

AGENDA FOR THURSDAY, JANUARY 21, 2010

Old Charles Town Library Meeting Room
200 E. Washington Street, Charles Town, WV

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. - Laura Rattenni, Circuit Clerk - Approval of Part-time Employee to Full-time Employee

- ☐☐☐ 4. 10:00 a.m. - Sheriff Robert Shirley
 - Discussion and Motion to fill vacant Deputy Position
 - Update on Firing Range Property at Fairgrounds

- ☐☐☐ 5. 10:30 a.m. - Quarterly Fiduciary Review: Probate Office - Review/Action

- ☐☐☐ 6. 10:45 a.m. - Legal Update and Report - (Stephanie Grove)

- ☐☐☐ 7. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report
 - Hearing - Estate of Gregory L. Ballenger, Deceased - (Continued from 1/14/10)
 - Approval of Letters of Credit and Bond - Bank of Charles Town - Discussion/Action

- ☐☐☐ 8. 11:45 p.m. - Staff Activity Reports and Update
 - Roger Goodwin, Chief County Engineer
 - Jennifer Brockman, Director of Planning & Zoning
 - Approval of Employment - Julia Quodala - Office Manager for the Departments of Planning and Zoning
 - Mark Schiavone - Budget Updates
 - Kirk Davis, Sr., - Capital Projects Manager
 - Grants Update
 - Approval of Change Order - Court Room - Discussion/Action

- ☐☐☐ 9. 12:45 p.m. - Adjourn

UNFINISHED BUSINESS: (None)

NEW BUSINESS:

- 10. Legislative Issues
- 11. Approval of Letter of Request to send to the Municipalities to Approve a Resolution in Opposition of PATH
- 12. Requesting Review by Legal Staff on Meaning of WV Constitution Referring to Taxation: "Doesn't this say that the hundred dollar valuation on aggregate real estate property taxes for residential structures can be raised from year to year by not more than one dollar" as opposed to meaning "guaranteed" to increase by one dollar for every hundred dollars of assessed valuation? (JS)
- 13. County Administrator Reports
- 14. County Commission Reports

INFORMATION:

- 15. Appointment to be made to the Jefferson County Emergency Services Agency on January 28, 2009.
- 16. Reminder of the Jefferson County Roundtable meeting on Wednesday, January 27, 2010 at 5:00p.m. at the Old Charles Town Library Meeting room.
- 17. Acceptance of bond for Dalb, Inc. Building Expansion in the amount of \$93,064.
- 18. Correspondence received from Region 9 concerning the Early Action Compact for the Air Quality Program.
- 19. Legislative information received from the Association of Counties.
- 20. Bulletin received from the Jefferson County Chamber of Commerce.
- 21. Newsletter received from the County Commissioners' Association.
- 22. Notice received of a comprehensive plan public hearing on January 28, 2010 received from Loudoun County, Virginia.

- ☐☐☐ 23. Animal Control report received for December 2009.
- ☐☐☐ 24. Weekly settlement report for Charles Town Races received from the West Virginia Lottery.

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.

#3

Commission Office Use Only

Date on Agenda: ~~1-14-10~~

Appt Time or New Business: 9:45 am
1-21-10

AGENDA REQUEST FORM

Name: Laura Rattenni

Department or Entity: Circuit Clerk

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: January 14, 2010

Date Requested – 2nd Choice: _____

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

Subject:

Resignation of Frankie Denise Remaley and placing Aerial Carroll into her position as permanent, full time employee. Request to replace temporary, full time employee position.

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

Frankie D. Remaley has tendered her resignation and her last day of employment will be 01/11/10. I want to move Aerial Carroll into her position as a permanent full time employee. I am also requesting to hire a temporary, full time deputy to replace Aerial's position, as this position is only approved through this fiscal year. The needs of my office have not changed as the circumstances regarding my request have not changed.

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

Approve Aerial Carroll as a permanent, full time employee in the Circuit Clerks office with all the benefits afforded to county employees.

Approving Circuit Clerks request to hire a temporary, full time deputy with benefits through the 09/10 fiscal year.

A. Rattenni

#4

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

JAN 15 2010

Jefferson County Commission

AGENDA REQUEST FORM

Name: Robert Shirley

Department or Entity: Sheriff's Office

Estimation of amount of time needed for appointment: 15 minutes

Date Requested - 1st Choice: 1/21/2010

Date Requested - 2nd Choice: 1/28/2010

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

Subject:

- 1- Discussion and motion on deputy position
- 2- Update on Firing Range property @ Fairgrounds

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

Now that Judge Sanders has made his ruling to uphold the Civil Service Commissions decision, I am requesting approval to fill the position.

(Legal Counsel pronded you a copy of his order)
Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):

I move to allow Sheriff Shirley to fill the available deputy position.

Attachments:

#5

<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: Lynn Fields and Karen Olden

Department or Entity: Probate Office-County Clerk

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: 01/21/2010

Date Requested – 2nd Choice: 01/28/2010

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

Subject: **QUARTERLY ESTATE CLOSINGS**

Please provide the County Commission with a description of your request or presentation, including any background information: **The probate office comes before the County Commission quarterly (January, April, July, and October) each year for the purpose of closing estates. January 21st, 2010 would be our first quarterly closing of the year.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve the Waivers of Final Settlement and Accountings for estates to be closed January 2010**

Attachments: **None**

#7

Sandy McDonald

From: "Jennifer Maghan" <jmaghan@JeffersonCountyWV.ORG>
To: "'Sandy Slusher McDonald'" <sandy@jeffersoncountywv.org>
Sent: Monday, January 11, 2010 3:44 PM
Attach: img-111162846-0001.pdf
Subject: Public Moneys for Agenda [1/2]

Hi Sandy,

This is attachment one of two of the bonds and letters of credit that the commission was supposed to approve this Thursday, however, our Xerox was on the fritz last week and I didn't realize that the PDF's I made really never were sent to you.

Mr. Lorenzetti has already signed them and I am hoping that the commission will not hold up the process by sending this to Legal since Mr. Lorenzetti has already seen and approved.

Unfortunately, it didn't make the agenda and it is time sensitive. Please place it on the agenda for next week.

Very Truly Yours,

Jennifer S. Maghan
Jefferson County Clerk
100 East Washington Street
Charles Town, WV 25414

tel: 304-728-3347
fax: 304-728-3279

Visit us on-line: jeffersoncountyclerkwv.com

Follow Me on Twitter!

Also, I wanted to know if the letter from BB&T that was sent to the PA's office for review almost a month ago has been approved. I didn't hear back yet and I didn't want to get lost.

Thanks!

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



P.O. Box 906 • Charles Town, WV 25414-0906
Phone 304/725-8431 • Fax 304/725-0059

December 28, 2009

Jennifer S. Maghan
County Clerk, Jefferson County Commission
100 E. Washington Street
P. O. Box 208
Charles Town, WV 25414

Dear Ms. Maghan:

On December 24, 2009, Bank of Charles Town's Board of Directors approved a resolution to execute and deliver to the County Commission a bond in the total penalty amount of \$12,000,000 as security for deposits of public moneys at BCT. This Bond covers the period from December 31, 2009 through June 30, 2010. A new bond will be executed in June based on the anticipated deposits for the next period. This new bond refers to two Letters of Credit issued by the Federal Home Loan Bank of Pittsburgh, PA to secure these deposits of public moneys; one covering the Impact Fees for \$4,000,000 and the second covering all other county accounts for \$8,000,000. These amounts, and the period for the bond, were discussed and agreed to by Sheriff Shirley. Original copies of the final Letters of Credit prepared by the Federal Home Loan Bank are attached.

Please include the review and approval of this bond on the agenda for the County Commissioners at their next meeting.

Enclosed are your original copy of the resolution, and two copies of the individual Bond with notarized attachment. After review and approval by the County Commission, please have the Prosecuting Attorney sign on the appropriate line of the notarized attachment. One copy of the Bond and the signed notarized page are to be returned to the Bank. Please call me at (304) 728-2434 or Dee Clingan at (304) 728-2433 when these are available for pick-up at your office, or if you have any questions or we can be of further assistance.

Your use of BCT for deposit of public moneys and assistance in returning the appropriate copies is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Gayle M. Johnson". The signature is written in a cursive, flowing style.

Gayle M. Johnson
Senior Vice President and Chief Financial Officer

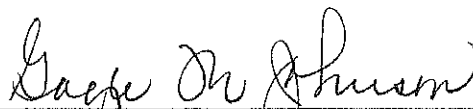
Enclosures

R E S O L U T I O N

"Resolved that this bank do execute and deliver to the County Commission of Jefferson County, West Virginia, a bond in the penalty of \$12,000,000.00 as depository of Public Moneys, under the provisions of Chapter 7, Article 6, Section 2, Official Code of West Virginia, and that said bond be secured by Irrevocable Standby Letter of Credit Number 10075408 for \$8,000,000 to cover all County funds excluding Impact Fees; and Letter of Credit Number 10075409 for \$4,000,000 to cover County Impact Fees. These Irrevocable Standby Letters of Credit are issued by the Federal Home Loan Bank of Pittsburgh, PA in the favor of the Jefferson County Commission.

The draft of the said bond has been read and submitted to the Board at this meeting be and the same is hereby approved, and the Senior Vice President be and he/she is hereby authorized and directed to execute said bond, in the corporate name, and under the corporate seal of this bank, and the Senior Vice President of this bank be and he/she is hereby authorized and directed to execute the letters of credit with the Federal Home Loan Bank of Pittsburgh, PA as described above, and to file with the Clerk of the said County Commission the said bond of this bank to become effective December 31, 2009, and to expire on June 30, 2010, subject to the approval of and acceptance by said County Commission."

I certify the foregoing to be an exact copy of a resolution unanimously passed and adopted by a quorum of the Board of Directors of Bank of Charles Town by email on December 24, 2009.


Secretary

State of West Virginia

County of Jefferson, to-wit:

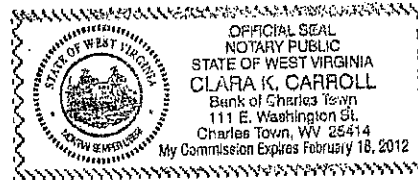
The foregoing instrument was acknowledged before me this 24th day of December, 2009, by Gayle M. Johnson, Secretary of Bank of Charles Town, a West Virginia Corporation, on behalf of the corporation.

Clara K. Carroll

Notary Public

My commission expires:

February 18, 2012



BOND OF BANK OF CHARLES TOWN
AS
DEPOSITORY OF PUBLIC MONEYS

KNOW ALL MEN BY THESE PRESENTS,

That the undersigned Bank of Charles Town, a banking institution incorporated under the laws of the State of West Virginia and doing business at Charles Town, Jefferson County, West Virginia, is held and firmly bound unto the State of West Virginia, in the sum of Twelve Million Dollars (\$12,000,000.00) for the payment of which well and truly to be made, the said Bank of Charles Town binds itself and its successors firmly by these presents.

