this contract about to expire, USGS would like to enter into another contract with the District for 1 more year to provide funding for the Rocky Marsh Run streamgage. Mr. Hankins stated the Conservation Fund would be willing to cover the costs for 1 more year totaling \$7,250.00 and will be sending a letter to the District stating this.

**Action: Motion made by Mr. Cummins and seconded by Mr. Lantzy to enter into the contract with U.S. Geological Survey to provide funding for the period of October 1, 2009 through September 30, 2010 for the operation and maintenance of the Rocky Marsh Run streamgage contingent upon receiving a letter from the Conservation Fund committing the funds. Unanimously approved.**

Clarification of 300 foot rule

In September 2003, the Board approved a 300 foot policy for sewer connections. The Staff of the PSC would not support this policy when it was presented to them on the basis that the PSC Staff preferred a vaguer policy that gave greater flexibility so the District withdrew the request. Recently, the District has had issues with customers regarding this policy and staff needs clear policy guidance from the Board to know how to deal with these issues. The District wanted to modify the language of the policy to provide clarifications to any outstanding issues and be able to implement for future sewer connections. Prior to the last 8 years, the 300 foot policy was in the state code, but the code currently uses the term "reasonable length" to define the distance for sewer connection. The Board had disagreements on the language in the policy and would like staff and Counsel to revise and come back next month.

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

Consider 2010 Board Meeting Dates

Staff provided the Board with a list of the 2010 Board meeting dates. Board meetings are generally held on the first Monday of the month, but in July and September the first Monday is a holiday. Instead of moving the Board meeting back another week, the Board has decided to hold the meeting on the first Tuesday of these two months. The July meeting will be on Tuesday the 6<sup>th</sup>, and the September meeting will be on Tuesday the 7<sup>th</sup>.

**Action:** Motion made by Mr. Cummins and seconded by Mr. Lantzy to approve the 2010 Board meeting dates as presented with the modification to July and September. Unanimously approved.

General Manager's Report

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

Discussion of any expenses over budget

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

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

Disbursements

**Action:** Motion made by Mr. Lantzy and seconded by Mr. Cummins to approve disbursements for Cavaland water expenses in the amount of \$1,282.49, Glen Haven water expenses in the amount of \$2,166.46, and for the Public Service District expenses in the amount of \$134,576.62. Unanimously approved.

Approve Transfer of \$5,083.87 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds

**Action:** Motion made by Mr. Lantzy and seconded by Mr. Cummins to approve the transfer of \$5,083.87 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Unanimously approved.

Correspondence

None discussed.

Public Comments

None.

**OTHER BUSINESS**

Source Water Protection Grant Update

The District received the approval letter from WV Department of Health & Human Resources and executed the grant agreement. The District is now waiting for PSC approval before telling Chester Engineers to start the research project.

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

Countywide Utility Group Update

The next meeting will be on October 15<sup>th</sup> at the District's office.

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

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

Mr. Kelsh reviewed the existing agreements between the District and Jefferson Utilities and decided that an addendum to the agreement is not needed at this time.

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

Discuss Jefferson County Board of Education New Elementary School Sewer Service

Mr. Kelsh had no updated information for this item.

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

City of Martinsburg NPDES Permit Appeal before WV EQB

Mr. Kelsh had no updated information for this item.

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

PSC General Investigation into Berkeley County Capital Improvement Fees

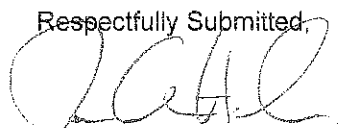
Mr. Kelsh had no updated information for this item.

- Action:** No action taken by the Board.
- Action:** Motion made by Mr. Lantzy and seconded by Mr. Cummins to convene in executive session for the purpose of discussing litigation and contract negotiations. Unanimously approved.
- Action:** Motion made by Mr. Lantzy and seconded by Mr. Cummins to return to public session. Unanimously approved.
- Action:** Motion made by Mr. Lantzy and seconded by Mr. Cummins to adjourn. Unanimously approved.

