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AGENDA FOR THURSDAY, DECEMBER 3, 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 - Additions to the
Operations Center Building - Discussion/Action
- ☐☐☐ 4. 10:00 a.m. - Ed Slonaker - Morgan Financial
- ☐☐☐ 5. 10:30 a.m. - Jonathan Slifer & Justin Bass - Communication Workers of America
Local 2105 - Presentation Concerning the Proposed Sale of Verizon's
Landline Business to Frontier Communications
- ☐☐☐ 6. 10:45 a.m. - Stephanie Grove - Legal Update and Report
Ralph Lorenzetti - Prosecutor's Office Salaries
- ☐☐☐ 7. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report
 - BB&T Funds Management
 - Request that Commission Grants the Employees of the Clerk's
Office the Same \$200 Per Year Salary Adjustment that was
Awarded to the Other Offices
- ☐☐☐ 8. 11:15 a.m. - Bonding and Activity Report
- ☐☐☐ 9. 1:30 p.m. - Senator Herb Snyder & Delegate Tiffany Lawrence - Legislative
Update

OLD BUSINESS:

- ☐☐☐ 10. Legislative Issues
- ☐☐☐ 11. Kirk Davis, Sr., Capital Projects Manager - Grant Updates
 - Courthouse Facilities Improvement Authority Funding Award - Discussion/Action
- ☐☐☐ 12. Mark Schiavone - Budget Updates

NEW BUSINESS:

- 13. Set Date for First Meeting of 2010 - Discussion/Action
- 14. Decision on County Seal - Discussion/Action
- 15. Bill Polk - Update the County Commission on Safety and Security - Discussion/Action
- 16. Decision on Giving County Employees the Full Day Off for Christmas Eve, As Provided by West Virginia State Code §2-2-1 - Discussion/Action
- 17. Approval of Resolution - Community Participation Grant Program - Star Lodge-Locke House
- 18. Approvals of Employment of Public Safety Dispatcher - Discussion/Action
 - Dale Hetherington
 - Sarah Lanning
 - Kathryn King
- 19. Review of Requests for Job Reclassifications - Discussion/Action (LW)
- 20. RFP for Hydro Geological Study: Needs to be Before a Public Service District Meeting the Following Week (JS)
- 21. Commission Approval of Poll Workers and Alternates List for the December 5, 2009 Referendum (JS)
- 22. County Administrator Reports
- 23. County Commission Reports

INFORMATION:

- 24. Memorandum received from the Engineering Department concerning an acceptance of bond in the amount of \$532,099 for Sheperdstowne Estates Subdivision.
- 25. Public Service Commission order received concerning PATH.
- 26. Copy of the Report on Applying Agreed-Upon Procedures of the Jefferson County Magistrate Court for the period ending December 31, 2008 received.
- 27. Correspondence received from the Division of Highways concerning the Statewide Transportation Improvement Program.
- 28. Notice received of Census Boundary and Annexation Survey Workshops.
- 29. Letter of resignation received from Karen L. Crowl from the Jefferson County Health

Department.

- 30. Invitation received from the Kiwanis Club to attend a refreshment hour for the contributors to Santa's Toy Shop on Thursday, December 10, 2009, at 6:00 p.m.
- 31. Correspondence received from Comcast concerning channel changes.
- 32. 2009 Membership Opinion Survey received from the Association of Counties.
- 33. Notice received of the Doug Perks History Presentation on Tuesday, December 8, 2009
- 34. Notice received of an Environmental Research Center Forum on December 15, 2009.
- 35. Notice received of the 25th Anniversary celebration for South Jefferson Library on December 5th & 6th, 2009.
- 36. Meeting agenda and minutes received from the Jefferson County Board of Health.
- 37. Harpers Ferry National Historical Park Community Bulletin received.
- 38. E911 fees received.
- 39. Weekly settlement reports for the Charles Town Races received from the West Virginia Lottery.
- 40. Miscellaneous

CORRESPONDENCE:

- 41. Correspondence received from Boy Scout Erik J. concerning table games.
- 42. Correspondence received from Gil N. Garcia concerning the Board of Zoning Appeals 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.

9:45
12/3/09

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Wednesday, November 25, 2009 11:16 AM
Subject: Fw: Appointment

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

From: "paul rosa" <paul.rosa@frontiernet.net>
To: <sandy@jeffersoncountywv.org>
Sent: Wednesday, November 25, 2009 11:08 AM
Subject: Appointment

- >
- > The Jefferson County Emergency Services Agency (JCESA) requests an
- > appointment before the Commission at its December 3, 2009 meeting
- > regarding Additions to the Operations Center building.
- >
- > (Discussion/Action)
- >
- > Paul Rosa
- > Board Member/Building Committee
- > (304) 725-2990
- > paul.rosa@frontiernet.net
- >
- >

10:30
12/3

Laura Kuhn

From: <cwalocal2105@verizon.net>
To: <laura@jeffersoncountywv.org>
Sent: Wednesday, November 04, 2009 3:35 PM
Subject: Nov 19 County Commission Meeting

Good Afternoon,

This is Jonathan Slifer with Communication Workers of America(CWA) Local 2105 in Williamsport, MD. Myself and my partner Justin Bass would like to make a presentation at the November 19, 2009 County Commission meeting concerning the proposed sale of Verizon's landline business to Frontier Communications. The proposed sale is a bad deal for the State of West Virginia as well as the consumers within the state. This acquisition will affect consumers that are current Frontier customers such as Jefferson County. If this transaction is completed it will put West Virginians' at stake of higher telephone bills and a complete dissaray of the 911 system that has yet to be completed within the state.

Thank you for your time and consideration in this matter that is extremely important to West Virginia's future and infrastructure.

Sincerely,

Jonathan Slifer

#6

<p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p>
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AGENDA REQUEST FORM

Name: RALPH LORENZETTI

Department or Entity: PROSECUTING ATTORNEY

Estimation of amount of time needed for appointment: 15 MIN.

Date Requested – 1st Choice: DEC. 3, 2009

Date Requested – 2nd Choice: _____

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

Subject: PROSECUTOR'S OFFICE SALARIES

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

SEE ATTACHED LETTER

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

CONFIRM PROSECUTOR'S OFFICE SALARIES FOR REMAINDER OF 2009/2010 AS DESIGNATED BY PROSECUTING ATTORNEY.

Attachments:

RALPH A. LORENZETTI, JR.
PROSECUTING ATTORNEY

CHARLES B. HOWARD
ASSISTANT PROSECUTING ATTORNEY

STEPHEN V. GROH
ASSISTANT PROSECUTING ATTORNEY

BRANDON C.H. SIMS
ASSISTANT PROSECUTING ATTORNEY



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

LAURENCE R. CROFFORD
ASSISTANT PROSECUTING ATTORNEY

HASSAN RASHEED
ASSISTANT PROSECUTING ATTORNEY

CIVIL DIVISION

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

STEPHANIE F. GROVE
ASSISTANT PROSECUTING ATTORNEY

JAMES CASIMIRO III
ASSISTANT PROSECUTING ATTORNEY

November 24, 2009

County Commission of
Jefferson County
c/o Sandy Slusher-McDonald
Acting county Administrator

P. O. Box 729
110 N. George St., 3rd Floor
Charles Town, WV 25414
(304) 728-3243
fax (304) 728-3293
paoffice@jeffersoncountywv.org
www.jeffersoncountywv.org/pa

RE: Prosecutor's Office Salaries

Dear Commissioners,

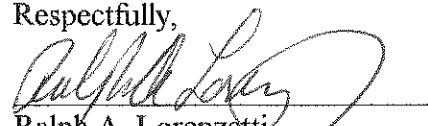
It has been a roller coaster ride for this Offices' employees trying to follow when and how they would receive any pay relief. The raises for those to the pay equity minimum and the \$200 per year pay supplement, still leaves part of this Office's staff waiting for equity for their efforts over the last three years.

I do not believe a balanced, comprehensive and fair grade/step program has been finalized and I am not waiting another year. Therefore, this is a notification to the County Commission that as the Elected Prosecuting Attorney I must insist that the attached salaries be instituted at the next pay period. This is not a demand for an increased budget for the 2009/2010 fiscal year.

Under W.Va Code §7-7-7 I am fixing the compensation for my office assistant prosecutors and employees, giving due consideration to the duties responsibilities and work required. I have generally followed the main outline listed in the pay equity recommendations, "as fair and reasonable" although, these have varied. See State Ex. Rel. Lambert v. Contellessi, 182 W.Va. 142, 386 S.E. 2d 640 (1989). These salaries are based on the expanded responsibilities and duties of the individual, which in these cases I feel appropriate, see Op. Att'y Gen, Feb. 17, 1976, also Gooden v. Berkeley County Commission, et al, 07-C-1006. More than a few of these employee deserve more, but I do not want to undermine the premise of the salary scale plan.

I therefore request that the County Commission direct payroll to make these adjustment by the Holiday 2009 pay period.

Respectfully,


Ralph A. Lorenzetti
Prosecuting Attorney

attachment: Proposed Salaries

#7

<p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p>
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AGENDA REQUEST FORM

Name: Jennifer Maghan

Department or Entity: Jefferson County Clerk

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: Dec 3, 2009

Date Requested – 2nd Choice: Dec 3, 2009

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

Subject: 1. **BB&T Funds Management**
 2. **Request that Commission grants the employees of the Clerk’s office the same \$200 per year salary adjustment that was awarded to the other offices.**

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): 1. **to approve and sign the request by BB&T to release securities that covers our county’s uninsured deposits.**

2. **Request motion to approve to provide the employees of the County Clerk’s office \$200 per person per year worked just like the rest of the County employees.**

Attachments: **See attached**



Branch Banking & Trust Co.

Funds Management
Mailcode: 151-90-01-30
4320 Kahn Drive, Bldg 1
P.O. Box 1489
Lumberton, NC 28359
(910) 272-2245
Fax (910) 272-2238

November 3, 2009

Jefferson County Commission WV
P.O. Box 208
Charles Town, WV 25414

Dear Valued Client:

As a depository institution, we are required to secure any uninsured deposits which are considered to be publicly funded. In the past, we have pledged securities with a safekeeping agent to cover your uninsured deposits; however, due to changes in FDIC insurance and/or a decrease in your deposits, the value of the securities pledged now exceeds the amount required to secure the uninsured deposits of your organization. To release these securities, the safekeeping agent must have proper approval from your organization.

We are requesting your approval to release the following securities:

Safekeeping Agent: FEDERAL RESERVE				
		<u>ORIGINAL PAR VALUE</u>	<u>CURRENT PAR VALUE</u>	<u>MARKET VALUE</u>
Totals of Collateral Currently Pledged:		\$8,200,000.00	\$8,077,568.34	\$8,397,748.61
Release the following:				
<u>CUSIP</u>	<u>DESCRIPTION WITH RATE AND MATURITY DATE</u>			
38374TRP1	GNMA REMIC 2009-22 CA 4.5% 12/16/35	\$7,000,000.00	\$6,895,485.17	\$7,168,809.79
Totals of Collateral Remaining After Release:		\$1,200,000.00	\$1,182,083.17	\$1,228,938.82

Should the above changes agree with your records, please sign as indicated and fax back to me at (910) 272-2238; otherwise, please call us immediately at the number listed below.

Thank you for banking with Branch Banking & Trust Company.

Gay W. Leggett
Gay W. Leggett
Portfolio Operations Specialist II
Funds Management Operations
Branch Banking & Trust
(910) 272-2245
FMPFPledging@bbandt.com

We hereby approve the above changes requested by Branch Banking & Trust Company.	
	Date: _____
Jefferson County Commission WV	
(Sign here please)	Purpose Code: 63400
ABA # 053101121	FRB Pledge Code: E3YT

Sandy McDonald

From: "F. Mark Schiavone" <mschiavone@jeffersoncountywv.org>
To: "Sally Gran" <sgran@jeffersoncountywv.org>; "Sandy McDonald" <sandy@jeffersoncountywv.org>
Sent: Friday, November 20, 2009 11:43 AM
Attach: Book2.xls
Subject: Book2.xls

The cost of including County Clerk staff with 2 or more years service comes to \$13,564

Mark

Start	years	y>=2
22-Dec-97	#NAME?	#NAME?
18-Oct-07	#NAME?	#NAME?
17-Sep-08	#NAME?	
19-Jan-09	#NAME?	
31-Jul-06	#NAME?	#NAME?
15-Jul-05	#NAME?	#NAME?
7-Aug-06	#NAME?	#NAME?
27-Jun-05	#NAME?	#NAME?
28-Jul-08	#NAME?	
23-Jul-07	#NAME?	#NAME?
2-Jan-91	#NAME?	#NAME?
14-Jun-04	#NAME?	#NAME?
3-Jan-06	#NAME?	#NAME?
13-Jun-05	#NAME?	#NAME?
12-Jul-06	#NAME?	#NAME?
	total years	#NAME?
	@\$200	#NAME?
	7.65%	#NAME?
	Total	#NAME?

11

State of West Virginia Courthouse Facilities Improvement Authority Funding Award

Notification Date
November 2, 2009

Funding Assistance Number:
19-01-100209

Fund ID Number

State Fund Number
8685

Grant Cycle
007

Program Name
Courthouse Facilities
Improvement Authority

F.E.I.N: 55-6000333

Recipient Name and Address:

Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Funding Period

From: January 1, 2010
To: January 1, 2011

Project Name
Exterior Repair

Funding Program ID: CFIF

Project Number: 19-01-100209

Project Description

Implement the project in the attached agreement

Change Orders:

Number: Date: Purpose:

COPY OF ORIGINAL AGREEMENT IS ON FILE IN THE OFFICE OF THE COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY AND IS AVAILABLE FOR INSPECTION.

Maximum Amount Approved:

\$80,000.00

Authorized Signature: _____ Date _____

Kris Richmond
Executive Director
Courthouse Facilities Improvement Authority

Payment Advice: Reimbursement contingent upon project completion and submission of all required documentation. All project funds secured from sources other than CFIA are the responsibility of the County Commission.

old Business

FUNDING ASSISTANCE CONTRACT AGREEMENT

BETWEEN THE

COURTHOUSE FACILITIES IMPROVEMENT AUTHORITY

AND

Jefferson County Commission

19-01-100209

Project Number

This **AGREEMENT** entered into this 4th day of December 2009 by the Executive Director of the Courthouse Facilities Improvement Authority, hereinafter referred to as "CFIA," for and on behalf of the State of West Virginia, and the President of the Jefferson County Commission, hereafter referred to as "Funds Recipient" or "Recipient."

WHEREAS, CFIA is the Administrator of funds received by the Courthouse Facilities Improvement Fund, and

WHEREAS, the Recipient is an eligible applicant who is desirous of receiving funds for various courthouse facilities improvements,

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

1. The Recipient agrees to comply with all applicable federal and state laws and rules, regulations, and policies promulgated there under.
2. CFIA agrees to assist the Recipient to perform such tasks and functions as set forth in the application which is attached hereto and made part hereof, hereinafter referred to as Attachment A.
3. The Recipient shall do, perform, and carry out in a satisfactory and proper manner as determined by CFIA all duties, tasks, and functions necessary to implement the application which is hereto attached as Attachment A.

4. The Recipient will commence its duties under the Agreement on or about January 1, 2009 and shall continue those services/activities until completed or no later than January 1, 2010. The terms of this Agreement may only be extended or modified by the mutual written agreement of the parties hereto. Extensions will only be granted with documentation of delay.
5. In consideration of the services rendered by the Recipient, the sum of up to \$80,000 shall be obligated by CFIA and said amount shall be deemed to be the maximum compensation to be received for this Agreement unless a written modification is entered into between the parties amending this Agreement.
6. It is the understanding of all parties to this Agreement that CFIA by joining in the Agreement does not pledge, or promise to pledge, the credit of the State of West Virginia, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State of West Virginia.
7. To be eligible for any and all payments of the funding assistance amount, the Recipient shall submit a Request for Reimbursement to CFIA. Upon receipt of said request, CFIA shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be extended only as outlined in Attachment A, unless written approval of modification is signed by the parties hereto. Recipient shall submit a fiscal report detailing expenditures to CFIA as set forth in Attachment A. Final requests will be held until a Final Report is received. The report should include the following items: A statement of completion, photographs (electronic and on CD preferred), Cost comparisons; Quality of workmanship; Quality of materials used; Employee/Courthouse visitor benefits; Timeliness of contractors/materials; Problem areas; and County applicants project overview/recommendations
8. Recipient hereby represents that it possesses the legal authority to contract for this Agreement and that attached hereto and made a part hereof as Attachment B a certified copy of the resolution, motion, or similar action which was

clearly adopted or passed by the Recipient's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Recipient is a State agency, the completed application signed by the agency head is sufficient.

9. Recipient agrees to abide by the conditions, terms, assurances, and certifications which are a part of Attachment A and such other special terms and conditions that CFIA has set forth in Attachment C which is incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.
10. If, through any cause, the Recipient fails to fulfill in a necessary and proper manner his/her obligations under this Agreement, the CFIA may withhold payments to the Recipient, or cancel or suspend this Agreement and Attachments upon written notice. The recipient shall additionally submit all required monthly reports as described in the attachments. Reports must be received by the 20th day of each month or the CFIA may, in its discretion, withhold, suspend or cancel any payment(s), and / or suspend or cancel this agreement. In the event the CFIA withholds, suspends or cancels any payment(s) and / or this agreement, as provided herein, the CFIA shall provide to the Recipient written notice detailing the reason(s) for such withholding, suspension or cancellation of payment(s) and / or this agreement. If recipient does not submit three (3) or more months of progress reports, the project will be considered for defunding at the next meeting of the CFIA Board of Directors.
11. CFIA and Recipient may from time to time require changes in the scope of services performed hereunder. Recipient agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation hereunder or work to be performed, which are mutually agreed upon between the parties shall be in writing.
12. If for any reason funds received by CFIA are suspended or terminated, in whole or in part, funding for this agreement shall cease.

13. Recipient shall within the time period prescribed by grant conditions upon the termination of the Agreement, submit to CFIA a final report. Said reports shall reflect actual costs incurred during the terms of the Agreement.
14. Funding Assistance may be made on a contingent basis, dependent upon the Recipient's ability to demonstrate that total project funds have been secured from alternate funding sources where necessary.
15. Recipient agrees that improvements made will not detract from courthouse/facility architectural or historical significance.

Further, Recipient is advised that the West Virginia Division of Culture and History State Historic Preservation Office (WVSHPO) reviews all undertakings permitted, funded, licensed or otherwise assisted, in whole or in part, by the state related to historic preservation for the purposes of furthering all duties outlined by West Virginia Code §29-1-8. This provision requires the WVSHPO to review any potential effect state funded activities may have on resources eligible for or listed in the National Register of Historic Places. As a recipient of funding from the CFIA, you are obligated to consult with the WVSHPO regarding your proposed project. Please contact the WVSHPO to begin the review process of your newly funded project. Additionally, include all relevant project information, including, but not limited to, photographs and schematics, where possible, of all relevant proposed work funded by the CFIA. All materials and documentation must be provided to Susan M. Pierce, Deputy State Historic Preservation Officer, Division of Culture and History, 1900 Kanawha Boulevard, E., Charleston, WV, 25305. If you require additional clarification please contact the WVSHPO at (304) 558-0240. For more information regarding the review process, please refer to 82 CSR § 2-1, et seq. (Title 82 Code of State Rules, Series 2: Division of Culture and History, Standard and Procedures for Administering State Historic Preservation Programs).

16. The parties hereto agree that notice shall be given by personal service or served when mailed certified U. S. Mail, postage prepaid, return receipt requested to the following addresses:

A. Courthouse Facilities Improvement Authority
2003 Quarrier Street
Charleston, WV 25311

B. Jefferson County Commission
PO Box 250
Charles Town, WV 25414

17. The Recipient shall hold and save CFIA and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages sustained by any persons or property resulting in whole or part from the negligent performance or omission of any employee, agent, or representative of the Recipient.

IN WITNESS WHEREOF, the parties hereto attach their signatures representing that each is acting with full authority.

Date _____

Commission President
Signature

Date _____

Kris Richmond
Executive Director
Courthouse Facilities Improvement Authority

West Virginia
Courthouse Facilities
Improvement Fund
Application for
Funding Assistance

West Virginia
Courthouse Facilities
Improvement Authority
2003 Quarrier Street, Charleston, WV 25311
Telephone (304) 558-5435
Facsimile (304) 558-9174
Email: kris.richmond@wvafin.com

Courthouse Facilities Improvement Fund

Application for Funding Assistance - Instructions

County Applicant: Name, address, and telephone number of applicant.

Project Director: Name, address, and telephone number of individual responsible for the daily implementation of the project. This person **cannot** also be listed as the Authorized Official or the Fiscal Director.

Fiscal Director: Name, address, and telephone number of the individual responsible for the financial records of the project. This person **cannot** also be listed as the Project Director or the Authorized Official.

Authorized Official: Name, address, and telephone number of County Commission President. This is the individual who would be authorized to enter into a contractual agreement.

Total number of pages, exclusive of application, should not exceed fifty (50) pages. Upon completion, forward the original application, with original, fresh ink signatures, and five (5) copies to:

Courthouse Facilities Improvement Authority
2003 Quarrier Street
Charleston, WV 25311

Application for Funding Assistance

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

Project Director: William R. Polk, Jefferson County Department of Maintenance, P.O. Box 250, Charles Town, WV 25414

Fiscal Director: Jennifer Maghan, Jefferson County Clerk, P.O. Box 208, Charles Town, WV 25414

Authorized Official: Dale Manuel, County Commission President, P.O. Box 250, Charles Town, WV 25414

Federal Employer's Identification Number (F. E. I. N. #): 55-6000333

Type and location of the proposed modification or construction of courthouse facility:

100 East Washington Street, Charles Town, WV 25414--Jefferson County Courthouse. After the installation of the new HVAC some areas were left in need of attention (see photos) and the exterior has had some weather related damage repaired and inspections (see photos and memos). Jefferson County is requesting funding to help with the repair and painting of the interior and exterior of the Jefferson County Courthouse.

The estimated total cost of the proposed modification:

\$250,000.

Detailed Itemization of Project Costs by Category:

*Please indicate category type and provide a brief description of needs for each category listed. (Attach contractor(s) bids and/or consultants feasibility/cost studies.)

General Exterior: We will repair all woodwork, paint, trim and bricks around the exterior of the building.

General Interior: After removing the old radiator systems and deterioration of the plaster, the interior will need repairs to the walls, painting and trim work.

Structural Integrity: After repairs to the clock tower needed due to recent wind damage, it was noted that there are areas of the clock tower that is going to need extensive work. Refer to memo and pictures on CD.