IN WITNESS WHEREOF the said Bank of Charles Town has executed this bond by causing its Senior Vice President to sign its corporate name and affix its corporate seal hereto by order of its Board of Directors, this 24th day of December 2009.

The condition of the above obligation is such that whereas the said Bank of Charles Town has been designated by the County Commission of Jefferson County, West Virginia, as depository of public moneys under the provisions of Chapter 7, Article 6, Section 2, Official Code of West Virginia, now therefore, if said Bank of Charles Town shall receive, keep safe, and pay over all moneys which may be deposited in or come under the custody of said Bank of Charles Town as such depository, from the 31st day of December 2009, until the 30th day of June, 2010, and shall faithfully perform all of the duties imposed by said Article upon the said Bank of Charles Town as such depository, then this obligation shall be void; otherwise to remain in full force and effect.

As security for the faithful performance of this bond and to protect and indemnify against any or all loss of public moneys by reason of any default on the part of said Bank of Charles Town in its capacity as such depository of public moneys, the said Bank of Charles Town, by order of said County

Commission, and in accordance with the provisions of Chapter 7, Article 6, Section 2 of the code, has executed two Irrevocable Standby Letters of Credit; No. 10075408 for \$8,000,000 to cover all County accounts excluding Impact Fees, and Letter of Credit No. 10075409 for \$4,000,000 to cover the County Impact Fees. These Letters of Credit are issued with the Federal Home Loan Bank of Pittsburgh, PA. These letters of credit will be held by the Federal Home Loan Bank of Pittsburgh, PA as collateral security for this bond, with a copy provided to the Jefferson County Commission.

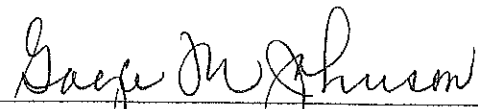
In event of any default in the conditions of this bond, The Federal Home Loan Bank shall reimburse the County Commission of Jefferson County, West Virginia, and shall accept as sufficient evidence of such default for such delivery, a certified copy of an order of said County Commission stating such default.

Upon receipt of said funds under these Letters of Credit from the said The Federal Home Loan Bank of Pittsburgh, PA in case of any default of the said Bank of Charles Town in complying with the conditions of its said bond, the said County Commission shall apply the proceeds to the payment of the amount owing by said Bank of Charles Town by reason of any such default in the conditions of its said bond, and after such payment the residue, if any, shall be paid to said Bank of Charles Town.

On June 30, 2010, if the said Bank of Charles Town has complied with the conditions of this bond, said letters of credit will expire, and, if the need for a new bond is necessary for a subsequent period, the said Bank of Charles Town, will execute such new bond and new letters of credit.

Bank of Charles Town

SEAL


Senior Vice President

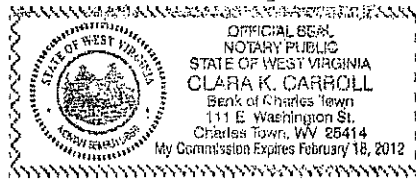
State of West Virginia

County of Jefferson, to-wit:

The foregoing instrument was acknowledged before me this 24th day of December 2009, by Gayle M. Johnson, Senior Vice President of Bank of Charles Town, a West Virginia corporation, on behalf of the corporation.

Clara K. Carroll

Notary Public



My Commission expires:

February 18, 2012

I RALPH A. LORENZETTI, JR., Prosecuting Attorney of Jefferson County, West Virginia, hereby certify that the above bond is in due and legal form and conformable to the provisions of Chapter 7, Article 6, Section 2 of the Code of West Virginia.

Ralph A. Lorenzetti, Jr.
Prosecuting Attorney

Date Jan. 4, 2010



Irrevocable Standby Letter of Credit

To: **Jefferson County Commission**
Ralph Lorenzetti
P.O. Box 729
Charles Town WV 25414

Letter of Credit No. **10075409**

Date: **December 31, 2009**

Ladies and Gentlemen:

At the request, and for the account, of **BANK OF CHARLES TOWN**, having its principal office **P.O. Box 906 , Charles Town, WV 25414** ("Member"), and in order to facilitate a transaction entered into between you and Member, the Federal Home Loan Bank of Pittsburgh (the "FHLB") hereby establishes in your favor its Irrevocable Standby Letter of Credit No. **10075409** whereby, subject to the terms and conditions contained herein, the FHLB authorizes you to draw on the FHLB up to an aggregate amount in United States dollars equal to the Maximum Credit Amount (as defined below), available in one drawing, such drawing to be made at any time from the date hereof until the close of the FHLB's business on **June 30, 2010** (the "Expiration Date").

Funds under this Letter of Credit are available to you following your presentation to the FHLB, prior to the Expiration Date and on a day upon which the FHLB is open for business (a "business day"), of your draft in an amount no greater than the Maximum Credit Amount (as defined below), referring thereon to the number of this Letter of Credit, and of a written and completed certificate in the form of Exhibit A hereto purported to be signed on behalf of you. Statements contained in such certificate shall be conclusive for all purposes under this Letter of Credit. The Maximum Credit Amount shall be **\$4,000,000.00**. Presentation of your draft and the certificate in the form of Exhibit A must be made prior to 11:00 a.m., Pittsburgh time, to be effective for that business day; if presentation is made after 11:00 a.m., Pittsburgh time, it will be deemed to have been made at 9:00 a.m. on the next business day ("Effective Date"). The FHLB will make payment on the Effective Date of any presentation of a draft. Any drawing under this Letter of Credit will be paid from funds of the FHLB. Only one draw is permitted under this Letter of Credit.

Presentation of your draft and certificate, as aforesaid, must be made at the FHLB's office at 601 Grant Street, Pittsburgh, Pennsylvania 15219-4455, Attention: Member Services or at such other address as may be specified in writing by the FHLB. If requested, payments under this Letter of Credit may be made by wire transfer of immediately available funds to such account as is designated in your draft. If no such request is made, payment shall be made by a check drawn by the FHLB and mailed, first class postage prepaid, to your address as indicated above.

This Letter of Credit is governed by the Federal Home Loan Bank Act, Rules and Regulations of the Federal Housing Finance Board and policies, guidelines and directives of the Federal Housing Finance Board and, to the extent state law is applicable, shall be governed by the laws (exclusive of the choice of law provisions) of the Commonwealth of Pennsylvania, including Article 5 of the Uniform Commercial Code as in effect in the Commonwealth of Pennsylvania. It is further agreed that this Letter of Credit shall be supplemented by the provisions (to the extent such provisions are consistent with this Letter of Credit) of the International Standby Practices 1998, and any subsequent revisions to the extent not inconsistent with Article 5 of the Uniform Commercial Code in effect in the Commonwealth of Pennsylvania. All documents presented to the FHLB in connection with any draw and all other communications with respect to this Letter of Credit shall be in writing and shall be addressed to the FHLB at the address indicated in the preceding paragraph, specifically referring to the number of this Letter of Credit.

This Letter of Credit is not transferable or assignable, either in whole or in part, except with the express written consent of the FHLB.

This Letter of Credit sets forth in full the undertaking of the FHLB, and such undertaking shall not be modified, amended or amplified in any way except by a writing executed by the FHLB.

Very truly yours,

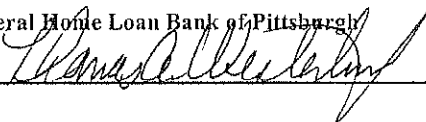
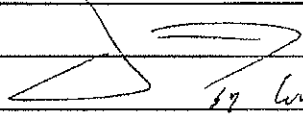
Federal Home Loan Bank of Pittsburgh
By  Thomas A. Westerlund
Business Development Manager
Member Money Desk
Title _____
By  _____
Title *By [unclear] Manager*

Exhibit A
Beneficiary's Certificate
Irrevocable Standby Letter of Credit

Federal Home Loan Bank of Pittsburgh
601 Grant Street
Pittsburgh, Pennsylvania 15219-4455

Attention: Member Services

Re: Irrevocable Standby Letter of Credit No. _____ ("Letter of Credit")

Ladies and Gentlemen:

The undersigned is an officer or authorized representative of the Beneficiary of the Letter of Credit. The undersigned hereby certifies as follows:

1. The Beneficiary has on deposit with _____ ("Member") the sum of at least \$ _____ in the following accounts ("Accounts"):

Account No.	Balance
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total _____	\$ _____

2. The Beneficiary has the right to be paid the amounts in the Accounts at this time subject to the terms and conditions of the deposit agreement with the Member, including without limitation, an adjustment for Early Withdrawal, if this withdrawal is prior to maturity, ("Withdrawal Amount").
3. The Beneficiary demanded that the Member pay the Beneficiary the Withdrawal Amount on [date].
4. Member failed to make such payment.
5. The Withdrawal Amount of the Accounts as of the date of this certificate is \$ ("Draft Amount").
6. The Draft Amount is no greater than the Maximum Credit Amount (as such term is defined in the Letter of Credit).
7. The Beneficiary's draft on you in the Draft Amount is attached hereto.

Name of Beneficiary: _____

By: _____
(Authorized Signer)

Title: _____

Address: _____

Attachment _____



Irrevocable Standby Letter of Credit

To: **Jefferson County Commission**
Ralph Lorenzetti
P.O. Box 729
Charles Town WV 25414

Letter of Credit No. **10075408**

Date: **December 31, 2009**

Ladies and Gentlemen:

At the request, and for the account, of **BANK OF CHARLES TOWN**, having its principal office **P.O. Box 906 , Charles Town, WV 25414** ("Member"), and in order to facilitate a transaction entered into between you and Member, the Federal Home Loan Bank of Pittsburgh (the "FHLB") hereby establishes in your favor its Irrevocable Standby Letter of Credit No. **10075408** whereby, subject to the terms and conditions contained herein, the FHLB authorizes you to draw on the FHLB up to an aggregate amount in United States dollars equal to the Maximum Credit Amount (as defined below), available in one drawing, such drawing to be made at any time from the date hereof until the close of the FHLB's business on **June 30, 2010** (the "Expiration Date").

Funds under this Letter of Credit are available to you following your presentation to the FHLB, prior to the Expiration Date and on a day upon which the FHLB is open for business (a "business day"), of your draft in an amount no greater than the Maximum Credit Amount (as defined below), referring thereon to the number of this Letter of Credit, and of a written and completed certificate in the form of Exhibit A hereto purported to be signed on behalf of you. Statements contained in such certificate shall be conclusive for all purposes under this Letter of Credit. The Maximum Credit Amount shall be **\$8,000,000.00**. Presentation of your draft and the certificate in the form of Exhibit A must be made prior to 11:00 a.m., Pittsburgh time, to be effective for that business day; if presentation is made after 11:00 a.m., Pittsburgh time, it will be deemed to have been made at 9:00 a.m. on the next business day ("Effective Date"). The FHLB will make payment on the Effective Date of any presentation of a draft. Any drawing under this Letter of Credit will be paid from funds of the FHLB. Only one draw is permitted under this Letter of Credit.