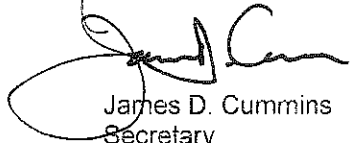
There being no further business at this time, the meeting was adjourned at 11:00PM

The next regular meeting is scheduled for November 2, 2009 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Joseph A. Hankins  
Chairman



James D. Cummins  
Secretary

# Jefferson County Public Service District

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## Jefferson County Public Service District Special Board Meeting October 15, 2009

The special meeting of the Jefferson County Public Service District was held at 7:00PM on Thursday, October 15, 2009 at the District's office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Secretary, Jim Cummins; Treasurer, Jack Lantzy; PSD General Manager, Susanne Lawton; Administrative Assistant, Ashley Wilt, District Legal Counsel, Jim Kelsh and Commission Liaison to the Public Service District, Commissioner Lyn Widmyer.

Chairman Hankins called the meeting to order at 7:05PM.

### Consider approval of sewer rate analysis by Cox Hollida Price relating to a non-project related sewer rate increase application to be filed with the W.Va. Public Service Commission

Chuck Young from Cox Hollida Price had drafted a Rule 42 Exhibit for a non-project related sewer rate increase. He recommended a 9.28% or \$1.10 per thousand gallon increase which would go from the current rate of \$11.85 per thousand gallons to \$12.95 per thousand gallons. The District must have 115% debt service coverage, but the District is currently at 105% so a rate increase for all District customers is needed. Mr. Kelsh will be filing this application to the PSC in November with the rates possibly going in affect in March 2010. The filing of this application is a 2-part process. First the District will file for this short term rate increase to go in effect within 30 days knowing the PSC could suspend for 4 months and then file a post project rate increase for after the wastewater treatment plant project is complete. The non-project related rate increase notice will be published in the Spirit by the PSC and in all customer bills by the District once filed.

**Action:** Motion made by Mr. Lantzy and seconded by Mr. Cummins to direct staff to submit to the W.Va. Public Service Commission the Rule 42 Exhibit prepared by Cox Hollida Price which shows an increase of 9.28% for proposed rates. Unanimously approved.

### Discuss funding proposal to be filed with the W.Va. Infrastructure and Jobs Development Council for funding the Mountain Water Project

The Board had Mr. Tuggle by speakerphone to discuss this item. Mr. Tuggle provided the Board with an outline of a potential funding approach for the mountain water project which showed the revised estimated total project cost at \$13 million instead of the original \$16.5 million with about 5 million coming from possible grant money. The primary goal is to keep rates at a reasonable level for Jefferson Utilities customers, but a slight rate increase for the project may be required. Mr. Tuggle is waiting for the hydrogeologic study being done by Golder Associates Inc before he submits the IJDC application. The study is supposed to be done by November 10<sup>th</sup> and if the results of the study show no problems, Mr. Tuggle will submit the IJDC application that same day to IJDC. Mr. Cummins was concerned the District or Pentree has not yet received the study and will not have time to review the results before Mr. Tuggle submits the application to IJDC. Mr. Cummins felt the application would be incomplete without all the "known's" and having several alternatives listed in the application would be extremely important. Mr. Tuggle assured the Board that changes can be made to the application once it is submitted to the IJDC. Submitting just gets the project known and the council to look for technical feasibility. He also assured Mr. Cummins that it is a requirement to have alternatives listed in the application which will done.

**Action:** Motion made by Mr. Cummins and seconded by Mr. Lantzy to accept the potential project funding approach as outlined by Pentree and for staff to complete the Infrastructure and Jobs Development Council application with a request that the application also consider an alternatives analysis. Unanimously approved.

### Consider new elementary school Mainline Extension Agreement

Jim Kelsh spoke with attorneys representing the Board of Education and they would like to get a copy of the draft Mainline Extension Agreement for review. Mr. Kelsh will send them the agreement.

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

Consider Breckenridge East Alternate Mainline Extension Agreement

Jim Kelsh has been working with Jerry Connelly from B.C. Partners on drafting an agreement that both parties are satisfied with. Mr. Connelly is comfortable with the draft agreement being presented to the Board. Mr. Kelsh reviewed the agreement highlighting the changes made since last month. The Board would like to add a sentence to the end of section 2.01 as follows, "The parties shall enter into addenda to this Agreement for each portion of the extension". The Board also had a brief discussion on section 3.03 regarding Utility Easements.