*Wage rates paid by contractors must meet any governing West Virginia Department of Labor regulations

Project Narrative

Provide information demonstrating the need for the modification or construction and that the proposed funding of the modification or construction is the most economically feasible to the completion of the project. Please add more pages if needed.

If these areas are not addressed, further deterioration of the areas mentioned could result in more serious structural damage, which could become a life safety issue.

We will replace and repair all damaged and deteriorating woodwork. We will replace or repair all spalling or deteriorated brick. We will repair or replace any rusted or damaged metal or tin. We will repair or replace any damaged wall or trim work on the interior of the facility.

The clock tower will be inspected and any areas of concern will be addressed so that no further damage will occur and stop the progress of deterioration.

The entire facility after repair work is completed, will be painted.

The amount of funding assistance requested and the specific uses of the funding:

Due to the height and hidden areas of the Clock Tower an accurate estimate is going to be very difficult. This decision was made after speaking with several contractors and other professional people in the field of historical preservation.

Type of funding assistance requested:

- Loan
- Loan Guarantee
- Grant
- Combination
- Other

Please explain as necessary:

The category of funding assistance requested:

(Please refer to the appropriate appendix for each item checked)

- | | |
|--|--|
| <input checked="" type="checkbox"/> General Exterior (App. #1) | <input checked="" type="checkbox"/> Structural Integrity (App. #8) |
| <input checked="" type="checkbox"/> General Interior (App. #2) | <input type="checkbox"/> Security (App. #9) |
| <input type="checkbox"/> Exterior Walls (App. #3) | <input type="checkbox"/> Electrical (App. #10) |
| <input type="checkbox"/> Roof (s) (App. #4) | <input type="checkbox"/> Mechanical (App. #11) |
| <input type="checkbox"/> Windows & Doors (App. #5) | <input type="checkbox"/> Work Safety (App. #12) |
| <input type="checkbox"/> Fire Safety (App. #6) | <input type="checkbox"/> Space Requirements (App. #13) |
| <input type="checkbox"/> ADA Compliance (App. #7) | <input type="checkbox"/> Other, please explain below: |

Signature Page

Provide the name and signature of the Authorized Official (County Commission President) and the names, signatures, official positions (of elected officials) whose areas of responsibility are affected by the requested improvements. For clarification purposes, the signatures could be those of the Circuit Judge, Sheriff, Circuit Clerk, Assessor, County Clerk, Magistrate, Family Court Judge, Prosecuting Attorney, or any combination depending on the improvements anticipated. If additional signatures and recommendations are required, a supplemental request will be initiated by the Authority.

John J. Sweeney Acting President Jeff County Commission

Signature and Position/Title

William J. Sanders Circuit Judge

Signature and Position/Title

James J. Washburn County Clerk

Signature and Position/Title

Signature and Position/Title

Signature and Position/Title

Signature and Position/Title

Signature and Position/Title

Special Conditions and Assurances

The applicant hereby certifies and assures that it shall comply with the following special conditions, regulations, policies, guidelines, and requirements of the Courthouse Facilities Improvement Authority. These policies, Special Conditions, and Assurances apply to all funds expended for purposes associated with this project.

1. Commencement within 60 days: The funded project must be initiated within 60 days of the project starting date specified in the contract agreement. If the project has not been initiated within 60 days of the specified project starting date, the Authority may either accept a written explanation of the delay by the county applicant to terminate the funding agreement.
2. Project Completion: If the funded project is incomplete by the end date specified in the contract agreement, the county applicant must submit to the Authority a written explanation of the delay. The Authority may either accept the written explanation for the delay or it may cancel the project and redistribute the funds to other projects.
3. Press Release: Any release of funding information must include the funding amount and the involvement of the West Virginia Courthouse Facilities Improvement Authority.
4. Procurement Procedures: County applicants are required to solicit and consider competitive proposals from a minimum of three qualified vendors, utilizing a public bidding format. The applicant shall be governed in all respects by the laws of the State of West Virginia.
5. Prevailing Wage Rate: Any wages paid by contractors must meet any governing West Virginia Department of Labor regulations.
6. Legal Authorization: The county applicant hereby certifies it has the legal authority to apply for funding assistance; that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizing the person identified as the official county representative of the applicant to act in connection with the application and to provide such additional information as may

be required.

7. Relationship: The relation of the county applicant to the Authority shall be that of an independent contractor, not that of a joint enterprise. The county applicant shall have no authority to bind the Authority for any obligation or expense without the express prior written approval of the Authority.
8. Laws of West Virginia: Any funding application/contract shall be governed by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by the Courthouse Facilities Improvement Authority.
9. Access to Records: The Courthouse Facilities Improvement Authority, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the funds distributed, and to relevant books and records of contractors.
10. Use of Funds: Funds awarded through the Courthouse Facilities Improvement Fund may be expended only for the purposes and activities specifically covered by the county applicant's approved project agreement.
11. Sanctions for Noncompliance: In the event of the county applicant's noncompliance with the terms, conditions, covenants, rules, or regulations of this funding assistance, the Courthouse Facilities Improvement Authority may impose such contract sanctions as it may deem appropriate, including, but not limited to the following:
 1. Withholding of payments to the applicant until the applicant complies, or
 2. Cancellation, termination, or suspension of the contract, in whole or in part, or
 3. Refrain from extending any further assistance to the applicant until satisfactory assurance of future compliance has been received.
12. Written Approval of Changes: The county applicant must obtain prior written approval from the Courthouse Facilities Improvement Authority for all project changes.
13. Contracts: No contract or agreement may be entered into by the county applicant for the execution of the project activities or provisions of service which is not incorporated in the approved agreement, and without the prior written approval of the Courthouse Facilities Improvement Authority
14. Accounting Requirements: County applicant agrees to record all project funds

and costs following generally accepted accounting procedures. A separate account number or cost recording must separate all project costs from the county's other or general expenditures. Adequate documentation for all project costs and income must be maintained. All relevant information must be retained for audit purposes.

15. **Obligation of Project Funds:** Funds may not, without prior written approval from the Courthouse Facilities Improvement Authority, be obligated prior to the effective date or subsequent to the termination date of the project period. Obligations outstanding as of the termination date shall be liquidated within thirty days.
16. **Program Accountability:** Fund accounting, auditing, monitoring, and evaluation procedures will be conducted by the applicant to assure fiscal control, proper management and efficient distribution of funds.
17. **Reporting of Irregularities:** Applicants are responsible for reporting promptly to the Courthouse Facilities Improvement Authority the nature and circumstances surrounding any fiscal irregularities discovered. Failure to report known irregularities may result in suspension of funding or other remedial action.
18. **Public Availability of Information:** The applicant agrees to comply with the terms and conditions of pertinent state Freedom of Information Acts, and to require its contractors comply with these requirements.
19. **Conflict of Interest:** No public official or employee of the applicant agency, who performs any duties under the project may participate in an administrative decision with respect to the project if such a decision can be expected to result in any benefit or remuneration to him/her or his/her immediate family.
20. **Release of Information:** If requested, all records, papers, and other documents kept by recipients of financial assistance are required to be made available to the Courthouse Facilities Improvement Authority or its representative.
21. **Inspection and Audit:** County applicants and sub-applicants have the responsibility to provide for an audit of their activities. The county applicant agrees to submit a copy of each audit conducted to the Courthouse Facilities Improvement Authority along with a method for timely and appropriate resolution of audit findings and recommendations.
22. **Discrimination Prohibited:** No person shall, on the grounds of race, religion, color, national origin, sex, or handicap, be excluded from participation in, be denied

benefits, or be otherwise subjected to discrimination under, or denied employment in connection with assistance awarded pursuant to the Anti-Drug Abuse Act of 1986. The applicant assures that it will comply, and all its contractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safety Streets Act, as amended; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Department of Justice Nondiscrimination Regulations 28 CFR Part 42, Subparts C, D, E, and G; and, Executive Order 11246, as amended by Executive Order 11375; and their implementing regulations, as well as the West Virginia Human Rights Act, as amended (Section 5-11-1 of the Code of West Virginia), and 41 CFR Pat 60.1 et.seq., as applicable to construction contracts.

23. Equal Employment Opportunity Program: Each county applicant certifies that it has executed and has on file, an Equal Employment Opportunity Program which conforms with the provisions of 28 CFR Section 42.301 et.seq., Subpart E, or that in conformity with the forgoing regulations, no Equal Employment Opportunity Program is required.
24. Confidentiality of Research Information: Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with Courthouse Facilities Improvement Funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22). Confidential Information- The applicant should only include the program description, the funds involved, and the number of projects. The unit of local government implementing the program will be made known to the Courthouse Facilities Improvement Authority upon request or upon completion of the project.
25. Criminal Penalties: Whoever embezzles, willfully misapplies, steals, or obtains by fraud or endeavors to embezzle, willfully misapply, steal, or obtain by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to use his/her gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted

Courthouse Facilities Improvement Authority _____ Page | 10

pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant or contract or other form of assistance pursuant to this Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

26. Patents and/or copyrights and rights in data: Where activities supported by this funding assistance produce original graphical, pictorial, written, and/or similar works for which a patent, or copyright application, is contemplated, the Courthouse Facilities Improvement Authority should be contacted for further instructions.
27. Time Extensions: Time extensions for this program are unallowable unless written extensions are submitted by the county applicant and approved in written form by the Courthouse Facilities Improvement Authority. Any funds remaining at the conclusion of the contract period shall be deobligated unless otherwise determined by the Courthouse Facilities Improvement Authority.
28. Cost Overruns: Any cost overruns incurred by the county applicant in conjunction with the completion of a project funded, wholly or in part, by the Courthouse Facilities Improvement Fund will be the responsibility of the applicant. Any changes or upgrades to a funded project that have not been approved by the Courthouse Facilities Improvement Authority are the responsibility of the county applicant.
29. Project Reporting: Monthly reports are required. They are to be submitted to the Authority by the 20th of every month during the project. Within 30 days of completion, a Project Completion Report must be submitted to the Authority. There is no set format for this report. Information to be included is as follows: Cost comparisons, Quality of workmanship, Quality of materials used, Employee/Courthouse visitor benefits, Timeliness of contractors/materials, Problem areas and County applicants project overview/recommendations. Failure to submit any of the reports listed above is considered a violation of the signed contract and may result in contract termination.

Photo Descriptions

1. Photos CH Grant, 1,2,9; shows the fire department on seen removing a large piece of facial tin that was blown off during some high winds in the first part of year.
2. Photos 43 thru 50; Repairs done to the tin facial.
3. Photos 51 thru 60; After a small piece of tin blew off in the following months we had a contractor come in and secure what tin he could on the rest of the tower. See also the memo from the contractor.
4. Photos 3,4,5,6,8,9,20,23,26,27; shows where wood trim is deteriorating and where some trim has been replaced.
5. Photos 15,16,17,22, show where the soffit areas are starting to deteriorate.
6. Photos 7,11,18,19,25,42, shows different areas of brick deteriorating some of the areas are in need of major repair soon.
7. Photos 29 and 30 shows the pillars in need of repair.
8. Photos 12 and 28 shows pictures of the tower.
9. Photos 31,32,33,35,36,37,41 shows areas that need attention after the radiators were removed.
10. Photos 39 and 40 shows where plaster is falling from the ceiling area in the stairwells.
11. Photo 34 shows a temporary repair to the main hall.

Bonded Applicators of MD., Inc.

ROOFING CONTRACTORS

301 S. Cleveland Ave. - Hagerstown, MD 21740 - 301-733-4343 - Fax: 301-733-4345

WV #000590

MHIC #146

March 10, 2009

Jefferson County Commission
Attn: Bill Polk
P. O. Box 250
Charles Town, West Virginia 25414

Dear Bill:

Enclosed please find our invoice for the recently completed repairs on the clock tower.

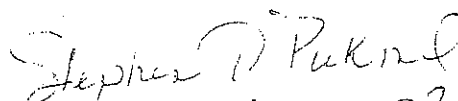
As we briefly discussed during the repairs and investigation of the clock tower, we encountered many areas where the wood framing has deteriorated to the point to where it is rotting away. We encountered many areas where duct tape had been placed over deteriorated wood areas and then painted overtop. According to our investigation over 30% of the existing wood sheathing is extremely deteriorated. In addition, there are several areas where the wood cornice is pulling loose from the existing structure.

You may want to suggest that the Commission strongly consider budgeting for future major repairs to the tower.

As always, if you have any questions, please do not hesitate to contact me.

Yours truly,

BONDED APPLICATORS OF MD., INC.


Stephen T. Pukmel

STP/mlb

#13

January 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 Holiday	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18 Holiday	19	20	21	22	23
24	25	26	27	28	29	30
31						

New Business

County Seal Votes

as of 11/30/09

	Seal 1	Seal 2	Other including comments
1			
2		X	
3	X	X	
4		X	
5		X	
6		X	
7		X	
8		X	
9	X		
10		X	
11		X	
12		X	
13	X		
14	X		
15		X	
16		X	
17		X	
18		X	
19		X	
20		X	
21		X	
22		X	
23		X	
24		X	
25		X	
26		X	
27		X	
28	X		

29					
30	X				
31			X		
32			X		
33			X		
34			X		
35			X		
36			X		
37			X		
38			X		
39			X		
40			X		
41			X		
42			X		
43			X		
44			X		
45			X		
46			X		
47			X		
48			X		
49			X		
50			X		
51			X		
52	X				
53			X		
54			X		
55			X		
56			X		
57			X		
58			X		
59			X		
60			X		
61			X		
62			X		
63			X		
64			X		
65			X		

66							
67		X					
68			X				I like the coat of arms. I like the coat of arms. However, rather than a lion, I would put a suitable picture of Mr. Jefferson in its place. Something like the one's shown below: Am I to assume that there is not one now? -> Am I to assume that there is not one now? I would prefer to see what we have now to compare to either of these options - so vote neither at this point
69							I definitely don't like #2 and am not real crazy about #1. I definitely don't like #2 and am not real crazy about #1. I think the Washington Family Coat of Arms should be the center Jefferson in the left upper corner. The color of the
70							I would like to suggest that run a competition via the Jefferson County Schools. FONT-FAMILY: Arial I would like to suggest that run a competition via the Jefferson County Schools. I believe using T Jefferson's crest might ha
71							I would recommend a third choice which incorporates pictures of the three stooges to signify the citizen's respect for the current County Commission.
72							I prefer the content of the first, but I prefer the color of the second! Can you beef up the color in the top one, I think it is more representative of the history and future of Jefferson County!!
73							Do we really need a County Seal?
74							
75			X				
76			X				
77							
78			X				
79			X				
80		X					
81			X				

82				X		
83				X		
84				X		
85				X		
86		X				
87		X				
88		X				



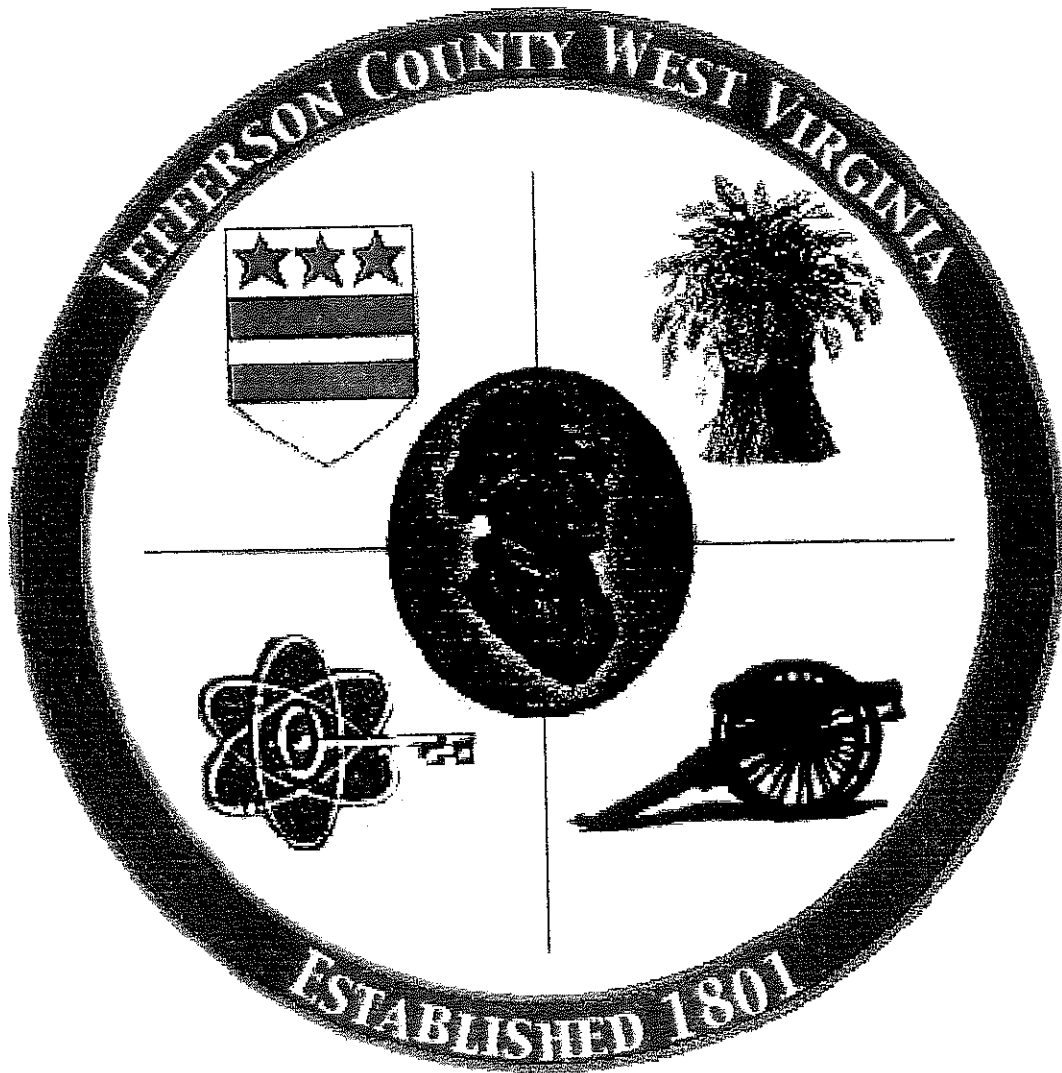
JEFFERSON COUNTY

WEST VIRGINIA

1801

A DUO SPIRITUS

AB EO LIBERTAS



#15

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Bill Polk

Department or Entity: Maintenance Department

Estimation of amount of time needed for appointment: 15 Min

Date Requested – 1st Choice: Dec 3, 2009

Date Requested – 2nd Choice: Dec 10, 2009

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

Subject: **Update the County Commission on Safety and Security**

Please provide the County Commission with a description of your request or presentation, including any background information: **See attached: brief overview of the November 4, 2009 Safety and Security Meeting**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **1. Approval, Line item #6. Policy to insure that all county Employees were their ID badges at all times when at work and to incorporate a system to where visitors and contractors must sign in and be issued a visitor badge.**

2. Approval, line item #7. Keep the responsibility of the Security Systems under the Maintenance Director

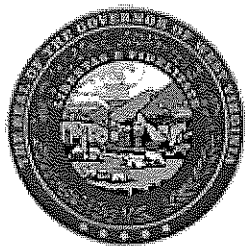
Attachments: **1**

**Jefferson County
Building Safety and Security
Meeting November 2009
(Brief Overview)**

1. Along with the COOP Plan we will be working on building evacuation routes and staging areas to ensure that the employees know what to do in the case of an emergency.
2. Ensuring that all employees are trained in the proper use of panic buttons and fire extinguishers.
3. We have an asset tracking system in place to record and tag all County assets. We are presently working on a list of what is considered an asset. 911 Communications has utilized the system to record and tag all new radio equipment computer assets.
4. In the process of setting up 911 Center to be able to view any of the County Cameras. 90% complete.
5. Sheriff, Chief, and two Lieutenants have been given full access to the secured area that houses the keys to all County Buildings.
6. Produce a policy that all County Employees must wear their identification badges at all times. Incorporate a system in which visitors and contractors must sign in and be issued a badge when entering working areas of any County Building.
7. The Safety and Security Committee voted unanimously to keep the responsibilities of the security systems under the Maintenance Director.

11/16

[Back to the Site](#)



Office of the Governor
Communications Office - Governor Joe Manchin III

News Release

Nov. 24, 2009

GOVERNOR GIVES STATE EMPLOYEES FULL DAY OFF FOR CHRISTMAS EVE

Contact: Matt Turner, 304-558-2000

CHARLESTON, W.Va. – Gov. Joe Manchin today announced that he has declared an additional one-half day off on Thursday, Dec. 24, 2009, which will constitute a full day off on Christmas Eve for all state government employees.

"The holiday season is a very special time of year when families get together and spend quality time with their loved ones," Manchin said. "State employees work extremely hard each and every day, and an extra one-half day on Christmas Eve gives them more time with their loved ones, whether it is traveling for a long weekend or hosting family for dinner."

The additional time off for state employees on Christmas Eve will not be charged to annual leave. This declaration does not create a legal holiday and has no effect on private businesses, local government or others not employed by the State of West Virginia.

###

[Back to News Releases](#)

**WEST VIRGINIA CODE CHAPTER 2. COMMON LAW, STATUTES, LEGAL HOLIDAYS,
DEFINITIONS AND LEGAL CAPACITY.
ARTICLE 2. LEGAL HOLIDAYS; SPECIAL MEMORIAL DAYS; CONSTRUCTION OF STATUTES;
DEFINITIONS.**

1. §2-2-1. Legal holidays; official acts or court proceedings.

(a) The following days are legal holidays:

(1) The first day of January is "New Year's Day";

(2) The third Monday of January is "Martin Luther King's Birthday";

(3) The third Monday of February is "Presidents' Day";

(4) The last Monday in May is "Memorial Day";

(5) The twentieth day of June is "West Virginia Day";

(6) The fourth day of July is "Independence Day";

(7) The first Monday of September is "Labor Day";

(8) The second Monday of October is "Columbus Day";

(9) The eleventh day of November is "Veterans' Day";

(10) The fourth Thursday of November is "Thanksgiving Day";

(11) The day after Thanksgiving Day is "Lincoln's Day";

(12) The twenty-fifth day of December is "Christmas Day";

(13) Any day on which a general, primary or special election is held is a holiday throughout the state, a political subdivision of the state, a district or an incorporated city, town or village in which the election is conducted;

(14) General election day on even years shall be designated Susan B. Anthony Day, in accordance with the provisions of subsection (b), section one-a of this article; and

(15) Any day proclaimed or ordered by the Governor or the President of the United States as a day of special observance or Thanksgiving, or a day for the general cessation of business, is a holiday.