Presentation of your draft and certificate, as aforesaid, must be made at the FHLB's office at 601 Grant Street, Pittsburgh, Pennsylvania 15219-4455, Attention: Member Services or at such other address as may be specified in writing by the FHLB. If requested, payments under this Letter of Credit may be made by wire transfer of immediately available funds to such account as is designated in your draft. If no such request is made, payment shall be made by a check drawn by the FHLB and mailed, first class postage prepaid, to your address as indicated above.

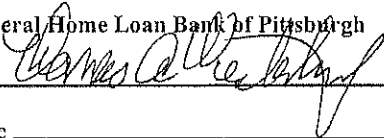
This Letter of Credit is governed by the Federal Home Loan Bank Act, Rules and Regulations of the Federal Housing Finance Board and policies, guidelines and directives of the Federal Housing Finance Board and, to the extent state law is applicable, shall be governed by the laws (exclusive of the choice of law provisions) of the Commonwealth of Pennsylvania, including Article 5 of the Uniform Commercial Code as in effect in the Commonwealth of Pennsylvania. It is further agreed that this Letter of Credit shall be supplemented by the provisions (to the extent such provisions are consistent with this Letter of Credit) of the International Standby Practices 1998, and any subsequent revisions to the extent not inconsistent with Article 5 of the Uniform Commercial Code in effect in the Commonwealth of Pennsylvania. All documents presented to the FHLB in connection with any draw and all other communications with respect to this Letter of Credit shall be in writing and shall be addressed to the FHLB at the address indicated in the preceding paragraph, specifically referring to the number of this Letter of Credit.

This Letter of Credit is not transferable or assignable, either in whole or in part, except with the express written consent of the FHLB.

This Letter of Credit sets forth in full the undertaking of the FHLB, and such undertaking shall not be modified, amended or amplified in any way except by a writing executed by the FHLB.

Very truly yours,

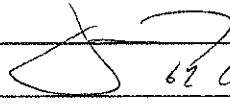
Federal Home Loan Bank of Pittsburgh

By 

Thomas A. Westerlund
Business Development Manager
Member Money Desk

Title _____

By _____

 62 Corp. - Assoc.

Title _____

**Exhibit A
Beneficiary's Certificate
Irrevocable Standby Letter of Credit**

Federal Home Loan Bank of Pittsburgh
601 Grant Street
Pittsburgh, Pennsylvania 15219-4455

Attention: Member Services

Re: Irrevocable Standby Letter of Credit No. _____ ("Letter of Credit")

Ladies and Gentlemen:

The undersigned is an officer or authorized representative of the Beneficiary of the Letter of Credit. The undersigned hereby certifies as follows:

1. The Beneficiary has on deposit with _____ ("Member") the sum of at least \$ _____ in the following accounts ("Accounts"):

Account No.	Balance
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total _____	\$ _____

2. The Beneficiary has the right to be paid the amounts in the Accounts at this time subject to the terms and conditions of the deposit agreement with the Member, including without limitation, an adjustment for Early Withdrawal, if this withdrawal is prior to maturity, ("Withdrawal Amount").
3. The Beneficiary demanded that the Member pay the Beneficiary the Withdrawal Amount on [date].
4. Member failed to make such payment.
5. The Withdrawal Amount of the Accounts as of the date of this certificate is \$ ("Draft Amount").
6. The Draft Amount is no greater than the Maximum Credit Amount (as such term is defined in the Letter of Credit).
7. The Beneficiary's draft on you in the Draft Amount is attached hereto.

Name of Beneficiary: _____

By: _____
(Authorized Signer)

Title: _____

Address: _____

Attachment _____



Jennifer S. Maghan

Jefferson County Clerk's Office Probate

47

BEFORE THE JEFFERSON COUNTY COMMISSION

IN RE: THE ESTATE OF GREGORY LEE BALLENGER, DECEASED

MOTION TO RESCHEDULE HEARING OF DECEMBER 10TH, 2009, 11AM TO A LATER DATE

AGREED ORDER

On this 10th day of December, 2009, came the Petitioner, Earl Ballenger, by counsel via correspondence to the Probate Office, F. Samuel Byrer, who requests that the motion be rescheduled to the following date, January 14, 2010

ADJUDGED AND ORDERED to grant motion to reschedule hearing.

The Clerk shall enter the foregoing as of the day and date first hereinabove written, and shall provide copies to all parties involved.

Dale Manuel
President, County Commission 12/10/09

Karen Olden, Deputy Clerk: 304.728.3230 or kolden@jeffersoncountywv.org
S. Lynn Fields, Deputy Clerk: 304.728.3210 or lfields@jeffersoncountywv.org
Address: 100 East Washington Street, PO Box 208, Charles Town WV 25414
Fax: 304.728.1957 Web Site: www.jeffersoncountyclerkwv.com

Jennifer S. Maghan
JEFFERSON County 12:13:09 PM
Instrument No 2009056759
Date Recorded 12/11/2009
Document Type ORDNC
Book-Page 28-378

NOTICE OF HEARING

RE: Estate of GREGORY L. BALLENGER, deceased

PETITION TO HAVE THE JEFFERSON COUNTY
COMMISSION APPOINT A NEUTRAL PARTY TO ACT AS
ADMINISTRATOR FOR THE ESTATE OF GERGORY L.
BALLENGER

Demand having been made for a hearing concerning the above-referenced estate by a Petition presented to the County Commission of Jefferson County, on November 19, 2009 and it being approved a hearing has been scheduled for Thursday, December 10th 2009 at 11:00 a.m. to be held at the Old Charles Town Library meeting room. This is to serve as notice to cause said Heirs to appear before the County Commission to present just defense to the matters contained in this petition.

Notices mailed to the following 11/25/2009
Earl W. Ballenger
Perry M. Ballenger
Lester Longerbeam

Attached copy of Petition

RECEIVED

DEC 10 2009

Jefferson County Commission

Date: November 18, 2009

TO: Karen Olden
Jefferson County Clerk's Probate Office
100 E. Washington St.
Charles Town, WV 25414

FROM: Earl W. Ballenger
P.O. Box 151
Millville, WV 25432

RE: Estate of Gregory L. Ballenger - deceased on October 29, 2009

Ms. Olden

Reference the above described estate, it is believed Gregory left no will or other legal documentation outlining the disposition of his estate. Absent a will or other legal documentation, I understand there is a thirty day waiting period before an executor can be qualified/appointed. Provided no legal documentation gets presented, and there is no agreement between the three remaining heirs/siblings as to an executor the thirty day period will expire on November 27, 2009. I believe that falls on a holiday, so no business can be conducted until November 30, 2009. Presently there are three heirs/siblings to Gregory's estate - Perry M (Mickey) Ballenger, Lester C. Longerbeam and myself Earl W. Ballenger. I certainly do not relish the headaches of another estate and would rather a totally neutral entity be appointed. I understand that in order for a neutral party to be considered, it needs to be approved by the Jefferson County Commission. Because of the many problems that occurred during the execution of my mother's (Annabelle Ballenger) will, the distrust, greed and possibly revenge that has totally destroyed any future relationship, I do not feel any of the siblings including myself should be entrusted with the duty of being executor of Gregory's estate. As a little example as to how the other siblings feel please read the attached obituary. No where in there will you find any reference to me being a brother. That's okay, they have once again disgraced their mother's memory.

With all this being said, would you consider this as my official request to have a neutral party appointed to act as executor of the estate of Gregory L Ballenger

Respectfully,

Earl W. Ballenger
Earl W. Ballenger

CC: Perry M. (Mickey) Ballenger
Lester C. Longerbeam

State of West Virginia

County of Jefferson

To wit:

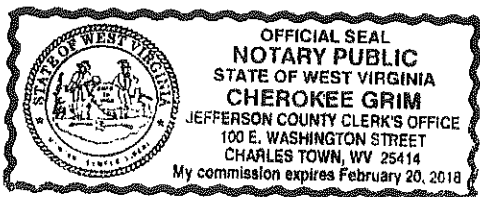
The foregoing instrument was acknowledged before me this 18th day of November 2009, by

Earl W. Ballenger

My Commission expires:

February 20, 2018

Cherokee G.
Notary Public



CO clerk 11:00 am

8

PRIMARY ELECTION
TUESDAY, MAY 11
Polls open 6:30am to 7:30pm

IMPORTANT DATES

Filing Period: January 11 – 30
Last Day to Register: April 20
Early Voting at Courthouse:
April 21 – May 8

OFFICES ON THE BALLOT

US House of Representatives
Justice of the Supreme Court (unexpired term)
State Senate
House of Delegates – 56th District
House of Delegates – 57th District
House of Delegates – 58th District
County Commission – Charles Town District
County Commission – Shepherdstown District
County Clerk
Circuit Clerk
Board of Education
Board of Education
Board of Education
Conservation District Supervisor

CURRENT SEAT HOLDER

Shelley Moore Capito (R)
Thomas McHugh (D)
John Unger (D)
Terry Walker (D)
John Doyle (D)
Tiffany Lawrence (D)
Dale Manuel (D)
Jim Surkamp (D)
Jennifer Maghan (R)
Laura Rattenni (D)
Scott Sudduth
Pete Dougherty
Mariland Dunn Lee
Bob Gruber

FILING FEE

\$1,740.00
\$1,210.00
\$200.00
\$100.00
\$100.00
\$100.00
\$369.60
\$369.60
\$554.40
\$554.40
\$25.00
\$25.00
\$25.00
\$10.00

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: January 21, 2010

Date Requested – 2nd Choice: January 28, 2010

If a specific date is needed, please provide reason for specific date: **Job offer has been extended with a start date of January 25, 2010.**

Subject: **Office Manager for the Departments of Planning and Zoning**

Please provide the County Commission with a description of your request or presentation, including any background information: **We received over 60 applications for the position of Office Manager for the Departments of Planning and Zoning and interviewed 8 highly qualified applicants. Based on a two interview process, I am pleased to recommend Julia Quodala for this position with a starting salary of \$33,000 and a start date of January 25, 2010. I further recommend that upon satisfactory completion of a six-month probation period that the salary be permitted to be adjusted upward to \$35,000 without further action by the County Commission.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **I move to hire Julia Quodala as the Office Manager for the Departments of Planning and Zoning with the recommended salary and start date outlined above.**

Attachments:

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

Change Order

Project: 09-028 JCC - Court Room

Change Order: 3

Date: 12/28/2009

Architect's Project:

To Contractor:

Rockwell Construction Co Inc
12348 Rockwell Lane
Mercersburg, PA 17236

The Contract is changed as follows:

Change Order No. 3

3 Add. Work Requested per Invoices #11129-30

\$18,739.95

The original Contract Amount was	\$64,137.00
Net change by previously authorized Change Orders	\$16,083.24
The Contract Amount prior to this Change Order was	\$80,220.24
The Contract will be increased by this Change Order in the amount of	\$18,739.95
The new Contract Amount including this Change Order will be	\$98,960.19