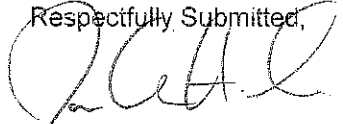
**Action:** Motion made by Mr. Cummins and seconded by Mr. Lantzzy to approve the Alternate Mainline Extension Agreement with Breckenridge East as presented with the additional language under section 2.01. Unanimously approved.

**Action:** Motion made by Mr. Lantzzy and seconded by Mr. Cummins to adjourn. Unanimously approved.

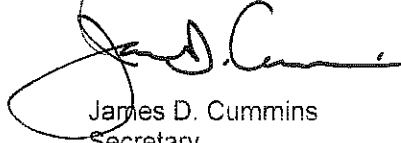
There being no further business at this time, the meeting was adjourned at 8:55PM

The next regular meeting is scheduled for November 2, 2009 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Joseph A. Hankins  
Chairman



James D. Cummins  
Secretary

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

Week Ending Date	Week Ending October 31, 2009 Before 3BM November 6, 2009	Week Ending October 31, 2009 After 3BM November 6, 2009	Week Ending October 31, 2009 FY10 November 6, 2009
<b>To be Deposited on:</b>			
Amount Played	0.00	0.00	74,443,931.38
Amount Won	0.00	0.00	66,949,722.86
Amount Promo	0.00	0.00	222,987.00
MWAP Contribution	<u>0.00</u>	<u>0.00</u>	<u>45,286.11</u>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>	<b><u>7,226,015.41</u></b>
Administrative Costs @ 4%	0.00	0.00	0.00
Excess Lottery Fund @ 4%	<u>0.00</u>	<u>0.00</u>	<u>289,040.61</u>
<b>Net Terminal Revenue</b>	<b><u>2,095,521.68</u></b>	<b><u>4,841,453.12</u></b>	<b><u>6,936,974.80</u></b>
Surcharge @ 10%	0.00	484,145.32	484,145.32
State Share Excess @ 58%	0.00	280,804.29	280,804.29
Track Share of Capital Reinvestment @ 42%	0.00	203,341.03	203,341.03
Track Share of Capital Reinvestment @ 42% - 96%	\$ -	\$ 185,207.99	\$ 185,207.99
Track Share of Capital Reinvestment @ 42% - 4%	\$ -	\$ 8,133.84	\$ 8,133.84
<b>Adjusted Net Terminal Revenue</b>	<b><u>2,095,521.68</u></b>	<b><u>4,357,307.80</u></b>	<b><u>6,452,829.48</u></b>
Racetrack @ 46.50% / 42%	974,417.58	1,830,069.28	2,804,486.86
Lottery Fund @ 30% / 0%	628,656.49	0.00	628,656.49
Excess Lottery Fund @ 0% / 41%	0.00	1,786,496.19	1,786,496.19
Race Track Purses @ 7% / 14% / 8%	293,373.04	348,584.62	641,957.66
Workers' Compensation Debt Reduction @ 7%	0.00	0.00	0.00
Employee Pension Fund @ 1% / .5%	20,955.22	21,786.54	42,741.76
Greyhound Development @ .75%	15,716.41	32,679.81	48,396.22
Thoroughbred Development @ .75%	15,716.41	32,679.81	48,396.22
Racing Commission @ 1%	20,955.22	43,573.08	64,528.30
County/Municipality @ 2%	41,910.44	87,146.16	129,056.60
<b>3% Funds:</b>			
Tourism Promotion Fund @ 1.375%	28,813.42	59,912.98	88,726.40
Development Office Promotion Fund @ .375%	7,858.21	16,339.80	24,198.11
Research Challenge Fund @ .5%	10,477.61	21,786.54	32,264.15
Capitol Renovation and Improvement Fund @ .6875%	14,486.71	29,956.49	44,363.20
2004 Capitol Complex Parking Garage Fund @ .0825%	1,309.70	2,723.32	4,033.02
<b>1% Funds:</b>			
State Capitol Complex Parking Garage @ 1%	0.00	0.00	0.00
Cultural Facilities and Capitol Resources @ .5%	10,477.61	21,786.54	32,264.15
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>10,477.61</u>	<u>21,786.54</u>	<u>32,264.15</u>
	<b><u>2,095,521.68</u></b>	<b><u>4,357,307.80</u></b>	<b><u>6,452,829.48</u></b>