(b) If a holiday otherwise described in subsection (a) of this section falls on a Sunday, then the following Monday is the legal holiday. If a holiday otherwise described in subsection (a) of this section falls on a Saturday, then the preceding Friday is the legal holiday: *Provided*, That this subsection (b) shall not apply to subdivisions (13), (14) and (15), subsection (a) of this section.

(c) Any day or part thereof designated by the Governor as time off, without charge against accrued annual leave, for state employees statewide may also be time off for county employees if the county commission elects to designate the day or part thereof as time off, without charge against accrued annual leave for county employees. Any entire or part statewide day off designated by the Governor may, for all courts, be treated as if it were a legal holiday.

(d) In computing any period of time prescribed by any applicable provision of this code or any legislative rule or other administrative rule or regulation promulgated pursuant to the provisions of this code, the day of the act, event, default or omission from which the applicable period begins to run is not included. The last day of the period so computed is included, unless it is a Saturday, a Sunday, a legal holiday or a designated day off in which

event the prescribed period of time runs until the end of the next day that is not a Saturday, Sunday, legal holiday or designated day off.

(e) If any applicable provision of this code or any legislative rule or other administrative rule or regulation promulgated pursuant to the provisions of this code designates a particular date on, before or after which an act, event, default or omission is required or allowed to occur, and if the particular date designated falls on a Saturday, Sunday, legal holiday or designated day off, then the date on which the act, event, default or omission is required or allowed to occur is the next day that is not a Saturday, Sunday, legal holiday or designated day off.

(f) With regard to the courts of this state, the computation of periods of time, the specific dates or days when an act, event, default or omission is required or allowed to occur and the relationship of those time periods and dates to Saturdays, Sundays, legal holidays, or days designated as weather or other emergency days pursuant to section two of this article are governed by rules promulgated by the Supreme Court of Appeals.

(g) The provisions of this section do not increase or diminish the legal school holidays provided in section two, article five, chapter eighteen-a of this code.

#17

JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

RESOLUTION

The Jefferson County Commission met on the 3rd day of December, 2009 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Dale Manuel, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$14,000. The funds from this project will be used for the preservation and rehabilitation of the Star Lodge-Locke House.

Dated: _____

DALE MANUEL
PRESIDENT
JEFFERSON COUNTY COMMISSION

COMMUNITY PARTICIPATION PROGRAM

Fiscal Year 2009

Deadline for Return:
June 1, 2009

PROJECT NUMBER: 09CPGP0020
AMOUNT: \$14,000

1. Name of Grantee (Unit of Local Government) Jefferson County Commission		2. Project Title Star Lodge-Lock House		3. Name of Individual Completing Form George Rutherford									
4. Street Address PO Box 250		5. City Charles Town		6. ZIP Code 25414									
7. County Jefferson		9. Phone Number 304-728-3282	10. Fax Number 304-725-7916	11. Email sandy@jeffersoncountymw.org									
12. Name of chief elected official of local government (Mayor or County Commissioner): Dale Manuel, President			13. Name of office or organization that will receive funds: m.w. Prince Hall Colored Lodge #100										
14. Address Where Grant Funds Will Be Used. Street address, route or physical address sufficient to drive to site. South Lawrence St / AVIS Street Charles Town 25414			15. Upon completion, what government agency will own, operate, and/or be responsible for the project? m.w. Prince Hall Colored Lodge #100										
16. PUBLIC AND ECONOMIC IMPACT Is the project site/right-of-way now publicly owned? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is a vicinity/site plan attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			17. How many persons will directly benefit from this project? <u>100+</u> How many households will directly benefit from this project? <u>0</u> How many permanent full-time jobs will be created? <u>0</u>										
18. IRS NONPROFIT CERTIFICATION Counties and municipalities may sponsor the applications of federally certified nonprofit organizations. As the grantee, the county or municipality must act as the administrator of grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with nonprofit organizations so that property and/or assets acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.			An Internal Revenue Service nonprofit certification letter must accompany this form. All state and local requirements regarding audits, competitive bidding and prevailing wages apply to a nonprofit organization's use of grant funds. 18.a IRS Certification <u>501(c)(10)</u> Ex: 501(c) 3, 501(c) 4 18.b Year Certified <u>1980</u> 18.c IRS Determination Letter Attached? <input checked="" type="checkbox"/> Yes Applications will not be processed without official documentation of federal nonprofit status.										
19. ELIGIBLE ACTIVITIES ELIGIBLE activities include, but are not limited to, capital improvements and permanent public improvements related to: <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Beautification/Streetscape City Hall-Courthouse Facilities Community Centers Construction/Renovation Demolition</td> <td style="width: 25%;">Economic Development Emergency Services Equipment Flood/Storm Drainage Industrial Parks</td> <td style="width: 25%;">Land/Property Acquisition Law Enforcement Libraries Parks and Recreation Parking Facilities</td> <td style="width: 25%;">Preservation Site Preparation Streets/Sidewalks Technology Water/Wastewater</td> </tr> </table> INELIGIBLE activities include, but are not limited to, administrative and expendable items related to: <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Ammunition Costs Prior to Contract Period Debt Interest/Debt Reduction Field Trips Food, Clothing, Expendable Items</td> <td style="width: 25%;">Insurance Premiums Little League/Sports Uniforms Maintenance Medical Programs National Dues</td> <td style="width: 25%;">Operational Costs Postage Private Property Rent Homeowners Associations</td> <td style="width: 25%;">Salaries Scholarships Speakers' Fees/Training Travel/Meals Utilities</td> </tr> </table>						Beautification/Streetscape City Hall-Courthouse Facilities Community Centers Construction/Renovation Demolition	Economic Development Emergency Services Equipment Flood/Storm Drainage Industrial Parks	Land/Property Acquisition Law Enforcement Libraries Parks and Recreation Parking Facilities	Preservation Site Preparation Streets/Sidewalks Technology Water/Wastewater	Ammunition Costs Prior to Contract Period Debt Interest/Debt Reduction Field Trips Food, Clothing, Expendable Items	Insurance Premiums Little League/Sports Uniforms Maintenance Medical Programs National Dues	Operational Costs Postage Private Property Rent Homeowners Associations	Salaries Scholarships Speakers' Fees/Training Travel/Meals Utilities
Beautification/Streetscape City Hall-Courthouse Facilities Community Centers Construction/Renovation Demolition	Economic Development Emergency Services Equipment Flood/Storm Drainage Industrial Parks	Land/Property Acquisition Law Enforcement Libraries Parks and Recreation Parking Facilities	Preservation Site Preparation Streets/Sidewalks Technology Water/Wastewater										
Ammunition Costs Prior to Contract Period Debt Interest/Debt Reduction Field Trips Food, Clothing, Expendable Items	Insurance Premiums Little League/Sports Uniforms Maintenance Medical Programs National Dues	Operational Costs Postage Private Property Rent Homeowners Associations	Salaries Scholarships Speakers' Fees/Training Travel/Meals Utilities										
20. FUNDING SUMMARY Funds Requested \$ <u>14,000</u> Local Funds \$ <u>3,000</u> (REQUIRED) TOTAL PROJECT COST \$ <u>17,000</u> LOCAL FUNDS REQUIRED			21. CLASSIFICATION OF GRANTEE <input type="checkbox"/> City government <input checked="" type="checkbox"/> County government <input type="checkbox"/> State government <input type="checkbox"/> Multi-county <input type="checkbox"/> Other _____										

22. **SCOPE OF WORK**

Describe in **SPECIFIC TERMS** the scope of work to be completed and the purposes for which grant funds be used. **Please refer to page one for a list of eligible and ineligible activities.**

The funds will be used for repair and renovations of the interior and exterior of the Locke House.

23. If funds are requested for a nonprofit organization, please provide a mission statement and/or attach a brochure, printed web pages or other literature that describes the organization and its services. A copy of the IRS nonprofit certification letter must accompany this form. All state regulations for bidding, prevailing wage and audits apply to a nonprofit organization's use of state grant funds.

**Promote community unity via the availability of a meeting place for non-profit organizations free of charge who promote equality & justice or all.
Tourism attraction in the Historical District of Charles Town. The Black History Preservation Society uses it for Historical Exhibits and community forums.**

Community Participation Grant Program

Fiscal Year 2009

24. BUDGET INFORMATION

Local funding is required as a portion of each Community Participation project. Attach commitment letters for each local, state, federal and/or private funding source listed.

Attach documentation of basis for project costs. Use written estimates, tabulations, feasibility studies, cost estimates, etc.

CATEGORY	GRANT FUNDS	OTHER FUNDS	SOURCE OF OTHER FUNDS	TOTAL FUNDS
A. Construction/Renovation	\$ 14,000	\$ 3,000		17,000
B. Land Acquisition				
C. Architecture/Engineering				
E. Other (Please specify)				
TOTAL PROJECT COST	\$ 14,000	\$ 3,000		\$ 17,000

25. FUNDING INFORMATION

FUNDING SOURCE	AMOUNT	DOCUMENTATION	Attach commitment letters for each local, state, federal and/or private funding source listed.
A. Participation Program	\$ 14,000	N/A	
B. Local Funds (Required)	\$ 3,000	attached	
C.			
D.			
E.			
TOTAL FUNDING	\$ 17,000		

**The Masters Club
P.O. Box 411
Ranson, WV 25438**

November 18, 2009

The Masters Club will commit up to \$3,000 toward the repair and renovation project at the Locke House located at the intersection of South Lawrence Street and West Avis Street in Charles Town, WV.

Internal Revenue Service

Department of the Treasury

District
Director

P.O. Box 99187, Cleveland, OH 44199

M.W. Prince Hall Grand Lodge
of West Virginia, F & A.M., Inc.
c/o Mr. George Rutherford
P.O. Box 411
Ranson, West Virginia 25438

Person to Contact:
C. Schnabel
Telephone Number:
(216) 522-4886 Not Toll Free
Refer Reply to:
CLE:EO:80:8589 895

Date:

~~NOV 17 1980~~ Dec 5, 1980

Internal Revenue Code: Section 501(c) (10)
Form 990 Required: (x) Yes () No
Accounting Period Ending: May 31

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) for each employee to whom you pay \$100 or more during a calendar year. And, unless excepted, you are also liable for tax under the Federal Unemployment Tax Act for each employee to whom you pay \$50 or more during a calendar quarter if, during the current or preceding calendar weeks or you paid wages of \$1,500 or more in any calendar quarter. If you have any questions about excise, employment or other Federal taxes, please address them to this office.

If your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. Also, you should inform us of all changes in your name or address.

The block checked at the top of this letter shows whether you must file Form 990, Return of Organization Exempt from Income Tax. If the Yes box is checked, you are only required to file Form 990 if your gross receipts each year are normally more than \$10,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law provides for a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay. This penalty may also be charged if a return is not complete. So please make sure your return is complete before you file it.

25. ASSURANCES

The applicant hereby assures and certifies that it shall comply with the following regulations, policies, and requirements:

- A. The applicant assures the State that it will perform the work for which the grant was made as determined by the State.
B. The applicant assures the State that it has or will secure qualified personnel to administer a grant, and that the costs to administer the grant will be paid for by the applicant.
C. The applicant assures the State that it will have started work on the project before the end of the fiscal year in which the grant award is made.
D. The applicant assures the State that it understands that the amount of the grant award cannot be increased without the written consent of the Governor.
E. The applicant assures the State that payment for work performed will be requested in writing with copies of invoices attached that document the costs of each work segment making up the total amount of funds requested.
F. The applicant assures the State that it understands that ten percent of the grant award will be held by the State as retainage, pending receipt of a written certificate of substantial completion attached to any final invoices for work not already paid.
G. The applicant assures the State that it understands that by letter the State can terminate for cause an applicant's grant agreement with the amount of funds recovered equal to the percentage of incomplete work. The applicant further assures the State that it understands that it can be terminated by letter any grant agreement with the State before costs are incurred on the project.
H. The applicant assures the State that any changes in the scope of work specified in a grant agreement will first be submitted in writing to the State for approval by change order.
I. The applicant assures the State that in its hiring practices for work to be performed it will comply with the equal employment provisions of Titles VI and VII of the 1964 Civil Rights Act, and Presidential Executive Orders 11246 and 11375, as amended.
J. The applicant assures the State that State prevailing wage rates will be paid on contract construction unless federal funds are included in the project, in which case, the higher of the State's or Davis-Bacon wage rates will be paid on all contract construction.
K. The applicant assures the State that three written bids will be solicited for any work element exceeding \$2,500; and that competitive bids will be solicited on any major work element exceeding \$25,000 in cost.
L. The applicant assures the State that any part of the project to be occupied by the general public will be made handicapped accessible to the handicapped.
M. The applicant assures the State that any permits, licenses, or other requirements of particular State or Federal agencies necessary for the project's design, construction, or operation will be secured.
N. The applicant assures the State that it will not subgrant any of the grant funds received to any of its officials or employees or the members of their families or to employees of the WVDEVO or members of the State Legislature in any contracts awarded for work to be performed.
O. The applicant assures the State that it will maintain and have available for inspection on written request by the State all records kept on the project including bid documents, copies of all contracts, contractors' payrolls, time sheets, and invoices. The applicant further assures the State that it will schedule an audit of any grant funds to be included in its annual audit as performed by the State Tax Department.
P. The applicant assures the State, by evidence of attaching a resolution, motion, or similar action passed by its governing body, that it has the legal authority to apply for this grant, commit any local matching shares, authorize the person signing the grant to act as an agent for the applicant to answer any questions by the State about the application, and to abide by the understandings and assurances described in this section.
Q. As the grantee, the county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with sub-grantees so that property and or assets acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

26. AUTHORIZING SIGNATURE AND RESOLUTION

The Chief Elected or Appointed Official (county commission president or mayor) representing the unit of local government in this application for funding must sign below. An Authorizing Resolution from the appropriate governing body must be attached to this application. This application cannot be processed without the following:

- [X] Proper Signature
[X] Resolution by Unit of Local Government
[X] Copy of IRS 501(c) Determination Letter (if funds are designated for nonprofit organization)

To the best of my knowledge, the information contained in this application is true and correct; the submission thereof has been duly authorized by the governing body; and the applicant will comply with the regulations, policies, guidelines and requirements outlined by the State of West Virginia. If the recipient is a nonprofit organization, the county or municipality certifies that this nonprofit organization is legally authorized to receive public funds.

Name: Sandra Slusher McDonald Title: Acting County Administrator
Signature: Sandra Slusher McDonald Date: 11/25/09

West Virginia Development Office Community Development Division
Attention: Debbie Legg
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0311
Phone: 304-558-4010 Fax: 304-558-2246

#18



Jefferson County Emergency Communications DEPARTMENTAL MEMORANDUM

TO: The County Commission of Jefferson County

FROM: Jeffrey Polczynski, ENP - Director

DATE: November 12, 2009

SUBJECT: Request Appointment – Mr. Dale Hetherington – Public Safety Dispatcher

The purpose of this memorandum is to request the approval to employ Mr. Dale Hetherington as a Public Safety Dispatcher.

The position that Mr. Hetherington will fill is an open position funded since FY05 and is open due to the resignation of a public safety dispatcher.

Mr. Hetherington comes to Jefferson County Communications as a dispatcher without previous dispatch experience, but with over 16 years experience as a career firefighter, station captain, acting Battalion Chief, and academy training coordinator with Loudoun County Fire & Rescue. Mr. Hetherington was subject to an on-the job injury where he was medically retired from his position at Loudoun County Fire & Rescue and after careful consideration, Jefferson County Emergency Communications sees no impact to employment restrictions for Mr. Hetherington.

Upon approval, Mr. Hetherington will be scheduled for Dispatch Academy Class #1 set for a start date of December 7, 2009.

Please do not hesitate to contact me for further questions.

Respectfully Submitted,

Jeffrey Polczynski, ENP
Director of Communications

Digitally signed by Jeffrey A. Polczynski, ENP
DN: cn=Jeffrey A. Polczynski, ENP, o=Jefferson
County Commission, ou=Jefferson County
Emergency Communications,
email=jpolczynski@jeffersoncountywv.org, c=US
Date: 2009.11.12 13:50:06 -05'00'



Jefferson County Emergency Communications
DEPARTMENTAL MEMORANDUM

TO: The County Commission of Jefferson County
FROM: Jeffrey Polczynski, ENP - Director
DATE: November 12, 2009
SUBJECT: Request Appointment – Ms. Sarah Lanning – Public Safety Dispatcher

The purpose of this memorandum is to request the approval to employ Ms. Sarah Lanning as a Public Safety Dispatcher.

The position that Ms. Lanning will fill is an open position funded since FY06 and is open due to the resignation of a public safety dispatcher.

Ms. Lanning comes to Jefferson County Communications as an entry-level dispatcher. She has previous experience in the field of patent law, and expressed a desire to be involved in the EMS field and emergency dispatching. She is a resident of the County.

Upon approval, Ms. Lanning will be scheduled for Dispatch Academy Class #1 set for a start date of December 7, 2009.

Please do not hesitate to contact me for further questions.

Respectfully Submitted,

Jeffrey Polczynski, ENP
Director of Communications

Digitally signed by Jeffrey A. Polczynski, ENP
DN: cn=Jeffrey A. Polczynski, ENP, o=Jefferson County
Commission, ou=Jefferson County Emergency
Communications,
email=jpolczynski@jeffersoncountywv.org, c=US
Date: 2009.11.12 12:50:44 -05'00'



Jefferson County Emergency Communications
DEPARTMENTAL MEMORANDUM

TO: The County Commission of Jefferson County
FROM: Jeffrey Polczynski, ENP - Director
DATE: November 12, 2009
SUBJECT: Request Appointment – Ms. Kathryn King – Public Safety Dispatcher

The purpose of this memorandum is to request the approval to employ Ms. Kathryn King as a Public Safety Dispatcher.

The position that Ms. King will fill is an open position funded since FY04 and is open due to the resignation of a public safety dispatcher.

Ms. King comes to Jefferson County Communications as an experienced dispatcher. She previously was employed as a public safety dispatcher for Loudoun County Fire & Rescue, is a resident of the County and is formerly an EMS field provider.

Upon approval, Ms. King will be scheduled for Dispatch Academy Class #1 set for a start date of December 7, 2009.

Please do not hesitate to contact me for further questions.

Respectfully Submitted,

Jeffrey Polczynski, ENP
Director of Communications

Digitally signed by Jeffrey A. Polczynski, ENP
DN: cn=Jeffrey A. Polczynski, ENP, o=Jefferson
County Commission, ou=Jefferson County
Emergency Communications,
email=jpolczynski@jeffersoncountyva.org, c=US
Date: 2009.11.12 12:46:46 -05'00'

#19

Name: **Lyn Widmyer**

Department or Entity: **County Commission**

Estimation of amount of time needed for appointment: 15 mins

Date Requested – 1st Choice: **December 3**

Date Requested – 2nd Choice: **December 10**

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

Subject: **Review of Requests for Job Reclassifications**

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

Job reclassification requests should be reviewed in an orderly manner and should include a recommendation by the county administrator.

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

Defer all job reclassifications until we have hired a county administrator.

Attachments:

#20

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Commissioner James Surkamp

Department or Entity: County Commission

Estimation of amount of time needed for appointment: New Business

Date Requested – 1st Choice: December 3, 2009

Date Requested – 2nd Choice: _____

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

Subject: **RFP for hydro geological study: Needs to be before a Public Service District meeting the following week**

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Put out request for proposals for hydro geological study to determine best locations on the mountain to drill test wells to determine underground water supplies. (funded with grant)**

Attachments:

#21

<p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p>
--

AGENDA REQUEST FORM

Name: Commissioner James Surkamp

Department or Entity: County Commission

Estimation of amount of time needed for appointment: New Business

Date Requested – 1st Choice: December 3, 2009

Date Requested – 2nd Choice: _____

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

Subject: **Commission approval of poll workers and alternates list for the December 5, 2009 referendum.**

Please provide the County Commission with a description of your request or presentation, including any background information: **The Commission, under WV Code, approves poll worker lists and their alternates. The list for November 7, 2009 referendum was approved by the County Commission at the September 10, 2009 meeting.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Same wording as "subject"**

Attachments:

24

JEFFERSON COUNTY, WEST VIRGINIA

Engineering Department

116 East Washington Street

P.O. Box 716

Charles Town, West Virginia 25414

Email: engineering@jeffersoncountywv.org

Phone: 304-728-3257

Fax: 304-728-3953

MEMORANDUM

TO: SANDY SLUSHER McDONALD, ACTING COUNTY ADMINISTRATOR
JEFFERSON COUNTY COMMISSION

FROM: ROGER L. GOODWIN, CHIEF COUNTY ENGINEER *RLG*
ENGINEERING DEPARTMENT

DATE: OCTOBER 13, 2009

SUBJECT: SHEPHERDSTOWNE ESTATES SUBDIVISION
FILE #07-24

Please find enclosed the construction bond(s) and security for the following project:

Shepherdstowne Estates Subdivision, Lots 1-9 & Residue, which is secured by Letter of Credit #517486 with Jefferson Security Bank, located in Shepherdstown, West Virginia in the amount of \$532,099.00.

The bond(s) is in compliance with the County Bonding Policy. If you have any questions, please give me a call.

RLG:rfb

RECEIVED

NOV 13 2009

JEFFERSON COUNTY COMMISSION

information

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 24th day of November 2009.

CASE NO. 09-0770-E-CN

PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC;
PATH ALLEGHENY TRANSMISSION COMPANY, LLC;
PATH-WV LAND ACQUISITION COMPANY; AND
PATH-ALLEGHENY LAND ACQUISITION COMPANY

Joint application for Certificate of Convenience and Necessity for the construction and operation of the West Virginia segments of a 765kV electric transmission line and related facilities in Putnam, Kanawha, Roane, Calhoun, Braxton, Lewis, Upshur, Barbour, Tucker, Preston, Grant, Hardy, Hampshire, and Jefferson Counties, including modifications to the Amos Substation in Putnam County and a new substation in Hardy County, and for related relief.

COMMISSION ORDER

This order (i) denies the motions to dismiss, (ii) tolls the statutory due date, and (iii) establishes a procedural schedule.

BACKGROUND

On May 15, 2009, the PATH West Virginia Transmission Company, LLC (“PATH-WV”), PATH Allegheny Transmission Company, LLC (“PATH-Allegheny”), the PATH-WV Land Acquisition Company, and the PATH-Allegheny Land Acquisition Company (all four, collectively, “Applicants”) filed a joint application for certificates of public convenience and necessity and for related relief (“Joint Application”) pursuant to W.Va. Code §§24-2-11 and 24-2-11a. The PATH Project is approximately 225 miles of 765 kV electric transmission line and related facilities in the fourteen counties of Putnam, Kanawha, Roane, Calhoun, Braxton, Lewis, Upshur, Barbour, Tucker, Preston, Grant, Hardy, Hampshire, and Jefferson. The Applicants also seek a certificate of public convenience and necessity (i) to jointly construct, own, operate, and maintain the new Welton Spring Substation, as another part of the PATH Project in West Virginia to be constructed two miles north of Old Fields in Hardy County, and (ii) to construct, own, operate, and maintain certain modifications to the Amos Substation owned by Appalachian Power Company and Ohio Power Company.