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

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

ARCHITECT

Rockwell Construction Co Inc
CONTRACTOR
12348 Rockwell Lane
Mercersburg, PA 17236

OWNER

(Signature)

(Signature)

(Signature)

By

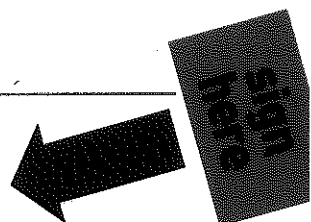
By

By

Date

Date

Date



1/11/10

J. Craig Rockwell
12/28/09

Rockwell Construction Co Inc

12348 Rockwell Lane
Mercersburg, PA 17236
Ph : 7173285237

Change Request

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

Number: 3
Date: 12/28/09
Job: 09-028. JCC - Court Room
Phone:

Description: Add. Work Requested per Invoices #11129-30

Reason: Change in Scope

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

Description	Labor	Material	Equipment	Subcontract	Other	Price
	\$5,320.00	\$2,328.50		\$8,541.51		\$16,190.01
					Subtotal:	\$16,190.01
			B & O Tax	\$16,190.01	0.75%	\$121.43
			RCC O & P Fee	\$16,190.01	15.00%	\$2,428.51
					Total:	\$18,739.95

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

Submitted by: Richard Harmon
Rockwell Construction Company

Approved by: _____
Date: _____

Cc:

Rockwell Construction Co Inc

12348 Rockwell Lane
Mercersburg, PA 17236
Ph : 7173285237

Change Order

Project:
09-028 JCC - Court Room

Change Order: 3
Date: 12/28/2009

Architect's Project:

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

The Contract is changed as follows:

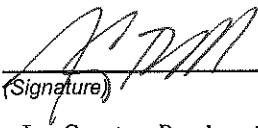
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ARCHITECT	Rockwell Construction Co Inc CONTRACTOR 12348 Rockwell Lane Mercersburg, PA 17236	OWNER
_____ (Signature)	 _____ (Signature)	_____ (Signature)
By	J. Craig Rockwell By 12/28/09	By
Date	Date	Date

Rockwell Construction Co Inc

12348 Rockwell Lane
Mercersburg, PA 17236
Ph : 7173285237

Change Request

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

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					Total:	\$18,739.95

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

Submitted by: Richard Harmon
Rockwell Construction Company

Approved by: _____
Date: _____

Cc:

8

Sandy McDonald

From: <jbrockman@jeffersoncountywv.org>
To: "Sandy" <Sandy@jeffersoncountywv.org>
Sent: Thursday, January 14, 2010 2:19 PM
Subject: 1/21 mtg

Sandy -

I will do a formal agenda request this afternoon but wanted to be sure that you have the recommendation of an applicant for the Office Manager position on next week's agenda?

Thanks

Jennie

Sent on the Sprint® Now Network from my BlackBerry®

More than a year ago, the Jefferson County Commission voted unanimously to become an intervening party concerning the application by American Electric Power and Allegheny Energy before the West Virginia Public Service Commission to build the Potomac Appalachian Transmission Highline (PATH).

The Commission decided to take this position because we consider PATH a threat to the economic, cultural and historic resources of Jefferson County. This 765-kilovolt line will provide no electricity to the State of West Virginia, but our citizens, businesses, organizations and agencies will see their utility bills increase to help pay for its construction. It will further depress real estate prices in a wide swath of the County, thus hurting assessments at a time when our tax base already has seen a decline of more than 14 percent because of the economic downturn. Its proposed siting in Jefferson County will damage numerous historic properties that comprise much of our tourism industry, and potentially create long-term health risks for residents living near the line.

Just last month in Virginia the utility companies withdrew their PATH application because they were forced to acknowledge the transmission line is not needed in 2014. But in our state the application is alive and on hold, to allow the companies time to revise their statement of need.

The Jefferson County Commission is undertaking this legal battle to protect all our residents and their wellbeing. We request that the [insert name] Council consider passing the attached Resolution of Opposition and send it to the Public Service Commission.

We are making this request of all the municipalities within Jefferson County. We believe it is essential to convey to the PSC and the utility companies that the longer the application is considered, the more united our residents will be against this unneeded project.

If the members of the Council would like to discuss this further, please contact any member of our County Commission.

Best Regards,

Lyn Widmyer, President
Jefferson County Commission

Patsy Noland, Vice President

Frances Morgan, Commissioner

James Surkamp, Commissioner

Dale Manuel, Commissioner

New Business

A RESOLUTION OF THE [CITY/TOWN] COUNCIL OPPOSING THE POTOMAC
APPALACHIAN TRANSMISSION HIGHLINE PROJECT

WHEREAS, the [City/Town] Council of [name], Jefferson County, West Virginia, has been elected to serve and protect the collective interest of its residents; and

WHEREAS, the Jefferson County Commission has requested our support of its decision to oppose the Potomac Appalachian Transmission Highline (PATH) project; and

WHEREAS, the siting and construction of PATH through Jefferson County will do harm to all residents of [city/town name] and Jefferson County, who reside here because they highly value agriculture, rural character, scenic view sheds, tourism, metropolitan access, and environmental, historic, and cultural resources; and

WHEREAS, this proposal would jeopardize the economic welfare of all residents of Jefferson County through its sizeable impact on property tax revenues; and

WHEREAS, this proposal would impose water quality degradation for residents throughout the county from herbicides used to maintain the easements for the line, because of high sensitivity of ground water aquifers due to the karst topography (limestone caves) in the area; and

WHEREAS, this proposal will result in increased electricity costs to [city/town name], its residents and businesses, who will pay a portion of the construction and operation costs despite receiving no direct benefit; and

WHEREAS, increased air pollution will exacerbate the potential for Jefferson County to fail to meet air quality health standards, jeopardizing economic development in our municipality and county, restricting access to federal highway funds, and imposing additional sanctions for vehicular or local sources of air pollution;

NOW THEREFORE, BE IT RESOLVED, that the [city/town name] Council does hereby oppose the construction of PATH anywhere inside the boundaries of Jefferson County; and

BE IT FURTHER RESOLVED, that the [city/town name] Council does express its support for and agreement with other municipalities and the Jefferson County Commission that oppose the construction of PATH within our boundaries.

COUNCIL OF [CITY/TOWN NAME],
JEFFERSON COUNTY, WEST VIRGINIA

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

[City/Town] Administrator
Dated:

Sandy McDonald

#12

From: "Jim Surkamp" <jim@jimsurkamp.net>
To: "Sandy McDonald" <sandy@jeffersoncountywv.org>
Sent: Monday, January 11, 2010 1:51 PM
Attach: ARTICLE X_1 WV CONST.doc
Subject: Agenda item

Agenda

Requesting Review by Legal Staff on Meaning of WV Constitution Referring to Taxation: "Doesn't this say that the hundred dollar valuation on aggregate real estate property taxes for residential structures can be raised from year to year by not more than one dollar" as opposed to meaning "guaranteed" to increase by one dollar for every hundred dollars of assessed valuation?

Include the attached section of the West Virginia Constitution

Thanks Sandy

ARTICLE X

10-1. Taxation and finance.

*** Subject to the exceptions in this section contained, taxation shall be equal and uniform throughout the state, and all property, both real and personal, shall be taxed in proportion to its value to be ascertained as directed by law. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of equal value; except that the aggregate of taxes assessed in any one year **** upon personal property employed exclusively in agriculture, including horticulture and grazing, products of agriculture as above defined, including livestock, while owned by the producer, and money, notes, bonds, bills and accounts receivable, stocks and other similar intangible personal property shall not exceed fifty cents on each one hundred dollars of value thereon***** and upon all property owned, used and occupied by the owner thereof exclusively for residential purposes and upon farms occupied and cultivated by their owners or bona fide tenants, one dollar; ***** and upon all other property situated outside of municipalities, one dollar and fifty cents; and upon all other property situated within municipalities, two dollars; and the Legislature shall further provide by general law for increasing the maximum rates, authorized to be fixed, by the different levying bodies upon all classes of property, by submitting the question to the voters of the taxing units affected, but no increase shall be effective unless at least sixty percent of the qualified voters shall favor such increase, and such increase shall not continue for a longer period than three years at any one time, and shall never exceed by more than fifty percent the maximum rate herein provided and prescribed by law; and the revenue derived from this source shall be apportioned by the Legislature among the levying units of the state in proportion to the levy laid in said units upon real and other personal property; but property used for educational, literary, scientific, religious or charitable purposes, all cemeteries, public property, the personal property, including livestock, employed exclusively in agriculture as above defined and the products of agriculture as so defined while owned by the producers may by law be exempted from taxation; household goods to the value of two hundred dollars shall be exempted from taxation. The Legislature shall have authority to tax privileges, franchises, and incomes of persons and corporations and to classify and graduate the tax on all incomes according to the amount thereof and to exempt from taxation incomes below a minimum to be fixed from time to time, and

such revenues as may be derived from such tax may be appropriated as the Legislature may provide. After the year nineteen hundred thirty-three, the rate of the state tax upon property shall not exceed one cent upon the hundred dollars valuation, except to pay the principal and interest of bonded indebtedness of the state now existing.

#15

NOTICE OF INTENT TO APPOINT

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, January 28, 2010, or as soon thereafter as the Commission may decide:

Jefferson County Emergency Services Agency - One unexpired term ending November 2, 2011

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

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

Information

JEFFERSON COUNTY EMERGENCY SERVICES AGENCY BOARD

Brenda Engle *Represents Fire/EMS*
50 Westhall Drive
Charles Town, WV 25414
h: 725-7258
3 years 11/2/10

Michael Alvarez *Represents Citizen*
3775 Kabletown Road
Charles Town, WV 25414
w: 535-6124 / h: 725-2350
3 years 11/2/10

Paul Rosa *Represents Fire/EMS*
P.O. Box 1350
Harpers Ferry, WV 25425
535-9961
3 years 11/2/10

Toni Milbourne *Represents Citizen*
P.O. Box 586
Harpers Ferry, WV 25425
304-535-6851
3 years 11/2/2011

Fred Collins *Represents Fire/EMS*
336 Ashley Drive
Shepherdstown, WV 25443
304-283-3257
email: fdkarc@yahoo.com
3 years 11/02/2011

Todd L. Wilt, II *Represents Fire/EMS*
1890 Meyerstown Rd.
Charles Town, WV 25414
304-728-3926
3 years 11/2/2011

Jefferson County Emergency Services Agency Board

James E. Watson ***Represents Jefferson County Fire and Rescue Association***

Jefferson County Fire & Rescue Association

P.O. Box 101

Charles Town, WV 25414

304-725-2570 304-725-2514

3 years 11/2/2011

John L. Matthews

59 General McClellan Court

Harpers Ferry, WV 25425

email: john.l.matthews@secureskies.net

Cell: 304-283-5341

h: 304-725-5624

3 years 11/2/12

R. M. Pete Kelley ***Represents Fire/EMS***

P.O. Box 1257

Shepherdstown, WV 25443

h: 876-3409

3 years 11/2/12

Brendan Soennecken

P.O. Box 542

Harpers Ferry, WV 25425

cell: 304-261-8178

3 years 11/2/12

email: soennecken@gmail.com

Dale Manuel ***Represents Jefferson County Commission***

75 Porter Way

Charles Town, WV 25414

304-725-8160

Jefferson County Emergency Services Agency

Ed Smith, Operations Manager

116 E. Washington Street

304-728-3287 (Office)

FEIN - 55-0751374

NOTICE OF MEETING
Jefferson County Roundtable Meeting

The County Commission of Jefferson County will be meeting with the Jefferson County Municipalities on Wednesday, January 27, 2010 at 5:00 p.m. at the Old Charles Town Library Meeting Room, 200 E. Washington Street (Samuel Street Entrance), Charles Town, West Virginia 25414.