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

Charles Town  
 1999 Net Terminal Revenue \$ 45,603,174  
 Benchmark Goal @ 2% \$ 912,083.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPER'S 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	\$ 160,852.98	\$ 160,852.98	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 155,846.74	\$ 138,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,026.55	\$ 636.40	\$ 6,117.24	\$ 2,481.88
08/15/09	\$ 162,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.79	\$ 28,070.37	\$ 2,964.61	\$ 28,492.73	\$ 11,806.64
08/22/09	\$ 152,820.62	\$ 76,280.31	\$ 76,280.31	\$ 9,471.53	\$ 26,355.56	\$ 2,783.50	\$ 26,762.12	\$ 10,897.60
08/29/09	\$ 160,045.84	\$ 80,472.92	\$ 80,472.92	\$ 9,994.74	\$ 27,511.44	\$ 2,837.26	\$ 28,229.90	\$ 11,469.58
09/05/09	\$ 161,566.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,848.13	\$ 28,349.99	\$ 11,546.06
09/12/09	\$ 172,573.84	\$ 86,288.92	\$ 86,288.92	\$ 10,718.84	\$ 29,820.76	\$ 3,148.47	\$ 30,269.45	\$ 12,330.40
09/19/09	\$ 160,030.36	\$ 70,070.15	\$ 70,070.15	\$ 8,595.28	\$ 24,195.51	\$ 2,558.37	\$ 24,559.68	\$ 10,004.45
09/26/09	\$ 138,633.74	\$ 69,318.87	\$ 69,318.87	\$ 8,006.18	\$ 23,353.51	\$ 2,430.07	\$ 24,316.35	\$ 9,505.38
10/03/09	\$ 144,572.08	\$ 72,286.04	\$ 72,286.04	\$ 8,977.93	\$ 24,982.09	\$ 2,639.44	\$ 25,267.92	\$ 10,525.68
10/10/09	\$ 139,301.28	\$ 69,650.63	\$ 69,650.63	\$ 8,650.61	\$ 24,071.26	\$ 2,542.26	\$ 24,433.44	\$ 9,958.08
10/17/09	\$ 147,428.42	\$ 73,580.21	\$ 73,580.21	\$ 8,138.18	\$ 23,422.41	\$ 2,694.85	\$ 23,804.92	\$ 10,511.76
10/24/09	\$ 135,163.32	\$ 67,581.65	\$ 67,581.65	\$ 8,363.84	\$ 23,366.22	\$ 2,480.79	\$ 23,707.66	\$ 9,897.42
10/31/09	\$ 128,056.50	\$ 64,526.30	\$ 64,526.30	\$ 8,014.41	\$ 22,300.99	\$ 2,355.26	\$ 22,656.54	\$ 9,221.09
Subtotal	\$ 2,730,857.88	\$ 1,621,475.74	\$ 808,612.24	\$ 112,960.07	\$ 314,282.66	\$ 33,199.84	\$ 318,021.02	\$ 129,954.81

Benchmark Goal @ 2% \$ 912,083.48

Remainder with 1% / 1% Split

RECEIVED

NOV 04 2009

Jefferson County Commission

44



STATE OF WEST VIRGINIA  
Department of Revenue  
State Tax Department

Joe Manchin III  
Governor

Christopher G. Morris  
State Tax Commissioner

November 5, 2009

RECEIVED

NOV 09 2009

Dale Manuel, President  
Jefferson County Commission  
Jefferson County Courthouse  
100 E. Washington Street  
Charles Town, West Virginia 25414

Jefferson County Commission

Dear President Manuel:

This letter and attachment certify that Angela L. Banks, Assessor of Jefferson County, has substantially complied with the "assessor's additional duties" as delineated in West Virginia Code § 7-7-6a. Substantial completion of the additional duties entitles Ms. Banks to the additional compensation of \$15,000 as provided in West Virginia Code § 7-7-6b.