On November 10, 2009, the Commission issued an Order (i) staying the current procedural schedule, (ii) granting the parties additional time to file recommendations regarding the Commission Staff motion to dismiss, and (iii) granting the request of two parties to withdraw from the case.

Additional procedural information will be addressed as necessary in the Discussion section of this Order.

DISCUSSION

Motions To Dismiss

On October 28, 2009, Staff filed a Motion to Dismiss the Filing as Insufficient or in the Alternative, Require Path to Request a Tolling and Implement Further Case Processing Procedures. Staff argued that (i) the failure to re-file the dismissed Maryland proceeding renders this project incomplete, (ii) the application should be supported by current economic and PJM load forecast information to determine the need for the PATH Project and that the updated information in the 2010 Regional Transmission Expansion Plan ("RTEP") was not included in updates to the 2009 RTEP but is potentially crucial in determining the need for the PATH Project, and (iii) Staff and Intervenors will be prejudiced by expending limited resources to review an incomplete project and stale need-related information, and then analyze updated information as it becomes available.

Staff asked that the Commission (i) dismiss this case without prejudice, (ii) permit the Applicants to re-file concurrent with the filing of a proper certificate application before the Maryland Public Service Commission ("Maryland PSC"), and (iii) require the Applicants to support the re-filed West Virginia application with the updated PJM annual load forecast and February 2010 RTEP. In the alternative Staff recommended proceeding with the pending application if the Applicants request to toll the statutory due date subject to certain other conditions.

On November 4, 2009, the Applicants filed a response to the Staff motion to dismiss. In opposition to the Staff motion the Applicants stated that (i) the Staff bases to dismiss or toll this case are not warranted; (ii) the absence of a pending application for certification of the PATH Project in Maryland does not support any delay in the West Virginia portion of the proceeding; and (iii) feasibility of further study cannot be asserted as a justification for postponing the evidentiary hearing because there is always more up-to-date analysis that can be performed. In support of an alternate tolling of the statutory deadline Applicants conceded that delayed consideration and certification of the Maryland segments of the project provide an opportunity for this Commission and its sister commission in Virginia to base their decisions on updated evidence of electrical need. The Applicants proposed tolling the statutory decision due date in West Virginia if a satisfactory extension of the current procedural schedule were put into place.

On November 10, 2009, Staff filed a reply to the Applicants' response. Staff stated that (i) the Applicants' offer to toll the statutory deadline contingent on a specific procedural schedule was not acceptable, (ii) the Commission should not hold two hearings to address need and non-need testimony, and (iii) the parties should be given more time to file testimony on non-need issues.

Numerous parties filed in support of the Staff motion to dismiss. Several of those supportive filings made further recommendations that the Commission extend or stay the procedural deadline pending a decision on the Applicants offer to toll.

On November 10, 2009, the Commission issued an order (i) suspending the procedural schedule in this case and (ii) granting the parties until November 17, 2009 to file a final response to the Staff motion to dismiss and offer to toll tendered by the Applicants.

Several intervenors filed responses as permitted by the November 10, 2009 order. In addition to those described below, the majority of the comments opposed splitting the testimony and hearing between need and non-need issues as proposed by the Applicants.

On November 16, 2009, Intervenors Eric Burleyson and Kirsten Weiblen filed a Motion to Dismiss the Filing as Insufficient arguing that the Commission should (i) dismiss the case without prejudice; (ii) allow re-filing concurrently with the filing of a proper certificate application before the Maryland PSC and before the Virginia State Corporation Commission; and (iii) require any re-filed application to be supported with the forthcoming PJM annual load forecast and the updated RTEP. The Intervenors also described a scenario under which the Applicants might file for approval of the proposed line before the Federal Energy Regulatory Commission ("FERC") under the "backstop" provision of Section 216 of the Federal Power Act ("FPA").

On November 17, 2009, (i) the Sierra Club, Inc., and the West Virginia Highlands Conservancy, (ii) the Jefferson County Intervenor Group and the Tucker County Landowners, and (iii) the Consumer Advocate Division, each filed separate responses to the Staff motion to dismiss. While recommending the Commission grant the motion to dismiss, each also provided the Commission with a proposed procedural schedule for use in this case in the event the Commission decided not to dismiss. All of the parties were opposed to splitting the testimony and hearing between the need and non-need issues.

On November 17, 2009, the Applicants filed a Revised Proposal to Toll Statutory Decision Due Date and Extend Procedural Schedule. The Applicants (i) stated that the Potomac Edison Company plans to re-file an application seeking certification of those portions of the PATH Project in Maryland, including a terminus at the Kempton Substation, (ii) proposed tolling the statutory due date until February 24, 2011, and (iii) submitted a revised procedural schedule that did not require multiple hearings and testimony filings to address need and non-need issues.

Commission Decision Regarding the Motions to Dismiss

The motions to dismiss and filings in support thereof cited the (i) need for updated information on the question of need, and (ii) dismissal of the Maryland application, as sufficient reason to dismiss this case.

The benefit of updated information is not unique to this case. In addressing the need for updated information, we will begin by stating the obvious: If no one used electricity, there would be no need to build transmission lines. It follows that the amount of electricity required and the need for this particular line is a critical question underlying this proceeding. The task of defining and measuring that need creates the illusion that better and more accurate information is just beyond the horizon and that the Commission cannot issue a fair decision unless it first considers that future information. This belief manifests more frequently during a turbulent economy but is present in almost all cases that rely on projections of future demand. Nevertheless, the adjudicatory process requires that the Commission select a deadline for the submission of new information, and then make a decision based on the evidence.

The Maryland PSC dismissal of the PATH proceeding potentially exacerbates the problem described in the above paragraph. For instance, if the Commission moved forward in this case, but PATH does not re-file the application to build the transmission line in Maryland, the parties in this State would have expended time and resources for naught. Even a significant delay in a Maryland re-filing could create the need to reopen the proceedings in this State based on unanticipated routing or other changes dictated by the Maryland PSC. All things considered, it is beneficial to have the proceedings before the utility commissions of Virginia and Maryland moving forward at a pace at least roughly parallel to our own.

The proposed grounds to dismiss suggest that the Commission make a determination that either of the above reasons is sufficient as a matter of law to dismiss this case; i.e., the Commission should dismiss because the Applicants would be unable to support the need for a certificate unless (i) they were able to present updated information or (ii) the application had been re-filed in Maryland. Subsequent filings, however, have diluted the persuasiveness of the reasons to dismiss. First, the revised proposal to toll will assure the availability of updated information. Specifically, tolling the running of the statutory deadline will assure that the PJM February 2010 RTEP will be filed in this case and the parties, as well as the Commission, will have sufficient time to evaluate the issues presented by that updated study. Second, the assurance that the PATH Project will be re-filed in Maryland avoids proceeding in West Virginia without parallel filings in other affected jurisdictions.

The Commission will deny the motions to dismiss.

Procedural Schedule

Several parties submitted procedural schedules. The schedules were substantially similar. The Commission will adopt the schedule submitted by the Applicants and endorsed by Staff. There are several advantages afforded by the Applicants schedule: (i) the extended discovery period following issuance of the February 2010 RTEP and (ii) a submission date for the Applicants testimony to allow inclusion of the May 2010 RPM capacity auction. The Commission will adopt the following schedule for use in this case.

Event	Date
Discovery reopens on issues of electrical need.	Monday, February 1, 2010
Applicants file supplemental testimony on issue of electrical need and any other issues requiring supplementation.	Noon, Tuesday, June 29, 2010
Deadline for propounding discovery on supplemental testimony due June 29, 2010.	Noon, Tuesday, July 13, 2010
Staff's and Intervenors' prepared direct testimony and rebuttal to the direct testimony of Applicants.	Noon, Tuesday, August 31, 2010
Deadline for propounding discovery in response to testimony due August 31, 2010.	Noon, Tuesday, September 7, 2010
Applicants' rebuttal testimony to the direct testimony for Staff and Intervenors, and Staff and Intervenor rebuttal testimony to the direct testimony of one another.	Noon, Tuesday, September 28, 2010
Deadline for propounding discovery in response to the rebuttal testimony due September 28, 2010.	Noon, Tuesday, October 5, 2010
Written opening statements.	Noon, Thursday, October 14, 2010
Evidentiary hearing begins.	Monday, October 18, 2010
Evidentiary hearing ends.	Tuesday, November 2, 2010
Initial briefs and proposed orders.	Noon, Tuesday, November 30, 2010
Reply briefs.	Noon, Thursday, December 16, 2010
Deadline for Commission decision.	Thursday, February 24, 2011

The parties should note that the discovery period beginning February 1, 2010 and ending July 13, 2010 is limited to (i) the issue of need, and (ii) any issues supplemented by the June 29, 2010 testimony filed by the Applicants. Additionally, the "party responsibilities" outlined in the Commission August 4, 2009 order, and the specific rules regarding service and filings of documents and discovery described in the August 21, 2009 order remain in effect.

The "Backstop" Provision

The Energy Policy Act of 2005 added Section 216(b) to the FPA giving the FERC "backstop" transmission siting authority under certain conditions. The language in Section 216(b)(1)(C)(i) allows FERC to permit the siting and construction of new transmission lines when the state authority has withheld approval for more than one year after the filing of an application seeking approval. The Commission does not have authority to modify the one year triggering period in the FPA. The Commission interprets the Applicants proposal to toll this proceeding as an indication that the Applicants will not avail themselves of the backstop provision pending resolution of the current proceeding. The Applicants should immediately notify the Commission if this interpretation is not correct.

FINDINGS OF FACT

1. The motions to dismiss primarily focus on updating information on the question of need and the current state of the PATH Project filing before the Maryland PSC.
2. The Applicants submitted a revised proposal to toll, a revised procedural schedule endorsed by Staff, and an assertion that the PATH Project will be re-filed in Maryland by the end of this year.
3. The procedural schedule submitted by the Applicants and endorsed by Staff will provide (i) an extended discovery period on the question of need and (ii) revised testimony on need including the February 2010 RTEP and the May 2010 RPM capacity auction.

CONCLUSIONS OF LAW

1. The revised proposal to toll supported by the Applicant and assertion regarding re-filing of the PATH Project in Maryland renders it unnecessary for the Commission to deliberate further on the motions to dismiss.
2. It is reasonable to deny the motions to dismiss.
3. It is reasonable to grant the Applicants revised proposal to toll the running of the statutory deadline in this proceeding for 247 days, which shall establish a new deadline of February 24, 2011 for a Commission decision.

4. The procedural schedule proposed by the Applicants and endorsed by Staff is reasonable and will be adopted by the Commission in this case. The “party responsibilities” outlined in the Commission August 4, 2009 order, and the specific rules regarding service and filings of documents and discovery described in the August 21, 2009 order remain in effect.

5. It is reasonable to interpret the Applicants proposal to toll the running of the statutory deadline in this proceeding as an indication that the Applicants will not avail themselves of the right to seek a permit from the Federal Energy Regulations Commission pursuant to §216(b) of the Federal Power Act a provision pending resolution of the current proceeding.

ORDER

IT IS THEREFORE ORDERED that the Staff and the Burleyson/Weiblen motions to dismiss this proceeding are denied.

IT IS FURTHER ORDERED that the Applicants revised proposal to toll is hereby granted. The statutory due date in this matter is tolled until Thursday, February 24, 2011.

IT IS FURTHER ORDERED that the procedural schedule established herein, including the hearing beginning October 18, 2010, is adopted for use in this proceeding.

IT IS FURTHER ORDERED that the Applicants must notify the Commission within five days of the date of this Order if they disagree that their proposal to delay a decision in this case by tolling the West Virginia statutory suspension period is also an agreement by the Applicants that they will not avail themselves of the Federal permitting process pursuant to §216(b) of the Federal Power Act of 2005.

IT IS FURTHER ORDERED that the Commission Executive Secretary serve a copy of this Order on all parties of record via electronic mail or United States First Class Mail as appropriate, and on Commission Staff by hand delivery.

A True Copy, True

Sandra Squire
Sandra Squire
Executive Secretary

JJW/slc
090770cg.wpd



24

State of West Virginia

Glen B. Gainer III
State Auditor and
Chief Inspector

Office of the State Auditor
Chief Inspector Division
Building 1, Room W-420
Charleston, West Virginia 25305

Toll Free: 877-982-9148
Telephone: (304) 558-2540
FAX: (304) 558-5327
Internet: <http://www.wvsao.gov>

Stuart T. Stickel, CPA
Deputy Chief Inspector

November 16, 2009

The Honorable Steve Canterbury
Supreme Court Administrator
1900 Kanawha Blvd., Building 1, E-100
Charleston, West Virginia 25305

Dear Mr. Canterbury:

Enclosed is a copy of the Report on Applying Agreed-Upon Procedures of the Jefferson County Magistrate Court for the period ending December 31, 2008.

As the recipient, you are required to notify all members of the magistrate court of the receipt of this report and related correspondence and make the contents available for inspection by all such officers. You are also advised that this report, under the provisions of West Virginia Code § 6-9-9a, is considered public information and must be made available for public inspection.

It is the responsibility of all members of the court to review the report and take the necessary actions to remedy all instances of noncompliance and weaknesses in internal control as listed in the Schedule of Comments.

Your cooperation is most appreciated. If I can be of assistance, please do not hesitate to contact this office.

Very truly yours,

Stuart T. Stickel, CPA
Deputy State Auditor
Chief Inspector Division

STS/et
Enclosure

cc: Hon. Donald H. Sanders, Chief Judge
23rd Judicial Circuit

Hon. Dale Manuel, President ✓
Jefferson County Commission

Bonnie L. Seal, Clerk
Jefferson County Magistrate Court

RECEIVED

NOV 23 2009

Jefferson County Commission

REPORT ON APPLYING AGREED-UPON PROCEDURES

JEFFERSON COUNTY MAGISTRATE COURT

For the Period Ended December 31, 2008

REPORT ON APPLYING AGREED-UPON PROCEDURES

JEFFERSON COUNTY MAGISTRATE COURT

FOR THE PERIOD ENDED DECEMBER 31, 2008

This engagement has been conducted pursuant to West Virginia Code §50-3-8 which authorizes the State Auditor as Chief Inspector and Supervisor of Public Offices to conduct an annual examination of each magistrate court within the State of West Virginia.

JEFFERSON COUNTY MAGISTRATE COURT

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JEFFERSON COUNTY MAGISTRATE COURT
COURT OFFICIALS AND SIGNATURE AUTHORITY

For the Period Ended December 31, 2008

Office	Name	Term
<u>Elective</u>		
Magistrates:	Gail C. Boober	01/01/05-12/31/08
	Mary Paul Rissler	01/01/05-12/31/08
	William Senseney	01/01/05-12/31/08
<u>Appointive</u>		
Magistrate Court Clerk:	Bonnie L. Seal	
Deputy Clerks:	Ruth A. Carr	
	Pam Conley	
Magistrate Assistants:	Loretta B. Jones	
	Ellen Dalgarn	
	Misty Anderson	

Authorized signatures for the court's checking account are:

<u>Name</u>	<u>Title</u>
Bonnie L Seal	Magistrate Court Clerk



State of West Virginia

Glen B. Gainer III
State Auditor and
Chief Inspector

Stuart T. Stickel, CPA
Deputy Chief Inspector

Office of the State Auditor
Chief Inspector Division
Building 1, Room W-420
Charleston, West Virginia 25305

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INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

Honorable Members of the
Jefferson County Magistrate Court
Charles Town, West Virginia 25414

We have performed the procedures enumerated below, which were agreed to by the Administrative Office of the West Virginia Supreme Court of Appeals, whose responsibilities include oversight and support of the day-to-day operations of the Jefferson County Magistrate Court, as of and for the twelve-month period ended December 31, 2008. This engagement to apply these agreed-upon procedures was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the specified users of the report. Consequently, we make no representation regarding the sufficiency of the procedures described below, either for the purpose for which this report is required or for any other purpose.

The procedures that we performed and our findings are as follows:

- A. We examined the court's records of collections for the twelve month period ended December 31, 2008 in order to verify the mathematical accuracy and completeness of the receipting process as well as the propriety of the distribution of amounts collected (see *Combined Schedule of Adjusted Cash Collections and Disbursements*, pages 6 and 7, and *Schedule of Restatement of Beginning Balance*, page 17). We found the same to be complete and accurate. We reported the clerk's record of judgments that were assessed but not collected (see *Schedule of Unsatisfied Judgments*, page 25).
- B. We obtained the court's records of deposits and related bank statements for the twelve month period ended December 31, 2008 to verify the mathematical accuracy of the records, the agreement of amounts deposited to amounts collected, and the timeliness of the deposits made by each office (see *Combining Schedule of Cash Collections, Adjustments and Deposits*, pages 8 and 9, and *Schedule of Verification of Deposit Timeliness*, pages 10 through 13). We found the records to be accurate and the deposits to be timely.

- C. We examined the court's records of disbursements for the twelve month period ended December 31, 2008. We verified the mathematical accuracy and propriety of the disbursements (see *Combined Schedule of Adjusted Cash Collections and Disbursements*, pages 6 and 7, and found them to be accurate and proper.
- D. We prepared and included a schedule that provides comparison of the current period adjusted collections to the adjusted collections of the two preceding periods (see *Schedule of Comparison of Prior and Current Years Collections*, page 14). We noted no material deviations.
- E. We compared the clerk's list of unpaid obligations as of December 31, 2008 (see *Schedule of Account Balances*, page 15, and *Schedule of Net Assets*, page 5) to the reconciled bank accounts for the same date (see *Schedule of Reconciliation of Cash*, page 16) and found them to be in agreement.
- F. We examined the clerk's report and transmittal to the State of West Virginia for any unclaimed property held by the court. We found that the report was prepared (see *Schedule of Unclaimed Property Remittance*, page 23).
- G. We examined the court's case registers and statistical reports made to the Administrative Office of the West Virginia Supreme Court of Appeals and verified the number of new case filings (see *Schedule of New Case Filings*, page 24) for the twelve month period ended December 31, 2008 and provided a comparison to the two preceding periods. We noted that the number of new cases filed did agree with our calculation and that the number of citations and worthless check notices filed with the court have steadily declined.
- H. We examined the court's case registers and drew from them a sample of cases to examine so as to verify the accuracy of the Case Register information and the propriety of the assessments and documentation supporting those assessments, all in relation to the amounts to which the State, Counties, third party litigants and others might be or become entitled. We found that the Case Registers were (see *Schedules of Case Verifications*, pages 18 through 22) accurate and that the case files documentation did reflect compliance in matters of financial consequence with the West Virginia Code, the *Rules for Magistrate Courts of West Virginia* and the directives of the Administrative Office of the West Virginia Supreme Court of Appeals.

Honorable Members of the
Jefferson County Magistrate Court
Page Three

We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on the specified elements, accounts, or items. Accordingly, we do not express such an opinion. Also, we express no opinion on the court's internal control over financial reporting or any part thereof. The nature of our procedures was limited to the transactions identified by management. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended for the use of the Administrative Office of the West Virginia Supreme Court of Appeals and its management and should not be used by those who have not agreed to the procedures and taken responsibility for the sufficiency of the procedures for their purpose.

Respectfully submitted,



Glen B. Gainer, III
West Virginia State Auditor

October 24, 2009

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF NET ASSETS
DECEMBER 31, 2008**

Assets

Cash	\$ 165,819.07
Due from:	
Magistrates	<u>130.88</u>
Total assets	<u>\$ 165,949.95</u>

Liabilities and Account Equity

Liabilities:

Due to:

Other governmental units:

County	30,498.86
State	28,618.98
Other parties	<u>106,732.11</u>
Total liabilities	165,849.95

Account Equity:

Certified mail and change fund	<u>100.00</u>
Total liabilities and account equity	<u>\$ 165,949.95</u>

Procedures applied and conclusions:

We examined the financial records of the court and prepared the above compilation reflecting the total of cash and cash items held by and/or due to the court, as well as the corresponding amounts being held by the court that are due to others at December 31, 2008 to determine if the court's financial records are in balance. The assets, liabilities and account equity were found to be balanced.

JEFFERSON COUNTY MAGISTRATE COURT
COMBINED SCHEDULE OF ADJUSTED CASH COLLECTIONS AND DISBURSEMENTS
For the Period Ended December 31, 2008

	<u>Collections</u>	<u>Percentage</u>
Fines	\$ 181,767.37	16.03%
Other	165,269.13	14.57%
Bonds	156,227.50	13.78%
Jail per diem fees	124,503.61	10.98%
Regional jail authority-criminal	105,879.26	9.34%
Regional Jail Operations	105,774.44	9.33%
Magistrate court costs	44,670.16	3.94%
Collections of worthless checks	35,721.29	3.15%
Crime victims compensation fees	32,879.97	2.90%
Community corrections fees	29,546.97	2.60%
Regional jail authority-civil	23,760.00	2.09%
Court security fees	20,538.71	1.81%
Courthouse improvement fees	20,138.86	1.78%
Sheriff's service of process fees	18,235.00	1.61%
Postage	16,746.34	1.48%
DUI assessment	13,946.44	1.23%
Removal and appeal costs	12,198.50	1.08%
Post judgments	11,967.31	1.06%
Law enforcement training fees	5,265.00	0.46%
Worthless check costs	4,435.00	0.39%
Interest	3,112.97	0.27%
Sheriff's arrest fees	560.00	0.05%
Litter control fees	300.00	0.03%
Record search fee	175.00	0.02%
Daily jail per diem fees	120.00	0.01%
Fax and copy costs	84.50	0.01%
Family court fees	<u>25.00</u>	<u>0.00%</u>
 Total collections	 <u>\$ 1,133,848.33</u>	 <u>100.00%</u>

	<u>Disbursements</u>	
County Treasury:		
Magistrate Court Fund	43,028.08	
General School Fund:		
Fines	177,972.36	
Jail Per Diem	124,008.39	
General County Fund:		
Service of process fees	17,600.00	
Arrest fees	560.00	
Daily jail per diem fee	120.00	
DUI assessment fees	12,771.91	
Worthless Check Fund	<u>4,160.00</u>	
Total County Treasury		380,220.74

**JEFFERSON COUNTY MAGISTRATE COURT
 COMBINED SCHEDULE OF ADJUSTED CASH
 COLLECTIONS AND DISBURSEMENTS (CONTINUED)
 For the Period Ended December 31, 2008**

Disbursements (continued)

State Treasurer:		
Crime Victims Compensation Fund	\$ 32,369.50	
Law Enforcement Training Fund	5,256.00	
Regional Jail and Prison Development Fund:		
Civil	23,620.00	
Criminal	105,766.76	
Litter Control Fund	299.50	
Court Security Fund	20,573.71	
Family Court Fund	50.00	
West Virginia Community Corrections Fund	28,823.97	
Courthouse Facilities Improvement Fund	20,137.27	
Regional Jail Operations Partial Reimbursement Fund	105,382.47	
Excess Magistrate Court Costs	1,606.48	
Record search fee	200.00	
Interest	<u>3,284.14</u>	
Total State Treasurer		347,369.80
WV Supreme Court:		
Postage	16,605.98	
Fax and copy costs	<u>73.75</u>	
Total WV Supreme Court		16,679.73
Other parties:		
Circuit Clerk - removal and appeal costs	12,198.50	
Payees on worthless checks	35,721.29	
Post judgments	11,967.31	
Other	168,093.40	
Bonds	<u>193,510.00</u>	
Total Other Parties		<u>421,490.50</u>
Total disbursements		<u>1,165,760.77</u>
Excess (deficiency) of receipts over disbursements		(31,912.44)
Account balance at beginning of year, restated		<u>197,862.39</u>
Account balance at end of year		<u>\$ 165,949.95</u>

Procedures applied and conclusions:

The total adjusted collections of all offices of the court are listed in descending order by a percentage of the total and set against the total of the court's disbursements for the agreed-upon period. The result was combined with the restated beginning balance (see *Schedule of Restatement of Beginning Balance* page 17) and verified to agree with the total of the *Schedule of Account Balances*, page 15, and the *Schedule of Reconciliation of Cash*, page 16.