The following topics will be discussed:

- Census Participation
- Update on Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Transportation Improvement Plan
- Cooperative efforts regarding Parks and Recreation
- Countywide Bike Trail Study
- Status/Update on the Urban Growth Boundary

The public is invited to attend. No decisions will be made at this meeting.

By Order of The County
Commission of Jefferson County
Lyn Widmyer


JEFFERSON COUNTY, WEST VIRGINIA
Engineering Department
116 East Washington Street
P.O. Box 716
Charles Town, West Virginia 25414

Phone: 304-728-3257
Fax: 304-728-3953

Email: engineering@jeffersoncountywv.org

MEMORANDUM

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

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

DATE: JANUARY 14, 2010

SUBJECT: DALB, INC. BUILDING EXPANSION
SITE PLAN FILE #S09-05

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

DALB, Inc. Building Expansion which is secured by Cash-in-Escrow with United Bank in Charles Town, West Virginia in the amount of \$93,064.00.

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

RLG:rfb

RECEIVED

JAN 11 2010

November 24, 2009

Jefferson County Commission

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

Dear Commissioners:

Enclosed please find the signed contract between the Eastern Panhandle Regional Planning and Development Council (Region 9) and the Early Action Compact for the Air Quality Program.

If you should have any questions, please feel free to contact me at (304) 263-1743.

Sincerely,



Bette Kidwell
Administrative/Project Assistant

Enclosure

AGREEMENT

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

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

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

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

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

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

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

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

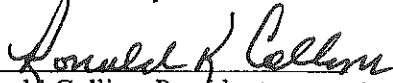
8. The EAC shall provide to Region 9 appropriate direction and policy feedback on the needs of the Compact signatories and their perception as to the progress being made.


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

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


George Karos, Mayor
City of Martinsburg


Dale Manuel, President
Jefferson County Commission


Ronald Collins, President
Berkeley County Commission


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

**TO: ALL MEMBERS of the WEST VIRGINIA ASSOCIATION OF
COUNTIES**

FROM: PATTI HAMILTON



**THE COUNTY LEGISLATIVE LINE
Friday, January 8, 2010**



**Capitol Quotes: *None yet but there will be some good ones,
I'm sure!***

The session begins Wednesday, Jan. 13th. The Governor's State of the State address will be delivered that evening and after that it will be in full swing. This early "Friday fax" is just a prelude to more to come and to alert you to be on the lookout every Friday for both a fax and an email via our group listserves where I will also post this document. (Except for Friday, January 15th when I will be in Washington DC attending a NACo Presidents/Executive Directors meeting)

This is the 2nd session of the 79th Legislature. In the House of Delegates, this is a "carry-over" session, meaning that all the bills introduced last year will be back again unless their lead sponsors opt not to have them brought back. They will even retain the same number as in the 2009 session. The Senate does not have "carry-over" bills which is not to say that we won't see the same or similar bills as in 2009, they will just have a new number.

LEGISLATIVE CALENDAR 2010

First Day – January 13, 2010 (WV Const. Art. VI, §18)

Twentieth Day – February 1, 2010: Submission of Legislative Rule-Making Review bills due (WV Code §29A-3-12)

Forty-first Day – February 22, 2010; Last day to introduce bills in the Senate and the House (Senate Rule 14; House Rule 91a). Does not apply to originating or supplementary appropriations bills. Does not apply to Senate or House resolutions or concurrent resolutions.

Forty-seventh Day – February 28, 2010: Bills due out of committees in house of origin to ensure three full days for readings

Fiftieth Day – March 3, 2010: Last day to consider bill on third reading in house of origin. Does not include budget or supplementary appropriation bills. (Joint Rule 5b)

Sixtieth Day – March 13, 2010: Adjournment at Midnight (WV Const. Art. VI, §22)

All county officials will be receiving a copy of our 2010 Legislative Priorities booklet in the mail next week and it is also sent to all legislators. We look forward to being in touch and keeping you informed during this legislative session. Please don't hesitate to contact this office at 304-346-0591 or patti@wvaco.org if you have any questions.

A GUIDE TO LEGISLATIVE JARGON

Some of the terms used during the legislative session...

Chambers: the two areas set aside for meetings of the entire membership of the House and Senate (also referred to as "the floor"). "The bill is on the floor" means that it is out of committee and before the entire body of the House or Senate.

Christmas Tree: a bill that has had several amendments added to it. "We had to kill the bill because it got Christmas treed." (Also called "loving a bill to death").

Committee Substitute: an amended version of an introduced bill as recommended by a committee, generally offered when there are numerous amendments or substantial rewriting of an introduced bill (often referred to as a "com sub").

Concur: the action of one body in agreeing to or approving a proposal or action of the other body (as in "the Senate concurs with the House amendments")

Double Referenced: a bill gets assigned to two committees instead of just one

Enrolled Bill: the final version of a bill, as passed by both bodies

House of Origin: the body in which a bill or resolution is introduced

Journal: the formal, written record of floor proceedings printed daily by the clerk of each body (can be picked up outside the Journal Room on the ground floor at the rotunda area; they also contain that day's agenda for the floor session)

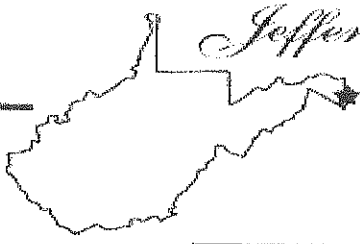
Motion to Lie Over: consider the bill at the next meeting

Motion to Postpone Indefinitely: delay action, usually forever; "PPI'd" usually indicates a dead bill

Readings: the three stages a bill must go through on the floor of a chamber; the first reading is informational, the second reading is amendment stage, and the third reading is passage stage

Title: a concise statement of the contents of a bill; it is a constitutional requirement in WV that the title accurately and completely reflect the content of the bill

Well: the round area at the center of the Capitol Building between the chambers; often used as a meeting place, as in "Meet me at the well."



Jefferson County

CHAMBER OF COMMERCE, INC.

RECEIVED

BULLETIN NO. 594

JANUARY 5, 2010

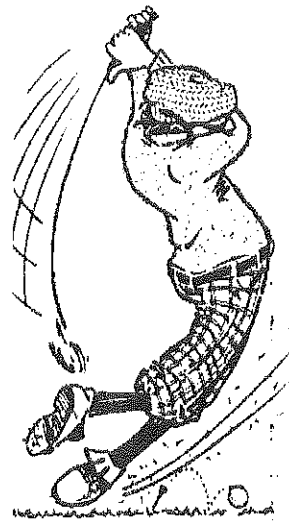
JAN 11 2010

Jefferson County Commission
SPECIAL POINTS OF
INTEREST:

GOLF TOURNAMENT

Mark your calendars for the first Annual Jefferson County Chamber of Commerce Golf Tournament to be held on Friday, April 16th, 2010 at **Cress Creek Country Club**. What better way to celebrate the end of tax season then spend the day on the golf course with your fellow Chamber members! We are asking for sponsors to defray our cost for this event. There are many different levels of sponsorships which include teams and advertising such as: Platinum- \$5,000; Gold-\$2,500; and Silver-\$1,500. Sponsorship of \$800 will include a golf hole where you can set up a table and advertise your business to a captive audience of 120

people. A \$200 sponsorship will include a T sign with your logo or if you just want to enjoy paying golf for the day it will only cost \$90. If you are interested in any of the sponsorships please call the Chamber office at 304-725-2055. This is a great way to spend time with chamber members and have fun at the same time. Watch for more information in the coming newsletters.



- 1st Annual Jefferson County Chamber of Commerce Golf Tournament
- Monthly Membership Meeting
- Chamber News
- Arts & Crafts Jurying
- Chamber Member News
- Leadership Jefferson
- Dates to Remember

MEMBERSHIP MEETING-JANUARY 28TH, 2010

The monthly membership meeting of the Jefferson County Chamber of Commerce will be held on Thursday, January 28th at 12:00 noon at **Charles Town Races & Slots** in the Epic Buffet. We urge all members to attend the luncheon when President

Tiffany Hine presents donations in the name of your Chamber to the county's Fire Companies, our Partners in Education, and other organizations in our County. These donations, made possible through your support as members along with the continuing success

of our Mountain Heritage Arts & Crafts Festivals, will help these organizations continue their fine work in our community. Contact your Chamber office by January 22nd to confirm and the cost is \$10 per person including tax and gratuity.

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CHAMBER NEWS	2
JURYING	2
MEMBER NEWS	3
LEADERSHIP JEFFERSON	3
DATES TO REMEMBER	4
MEMBERSHIP REPORT	4

CHAMBER NEWS-EMAIL BLASTS

E-mail!

Your Jefferson County Chamber of Commerce offers to its Chamber members a service called "Email Blasts". With over 400 members' email address in our system at this time, we will be able to notify Chamber members of noteworthy events and information. The following guidelines will need to be followed: This service is only available to Jefferson County Chamber of Commerce

members; members need to supply information as a JPEG image which should be no larger than 600 pixels wide by 792 pixels high. Please send via email to chambernews@jeffersoncountywvchamber.org blast for information on ribbon cutting and ground breakings for members are \$25 per blast; blasts for announcement of member's news and events will be \$50 per blast; and additional guidelines for the benefit of

the member and business/ organization will be added as necessary. In order for email blasts to be effective. It is important that email address are kept current! If you are not currently receiving email blasts, please let us know your email address so you may be added.

CHAMBER NEWS- NEWSLETTER INSERTS

PLEASE CONTACT YOUR CHAMBER OFFICE IF YOU ARE INTERESTED IN HOSTING A CHAMBER MIXER IN 2010.

Your Chamber is pleased to enclose information from members in these monthly bulletins on a first-come, first serve basis. Due to the increasing number of members who request this service, please notify your Chamber 1-2 months in advance of your requested date. Enclosures should be standard size (8 1/2 X11), standard paper weight, and folded in Z form.

No business cards please! This is a great way to take advantage of the benefits your Chamber has to offer. We need 700 enclosures and delivered to our office by the 20th of the month prior to the month of publication. If you have reserved a spot and then are unable to have the insert ready, please call your Chamber office at 304-725-2055. We keep a waiting list

and can call someone to fill your slot. We allow this 3 times per year per business.