Sincerely,

Christopher G. Morris  
State Tax Commissioner

CGM/jas

Attachment

- cc: Angela L. Banks  
Assessor of Jefferson County
- Jennifer Meghan  
Clerk of Jefferson County

**ASSESSOR ADDITIONAL DUTIES - 2009**

(PLACE AN "X" IN THE APPROPRIATE SPACE.)

**SUBSTANTIAL COMPLETION  
YES NO**

1.	I have placed a map and parcel number on each entry in the current land book and ensured that all land book identifiers correspond to IAS/CAMA System identifiers.	X	
2.	I have completed a new appraisal card and map card for all land splits, adjusted the parent card, and made the appropriate entry to include all appropriate appraisal data on the computer network.	X	
3.	I have completed a list indicating that an appraisal change, mapping change or both have occurred to a parcel of property requiring this action during this calendar year. I have made the appropriate appraisal data change to the IAS/CAMA System record on the computer network for each appraisal change card. I have placed these cards in appropriate files for inspection. (Indicate the number of change cards completed this year. <u>195</u> )	X	
4.	I have prepared a listing of all new businesses added to the assessment rolls and all businesses that have ceased operations during the past year.	X	
5.	I have assisted the Tax Commissioner in determining if property owned by public utility companies is operating or non-operating, by completing the public utility property report.	X	
6.	I have entered sales information to the IAS/CAMA System for all real property sales that were registered in my county from October 1, 2008 through September 30, 2009.	X	
7.	I have occupied the office of Assessor during this entire calendar year. If no, provide explanation. _____	X	

**STATEMENT OF COMPLETION**

State of West Virginia

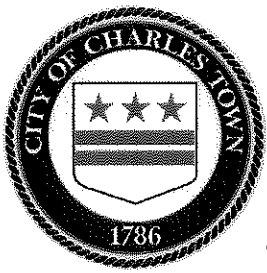
County of Jefferson

I, the undersigned, Angela L. Banks, Assessor of Jefferson County, hereby certify that I have substantially completed each additional duty

described in West Virginia Code § 7-7-6a, in the manner prescribed by the West Virginia State Tax Commissioner.

10/19/2009  
Date

Angela L. Banks  
Signature of Assessor



#46

# City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414  
Phone: (304) 725-2311 ♦ Fax: (304) 725-1014 ♦ Web: [www.charlestownwv.us](http://www.charlestownwv.us)

October 30, 2009

MAYOR

*Peggy A. Smith*

To: Charles Town Downtown Merchants / Restaurants  
From: Gary Rawlings, City Manager

**Re: UPCOMING EVENTS**

CITY  
COUNCIL

*Rob  
Bringewell*

*Donald  
Clendening*

*Marylouis  
Gannon-Miller*

*Chet  
Hines*

*Ruth  
McDaniel*

*Sandra  
Slusher  
McDonald*

*Ann  
Paonessa*

*Michael  
Stover*

CITY  
MANAGER

*Gary  
Rawlings*

CITY CLERK

*Joe  
Cosentini*

**BELOW ARE THE SCHEDULED EVENTS  
FOR NOVEMBER AND DECEMBER, 2009**

<u>EVENT</u>	<u>DATE/TIME</u>	<u>PLACE</u>
TREE LIGHTING	11.27.09/6:30PM	COURTHOUSE
TREET LIGHTING	11.28.09/6-8PM	RANSON CIRCLE
JOHN BROWN TRIAL/HANGING COMMENORATION*	12.02.09/11AM	COURTHOUSE SAMUEL ST.
CHRISTMAS PARADE	12.05.09/ 3PM	PARADE ROUTE
PARADE OF HORSES	12.13.09/11AM	WASHINGTON ST.
JOHN BROWN RAIDERS COMMENORATION*	12.16.09/11AM	SAMUEL ST.

**\*The John Brown events are expected to attract 3000 participants.**

**Downtown Christmas decorations will be going up early November.**