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	Magistrate Mary Paul Rissler	Magistrate William Sensenev	Totals	Total Adjustments	Adjusted Totals
\$	220.00	\$ 140.00	\$ 540.00	\$ 20.00	\$ 560.00
	14,081.77	12,980.02	44,281.16	389.00	44,670.16
	725.00	290.00	1,305.00	10,893.50	12,198.50
	4,471.44	3,904.53	13,511.44	435.00	13,946.44
	62,391.08	50,815.49	177,868.02	3,899.35	181,767.37
	41,656.65	39,161.41	123,022.37	1,481.24	124,503.61
	4,050.00	4,100.00	18,375.00	(140.00)	18,235.00
	--	30.00	120.00	--	120.00
	525.00	250.00	4,360.00	75.00	4,435.00
	--	20.00	20.00	(20.00)	--
	10,332.47	8,782.00	29,141.47	405.50	29,546.97
	6,842.24	6,420.50	19,983.86	155.00	20,138.86
	7,024.21	6,565.00	20,378.71	160.00	20,538.71
	10,842.50	10,223.00	32,393.97	486.00	32,879.97
	1.00	5.25	84.50	--	84.50
	--	25.00	25.00	--	25.00
	250.00	50.00	300.00	--	300.00
	1,756.26	1,680.24	5,201.00	64.00	5,265.00
	8,075.00	7,495.00	23,780.00	(20.00)	23,760.00
	36,121.56	31,625.58	104,529.26	1,350.00	105,879.26
	36,049.47	31,976.28	104,874.44	900.00	105,774.44
	--	25.00	175.00	--	175.00
	56,739.50	45,381.50	303,998.50	(147,771.00)	156,227.50
	--	--	11,967.31	--	11,967.31
	2,635.00	2,875.21	16,737.44	8.90	16,746.34
	13,183.30	11,802.11	40,033.97	125,235.16	165,269.13
	6,379.64	1,136.09	34,639.44	1,081.85	35,721.29
	324,353.09	277,759.21	1,131,646.86	(911.50)	1,130,735.36
	--	--	--	3,112.97	3,112.97
	324,353.09	277,759.21	1,131,646.86	2,201.47	1,133,848.33
	324,353.09	277,759.21	1,131,646.86	2,201.47	1,133,848.33
	324,353.09	277,759.21	1,131,646.86	2,201.47	1,133,848.33
\$	--	\$ --	\$ --	\$ --	\$ --

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF VERIFICATION OF DEPOSIT TIMELINESS
For the Period Ended December 31, 2008

Office of: Magistrate Clerk Bonnie L. Seal

Report Date	Daily Activity Day of the Week	Amount Received	Date of Deposit	Number of Days Late
09/03/08	Wednesday	\$ 442.96	09/04/08	--
09/04/08	Thursday	\$ 74.41	09/05/08	--
09/05/08	Friday	\$ 1,170.72	09/05/08	--
09/08/08	Monday	\$ 104.00	09/09/08	--
09/09/08	Tuesday	\$ 289.44	09/10/08	--
09/10/08	Wednesday	\$ 2.00	09/11/08	--
09/12/08	Friday	\$ 180.50	09/12/08	--
09/15/08	Monday	\$ 160.18	09/16/08	--
09/16/08	Tuesday	\$ 66.14	09/17/08	--
09/17/08	Wednesday	\$ 86.82	09/18/08	--
09/18/08	Thursday	\$ 30.00	09/19/08	--
09/19/08	Friday	\$ 113.00	09/19/08	--
09/22/08	Monday	\$ 425.00	09/23/08	--
09/23/08	Tuesday	\$ 619.08	09/24/08	--
09/24/08	Wednesday	\$ 220.00	09/25/08	--
09/25/08	Thursday	\$ 385.34	09/26/08	--
09/26/08	Friday	\$ 194.29	09/26/08	--
09/29/08	Monday	\$ 400.00	09/30/08	--
09/30/08	Tuesday	\$ 3.00	10/02/08	--
10/01/08	Wednesday	\$ 89.00	10/02/08	--
10/02/08	Thursday	\$ 630.62	10/03/08	--
10/06/08	Monday	\$ 22.56	10/07/08	--
10/07/08	Tuesday	\$ 275.24	10/08/08	--
10/09/08	Thursday	\$ 177.46	10/10/08	--
10/10/08	Friday	\$ 523.38	10/10/08	--
10/15/08	Wednesday	\$ 773.96	10/16/08	--
10/16/08	Thursday	\$ 93.58	10/17/08	--
10/20/08	Monday	\$ 135.35	10/21/08	--
10/21/08	Tuesday	\$ 177.06	10/22/08	--
10/22/08	Wednesday	\$ 195.08	10/23/08	--

Procedures applied and conclusions:

We selected a series of dates and verified that the collections reported were deposited intact on a daily basis, with appropriate allowances for weekends and holidays. No. exceptions were noted.

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF VERIFICATION OF DEPOSIT TIMELINESS (continued)
For the Period Ended December 31, 2008

Office of: Magistrate Gail C. Boober

<u>Report Date</u>	<u>Daily Activity Day of the Week</u>	<u>Amount Received</u>	<u>Date of Deposit</u>	<u>Number of Days Late</u>
09/09/08	Tuesday	\$ 1,415.50	09/10/08	--
09/10/08	Wednesday	\$ 1,194.53	09/11/08	--
09/11/08	Thursday	\$ 3,445.88	09/12/08	--
09/12/08	Friday	\$ 2,480.00	09/12/08	--
09/15/08	Monday	\$ 6,984.09	09/16/08	--
09/16/08	Tuesday	\$ 2,380.00	09/17/08	--
09/17/08	Wednesday	\$ 2,110.53	09/18/08	--
09/18/08	Thursday	\$ 4,341.53	09/19/08	--
09/22/08	Monday	\$ 3,061.00	09/23/08	--
09/23/08	Tuesday	\$ 514.53	09/24/08	--
09/30/08	Tuesday	\$ 499.06	10/01/08	--
10/01/08	Wednesday	\$ 1,058.59	10/02/08	--
10/03/08	Friday	\$ 2,145.50	10/03/08	--
10/06/08	Monday	\$ 2,180.03	10/07/08	--
10/07/08	Tuesday	\$ 2,020.50	10/08/08	--
10/08/08	Wednesday	\$ 4,150.03	10/09/08	--
10/09/08	Thursday	\$ 3,339.15	10/10/08	--
10/21/08	Tuesday	\$ 500.00	10/22/08	--
10/22/08	Wednesday	\$ 2,670.00	10/23/08	--
10/27/08	Monday	\$ 6,020.03	10/28/08	--
10/28/08	Tuesday	\$ 5,823.37	10/29/08	--
10/29/08	Wednesday	\$ 1,723.06	10/30/08	--
10/30/08	Thursday	\$ 2,165.50	10/31/08	--
11/13/08	Thursday	\$ 685.00	11/14/08	--
11/14/08	Friday	\$ 1,971.27	11/14/08	--
11/17/08	Monday	\$ 2,779.56	11/18/08	--
11/18/08	Tuesday	\$ 1,014.53	11/19/08	--
11/19/08	Wednesday	\$ 1,411.00	11/20/08	--
11/20/08	Thursday	\$ 1,525.03	11/21/08	--
11/24/08	Monday	\$ 349.06	11/25/08	--

Procedures applied and conclusions:

We selected a series of dates and verified that the collections reported were deposited intact on a daily basis, with appropriate allowances for weekends and holidays. No exceptions were noted.

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF VERIFICATION OF DEPOSIT TIMELINESS (continued)
For the Period Ended December 31, 2008

Office of: Magistrate Mary Paul Rissler

<u>Report Date</u>	<u>Daily Activity Day of the Week</u>	<u>Amount Received</u>	<u>Date of Deposit</u>	<u>Number of Days Late</u>
09/02/08	Tuesday	\$ 3,718.00	09/03/08	--
09/03/08	Wednesday	\$ 3,375.66	09/04/08	--
09/04/08	Thursday	\$ 3,858.09	09/05/08	--
09/09/08	Tuesday	\$ 945.00	09/10/08	--
09/16/08	Tuesday	\$ 80.00	09/17/08	--
09/18/08	Thursday	\$ 1,106.00	09/19/08	--
09/19/08	Friday	\$ 1,912.00	09/19/08	--
09/22/08	Monday	\$ 6,460.06	09/23/08	--
09/23/08	Tuesday	\$ 1,194.53	09/24/08	--
09/24/08	Wednesday	\$ 1,653.53	09/25/08	--
09/25/08	Thursday	\$ 2,016.53	09/26/08	--
09/29/08	Monday	\$ 445.50	09/30/08	--
10/07/08	Tuesday	\$ 170.00	10/08/08	--
10/09/08	Thursday	\$ 1,330.50	10/10/08	--
10/10/08	Friday	\$ 1,580.03	10/10/08	--
10/14/08	Tuesday	\$ 8,790.03	10/15/08	--
10/15/08	Wednesday	\$ 2,752.03	10/16/08	--
10/16/08	Thursday	\$ 3,628.03	10/17/08	--
10/17/08	Friday	\$ 3,297.60	10/17/08	--
10/28/08	Tuesday	\$ 164.53	10/29/08	--
10/29/08	Wednesday	\$ 659.53	10/30/08	--
10/31/08	Friday	\$ 1,747.50	10/31/08	--
11/03/08	Monday	\$ 2,165.03	11/03/08	--
11/05/08	Wednesday	\$ 3,415.06	11/06/08	--
11/06/08	Thursday	\$ 1,484.53	11/07/08	--
11/10/08	Monday	\$ 179.53	11/10/08	--
11/12/08	Wednesday	\$ 992.50	11/13/08	--
11/18/08	Tuesday	\$ 214.53	11/19/08	--
11/19/08	Wednesday	\$ 335.00	11/20/08	--
11/20/08	Thursday	\$ 70.00	11/21/08	--

Procedures applied and conclusions:

We selected a series of dates and verified that the collections reported were deposited intact on a daily basis, with appropriate allowances for weekends and holidays. No exceptions were noted.

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF VERIFICATION OF DEPOSIT TIMELINESS (continued)
For the Period Ended December 31, 2008

Office of: Magistrate William Senseney

<u>Report Date</u>	<u>Daily Activity Day of the Week</u>	<u>Amount Received</u>	<u>Date of Deposit</u>	<u>Number of Days Late</u>
09/03/08	Wednesday	\$ 2,092.20	09/04/08	--
09/04/08	Thursday	\$ 829.53	09/05/08	--
09/05/08	Friday	\$ 1,467.03	09/05/08	--
09/08/08	Monday	\$ 2,196.53	09/09/08	--
09/09/08	Tuesday	\$ 2,893.35	09/10/08	--
09/10/08	Wednesday	\$ 5,752.00	09/11/08	--
09/11/08	Thursday	\$ 1,560.03	09/12/08	--
09/15/08	Monday	\$ 200.00	09/16/08	--
09/16/08	Tuesday	\$ 600.00	09/17/08	--
09/26/08	Friday	\$ 3,670.56	09/26/08	--
09/29/08	Monday	\$ 1,914.56	09/30/08	--
10/01/08	Wednesday	\$ 2,211.56	10/02/08	--
10/02/08	Thursday	\$ 1,811.00	10/03/08	--
10/06/08	Monday	\$ 455.50	10/07/08	--
10/14/08	Tuesday	\$ 1,314.53	10/15/08	--
10/15/08	Wednesday	\$ 5,851.00	10/16/08	--
10/16/08	Thursday	\$ 335.00	10/17/08	--
10/17/08	Friday	\$ 2,531.59	10/17/08	--
10/20/08	Monday	\$ 4,986.49	10/21/08	--
10/21/08	Tuesday	\$ 3,651.59	10/22/08	--
10/22/08	Wednesday	\$ 3,302.50	10/23/08	--
10/23/08	Thursday	\$ 1,427.50	10/24/08	--
10/27/08	Monday	\$ 172.00	10/28/08	--
10/28/08	Tuesday	\$ 895.00	10/29/08	--
11/06/08	Thursday	\$ 250.00	11/07/08	--
11/07/08	Friday	\$ 3,788.25	11/07/08	--
11/10/08	Monday	\$ 1,893.03	11/10/08	--
11/12/08	Wednesday	\$ 1,892.03	11/13/08	--
11/13/08	Thursday	\$ 1,851.50	11/14/08	--
11/17/08	Monday	\$ 1,089.53	11/18/08	--

Procedures applied and conclusions:

We selected a series of dates and verified that the collections reported were deposited intact on a daily basis, with appropriate allowances for weekends and holidays. No exceptions were noted.

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF COMPARISON OF PRIOR AND CURRENT YEAR'S COLLECTIONS
For the Period Ended December 31, 2008

Collections:	Adjusted Total 2008	Adjusted Total 2007	Adjusted Total 2006
Sheriff's arrest fees	\$ 560.00	\$ 1,220.00	\$ 1,612.21
Magistrate court costs	44,670.16	50,406.38	56,864.62
Removal and appeal costs	12,198.50	11,581.45	11,180.00
DUI assessment	13,946.44	11,145.00	9,442.50
Fines	181,767.37	203,246.88	236,380.01
Jail per diem fees	124,503.61	148,270.75	168,247.75
Sheriff's service of process fees	18,235.00	17,365.00	16,915.14
Daily jail per diem fees	120.00	90.00	129.50
Worthless check costs	4,435.00	6,140.00	11,211.00
Community corrections fees	29,546.97	29,786.00	19,200.00
Courthouse improvement fees	20,138.86	23,025.50	24,536.50
Court security fees	20,538.71	23,340.53	25,320.00
Crime victims compensation fees	32,879.97	36,963.69	40,621.50
Department of Natural Resources	--	200.00	10.00
Fax and copy costs	84.50	196.25	329.31
Family court fees	25.00	100.00	50.00
Jury fees	--	200.00	200.00
Litter control fees	300.00	225.00	200.00
Law enforcement training fees	5,265.00	6,214.00	7,203.52
Regional Jail Authority Fees:			
Civil	23,760.00	24,680.00	23,600.00
Criminal	105,879.26	124,800.00	143,143.00
Witness fees	--	--	--
Regional Jail Operations	105,774.44	120,779.50	128,776.00
Record search fee	175.00	270.00	--
Bonds	156,227.50	133,594.40	109,047.60
Post judgments	11,967.31	18,757.64	43,960.80
Other	165,269.13	50,572.20	61,726.73
Postage	16,746.34	13,171.28	9,518.24
Collections of worthless checks	35,721.29	48,935.88	61,463.89
Initial Jail Mileage	--	8.90	--
Total receipts	1,130,735.36	1,105,286.23	1,210,889.82
Interest	3,112.97	4,657.77	4,048.14
Total collections	<u>\$ 1,133,848.33</u>	<u>\$ 1,109,944.00</u>	<u>\$ 1,214,937.96</u>

Procedures applied and conclusions:

We reproduced the reports of the court's adjusted collections for the two prior years and have presented them here with the current year's collections, to provide informative detail that might reflect changes or trends in the financial activity of the court. No material deviations were noted.

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF ACCOUNT BALANCES
For the Period Ended December 31, 2008

The account balance of the Jefferson County Magistrate Court consists of the following:

Sheriff's arrest fees - December	\$ 60.00
Magistrate court costs - December	3,727.10
DUI assessment - December	1,574.53
Fines and jail costs - December	14,074.01
Jail per diem fees - December	8,663.22
Sheriff's service of process fees - December	1,850.00
Worthless check costs - December	550.00
Community corrections fees - December	2,432.00
Courthouse improvement fees - December	1,718.59
Court security fees - December	1,695.00
Crime victims compensation fees - December	2,500.47
Fax and copy costs	13.75
Litter control fees - December	0.50
Law enforcement training fees - December	362.00
Regional jail authority fees - December - civil	2,605.00
Regional jail authority fees - December - criminal	7,042.00
Regional Jail Operations - December	8,721.47
Other parties:	
Bonds	106,679.86
Certified mail and postage	1,363.63
Other	52.25
Interest - December	<u>164.57</u>
Total	165,849.95
Change funds	<u>100.00</u>
Total account balances	<u>\$ 165,949.95</u>

Procedures applied and conclusions:

We compiled the court's adjusted collections and disbursements, applied those disbursements to the collections and beginning balances and thereby computed the remaining obligations of the court at December 31, 2008. We found no additional amounts owed other than those identified by the clerk. We verified the agreement of this schedule's total to the totals of the *Schedule of Net Assets* on page 5, the *Combined Schedule of Adjusted Cash Collections and Disbursements* on pages 8 and 9, and the *Schedule of Reconciliation of Cash* on page 16. No exceptions were noted.

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF RECONCILIATION OF CASH AND MONETARY FINDINGS UNRESOLVED
For the Period Ended December 31, 2008

Reconciliation of Cash

Cash on hand (including certified mail and change funds)		\$ 4,073.69
Cash in bank:		
Bank balance at December 31, 2008	170,722.24	
Less: outstanding checks	(14,179.03)	
Plus: deposits in transit	<u>5,202.17</u>	<u>161,745.38</u>
Total cash		165,819.07
Cash difference		<u>130.88</u>
Total cash and cash difference		<u>\$ 165,949.95</u>

Monetary Findings Unresolved at December 31, 2008

Year Ended / Court Official	Collections Not Deposited
<u>June 30, 1980 through 1988</u>	
Magistrate Peter Dougherty	\$ 6.07
Magistrate Clark Hicks	20.00
Magistrate Patricia A. Noland	20.00
<u>December 31, 1990 through 1993</u>	
Magistrate Patricia A. Noland	75.02
Magistrate C.C. Cheezum	<u>9.79</u>
TOTALS	\$ <u>130.88</u>

Procedures applied and conclusions:

We examined the court's financial records and compiled the bank reconciliation and cash difference listing. The reconciled total was verified to agree with the amounts reflected in the *Schedule of Net Assets*, page 5, and the *Schedule of Account Balances*, page 15. We verified that this total does agree with the obligations of the court at the same date. No exceptions to the amounts listed above were noted.

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF RESTATEMENT OF BEGINNING BALANCE
For the Period Ended December 31, 2008**

Restatement of Beginning Fund Balance

Account balance beginning of year	\$ 194,987.12
Cancelled checks	<u>2,875.27</u>
Account balance beginning of year restated	<u>\$ 197,862.39</u>

Procedures applied and conclusions:

During our procedures we noted that the beginning account balance needed restated by \$2,875.27 due to prior period outstanding checks becoming stale and subsequently being cancelled by the clerk.

**JEFFERSON COUNTY MAGISTRATE COURT
 SCHEDULE OF CITATION CASE VERIFICATION
 For the Period Ended December 31, 2008**

<u>Citation Number</u>	<u>Citation Date</u>	<u>Exceptions Noted</u>	<u>See Schedule of Comments</u>
1000543155	11/05/08	No	N/A
1000831579	12/14/08	No	N/A
1000539874	02/24/08	No	N/A
1000831586	09/08/08	No	N/A
1000540569	09/22/08	No	N/A
1000540359	05/15/08	No	N/A
DNR17035	07/12/08	No	N/A
1000829500	01/14/08	No	N/A
1000832401	09/17/08	No	N/A
1000832495	11/07/08	No	N/A
1000831740	02/02/08	No	N/A
1000540470	01/26/08	No	N/A
1000832712	05/13/08	No	N/A
1000831518	04/19/08	No	N/A
1000831745	04/29/08	No	N/A
DNR1742	05/09/08	No	N/A
1000540304	01/27/08	No	N/A
1000430166	10/22/08	No	N/A
DNR17028	07/05/08	No	N/A
1000541650	10/17/08	No	N/A
1000540617	04/17/08	No	N/A
1000541843	11/28/08	No	N/A
DNR1731	04/25/08	No	N/A
1000541264	08/14/08	No	N/A
1000832787	05/28/08	No	N/A
1000337066	07/01/08	No	N/A
1000541565	09/06/08	No	N/A
1000541860	12/13/08	No	N/A
1000541510	09/17/08	No	N/A
1000831944	01/03/08	No	N/A

Procedures applied and conclusions:

We examined a sample of 30 cases listed in the citation register for compliance with all known statutes and regulations that would lead to a financial assessment or lack thereof. No exceptions were noted.

**JEFFERSON COUNTY MAGISTRATE COURT
 SCHEDULE OF MISDEMEANOR CASE VERIFICATION
 For the Period Ended December 31, 2008**

<u>Misdemeanor Case Number</u>	<u>Exceptions Noted</u>	<u>See Schedule of Comments</u>
1	No	N/A
140	No	N/A
279	No	N/A
418	No	N/A
557	No	N/A
696	No	N/A
835	No	N/A
974	No	N/A
1114	No	N/A
1253	No	N/A
1392	No	N/A
1531	No	N/A
1670	No	N/A
1809	No	N/A
1948	No	N/A
2087	No	N/A
2226	No	N/A
2365	No	N/A
2504	No	N/A
2643	No	N/A
2782	No	N/A
2921	No	N/A
3061	No	N/A
3200	No	N/A
3339	No	N/A
3478	No	N/A
3617	No	N/A
3756	No	N/A
3895	No	N/A
4034	No	N/A

Procedures applied and conclusions:

We examined a sample of 30 cases listed in the misdemeanor register for compliance with all known statutes and regulations that would lead to a financial assessment or lack thereof. No exceptions were noted.

JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF WORTHLESS CHECK CASE VERIFICATION
For the Period Ended December 31, 2008

<u>Worthless Check Notice Number</u>	<u>Exceptions Noted</u>	<u>See Schedule of Comments</u>
1	No	N/A
8	No	N/A
16	No	N/A
23	No	N/A
31	No	N/A
38	No	N/A
45	No	N/A
53	No	N/A
60	No	N/A
68	No	N/A
75	No	N/A
82	No	N/A
90	No	N/A
97	No	N/A
105	No	N/A
112	No	N/A
119	No	N/A
127	No	N/A
134	No	N/A
142	No	N/A
149	No	N/A
156	No	N/A
164	No	N/A
171	No	N/A
179	No	N/A
186	No	N/A
193	No	N/A
201	No	N/A
208	No	N/A
216	No	N/A

Procedures applied and conclusions:

We examined a sample of 30 cases listed in the worthless check register for compliance with all known statutes and regulations that would lead to a financial assessment or lack thereof. No exceptions were noted.

**JEFFERSON COUNTY MAGISTRATE COURT
 SCHEDULE OF CIVIL CASE VERIFICATION
 For the Period Ended December 31, 2008**

<u>Civil Case Number</u>	<u>Exceptions Noted</u>	<u>See Schedule of Comments</u>
1	No	N/A
51	No	N/A
100	No	N/A
150	No	N/A
199	No	N/A
249	No	N/A
299	No	N/A
348	No	N/A
398	No	N/A
447	No	N/A
497	No	N/A
547	No	N/A
596	No	N/A
646	No	N/A
695	No	N/A
745	No	N/A
795	No	N/A
844	No	N/A
894	No	N/A
943	No	N/A
993	No	N/A
1043	No	N/A
1092	No	N/A
1142	No	N/A
1191	No	N/A
1241	No	N/A
1291	No	N/A
1340	No	N/A
1390	No	N/A
1439	No	N/A

Procedures applied and conclusions:

We examined a sample of 30 cases listed in the civil case register for compliance with all known statutes and regulations that would lead to a financial assessment or lack thereof. No exceptions were noted.

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF FELONY CASE VERIFICATION
For the Period Ended December 31, 2008**

<u>Felony Case Number</u>	<u>Exceptions Noted</u>	<u>See Schedule of Comments</u>
1	No	N/A
54	No	N/A
107	No	N/A
160	No	N/A
213	No	N/A
266	No	N/A
319	No	N/A
372	No	N/A
424	No	N/A
477	No	N/A
530	No	N/A
583	No	N/A
636	No	N/A
689	No	N/A
742	No	N/A

Procedures applied and conclusions:

We examined a sample of 15 cases listed in the felony register for compliance with all known statutes and regulations that would lead to a financial assessment or lack thereof. No exceptions were noted.

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF UNCLAIMED PROPERTY REMITTANCE
For the Period Ended December 31, 2008**

Court's Check		
<u>Number</u>	<u>Case Number</u>	<u>Amount</u>
14553	97M303	29.93
14653	12612	5.00
14654	D185734	5.00
14719	06W633	10.00
14720	06W609	6.50
14724	06W640	12.00
14736	06W634	12.00
14741	06W653	20.00
14767	06W642	18.02
14768	06W628	21.67
14775	06W624	36.47
14776	06W625	16.96
14784	06W622	7.90
14785	06W623	9.70
14799	02M2272	50.00
14834	07W13	1.00
14918	06M2444	64.50
14973	05M3750	350.00
14978	1000335787	5.00
15036	05M798	100.00
15053	07M557	10.00
15141	96M1918	41.33
15199	05M3274	50.00
15218	05M3275	25.00
15247	01M2181	50.00
15370	98M1999	265.85
15434	04M3331	50.00
15441	07C915	50.00
15444	07C78	25.00
15447	04M1599	353.94
15506	1000829218	66.50
15539	07M2136	1,000.00
15549	97M376	106.00
	Total	<u>\$ 2,875.27</u>

Procedures applied and conclusions:

We examined the court's financial records and found the court held no unclaimed property that was required to be reported.

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF NEW CASE FILINGS
For the Period Ended December 31, 2008**

As required by West Virginia Code §50-3-8, we noted that the case filings for the twelve month period ended December 31, 2008 for the Jefferson County Magistrate Court totaled 8,940 cases.

<u>Case type</u>	<u>Period Ending</u>		
	<u>2008</u>	<u>2007</u>	<u>2006</u>
Citations	2,817	3,469	4,866
Worthless check notices	222	332	667
Misdemeanor warrants	3,257	3,854	3,333
Felony warrants	794	1,003	668
Civil filings	<u>1,850</u>	<u>1,920</u>	<u>1,806</u>
Total	<u>8,940</u>	<u>10,578</u>	<u>11,340</u>

Procedures applied and conclusions:

We examined the court's case registers, and compiled the above totals (adjusting for classification changes of cases already counted) of new case filings during the twelve month period ended December 31, 2008 and have presented them in comparison with the two priors years filings to provide informative detail that might reflect changes or trends in the type of cases filed. We found no exceptions within the case counting totals compiled by the court, we did notice a steady decline in the number of citations and worthless check notices filed with the court.

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF UNSATISFIED JUDGMENTS
For the Period Ended December 31, 2008**

At the conclusion of our field work, the Jefferson County Magistrate Court's Register of Unsatisfied Judgments indicated that \$207,512.34 of the criminal judgments entered on the register during the twelve month period covered by this report remains due and owing.

<u>Month</u>	<u>Original number of cases not satisfied</u>	<u>Original amount not satisfied</u>	<u>Average per case</u>
January	61	\$ 18,994.31	\$ 311.38
February	69	20,567.48	298.08
March	73	19,373.58	265.39
April	86	29,128.58	338.70
May	109	31,228.50	286.50
June	75	24,939.30	332.52
July	79	29,607.50	374.78
August	90	26,820.28	298.00
September	132	43,659.10	330.75
October	34	14,927.45	439.04
November	113	33,651.32	297.80
December	<u>79</u>	<u>24,846.16</u>	<u>314.51</u>
Total original balance for the period	<u>1,000</u>	<u>\$ 317,743.56</u>	<u>\$ 317.74</u>

	<u>Current number of cases not satisfied</u>	<u>Current amount not satisfied</u>	<u>Average per case</u>
Current balance for the period	<u>671</u>	<u>\$ 207,512.34</u>	<u>\$ 309.26</u>

Procedures applied and conclusions:

We have transcribed the court's totals of judgment amounts that became due and owing to the court during the twelve month period ended December 31, 2008 (original balance for the period), and then listed the amount and number of those same judgments (entered above as "Current balance for the period"), as shown by the court's record, that were still due and owing to the court at the conclusion of our field work. We noted no irregularities in the court's *Register of Unsatisfied Judgments*.

JEFFERSON COUNTY MAGISTRATE COURT

For the Period Ended December 31, 2008

SCHEDULE OF COMMENTS



State of West Virginia

Glen B. Gainer III
State Auditor and
Chief Inspector

Stuart T. Stickel, CPA
Deputy Chief Inspector

Office of the State Auditor
Chief Inspector Division
Building 1, Room W-420
Charleston, West Virginia 25305

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FAX: (304) 558-5327
Internet: <http://www.wvsao.gov>

INDEPENDENT ACCOUNTANT'S SCHEDULE OF COMMENTS ON APPLYING AGREED-UPON PROCEDURES

In accordance with attestation standards established by the American Institute of Certified Public Accountants, we have applied agreed-upon procedures for the twelve-month period ended December 31, 2008 as has been agreed to by the West Virginia Supreme Court of Appeals and have issued our report thereon, dated October 23, 2008 for the Jefferson County Magistrate Court.

Attestation Standards require that we perform the agreed-upon procedures for the specified parties and report our conclusions. The sufficiency of these procedures is solely the responsibility of the West Virginia Supreme Court of Appeals and we make no representation regarding the sufficiency of the procedures. Also, we express no opinion or negative assurance on the court's internal control over financial reporting or any part thereof.

We are submitting for your consideration the following comments that are opportunities for strengthening procedures and improving operating efficiency. These comments reflect matters that may enhance operational efficiencies through a modification of established procedures. Due to the limited nature of our agreed-upon procedures, we have not fully assessed the cost-benefit relationship of implementing the recommendations suggested. However, these comments reflect our continuing desire to assist your office in the administration of the magistrate court operations. We will be pleased to discuss these comments and suggestions in further detail at your convenience, to perform any additional study of these matters, or to assist you, where possible, in implementing the recommendations.

In closing, on behalf of the Auditor's Staff, we appreciate the opportunity to present these comments and recommendations. We would like to thank management for its cooperation and positive attitude and openness to suggestions. If you have any questions, please do not hesitate to contact us.

Respectfully submitted,

Glen B. Gainer, III
West Virginia State Auditor

October 24, 2009

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2008**

Suggestions For Improving Operations

Segregation of Duties

We noted while applying our agreed-upon procedures, that duties are not adequately segregated concerning the assessment, collection, receipting, depositing and disbursement of moneys. Magistrates are authorized to assess fines and costs and they and/or their assistants collect, receipt and deposit moneys, originate case files and document activity on daily activity sheets. The magistrate court clerk collects, receipts and deposits moneys, makes all disbursements, conducts bank reconciliations and prepares monthly financial statements.

RECOMMENDATION:

To establish a more effective system of internal accounting control, the Administrative Office of the West Virginia Supreme Court of Appeals and the West Virginia Legislature should take the steps necessary to restructure the manner in which the magistrate courts operate, so that fiscal duties are segregated to the extent practical. The same individuals should not be responsible for the assessment and collection or collection and disbursement of moneys. One suggestion is to establish a cashier system whereby all payments are made to the office of the magistrate court clerk. Different employees could then be assigned responsibility for all or some of the other financial functions.

Software / Automated Data System

We noted while applying our agreed-upon procedures, that:

1. Only the magistrate court clerk can delete or change data after midnight of the day the original data is entered into the computer system. This provides an environment whereby one individual can alter the work that is the responsibility of another without their knowledge.
2. It is currently possible to purge financial and case information data without requiring a printout of the data being purged. This can be accomplished by entering a "Y" in the purge field of a case by anyone having access to the computer system. It is therefore possible to remove a case from the system of current information without proper authorization and or to remove data that has not yet been subject to applying agreed-upon procedures, leaving a trail that is not clear.
3. The computer system does not automatically place date and time information on a report when it is run. Additionally, case information dates can be arbitrarily assigned. This can result in the presentation of printed reports that are not correct since they may not necessarily provide the latest data.
4. The financial record keeping software allows adjustments to be made (by receipt number) to transfer receipted amounts from one account to another without first verifying that sufficient funds are available. This creates a situation where a cash shortage can be inadvertently created.
5. The automated check printing software utilized by magistrate court does not allow the magistrate court clerk to pick individual items to print. This allows the magistrate court clerk to select only which day's items and adjustments to print. Since some items are received by the court in cash and some by check, it becomes difficult to distribute some items promptly and simultaneously comply with the requirement that a period of ten business days pass before distributing collections received by check.

**JEFFERSON COUNTY MAGISTRATE COURT
SCHEDULE OF COMMENTS
For the Period Ended December 31, 2008**

Software / Automated Data System (continued)

6. The software utilized by the magistrate court provides an itemized listing of bonds held by the court at the end of each month but does not provide a listing of payee, post judgment, and other party collections that are on hand at the end of the month. This has possibly been the reason that some magistrate court clerks have utilized the improper practice of backdating checks, so as to reduce the number of individual balances they are required to identify and account for at the end of the month.

RECOMMENDATION:

1. Since records of changes and deletions kept outside the computer system can be lost or misplaced, all changes and deletions to data already entered into computer memory should be kept.

2. Running a printout of information to be purged should be automatically performed (eliminating the operator's option) before the information is deleted. Information to be purged should be determined by the computer system, by testing for qualified information based upon payment received or verdict given, or by some other information that properly indicates a completely finished case. Depending upon the size of computer memory, purges should be run one or two years after entry, in blocks of information, such as by fiscal or calendar years, or monthly if remaining computer memory is insufficient or process time becomes unacceptable. In addition, the clerk's office, on a daily basis, runs a backup of computer memory. This same procedure could also be used periodically to save all computer memory onto the same type of magnetic tape which could then be saved indefinitely.

3. Date and time information should be automatically placed on each report when the report is run.

Concerning the date entry for case initiation, a civil suit or criminal case should be dated for the day commenced, which is normally the current date upon which the court issues a summons, notice or warrant. We recognize that providing an automated procedure to date all cases in this manner is further complicated by the fact that citations are commenced outside of the magistrate court systems control by the law enforcement agent issuing the citation to the alleged offender.

4. We recommend that the software utilized by the court be modified to automatically determine if sufficient funds are available (by receipt number and fund) to permit the transfer of funds.

5. We recommend that the software utilized by the court be modified to permit the magistrate court clerk to select which checks to print in order to allow for the timely disbursement of funds due third parties.

6. We recommend that the software utilized by the magistrate court be modified to provide these account balance reports.

Check Signatures

It was noted during our agreed-upon procedures, that the checks issued from the magistrate courts checking account were issued with only one signature.

RECOMMENDATION:

All checks should contain two or more signatures indicating that more than one person has reviewed the disbursements.



#27

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

November 13, 2009

RECEIVED
NOV 20 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. This letter has been sent to inform you that a draft copy of the 2010-2015 STIP has been made available for public comment. A copy of the document may be viewed and/or downloaded on the web at www.wvdot.com, or may be viewed at Division of Highways (DOH) headquarters in Charleston or District offices in Charleston, Huntington, Parkersburg, Clarksburg, Burlington, Moundsville, Weston, Elkins, Lewisburg or Princeton and at the offices of Metropolitan Planning Organizations and Regional Planning and Development Councils throughout the State. If you can not access the web and would like to receive a digital copy of the document, you may send a request to the address below.

All written comments are to be received no later than December 16, 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,

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

U.S. Census Bureau 2010 Boundary and Annexation Survey Workshop

The U.S. Census Bureau is conducting the Boundary and Annexation Survey (BAS) to update our records regarding changes to legal boundaries, names, and governmental status of all governmental units effective on or before January 1, 2010. This voluntary survey is an important opportunity for you to ensure that we have the correct boundary and legal name for your county, as well as for the governments within your jurisdiction. The Census Bureau will use the boundary information you provide to report data from the 2010 Census and estimates from other programs and surveys, such as the Population Estimates Program (PEP) and the American Community Survey (ACS). **The 2010 BAS is especially important as it is the last opportunity for participants to update their legal boundaries prior to the completion of the 2010 Census.** Accurate legal boundaries will result in more accurate data tabulation for all of the census programs and surveys.

In preparation for the upcoming 2010 BAS, the U.S. Census Bureau is conducting BAS workshops in select cities across the country. The BAS workshops will be open to interested participants and will include both digital and paper BAS training. The training will have separate sessions for digital and paper participation procedures. You may choose to attend one or both sessions. Each session will provide an overview of the BAS, an explanation of geographic relationships, and information on why correct boundaries are important for the 2010 Census, PEP and ACS.

Digital BAS training will include demonstrations on how to complete the BAS using ArcGIS or the MAF/TIGER Partnership Software (MTPS). MTPS is a PC-based software application provided by the Census Bureau for participants to digitally update the Census Bureau maps and forms. There will be hands-on digital BAS training in select cities (please see the attachment). We encourage you to bring laptops along with your boundary data, so we may clarify any questions you may have.

Paper BAS training will include a detailed review of how to read and update paper maps and the BAS forms. Participants will learn how to properly annotate legal boundary updates and feature changes on the Census Bureau maps. We request you bring your annexation information since there will be an opportunity to update your boundaries on-site.

A list of training workshops is attached for your consideration. Space may be limited, so we encourage participants to sign up as soon as possible, and no later than the RSVP date listed for each of the respective workshops. Note that some of the workshop locations will require participants to show identification in order to access the building.

Please use the attached registration form to RSVP for the BAS workshops. If you have any questions pertaining to the BAS program and the upcoming workshops, contact the BAS team via email at geo.bas@census.gov or via telephone at (301)-763-1099.

Additional information on the BAS program can be found on the BAS website:
<http://www.census.gov/geo/www/bas/bashome.html>

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NOV 23 2009

Boundary and Annexation Survey Workshop Locations

BAS Submission Deadline: March 1, 2010

DATE / TIME	LOCATION
<p style="text-align: center;">December 10, 2009 and December 11, 2009</p> <p style="text-align: center;">8:30 AM – Noon Digital BAS Workshop</p> <p style="text-align: center;">1:00 PM – 4:30 PM Paper BAS Workshop</p> <p style="text-align: center;">RSVP by December 3, 2009</p>	<p style="text-align: center;">Utah State Capitol Complex* Room 30 House Building (West Building) Salt Lake City, Utah 84114</p> <p style="text-align: center;"><i>*The same one-day training is being offered on consecutive days at this location.</i></p>
<p style="text-align: center;">December 15, 2009 and December 16, 2009</p> <p style="text-align: center;">8:30 AM – Noon Digital BAS Workshop</p> <p style="text-align: center;">1:00 PM – 4:30 PM Paper BAS Workshop</p> <p style="text-align: center;">RSVP by December 7, 2009</p>	<p style="text-align: center;">Portland State University* Geography Department Cramer Hall, Room 418 1721 SW Broadway Portland, OR 97201</p> <p style="text-align: center;"><i>*The same one-day training is being offered on consecutive days at this location.</i></p> <p style="text-align: center;"><i>*Hands-on Digital BAS training will be offered on both days at this location.</i></p>
<p style="text-align: center;">December 18, 2009</p> <p style="text-align: center;">8:30 AM – Noon Digital BAS Workshop Paper BAS Workshop</p> <p style="text-align: center;">1:00 PM – 4:30 PM Digital BAS Workshop Paper BAS Workshop</p> <p style="text-align: center;">RSVP by December 7, 2009</p>	<p style="text-align: center;">The State of Georgia Department of Community Affairs 60 Executive Park South, NE Atlanta, Georgia 30329</p>

<p> January 12, 2010 and January 13, 2010 </p> <p> 8:30 AM – 12:00 PM Digital BAS Workshop </p> <p> 1:00 PM – 4:30 PM Paper BAS Workshop </p> <p> RSVP by December 28, 2009 </p>	<p> United States Census Bureau* Kansas City Regional Census Center 2001 NE 46th St Kansas City, MO 64116 </p> <p> <i>*The same one-day training is being offered on consecutive days at this location.</i> </p>
<p> January 20, 2010 </p> <p> 8:30 AM – Noon Digital BAS Workshop </p> <p> 1:00 PM – 4:30 PM Paper BAS Workshop </p> <p> RSVP by January 4, 2010 </p>	<p> The Association of Bay Area Governments Joseph P. Bort Metro Center Building Metro Center Auditorium 101 Eight Street Oakland, CA 94607 </p>

REGISTRATION FORM
BOUNDARY AND ANNEXATION SURVEY WORKSHOP

Name of Governmental Unit _____

Mailing Address _____

City _____ State _____ Zip _____

Fax _____

List of Attendees: _____ Number of Attendees _____

Name _____ Phone _____ Email _____

Name _____ Phone _____ Email _____

Name _____ Phone _____ Email _____

Name _____ Phone _____ Email _____

**If you require more space for attendees, please email your full list to geo.bas@census.gov*

I will attend the following location (Please Check One):

<input type="checkbox"/> Salt Lake City, UT: December 10, 2009	<input type="checkbox"/> Suitland, MD: January 5, 2010	<input type="checkbox"/> Kansas City, MO: January 12, 2010
<input type="checkbox"/> Salt Lake City, UT: December 11, 2009	<input type="checkbox"/> Arlington, TX: January 7, 2010	<input type="checkbox"/> Kansas City, MO: January 13, 2010
<input type="checkbox"/> Portland, OR: December 15, 2009	<input type="checkbox"/> Arlington, TX: January 8, 2010	<input type="checkbox"/> Oakland, CA: January 20, 2010
<input type="checkbox"/> Portland, OR: December 16, 2009	<input type="checkbox"/> Jeffersonville, IN: January 8, 2010	
<input type="checkbox"/> Atlanta, GA: December 18, 2009	<input type="checkbox"/> Orlando, FL: January 11, 2010	

I will attend the following workshop (Please check one):

<input type="checkbox"/> Digital BAS Workshop	<input type="checkbox"/> Paper BAS Workshop	<input type="checkbox"/> Both
---	---	-------------------------------

Fax completed registration form to:
1-800-416-3262

- If you wish to RSVP via email, please email the above information to geo.bas@census.gov
- If you wish to RSVP via telephone, please contact the BAS Team at (301)-763-1099.

November 12, 2009

RECEIVED

29

Jefferson County Health Department
1948 Wiltshire Road Ste. 1
Kearneysville, WV 25430

NOV 13 2009

Jefferson County Commission

SUBJ: Resignation

ATTN: Mrs. Amy B. Jones, Administrator

Ms. Jones:

I, Karen Crowl, hereby resign from the Jefferson County Health Department effective immediately.

Due to your non-compliance with my doctors' recommendations and the health risks you have put me through, I cannot afford to work here any longer. Over the course of the last year and a half you have continued to ignore the risks and placed me in an environment, which has only worsened my conditions. Therefore, I feel I am being forced to resign a position that I thought I would be performing to reach my retirement time. However, you leave me no choice but to resign.

Regards,

Karen L. Crowl

Karen L. Crowl

cc: Dr. Robert Jones, Health Officer
Dr. Robert Johnson, Chairman, BOH
County Commissioners
Teri Crouse, Acting Director, Personnel Department, State of WV
Senator Jay Rockefeller
Governor Joe Manchin III
Gordan Simmons, Statewide Chief Steward, UE Local 170, WV Public Workers Union
Kit Thornton, Attorney

#20



Date -
Please announce closer
to the time to
invite Co. Comm. on
Dec. 10th. Thanks!
Gordie

YOU ARE INVITED

Our Kiwanis Club would like to thank you for your generous contribution to Santa's Toy Shop. We are looking forward to our 20th annual event and with your assistance, we will once again ensure that Santa visits the underprivileged children of our county.