ARTS & CRAFTS JURYING



The January jurying for the 2010 Mountain Heritage Arts & Crafts Festivals is scheduled for January 15th and 16th at Independent Fire Company. On Friday, January 15th and Saturday January 16th the hours are 9:00 a.m.-5:00 p.m. Approximately 50 artist/crafts persons are scheduled to present their work for possible inclusion in

the 2010 festivals. Chamber members are cordially invited to stop by during the jurying. The dates for the 2010 festivals are June 11th-13th, 2010 and September 24th-26th, 2010. Mark your calendars and be sure to join us for these fun filled weekends!

NEWS FROM CHAMBER MEMBERS

Chamber member **Bob O'Connor** of Charles Town has just published his fourth book-"*The U.S. Colored Troops of Andersonville Prison*" This non-fiction book chronicles the untold story of 103 black soldiers amongst the 45,000 Union prisoners at the famous stockade at Anderson, Georgia. It also offers known information of each soldier, and a photograph of the headstones in the Andersonville Cemetery of 22 of the 34

who died there. This book is available at the **Charles Town Visitors Center**, the **Jefferson County/Harpers Ferry Visitors Center** and online at www.amazon.com and bobconnorbooks.com.

The cost is \$10.95 plus applicable taxes.



Save the Date! On February 11, 2010 there will be a fundraiser for **Community Alternatives to Violence** at the Epic Buffet at **Charles Town Races & Slots**. Each of us can make a difference! Please contact Christine Pace at 304-724-1030 for tickets. Seating is limited so please make your reservations today.



NEWS FROM CHAMBER MEMBERS

WVUH-East offers Eat Well for Life I & II. The Eat Well for Life program teaches participants to live it, not diet. The programs are being offered at both WVHU-East locations- City Hospital and **Jefferson Memorial Hospital**. Eat well for Life will be offered at **Jefferson Memorial Hospital** starting January 6th, 2010 and at City Hospital starting January

18th, 2010. Eat Well for life II will be offered at City Hospital starting April 19, 2010. The programs are open to all. The instructors are taught through Mountain State Blue Cross Blue Shield. There is no fee for Mountain State members to participate in these programs and only a nominal fee for non-Mountain State members. For more information on the programs or to

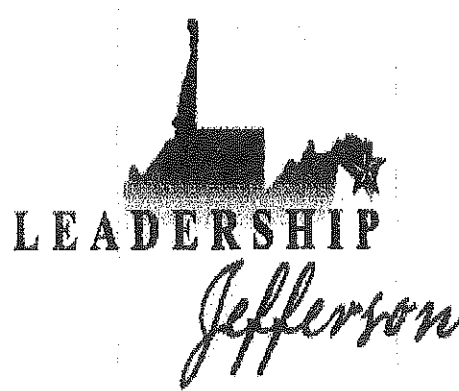
register, please call 304-264-1287 X1814.

"THE EAT WELL
FOR LIFE
PROGRAM-
LIVE IT, NOT
DIET"

LEADERSHIP JEFFERSON

The December module of Leadership Jefferson, sponsored by the **City of Charles Town** and the **City of Ranson**, was held December 9th beginning at **Charles Town City Hall**. The topic of discussion was Local Government. Speakers included the Mayor from Charles Town and several court house and city hall employees. They

traveled to Ranson City Hall where lunch was provided by The Mediterranean Café. In the afternoon they had a Mock County Commission meeting. The next module, Poverty in the Panhandle, will be held January 13th, 2010. This will be a joint module with Leadership Berkeley with Dave Miller and Tina Combs as the planners.





Jefferson County

CHAMBER OF COMMERCE, INC.

29 Keyes Ferry Road
Suite 200
PO Box 426
Charles Town, WV 25414

Phone: 304-725-2055

Phone: 800-624-0577

Fax: 304-728-8307

E-mail: chamber@jeffersoncountywvchamber.org

DATES TO REMEMBER

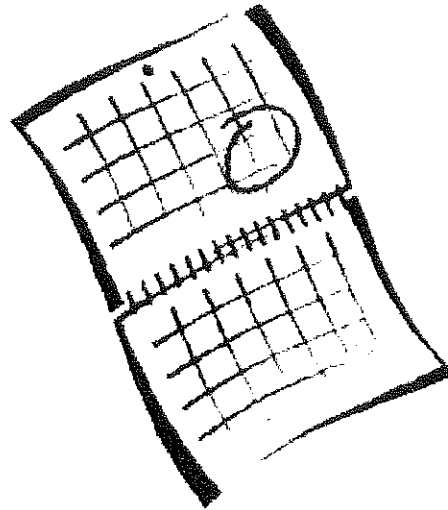
January 11-- Board of Directors Meeting

January 15-16 --Arts& Crafts Jurying at Independent Fire Company

January 18-- Office Closed

January 22-RSVP for monthly membership meeting

January 28-- Membership Meeting at Charles Town Races & Slots



VISIT OUR WEBSITE

WWW.JEFFERSONCOUNTYWVCHAMBER.ORG

MEMBERSHIP REPORT

We are please to welcome the following new member:

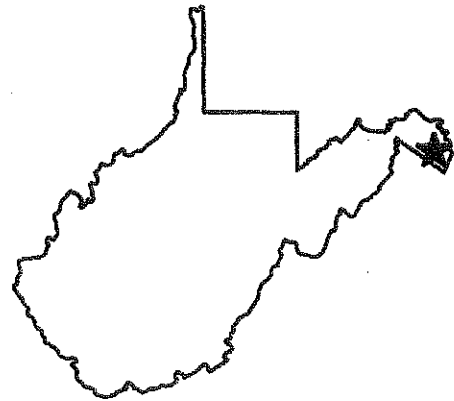
Leslie D. Smith, Individual

33 Mountaineer Court

Charles Town, WV 25414

(304) 728-0318

lesdsmith@hotmail.com



As of this date, we have 388 members who have paid their fair share investments for a total of \$47,790.00 for fiscal year 2009-2010. If you have not paid your fair share investment for 2009-2010, won't you take a few minutes to do so? Remember, the success of your Chamber depends on active involvement of its members. Also just a friendly reminder we do accept major credit card payments, just call the office to re-new your membership over the phone.

We are looking for team and individual participants!

Participation and Sponsorship Opportunities:

Eagle Package \$250

Includes tee sponsorship, four players, and dinner

Birdie Package \$150

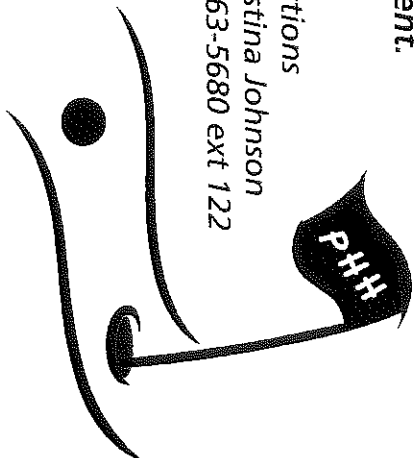
Tee sponsorship only

Par Package \$35

Per player - includes dinner

Dinner and prizes at the end of the tournament.

For questions call Christina Johnson at 304-263-5680 ext 122



Return form to:
Panhandle Home Health, Inc.
208 Old Mill Road, Martinsburg, WV 25401
Fax: 304-267-1532

Cut and return form

Return your form quickly! We have a limited number of spaces!

CHP's Puttin' for Panhandle Home Health

Registration Form

Main Contact Name: _____

Company: _____

Address: _____

City/State/Zip: _____

E-mail: _____ Phone: _____

Participation/Sponsorship:

Eagle Package \$250 - includes tee sponsorship, four players, and dinner

Birdie Package \$150 - tee sponsorship only

Par Package \$35 per player - includes dinner

of players _____ x \$35 = _____

Names of players [if known at this time]: _____

What do you want your tee sign to say? _____

Method of Payment

Check enclosed Please invoice address above

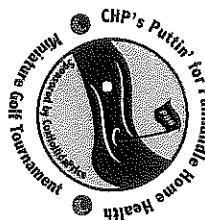
Credit card

Name on card _____

Visa Mastercard Credit Card # _____

Expiration Date _____ 3 Digit Code on Back _____

Signature _____



**Panhandle Home Health's
Second Annual miniature
golf tournament!**

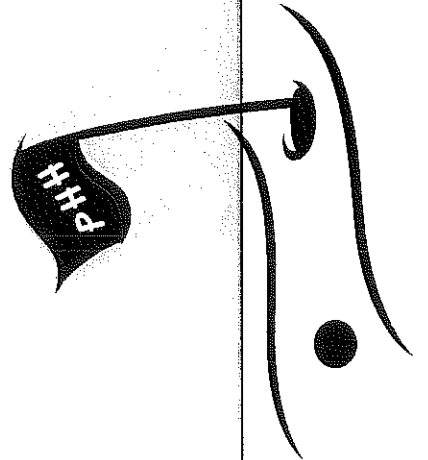
We are honored to have CoxHollidaPrice
LLP as our major sponsor and to be
partnering with JayDee's Family Fun
Center to make this event possible.
Clubs and balls will be provided by
JayDee's.

**PANHANDLE
HOME HEALTH, INC.**

www.PanhandleHomeHealth.org



CFC# 37560
Partner Agency



Panhandle Home Health, Inc.
208 Old Mill Road, Martinsburg, WV 25401



A fundraiser at
JayDee's Family Fun Center
off Route 51 in Inwood

April 29, 2010
Shot-gun start at 2:00 pm

**Dinner and prizes
at the end of the tournament.**

Food - Fun - Prizes!

Sponsored by
CHP
CoxHollidaPrice LLP
CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS

Your Future, Our Passion.

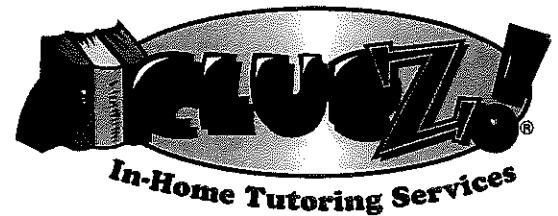
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- Foreign Languages • Summer Programs
- Elementary Math & Reading Specialists
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304-725-3520
www.clubztutoring.com

2009/2010 Jefferson County School District Calendar

AUGUST 2009							SEPTEMBER 2009							OCTOBER 2009						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31
30	31																			

NOVEMBER 2009							DECEMBER 2009							JANUARY 2010						
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8	9	10	11	12	13	14	13	14	15	16	17	18	19	10	11	12	13	14	15	16
15	16	17	18	19	20	21	20	21	22	23	24	25	26	17	18	19	20	21	22	23
22	23	24	25	26	27	28	27	28	29	30	31			24	25	26	27	28	29	30
29	30													31						

FEBRUARY 2010							MARCH 2010							APRIL 2010						
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28																				

MAY 2010							JUNE 2010						
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16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

○ First/Last Day of School
 No School



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www.clubztutoring.com

For Chamber Members Only

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10% off any professional or
residential carpet or upholstery cleaning
job from:
January 15, 2010 to March 1, 2010

Call:

Dotty Flannery at 304 261 9711 or
Jeff Herbst at 304 279 8341

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Email us at: luvcitrus@comcast.net

CitruSolution
PO Box 1148
Charles Town, WV 25414

If you are a member of the Jefferson County Chamber of Commerce then give us a call to schedule your job at a 10% discount. We have extensive experience in residential as well as commercial carpet and upholstery cleaning.

We are CitruSolution of the Eastern Panhandle of West Virginia and Eastern Loudoun County, Va.
Licensed and Insured

N E W S

L E T T E R

Commissioners' RECEIVED
Corner JAN 1 2010

Vol. 13 No. 4
December, 2009

JEFFERSON COUNTY COMMISSION
County Commissioners' Assoc. of WV ~ Brad Tuckwiller, President ~ Vivian Parsons, Exec Dir

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CCA Legislative Meeting and Educational Training Series to be held Jan. 31-Feb. 2, 2010

The County Commissioners' Association of West Virginia invites and encourages you to attend the CCAWV Legislative Association Meeting / County Commissioners' Continuing Educational Training Program. The meeting is scheduled for January 31-February 2, 2010 at the Marriott Hotel, Charleston, West Virginia.

Sunday, January 31, 2010 registration begins at 5:00 and there will be a Welcome Dinner at 7:00 the Governor has been invited.

Monday, February 1, 2010 at 9:00 a.m. we will be holding "Commissioners' at the Capital" we would like to have as many of our members attend as possible. This is your chance to help promote our Legislative Agenda.

Monday from 1:30-5:30 we will be holding the Legislative Association Meeting. We will be discussing legislation of interest to counties.

Monday evening CCA will host our Legislative Reception beginning at 6:00 p.m. Please be sure and invite your legislators.

Tuesday, February 2nd will be the CCA Educational Training Series from 8:30 a.m. until 12:00 noon.

The CCA Membership will elect their members to serve on the 2010 WVACO Board of Directors at the Legislative Association Meeting on February 1st. Please, mark your calendar now and plan to join us!

Remember...

**January 31-February 2, 2010
Charleston Marriott Hotel**

CCAWV Legislative Association Meeting and Training Series

**The CCA Board will have a meeting on
January 31, 2010 from
2:00 p.m. – 5:00 p.m. at the Marriott**



Happy Holidays!!!

Commissioners' Corner
County Commissioners' Association of
West Virginia

Brad Tuckwiller, President
Greenbrier County Commissioner
(304) 647-6689

Vivian Parsons
Executive Director
2309 Washington St. East
Charleston, WV 25311
(304) 345-4639
Fax (304)346-3512
E-Mail: info@ccawv.org
www.ccawv.org

This is a monthly publication for county commissioners and their staff, Associate members and other interested parties.

Please call if you have questions (304) 345-4639. We look forward to seeing you there!

**2009-2010
CCA Board of Directors**

President

Brad Tuckwiller, Greenbrier (647-6689)

Vice-President

Ron Watson, Harrison (624-8500)

Immediate Past President

Karen Disibbio, Mercer (487-8306)

Ex Officio Members

Joe Coburn, Mercer (487-8306)

District 1-- Western Division

Chair: Tim McCormick, Ohio
(234-3628)

Don Mason, Marshall (845-0482)
Bob Bell, Monongalia (291-7257)

District 1 -- Eastern Division

Janice LaRue, Mineral (355-2613)
Bernie Fazzini, Harrison (624-8500)

District 2 -- Western Division

Chair: Fran King, Clay (587-4259)
Jinks Hinkle, Nicholas (872-7830)
Pat Boyle, Lewis (269-8200)

District 2 -- Eastern Division

J.R. Keplinger, Hardy (530-0284)
Donnie Tenney, Upshur (472-0535)

District 3 -- Western Division

Chair: Art Kirkendoll, Logan
(792-8626)
Mickey Brown, Boone (369-1561)

District 3 -- Eastern Division

Reta Griffith, Pocahontas (799-6063)
Chuck Armentrout, Webster (847-5780)
Ken Eskew, Fayette (574-4290)

County Commissioners' Association

2309 Washington Street East
Charleston, WV 25311
(304) 345-4639

Vivian Parsons, Executive Director
Jennifer Webb, Admin. Assistant

Director's Discussion...

Vivian Parsons, Executive Director

Just a quick update from the 2nd meeting of the Tax Modernization Committee. The committee adopted several recommendations to present to the Governor for his consideration in proposing change in the upcoming legislative session. **Remember these are only recommendations from the committee. It is still unclear what the Governor will choose to advance to the legislature.** Unfortunately, there was not a compiled handout of all the committees work product, but based on my limited notes, here a couple of those most interesting to county government:

From the Business Tax Committee: 1) **Recommends --A bill to create a study commission to look at telecommunication taxes in WV.** The commission will begin by looking at legislation from several other states including Virginia, Florida, and New York. Counties will want to be involved to monitor any changes that would affect 911 fees, both land lines and wireless as well as cable franchising fee, etc.

From the Personal Income Tax Committee: 1) **Recommends --Simplification of the current 4 methods of Senior Citizen property tax relief.** The current four methods are confusing to those who may benefit, inconsistent with each other, difficult to administer and provide benefits to those for whom the legislation was not intended.

From the Local Property Tax Committee: 1) **Recommends --Legislation to give the same priority to liens for unpaid municipal fees as unpaid property taxes in tax sales by the sheriff.** To redeem a tax sale property, the redeemer would have to pay all unpaid municipal fees as well as all outstanding property taxes. Other recommendations included **interim studies** on the following issues: **--Taxation of property taxes on coal --Increased fiscal flexibility for local governments including county/city local sales tax options** There was much discussion about the phase out and or elimination of personal property taxes especially on inventory and equipment, but the discussion did not result in a recommendation at this time. Further a constitutional amendment was discussed that would give the legislature discretion to reduce, phase out, or eliminate personal property tax. Again this discussion, while lengthy, did not result in a recommendation from the committee. It was instead tabled for now. There was a discussion regarding distribution of the tax on coal bed methane to counties and how in some instances the amount received by some "producing counties" ends up being less than the share received by "nonproducing counties." It was suggested that all producing counties receive at least the nonproducing county share. The committee may continue to work on this issue.

Dr. Tom Witt, who was scheduled to report to the Joint Finance Committee later in the day, informed the committee of his intent to suggest **more public/public partnerships (county - state) as an option to financing WV's highways.** Dr. Witt noted that, "given current and future outlook for state resources, the time may have come for the establishment of a new partnership

(Continued on page 5)

Director's Discussion...

Vivian Parsons, Executive Director
(Continued from page 2)

between local and state government regarding financing of the highway system." He suggested expanding local options beyond wage tax (such as was granted by legislation to Monongalia County a couple of years ago) and providing incentive to gain the voters approval through creation of matching dollars in the State Road Fund which would guarantee additional funds. No recommendation on this issue was made by the Tax Modernization Committee. Thank you to CCAWV President Brad Tuckwiller and Vice-President Ron Watson for their attendance and support at the meeting. It was a long interesting day.....not sure how much actual legislation will result from it all!

CCAWV Calendar of Events

January 10-12, 2010

Interims
Charleston, WV

January 13, 2010

2010 Legislative Session Begins

January 31-February 2, 2010

CCA Legislative Meeting &
Educational Training Series
Charleston, Marriott

March 6-10, 2010

NACO Legislative Conference
Washington, DC

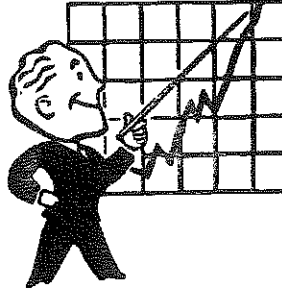
March 13, 2010

Legislative Session Ends

**Don't forget to register for
the 2010 Legislative Meeting
and Educational Training
Series!!!**

**If you have any questions,
please feel free to call our
Office at 345-4639!**

Legislative Time Line January-February

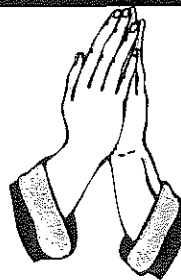


The annual CCA meeting in Charleston is the setting for the legislative meeting of the membership. This is not the place for trading places, changing minds or lobbying special interests. At this point, the outset of the new legislative session, we need

to be consolidating support for the positions previously determined by the legislative committee and approved by the CCA Board. If individual commissioners disagree with the stance on an issue they can opt not to expend any personal energy advocating the Association's position, but at this juncture, working to change it counterproductive. If some action external to CCA merits CCA reaction or reconsideration of our position, we will react appropriately. But in the business of legislative liaison, timing is everything, and we all need to be on the same page in February. There is no reason for us to get blind sided by our own troops at the last moment when the legislative committee has been open to all, all year long.

The principal purpose of the February meeting should be threefold:

1. **Rally the membership in support of the CCA Legislative Agenda**
2. **Assign individual commissioners to specific legislative liaison objectives**
3. **Arrange for commissioner presence in Charleston as required throughout the legislative session**



**Our deepest
sympathies go out to
Bob Bell, Monongalia
County Commissioner
for the loss of his
mother.**

**Our thoughts and prayers are
with you at this difficult time!**



Spotlight on a County Commission

Putnam County Commission



Stephen Andes

R. Joseph Haynes

Gary Tillis

Crowning Achievement: Providing outstanding services, especially extending water to families, all while reducing our tax rate.

Biggest, debacle or most embarrassing moment: Our County Manager getting us lost, making us 45 minutes late to our own ground breaking ceremony.

Best advice for County Commissions: Leave politics at the door.

Funniest thing to ever happen at a commission meeting: A former commissioner joked during a bid opening that a surety check for \$5,000 was made out to his re-election campaign at which the commission laughed--until reading it in the next day's newspaper where a young reporter quoted the statement as fact in describing the successful bidder.

Commission Staff: County Manager, Brian Donat; County Attorney, Jennifer Scragg; Commission Assistants, Sherry Otey & Sharon Blackwell; Fiduciary Deputies, Brenda Perkins & Tiffany Noffsinger.



Putnam County Commissioners debating the "REAL" issue.

Steve Andes

Place where I grew up: Pittsburgh, PA

Real Life Occupation: Retail Manager

Years Experience as a County Commissioner: 6 1/2 years

You would be surprised to know that I: Have no surprises.

My personal philosophy: You miss 100% of the shots you do not take.

What I like most about being a County Commissioner: The ability to help people and meeting and working with talented people in Putnam County to continue to improve the quality of life in Putnam County.

What I like least about being a County Commissioner: People making judgments of decisions when they don't have all of the facts.

I would invite (living or dead) to the next County Commission meeting and what I would discuss: My mom and children to review what I have done and how to improve upon it.