This year we wish to extend an invitation to you. On Thursday December 10th at 6:00pm Our club will host a refreshment hour for the contributors to Santa's Toy Shop. The location will be at the Zion Episcopal Church at 221 East Washington St. in Charles Town. This will be on the eve of the 2009 "Toy Shop" and will give you the opportunity to see the toys displayed and ready for the first parents to come in and make selections for their children. You will also see the results of generous businesses, residents and clubs working together for the betterment of our community. It is a time to give yourself a "pat on the back" for being a part of this project.

We look forward to seeing you on December 10th. Thank you again for your contribution. Have a great holiday.

Sincerely,

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

Gordie Thorpe – Treasurer
Kiwanis Club of Charles Town

#31

RECEIVED

NOV 16 2009



Blue Ridge
400 Westfield Road
Charlottesville, VA 22901

Jefferson County Commission

November 11, 2009

Ms. Leslie Smith
Jefferson County Administrator
124 East Washington Street
Charlestown, WV 25414

Dear Ms. Smith,

Comcast is pleased to announce channel changes coming to Jefferson County in December, bringing our customers greater choice and an enhanced customer experience. The attached newspaper advertisement details the moves that are occurring.

Customers will receive thirty days notice of these changes via the newspaper advertisement.

In order for subscribers to view digital programming, digital equipment is required.

Please do not hesitate to contact me with any questions or concerns you may have.

Sincerely,

Paul Comes
Director of Government and Community Affairs

Important news for Comcast Jefferson County and Martinsburg customers

On or about December 11, 2009, changes will be made to your lineup.

.....
The following new channels will be added:



Channel 157
Digital Starter



Channel 161
Digital Preferred



Channel 175
Digital Preferred

.....
The following channels will move from Digital Preferred to Digital Starter level of service, but will remain on the same channel:



Channel 162



Channel 128



Channel 118

.....
The following channels will move from Expanded Basic to Limited Basic level of service and will be moving channel position:



Moving from: Channel 67 to 96



Moving from: Channel 32 to 95

.....
The following channels will no longer be available:

Encore-West	Channel 151	Encore Love-West	Channel 157
Encore Action-West	Channel 153	Encore Drama-West	Channel 159
Encore Mystery-West	Channel 155	Encore Western-West	Channel 161



Limited Basic digital channels are not scrambled. All other digital channels are scrambled for security reasons. Viewing a digital channel requires compatible equipment. A digital ready television with a QAM tuner will only work for digital channels that are not scrambled in the Limited Basic digital channels. A Digital converter or television set with a CableCard will work for all digital channels -- scrambled and unscrambled. Service is subject to terms and conditions of Comcast Cable Subscriber Agreement. Call 1.800.COMCAST for complete details about service, prices and equipment. Other restrictions apply. © 2009 Comcast. All rights reserved. © 2009 Eclipse Marketing Services, Inc. All Rights Reserved.

#32

RECEIVED
NOV 12 2009
JEFFERSON COUNTY
CIRCUIT COURT

- 4 cc's
- Circuit Clerk (orgnl)
- Co. Clerk
- Assessor
- Co. Comm. ←
- Pros. Attorney

To: All County Officials

WEST VIRGINIA ASSOCIATION OF COUNTIES
"PLANNING FOR THE NEXT FIFTY YEARS"
2009 Membership Opinion Survey

11-13-09
-BC

In preparation for an upcoming Strategic Planning Session for the Board of Directors, the West Virginia Association of Counties wants to find out how our members view the WVACO now and what you would like to see WVACO offer in the future. Our 50th anniversary is 2010 - help us plan for the second half-century!

Please respond by November 30th by faxing to 304-346-0592 or mail to WV Association of Counties, 2211 Washington St. E., Charleston, WV 25311. Thank you for your time!

1. Your County Office / Position _____
2. What is the degree to which you are involved with the WV Association of Counties?
 No involvement
 Not much active involvement but read information
 Somewhat involved
 Actively Involved
 Current officer / board member / committee member
 Not very involved but would like to be
3. With regard to the needs of county officials, I feel the WVACO is:
 Very responsive
 Satisfactorily responsive
 Need to improve
4. The WVACO should consider providing the following services or programs (check as many as you wish):
 More seminars, workshops, training sessions
 Reference / Research materials made available to all county officials
 More membership services (such as the Dental/Vision Benefit Plan, WV Counties Risk Pool, etc.)
 More technical assistance to county officials
 More use of technology, social networking, email communications, etc.
 Other Suggestions / Comments: _____

5. The WVACO addresses the specific information needs for the office I hold:
 Very Well Fairly Well Not very well

6. Evaluate the following programs and services currently offered from 1 to 5:
5 = Very Beneficial 4 = Beneficial 3 = Satisfactory 2 = Unsatisfactory 1 = Don't know

- The County Line* newsletter (monthly publication)
- Directory of County Officials* (annual publication)
- The County Legislative Line* (weekly fax during legislative session)
- Email listserve messages and other email communications
- Legislative lobbying and government relations efforts
- End-of-session legislative summaries
- WVACo Dental/Vision Benefit Plan
- Nationwide Retirement Solutions / NACo Deferred Compensation Plan
- Local Government Leadership Academy
- Annual Meeting & Legislative Reception
- Newly Elected County Officials Prep School (held in Dec. of election years)
- Other meetings / workshops / seminars
- Web Site (wvcounties.org)

Other / Comments: _____

7. I would like for the WVACo to provide more information / seminars / workshops on the following topics (check as many as you wish):

- | | |
|---|--|
| <input type="checkbox"/> Employment / employment law | <input type="checkbox"/> Technology |
| <input type="checkbox"/> County revenue / budgeting | <input type="checkbox"/> Records Management |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Leadership / Management |
| <input type="checkbox"/> Law Enforcement & related issues | <input type="checkbox"/> Legislation / Lobbying |

Other suggested Topics: _____

8. Overall, I feel that the West Virginia Association of Counties is:

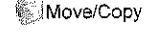
- Very beneficial to me and to counties
- Rather beneficial to me and to counties
- Not adequately beneficial to me or to counties

Other Comments: _____

9. What I envision for the future of the WVACo and county government: _____

Thank you for your time!

Doug Pe...



Show Header

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From: Cmasonwhf@aol.com [Add to Address Book](#)
 To: Cmasonwhf@aol.com
 Date: Thursday, November 19, 2009 4:50:23 AM
 Subject: Doug Perks History Presentation "I Am a Son of VA & Her Destiny Shall be Mine"

If you do not wish to receive these announcements of selected regional community events and goings-on concerning history, music, and art, please reply with a simple "NO" and your address will be taken off the list. Thanks. Curt Mason



THE SHEPHERDSTOWN MEN'S CLUB AND
 THE JEFFERSON COUNTY HISTORICAL SOCIETY
 HOST DOUG PERKS DECEMBER 8TH

Contact: Curt Mason
 Phone: 304.724.7008 email: cmasonwhf@aol.com

For Immediate Release
 4:00 p.m. November 18 2009

Between September 2009 and May 2010, the Jefferson County Historical Society and the Men's Club of Shepherdstown are hosting a series of presentations by local experts on aspects of Jefferson County History. In the third of the series on **Tuesday**, December 8th, local historian Doug Perks will discuss the 1860-1861 events in Jefferson County which surrounded the issue of Virginia's secession from the Union. Mr. Perks' presentation is free and open to the public and will begin at 7:00 p.m. at the War Memorial Building, 102 E. German Street, Shepherdstown, WV. It will be preceded at 6 pm by a social hour at the same location for members of the Society and the Men's Club. Persons interested in joining either of these organizations are welcome to arrive early and complete membership forms.

Historian Doug Perks is the Recording Secretary for the Jefferson County Historical Society and the new Director of the Charles Town Library. He has been a director of the Historic Shepherdstown Commission, president of the Harpers Ferry Historical Association, and a member of the Jefferson County Historic Landmarks Commission. Doug designed the *Parks As Classrooms Educator's Guide* and the *Niagara Movement Educator's Guide* for Harpers Ferry National Historical Park; coordinated the *J. R. Clifford Youth Discovery Tent* during the August, 2006, Niagara Movement Centennial Commemoration at Harpers Ferry National Historical Park; and coordinated the School House Ridge Elementary Program - a hands-on education experience in Civil War History for all Jefferson County 5th grade students. He has also developed and coordinated *Burr Farm Days* for all Jefferson County 4th grade students and the *Prepared For Success- the History of Storer College* program for Jefferson & Berkeley County 8th grade students while serving as education coordinator for the Harpers Ferry Historical Association. Doug presents community lectures on local history, and writes the *Mr. Jefferson's County* column for the *Guardian*, the newsletter of the Jefferson County Historical Society.

"*All Quiet Along the Potomac*" is the title of a lecture series developed by Mr. Perks that will examine what happened in Jefferson County, Virginia during the American Civil War. The first in his series, entitled "*I Am a Son of Virginia, and Her Destiny Shall be Mine*," will examine Jefferson County as she and her citizens struggle whether to remain with the Union or secede. "*The Picket Guard - All Quiet Along the Potomac*" was the title of a poem written by Ethel Lynn Eliot Beers published in *Harper's Weekly*, November 30, 1861. But at that time nothing was further from the truth for the citizens of Jefferson County, Virginia.



To have a more complete understanding of the American Civil War one needs to examine not

only what happened on the battlefields, but also what happened at home. Jefferson County, Virginia's experience during those four years wasn't any worse or any better than any other place in The Valley of the Shenandoah, east of the Blue Ridge, or North of the Potomac. By taking a look at what happened in the county during that time and by using where possible the words of the men and women who shared the experience, we are given an opportunity to better understand that the American Civil War changed not only the lives of the men who fought "The War," but also changed the lives of the men, women, and children who remained at home.

For more information about the presentation, contact Curt Mason at cmasonwhf@aol.com. To learn more about the Men's Club and the Historical Society, please visit their respective web sites at <http://www.smc25443.org/> and www.jeffersonhistoricalwv.org.

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#34

WVU ERC Forum Event



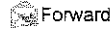
Delete



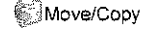
Reply



Reply All



Forward

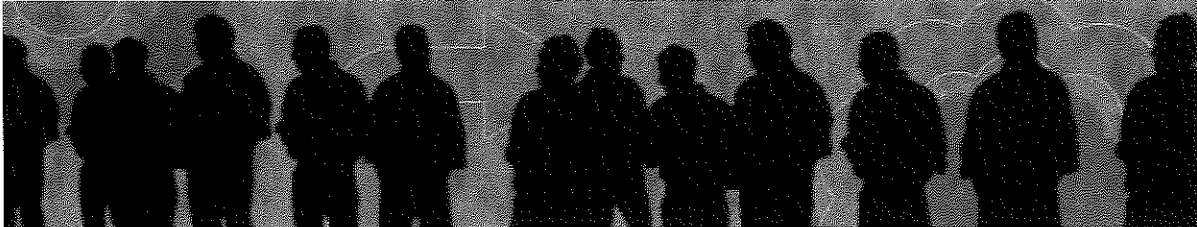


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Show Header

Print Hide Envelope

From: Paula Worden [Add to Address Book](#)
 To: info@jeffersoncountywv.org
 Date: Friday, November 20, 2009 12:01:25 PM
 Subject: WVU ERC Forum Event

**Quick Links**

[RSVP by December 11 to Amanda White](#)

[Contact Jim Anderson with Questions about the ERC](#)

West Virginia University Environmental Research Center Forum

Greetings!

Canaan Valley Institute encourages you to attend a forum hosted by West Virginia University's Environmental Research Center (ERC) on Tuesday, December 15, from 3:00-5:00 pm. A short formal presentation about ERC goals and how you can become involved will start at 3:30 pm.

This event is designed to stimulate formal and informal discussion concerning interdisciplinary research, teaching, and outreach opportunities in all aspects of environmental studies. Anyone interested in these topics is encouraged to attend.

Location:

Room 101AB of the NRCCE at West Virginia University, 385 Evansdale Drive, Morgantown, WV

Please RSVP by December 11 to Amanda White at amanda.white@mail.wvu.edu.

For questions about the ERC please contact Jim Anderson, the director of the ERC, at jim.anderson@mail.wvu.edu, or call (304) 293-3825.

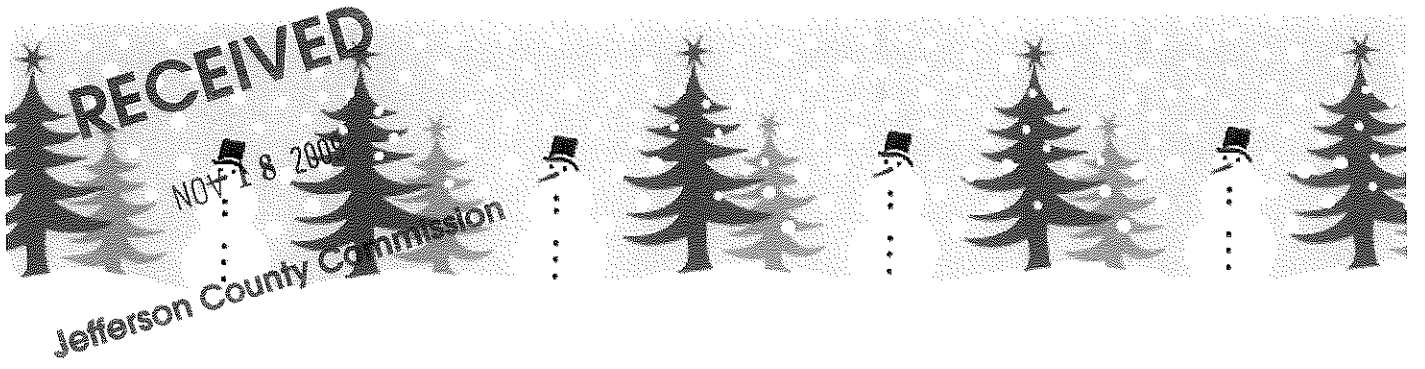
Forward email** SafeUnsubscribe®**

This email was sent to info@jeffersoncountywv.org by paula.worden@canaanvi.org.
[Update Profile/Email Address](#) | [Instant removal with SafeUnsubscribe™](#) | [Privacy Policy](#).

Email Marketing by



Canaan Valley Institute | 494 RiverStone Road | Davis | WV | 26260



The South Jefferson Public Library is 25 years old this year and you are invited to help celebrate with us. On Saturday and Sunday, December 5th and 6th there will be an open house at the library for the community to stop by and share in some festivities for our 25th Anniversary.

On Saturday at 10:30, Santa will be stopping by to hand out some goodies and on Sunday there will be a free historical Christmas music and stories program at 3:00. Refreshments will be available all day both days, as well as some very nice door prizes which will be given away.

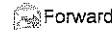
This will be a wonderful time to see how the library and its services have grown and changed over the past 25 years thanks to the support of so many generous and caring people such as you. So, allow us to help you kick off your holiday season, by coming by and sharing with us on this most happy occasion.

We will look forward to seeing you at our open house and saying thank you for all you have done to make these 25 years possible.

The South Jefferson Public Library Board of Trustees



South Jefferson Public Library Open House & 25th Anniversary Dec 5 and 6



Show Header

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From: Cmasonwhf@aol.com Add to Address Book
To: Cmasonwhf@aol.com
Date: Friday, November 20, 2009 5:56:58 AM
Subject: South Jefferson Public Library Open House & 25th Anniversary Dec 5 and 6



PRESS RELEASE

South Jefferson Public Library

Open House and 25th Anniversary Celebration

Contact: Dana Jenkins	For Immediate Release
Phone: 304.725.6627	November 18, 2009

SUMMIT POINT, WV, November 18, 2009. The South Jefferson Public Library at 49 Church Street, Summit Point, WV, is pleased to announce an open house and 25th Anniversary Celebration on December 5 and 6, 2009.

Enjoy refreshments, giveaways, library history, and a variety of programs for young and old alike. A Children's Story Time with Santa will be held on Saturday, December 5 at 10:30. A holiday Christmas card make-and-take for adults and a holiday ornament make-and-take for children will be available throughout the day on December 5. On Sunday enjoy the historical Christmas music and stories of Rick Garland at 3:00 pm. During your visit also take time to enjoy the outstanding art of Martinsburg artist Ralph Basford on display in the meeting room.

While attending the open house enter the prize drawing for a chance to win a Kindle and other nice prizes. You must attend the open house to enter the drawing, but you do not need to be present to win. Drawing will be held Monday, December 7 at 10:30 a.m.

This will be a wonderful time to see how the library and its services have grown and changed over the past 25 years. Please stop by and share in the festivities.

Visit our web site at <http://sojeffersonlibrary.com/> or e-mail Dana Jenkins at jenkinsd@martin.lib.wv.us for more information.

###

RECEIVED

NOV 20 2009

Jefferson County Commission

JEFFERSON COUNTY BOARD OF HEALTH
MEETING AGENDA
December 11, 2009
1PM

■ NEW BUSINESS

- John Maxey, Jennifer Brockman – Jeff. Co. Planning Commission

■ PRIORITY BUSINESS

- Payment of bills and review of financial report

■ STAFF REPORTS

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

Members of the Board of Health:

Term Expires:

▫ Robert M. Johnson, Chairman	06-30-10
▫ Joseph Osterman, Vice-Chairman	06-30-11
▫ Rosamond Burns, Member	06-30-14
▫ Willis Nowell, Member	06-30-13
▫ Mark Shields, Member	06-30-10
▫ Jim Surkamp, County Commission	ex officio

Meet and greet:

- John Maxey - Jefferson Co. Planning Commission
- Jennifer Brockman – Director; Jefferson Co. Planning Commission
- David Buzzard – Dodson Septic Pumping Service
- Stephanie Grove – Assistant Prosecutor
- Tomas Bayuzik Jr. – Director; Jefferson Co. Development Authority
- Barb Miller – Director; Jeff. Co. Office of Homeland Security and Emergency Management
- Terri Mehling – Program Manager; Jeff. Co. Office of Homeland Security and Emergency Management

**Jefferson County Board of Health Meeting
November 6, 2009**

Attendees:

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

Amy Jones, MSN, Administrator
Dr. Robert Jones, PHO
Darien Torlone, LPN
Bill Zaleski, Sanitarian II
Jim Surkamp, County Commission

Call to Order:

Dr. Johnson called the meeting to order at 1PM.

New Business:

Lisa Thornburg, CPA gave a complete report of the audit completed for years 2007 and 2008.
Mr. Shields requested the topic of septic inspection and clean-outs be placed on the agenda and lead the discussion. The health department is to draft a letter to the Jefferson County Water Advisory Committee supporting a local ordinance requiring the pumping of individual and commercial septic tank systems once every five years. This requirement is in support of and consistent with West Virginia's basic requirements mandated in the Chesapeake Bay Initiative to improve watershed area.
Local members and groups from the community came to discuss the H1N1 vaccination distribution plan. Discussion followed.

Executive Session:

Motion made by Mrs. Burns to go into executive session with David Hammer, second by Mr. Shields, motion carried.
Motion made by Mr. Shields to end executive session, second by Mrs. Burns, motion carried.

Priority Business:

No changes or corrections made to minutes.
Motion made by Mr. Osterman to approve financial report, seconded by Mr. Shields, motion carried.

Staff Reports:

Health Officer:

Mrs. Jones gave a completed monthly activity report for Dr. Jones, discussion followed.

Administration:

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

Medical:

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

Environmental:

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

Adjournment:

The meeting adjourned to reopen December 11, 2009 at 1PM.

Respectfully submitted,

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

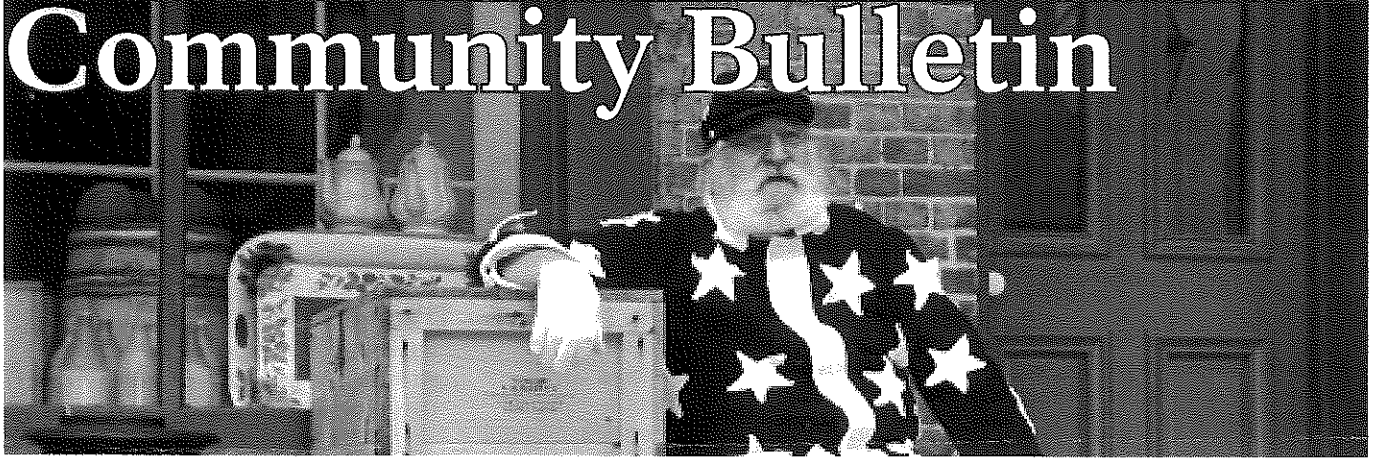
137

Harpers Ferry National Historical Park

National Park Service
U.S. Department of the Interior



Community Bulletin



Prospects of Peace: A Soldier's Prayer 1864

Harpers Ferry National Historical Park invites the public to attend *Prospects of Peace: A Soldier's Prayer 1864* December 5-6, 2009. This special living history program offers a glimpse into our American Civil War past during its last war-time Yuletide in 1864. Union soldiers attempted to create their own version of Christmas at the front, while living in a town of citizens with questionable loyalties. With the prospects of peace still four months away, young Charles Moulton, of the 34th Massachusetts Regiment, stationed in the Provost Marshal's office, mused about happier times at home. In 1864, the country was torn apart by war, but families remained hopeful of reunion with their loved ones.

The event will feature the town under federal occupation. For several months, Harpers Ferry had been the staging area for Union operations in the Shenandoah Valley; successful operations that brought the inevitable end of the conflict ever closer. Troops and supplies steadily poured south from Harpers Ferry by rail and wagon train. Over 60,000 federal soldiers passed through the Shenandoah Valley. Those same means of transportation brought back a steady stream of wounded soldiers, prisoners, and the dead. Buildings at Harpers Ferry that are not used to house supplies are

occupied by hospitals, the Christian Commission, and the Sanitary Commission. These organizations provided charity, aid and comfort to soldiers spending another Christmas far from home.

The Civil War would determine the freedom of 4 million enslaved people and the future of the Union. John Brown, the abolitionist, was hanged in 1859 for taking up arms against slavery at Harpers Ferry. The same United States that captured Brown and his supporters in 1859, will later assume the role of Brown's liberating army which never materialized at Harpers Ferry. With Lincoln's election in 1860 and the Emancipation Proclamation in 1863, Brown's dream of an army marching for freedom became a reality and ending slavery by force of arms had become a national policy.

By Christmas 1864, the death toll was rising and the country was still reacting to the recent presidential election. On the home front, Christmas spirit was tempered by concern for the safety of loved ones far from home and in harm's way. Hopes and prayers were that Santa Claus would visit every home, but that a notice of sad tidings from the battlefield would not. The spirit of Christmas, the spirit of hope and charity, the spirit of joy were

muted that holiday season, overshadowed by the clouds of war and an occupying army in the field.

Living history talks, tours, and special exhibits, will reveal the past and the present are more similar than one would think. The indomitable spirit of man may find a silver lining in any cloud, even in the clouds of war. It was a fervent hope, for America, and for the troops in the field, that the images of Christmas past and present may, in true Dickensian fashion, help alter the reality of Christmas future, so that all may truly enjoy peace on earth and goodwill to all men.

Schedule of Events:

Saturday, December 5,

12-9 pm Historic exhibits open.

12-2 pm "Decking the Halls: Ornaments for the Tree" Make and take a 19th century style ornament. At the Lyceum Tent.

12:30-1 "Mail Call: Packages From Home" Witness local citizens and soldiers gathering to receive their censored mail from the US Provost Marshal's office. Begins at the Lyceum Tent.

#36

Jefferson County Commission - E911
110 E Washington Street

Charles Town, WV.25414

E911

Reporting Period: October 01, 2009 - October 31, 2009

FEIN: 202758841

Company Name: Vonage America c/o BillSoft Services, Inc.
10100 W 87th St.
Suite 200
Overland Park, KS 66212-4628

Phone: (913) 859-9674


Fax: (913) 4389260

Month Collected for : 10/01/09 - 10/31/09

Contact Name: Tiffany Barnes

Date Remitted: 11/20/09

	<u>Residential</u>		<u>Centrex</u>
# Lines	<u>1,053</u>	# Lines	<u>0</u>
Tax Rate	<u>2.90</u>	Tax Rate	<u>0.00</u>
Amount Billed	<u>3,053.70</u>	Amount Billed	<u>0.00</u>
Admin Fee	<u>0.00</u>	Admin Fee	<u>0.00</u>
Net Remittance	<u>3,053.70</u>		<u>0.00</u>
Total Remittance		<u>3,053.70</u>	

Signed:  11/04/09
Date

Name & Title: Tiffany Barnes, Preparer

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

VONAGE TAX ACCOUNT

23 MAIN STREET
HOLMDEL, NJ 07733

JPMORGAN CHASE BANK, N.A.
SYRACUSE, NEW YORK
50-937-213

11/12/2009

PAY TO THE ORDER OF Jefferson County Commission- E911

\$ **3,053.70

Three Thousand Fifty-Three and 70/100*****

DOLLARS

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

Tanya Brewster

AUTHORIZED SIGNATURE

MEMO 10/09, E911, 20-2758841

⑈03454⑈ ⑆021309379⑆ 95708707⑈

Security features. Details on back.



000004Q7A0

FEIN: 470807040
Reporting Period: 10/01/2009 to 10/31/2009
Amount: 234.90

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

RECEIVED

NOV 25 2009

Jefferson County Commission



0000000000

Drawer: Returns
Company: Level 3 Communications LLC
Entity ID: 001219
Entity Name: Level 3 Communications LLC
Return Code: WV_JEFF_E9
Return Description: West Virginia, Jefferson County E911
Due Date: 20
Year: 2009
Month: 10
Sequence Number: 1
Indexed Time: 11/5/2009 7:43:00 AM
Printed By: LANSEL
Printed Time: 11/16/2009 10:35:59 AM

0002142866

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

WACHOVIA, NA
64-022/610

0002142866

VOID AFTER 120 DAYS FROM DATE 11/16/2009

PAY Two Hundred Thirty Four and 90/100*****

234.90

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

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

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

000 214 2866 06 1000 227 20000 1694 58 27

WV

West Virginia, Jefferson County E911

Reporting Period: October 1, 2009 to October 31, 2009

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

Tax Identification Number

47-0807040

Return Due: 11/20/2009

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	81	0	81	\$2.90	234.90
Return Totals:	81	0	81		234.90

REMIT TO:

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

Total Gross Tax Due:	234.90
Less: Vendor's Compensation:	(0.00)
Change in Prepayments:	0.00
Less: Tax Credits:	(0.00)
Net Tax Amount to be Remitted:	234.90

Dena Willis

Dena Willis, Attorney-in-Fact

11/14/2009

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



FEIN: 770142404
 Reporting Period: 10/01/2009 to 10/31/2009
 Amount: 113.10

8x8, Inc.

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



RECEIVED

NOV 24 2009

Jefferson County Commission

Drawer: Returns
 Company: 8x8, Inc.
 Entity ID: 014006
 Entity Name: 8x8, Inc.
 Return Code: WV_JEFF_E9
 Return Description: West Virginia, Jefferson County E911
 Due Date: 20
 Year: 2009
 Month: 10
 Sequence Number: 1
 Indexed Time: 11/9/2009 8:20:00 AM
 Printed By: LANSEL
 Printed Time: 11/12/2009 9:09:38 AM

0000022959

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

WACHOVIA, NA
 64-022/610

0000022959

VOID AFTER 120 DAYS FROM DATE 11/12/2009

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

113.10

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

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

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

0000022959 061000227 2000041717583

WV

West Virginia, Jefferson County E911

Reporting Period: October 1, 2009 to October 31, 2009

8x8, Inc.

Tax Identification Number

77-0142404

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

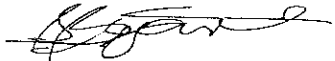
Return Due: 11/20/2009

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

REMIT TO:

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

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



Shannon Bryant, Attorney-in-Fact

11/12/2009

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



FEIN: 043643290
 Reporting Period: 10/01/2009 to 10/31/2009
 Amount: 52.20

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



RECEIVED
 NOV 24 2009
 Jefferson County Commission

Drawer: Returns
 Company: Granite Telecommunications LLC
 Entity ID: 002690
 Entity Name: Granite Telecommunications LLC
 Return Code: WV_JEFF_E9
 Return Description: West Virginia, Jefferson County E911
 Due Date: 20
 Year: 2009
 Month: 10
 Sequence Number: 1
 Indexed Time: 11/6/2009 4:21:00 PM
 Printed By: LANSEL
 Printed Time: 11/17/2009 10:52:41 AM

0002145645

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

WACHOVIA, NA
 64-022/610

0002145645

VOID AFTER 120 DAYS FROM DATE 11/17/2009

PAY Fifty Two and 20/100*****

52.20

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

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

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

11000214564511 10610002271 200001694582711

WV

West Virginia, Jefferson County E911

Reporting Period: October 1, 2009 to October 31, 2009

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

Tax Identification Number
04-3643290

Return Due: 11/20/2009

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	18	0	18	\$2.90	52.20
Return Totals:	18	0	18		52.20

REMIT TO:

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

Total Gross Tax Due:	52.20
Less: Vendor's Compensation:	(0.00)
Change in Prepayments:	0.00
Less: Tax Credits:	(0.00)
Net Tax Amount to be Remitted:	52.20

Letitia Dixon, Attorney-in-Fact

11/17/2009

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



000004PXMT



0000000000

Drawer: Returns
Company: Comtel Telcom Assets LP
Entity ID: 012438
Entity Name: Comtel Telcom Assets LP
Return Code: WV_JEFF_E9
Return Description: West Virginia, Jefferson County E911
Due Date: 20
Year: 2009
Month: 10
Sequence Number: 1
Indexed Time: 11/4/2009 10:40:00 AM
Printed By: TPULLIAM
Printed Time: 11/11/2009 9:37:53 AM

Comtel Telcom Assets LP
c/o Tax Partners, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339
(877) 829-4141

West Virginia, Jefferson County E911
P.O. Box 250
Charlestown, WV 25414

WV

West Virginia, Jefferson County E911

Reporting Period: October 1, 2009 to October 31, 2009

Comtel Telcom Assets LP

Tax Identification Number

203237782

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

Return Due: 11/20/2009

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Return Totals:	0	0	0		0.00

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

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

Terrance Pulliam, Attorney-in-Fact

11/11/2009

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



000004QVTH

FEIN: 222473234
Reporting Period: 10/01/2009 to 10/31/2009
Amount: 81.20

AT&T IXC's & Alascom, M.E.
AT&T Communications of West Virginia
c/o Tax Partners, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339

RECEIVED

NOV 24 2009

Jefferson County Commission



0000000000

Drawer: Returns
Company: AT&T IXC's & Alascom, M.E.
Entity ID: 001402
Entity Name: AT&T Communications of West Virginia
Return Code: WV_JEFF_E9
Return Description: West Virginia, Jefferson County E911
Due Date: 20
Year: 2009
Month: 10
Sequence Number: 1
Indexed Time: 11/10/2009 1:26:00 PM
Printed By: LANSEL
Printed Time: 11/17/2009 2:24:04 PM

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AT&T Communications of West Virginia
C/O TAX PARTNERS, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339
(877) 829-4141

WACHOVIA, NA
64-022/610

0000566262

VOID AFTER 120 DAYS FROM DATE 11/17/2009

PAY Eighty One and 20/100*****

81.20

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

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

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

0000566262 061000227 200016945814

WV

West Virginia, Jefferson County E911

Reporting Period: October 1, 2009 to October 31, 2009

AT&T Communications of West Virginia
AT&T Communications of West Virginia
c/o Tax Partners, L.L.C.
3100 Cumberland Boulevard, Suite 900
Atlanta, GA 30339
8778294141 - Phone
7709560700 - Fax

Tax Identification Number

222473234

Return Due: 11/20/2009

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	28	0	28	\$2.90	81.20
Return Totals:	28	0	28		81.20

REMIT TO:

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

Total Gross Tax Due: **81.20**
Less: Vendor's Compensation: **(0.00)**
Change in Prepayments: **0.00**
Less: Tax Credits: **(0.00)**
Net Tax Amount to be Remitted: **81.20**

Barbara Gibson, Attorney-in-Fact

11/16/2009

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



000004PZER

FEIN: 383483729
Reporting Period: 10/01/2009 to 10/31/2009
Amount: 49.30

ACN Communications Services, Inc. ME

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

RECEIVED

NOV 24 2009

Jefferson County Commission



0000000000

Drawer: Returns
Company: ACN Communications Services, Inc. ME
Entity ID: 017364
Entity Name: ACN Communication Services, Inc.
Return Code: WV_JEFF_E9
Return Description: West Virginia, Jefferson County E911
Due Date: 20
Year: 2009
Month: 10
Sequence Number: 1
Indexed Time: 11/4/2009 11:57:00 AM
Printed By: LANSEL
Printed Time: 11/13/2009 12:13:21 PM

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

WACHOVIA, NA
64-022/610

0002141342

VOID AFTER 120 DAYS FROM DATE 11/13/2009

PAY Forty Nine and 30/100*****

49.30

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

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

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

⑈0002141342⑈ ⑈061000227⑈ 2000016945827⑈

WV

West Virginia, Jefferson County E911

Reporting Period: October 1, 2009 to October 31, 2009

ACN Communication Services, Inc.

Tax Identification Number

38-3483729

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

Return Due: 11/20/2009

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	17	0	17	\$2.90	49.30
Return Totals:	17	0	17		49.30

REMIT TO:

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

Total Gross Tax Due:	49.30
Less: Vendor's Compensation:	(0.00)
Change in Prepayments:	0.00
Less: Tax Credits:	(0.00)
Net Tax Amount to be Remitted:	49.30

Deanna Paden, Attorney-in-Fact

11/12/2009

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

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

#39

Charles Town
 1999 Net Terminal Revenue \$ 45,603,174
 Benchmark Goal @ 2% \$ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RAMSON 35.08%	SHEPHERDS TOWN 14.29%
4 days ending: 7/1/09- 7/4/09	\$ 128,262.42	\$ 128,262.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/11/09	\$ 168,815.08	\$ 168,815.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/18/09	\$ 160,652.88	\$ 160,652.88	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 155,946.74	\$ 138,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,026.55	\$ 636.48	\$ 6,117.24	\$ 2,491.88
08/15/09	\$ 162,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.79	\$ 28,070.37	\$ 2,864.61	\$ 28,492.73	\$ 11,606.64
08/22/09	\$ 152,620.62	\$ 76,280.31	\$ 76,280.31	\$ 9,471.53	\$ 26,355.56	\$ 2,783.50	\$ 26,762.12	\$ 10,687.60
08/29/09	\$ 160,945.84	\$ 60,472.82	\$ 80,472.92	\$ 9,994.74	\$ 27,811.44	\$ 2,937.28	\$ 28,229.90	\$ 11,499.58
09/05/09	\$ 161,598.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,949.13	\$ 28,343.99	\$ 11,546.06
09/12/09	\$ 172,573.84	\$ 86,286.82	\$ 86,286.82	\$ 10,718.64	\$ 29,820.78	\$ 3,149.47	\$ 30,269.45	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,695.26	\$ 24,195.51	\$ 2,555.37	\$ 24,559.56	\$ 10,004.45
09/26/09	\$ 138,633.74	\$ 69,316.87	\$ 69,316.87	\$ 8,609.16	\$ 23,955.91	\$ 2,530.07	\$ 24,316.35	\$ 9,905.38
10/03/09	\$ 144,572.08	\$ 72,286.04	\$ 72,286.04	\$ 8,977.93	\$ 24,982.06	\$ 2,638.44	\$ 25,357.93	\$ 10,329.68
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 8,650.61	\$ 24,071.25	\$ 2,542.25	\$ 24,433.44	\$ 9,853.08
10/17/09	\$ 147,120.42	\$ 73,560.21	\$ 73,560.21	\$ 9,138.19	\$ 25,422.41	\$ 2,684.95	\$ 25,804.82	\$ 10,511.75
10/24/09	\$ 135,163.32	\$ 67,581.66	\$ 67,581.66	\$ 8,393.64	\$ 23,356.22	\$ 2,466.73	\$ 23,707.65	\$ 9,657.42
10/31/09	\$ 129,056.60	\$ 64,528.30	\$ 64,528.30	\$ 8,014.41	\$ 22,300.88	\$ 2,355.28	\$ 22,636.54	\$ 9,221.09
11/07/09	\$ 127,483.18	\$ 63,741.59	\$ 63,741.59	\$ 7,818.71	\$ 22,028.09	\$ 2,326.57	\$ 22,380.55	\$ 9,108.67
11/14/09	\$ 131,819.28	\$ 65,958.84	\$ 65,958.84	\$ 8,192.19	\$ 22,795.65	\$ 2,407.53	\$ 23,136.64	\$ 9,425.83
Subtotal	\$ 2,990,290.44	\$ 1,951,178.97	\$ 1,038,113.47	\$ 128,057.91	\$ 359,117.60	\$ 37,827.64	\$ 364,521.01	\$ 148,489.31

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending November 14, 2009 FY10 November 20, 2009
To be Deposited on:	
Amount Played	80,455,947.87
Amount Won	72,484,236.19
Amount Promo	284,550.00
MWAP Contribution	<u>52,943.57</u>
Adjusted Gross Terminal Revenue	<u>7,834,218.11</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>305,368.73</u>
Net Terminal Revenue	<u>7,328,849.38</u>
Surcharge @ 10%	732,884.94
State Share Excess @ 58%	425,073.27
Track Share of Capital Reinvestment @ 42%	307,811.67
Track Share of Capital Reinvestment @ 42% - 86%	\$ 295,499.20
Track Share of Capital Reinvestment @ 42% - 4%	\$ 12,312.47
Adjusted Net Terminal Revenue	<u>6,595,964.44</u>
Racetrack @ 48.50% / 42%	2,770,305.06
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,704,345.44
Race Track Purses @ 7% / 14% / 8%	527,677.16
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	32,979.82
Greyhound Development @ .75%	49,469.73
Thoroughbred Development @ .75%	49,469.73
Racing Commission @ 1%	65,959.64
County/Municipality @ 2%	131,919.28
3% Funds:	
Tourism Promotion Fund @ 1.375%	90,694.51
Development Office Promotion Fund @ .375%	24,734.87
Research Challenge Fund @ .5%	32,979.82
Capitol Renovation and Improvement Fund @ .6875%	45,347.26
2004 Capitol Complex Parking Garage Fund @ .0625%	4,122.48
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	32,979.82
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>32,979.82</u>
	<u>6,595,964.44</u>

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

Week Ending Date	Week Ending
To be Deposited on:	November 7, 2009
	FY10
	November 16, 2009
Amount Played	75,815,704.79
Amount Won	68,149,752.02
Amount Promo	243,659.00
MWAP Contribution	<u>44,794.41</u>
Adjusted Gross Terminal Revenue	<u>7,377,499.36</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>295,099.97</u>
Net Terminal Revenue	<u>7,082,399.39</u>
Surcharge @ 10%	708,239.94
State Share Excess @ 58%	410,779.17
Track Share of Capital Reinvestment @ 42%	297,460.77
<i>Track Share of Capital Reinvestment @ 42% - 96%</i>	\$ 285,862.34
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	\$ 11,598.43
Adjusted Net Terminal Revenue	<u>6,374,159.45</u>
Racetrack @ 46.50% / 42%	2,677,146.97
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,613,405.36
Race Track Purse @ 7% / 14% / 8%	509,932.76
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	31,870.80
Greyhound Development @ .75%	47,806.20
Thoroughbred Development @ .75%	47,806.20
Racing Commission @ 1%	63,741.59
County/Municipality @ 2%	127,483.16
3% Funds:	
Tourism Promotion Fund @ 1.375%	87,644.69
Development Office Promotion Fund @ .375%	23,903.10
Research Challenge Fund @ .5%	31,870.80
Capitol Renovation and Improvement Fund @ .6875%	43,822.35
2004 Capitol Complex Parking Garage Fund @ .0625%	3,983.65
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	31,870.80
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>31,870.80</u>
	<u>6,374,159.45</u>

Jefferson County Commission

NOV 13 2009

RECEIVED

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

Charles Town
 1999 Net Terminal Revenue \$ 45,803,174
 Benchmark Goal @ 2% \$ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RANSON 35.08%	SHEPHERDS TOWN 14.28%
4 days ending: 7/1/09- 7/4/09	\$ 128,262.42	\$ 128,262.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/11/09	\$ 166,815.08	\$ 166,815.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/18/09	\$ 160,652.98	\$ 160,652.98	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 159,846.74	\$ 138,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,026.55	\$ 636.48	\$ 6,117.24	\$ 2,491.88
08/15/09	\$ 182,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,067.79	\$ 28,070.37	\$ 2,984.81	\$ 28,492.73	\$ 11,606.84
08/22/09	\$ 152,520.62	\$ 76,260.31	\$ 76,260.31	\$ 9,471.53	\$ 26,355.58	\$ 2,783.50	\$ 26,752.12	\$ 10,897.60
08/29/09	\$ 160,845.84	\$ 80,472.92	\$ 80,472.92	\$ 9,894.74	\$ 27,811.44	\$ 2,937.28	\$ 28,228.80	\$ 11,489.58
09/05/09	\$ 161,596.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,949.13	\$ 28,343.99	\$ 11,546.06
09/12/09	\$ 172,573.84	\$ 88,286.92	\$ 88,286.92	\$ 10,718.84	\$ 29,620.76	\$ 3,149.47	\$ 30,269.45	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,695.26	\$ 24,185.51	\$ 2,555.37	\$ 24,559.58	\$ 10,004.45
09/26/09	\$ 138,633.74	\$ 69,318.87	\$ 69,318.87	\$ 8,609.16	\$ 23,955.91	\$ 2,530.07	\$ 24,316.36	\$ 9,905.38
10/03/09	\$ 144,572.08	\$ 72,288.04	\$ 72,288.04	\$ 8,977.93	\$ 24,982.06	\$ 2,638.44	\$ 25,357.93	\$ 10,329.68
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 8,650.81	\$ 24,071.25	\$ 2,542.25	\$ 24,433.44	\$ 9,953.08
10/17/09	\$ 147,120.42	\$ 73,560.21	\$ 73,560.21	\$ 9,136.18	\$ 25,422.41	\$ 2,684.95	\$ 25,804.82	\$ 10,511.76
10/24/09	\$ 135,163.32	\$ 67,581.66	\$ 67,581.66	\$ 8,393.84	\$ 23,358.22	\$ 2,466.73	\$ 23,707.65	\$ 9,657.42
10/31/09	\$ 129,056.60	\$ 64,528.30	\$ 64,528.30	\$ 8,014.41	\$ 22,300.98	\$ 2,355.26	\$ 22,836.54	\$ 9,221.09
11/07/09	\$ 127,483.18	\$ 63,741.59	\$ 63,741.59	\$ 7,916.71	\$ 22,029.09	\$ 2,326.57	\$ 22,360.55	\$ 9,108.67
Subtotal	\$ 2,858,371.18	\$ 1,985,217.33	\$ 973,163.83	\$ 120,865.72	\$ 336,321.95	\$ 35,520.11	\$ 341,382.37	\$ 138,063.68

Benchmark Goal @ 2% \$ 912,063.48
 Remainder until 1% / 1% Split \$ -

RECEIVED #41

NOV 12 2009

Dear County Officials,

Jefferson County Commission

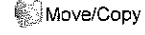
This letter is about what I think about what I think about the table games. I am for and against it. I am for it because I think it will help Jefferson County. The reason I am against it is because I don't like people gambling their money away. I hope read this letter.

From Boy Scout Erik J.

Correspondence

#42

Re: ZBA Agenda 11/19/09



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From: gil narro garcia [Add to Address Book](#)
To: info@jeffersoncountywv.org
Date: Wednesday, November 18, 2009 9:04:07 PM
Subject: Re: ZBA Agenda 11/19/09

"2. Request by Roger Peterson, CEO, Peterson Enterprises (D&D, L.C.) for an eighteen-month (18) extension of the Conditional Use Permit"...

Here we go yet again. The endless stream of such requests simply confirm my comments that you are well known for the shenanigans that appear to be rampant on the Commission. You're known far and wide for bending backwards to accommodate any and all such requests at no cost to the petitioner. Just say NO, even if it hurts for you to say it.

Gil N Garcia
Harpers Ferry WV 25425
304-535-2235