R. Joseph (Joe) Haynes

Place where I grew up: Hurricane, WV

Real Life Occupation: Community Relations Manager (AEP)

Years Experience as a County Commissioner: 5 Years

You would be surprised to know that I: Survived a ship wreck.

My personal philosophy: To thine own self be true.

What I like most about being a County Commissioner: Making a difference in Putnam County.

What I like least about being a County Commissioner: Dealing with entitlement mentality.

Who I would invite (living or dead) to the next County Commission meeting and what I would discuss: My father and/or Ronald Reagan for advice and critique of my performance.

Gary O. Tillis

Place where I grew up: Bancroft, Putnam County, WV

Real Life Occupation: Business Manager

Years Experience as a County Commissioner: 3 years

You would be surprised to know that I: Although I am a WVU graduate, Marshall is my second favorite college football team, just don't tell Joe Haynes.

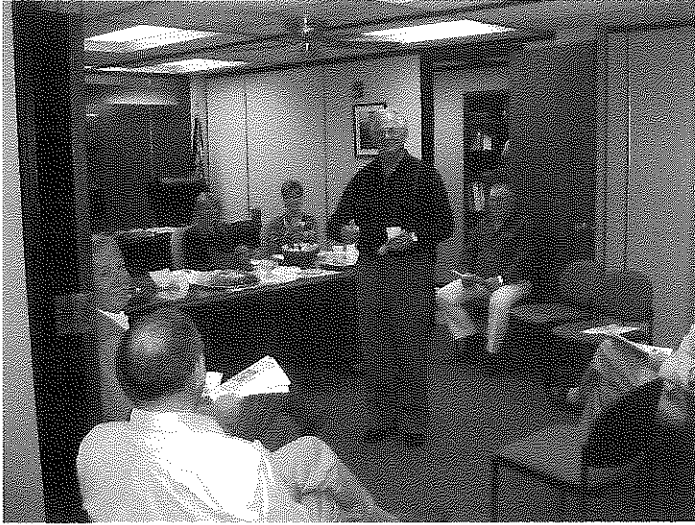
My personal philosophy: Work hard and treat people with respect.

What I like most about being a County Commissioner: The opportunity to make positive changes within the community.

What I like least about being a County Commissioner: It's difficult when good projects are placed on hold for reasons beyond your control.

Who I would invite (living or dead) to the next County Commission meeting and what I would discuss: Leff Moore-Strategic planning to position Putnam County to take advantage of future economic development opportunities.

Regional Meeting Pictures



Harrison County



Harrison County



Mineral County



Mineral County



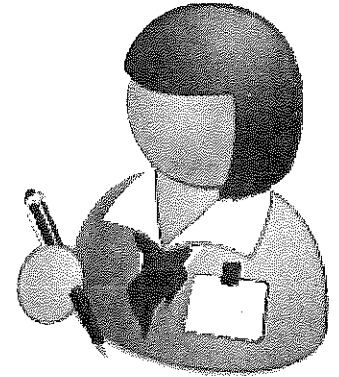
Mineral County



Mineral County

CCAWV Legislative Association Meeting & Educational Training Series

Registration Form



Name

County

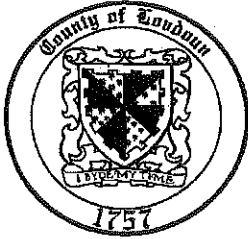
I plan to attend the Legislative Association Meeting & Education Training Series Program January 31, 2010 - February 2, 2010.

_____ Please bill my company for the \$195.00 registration fee
(due and payable within 30 days of billing)

_____ My registration fee of \$195.00 is enclosed
(payable to County Commissioners Assoc WV)

Please return by mail or fax (304-346-3512) no later than January 22, 2010 to CCAWV.

Cancellation Policy: *There will be no penalty for cancellations received in writing on or before January 22, 2010. January 23, 2010 and thereafter, all no-shows will be charged the full registration amount. We apologize for the need to adopt this policy, but on this date, the costs for room rentals, refreshments, etc. are incurred on your behalf even when you cancel and the Association is stuck with covering the cost. Thanks for your cooperation in this matter.*



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Loudoun County, Virginia

Department of Planning
1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, MSC #62
Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441

RECEIVED

JAN 11 2010

January 7, 2010

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

Jefferson County Commission

Dear Ms. Smith:

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

“When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use ..., involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as above required, written notice shall also be given by the local commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.”

In accordance with these regulations, this is to inform you that on **January 28, 2010** the Loudoun County Planning Commission will hold a public hearing on a Comprehensive Plan Amendment (CPAM) regarding the Chesapeake Bay Preservation Act.

The proposed CPAM 2009-0002: Chesapeake Bay Preservation Act Policies would revise, add, or delete certain countywide policies regarding the protection of the quality of state waters in order to implement and employ portions of the Chesapeake Bay Preservation Area Designation and Management Regulations, and other criteria, promulgated pursuant to the Chesapeake Bay Preservation Act.

This public hearing will take place in the Board of Supervisors Meeting Room, County Government Center, 1 Harrison Street, S.E., Leesburg, VA, on **Thursday, January 28, 2010**, at **6:00 p.m.** Written comments can be provided to the Loudoun County Planning Commission, c/o Loudoun County Department of Planning, 1 Harrison St., S.E., 3rd Floor, P.O. Box 7000, MSC #62, Leesburg, Virginia, 20177-7000 (attention: Joe Gorney).

The proposed policies are enclosed for your review. The policies and other CPAM-related materials are also available online at <http://www.loudoun.gov/chesapeakebay> and in the Loudoun County Planning Department. A second notification letter will be sent to you on January 22, 2010.

Should you have any questions, please call 703-771-5103 (direct) or 703-777-0246.

Sincerely,

Joseph C. Gorney, AICP, LEED AP
Project Manager
CPAM 2009-0002, Chesapeake Bay Preservation Act Policies

Enclosures:

1. Draft Policies - Revised General Plan (January 6, 2010)
2. Draft Policies - Countywide Transportation Plan (January 6, 2010)

223

RECEIVED



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



December 2009 Activity Report Jefferson County Commission

Dogs Picked Up	
County	33
Charles Town	0
Shepherdstown	0
Ranson	3
Harpers Ferry/Bolivar	1
Dogs Brought In	8
Misc	3
TOTAL	48

Animal Bites Investigated	
County	8
Charles Town	0
Shepherdstown	0
Ranson	0
Harpers Ferry/Bolivar	0
Cat Bites	1
Miscellaneous	1
TOTAL ANIMAL BITES	10

Complaints Answered	
County	37
Charles Town	1
Shepherdstown	0
Ranson	8
Harpers Ferry/Bolivar	2
TOTAL	48

Check Welfare Complaints Answered	
County	13
Charles Town	4
Shepherdstown	0
Ranson	2
Harpers Ferry/Bolivar	0
TOTAL	19

Wildlife Complaints Investigated	
County	1
Charles town	1
Shepherdstown	0
Ranson	2
Harpers Ferry/ Bolivar	0
Rabies Test Positive	0
Rabies Test Negative	3
TOTAL WILDLIFE COMPLAINTS	4

Aggressive Dog Complaints	
County	14
Charles Town	0
Shepherdstown	0
Ranson	0
Harpers Ferry/Bolivar	0
TOTAL	14

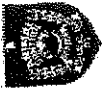
Disposition Report	
Return To Owner	15
Adopted	1
Euthanized	7
Rescued	7
Foster Care	0
Still Here	15
Dec	3
TOTAL	48
Citations/Summons/Warrants Issued	0
Warning Citations Issued	0

Money Collection Report	
Impound/R.T.O /with Boarding	705
Adoptions	20
Owner Surrender	0
Donations	0
Report Fees	25
Reimbursement of vet bill	60
Misc	0
TOTAL	810

ACO COMPLAINT RESPONSE			
Unit #	Responses	O/C Respon	Total Respons
AC-1	41	5	46
AC-2	6	0	6
AC-3	16	1	17
AC-4	25	1	26

2008-Total Complaints Answered: 1380
 2009-Total Calls For month: 95
 2009-Total Calls For year: ~~1462~~
 1472

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



In Ticket Log

DATE	COMPLT. #	IN TICKET	AREA	LOCATION	Parvo Vaccine #	BREED	COLOR	GENDER	RUN	RTO	Adoption	Rescue	Euth	ACO #
12/1/2009	09-1379	47526	County	77 Old Leetown Pike	N/A	Lab Mix	Blk/Wht	Female	B-8	RTO				AC-1
12/1/2009	09-1379	47527	County	77 Old Leetown Pike	N/A	Poodle Mix	Blk/Wht	Female	B-8	RTO				AC-1
12/1/2009	09-1380	47528	County	Thumper Drive	09-0340	Lab Mix	Brn	Male	B-7	S/H				AC-1
12/2/2009	09-1387	47529	County	Flowing Acres Rd.	N/A	DSH Cat	Tabby/Wht	Unknown	Fzr				Dec	AC-1
12/2/2009	09-1386	47529	County	186 Flowing Acres Road	N/A	Hound mixed	Brown	Male	Vet	RTO				AC-1
12/3/2009	09-1382	47532	County	118 Saddlebred Lane	N/A	Lab Mix	Blk/Wht	Male	B-1				Euth	AC-4
12/3/2009	09-1382	47533	County	118 Saddlebred Lane	N/A	Lab Mix	Bro/White	Female	B-10				Euth	AC-4
12/3/2009	09-1382	47534	County	118 Saddlebred Lane	N/A	Lab Mix	Black	Male	B-3				Euth	AC-4
12/7/2009	09-1397	47535	County	71 Heath Court	09-0341	Springer Span	Brw/White	Female	B-4			Rescue		AC-2
12/8/2009	09-1398	47536	County	421 Maddex Farm Dr.	N/A	Lab Mix	Blk/Tan	Male-N	B-2	RTO				AC-3
12/9/2009	09-1401	47537	Ranson	110 Ranson Estates Cir.	09-0343	Pit Bull	Blue/White	Male	B-2	S/H				AC-3
12/9/2009	09-1402	47538	Ranson	Ranson Estates Circle	09-0342	Rott Mix	Blk/Tan	Female	B-3	S/H				AC-3
12/10/2009	09-1407	47539	County	30 River Bend Road	09-0344	Shepherd Mix	Brindle	Male	A-8				Euth	AC-4
12/10/2009	09-1408	47540	County	221 Crestview Drive	N/A	Lab	Yellow	Male	B-5	RTO				AC-1
12/10/2009	09-1409	47541	Ranson	Seventh & Buccannon	N/A	Fox	Red	Unknown	Fzr				Dec	AC-1
12/12/2009	09-1415	47542	County	42 Ledge Drive	09-0345	Collie Mix	Brn	Male	A-1	S/H				AC-4
12/12/2009	09-1417	47543	Harpers Ferry	Washington Street	09-0346	Akita	Black/White	Female	A-8	RTO				AC-4
12/14/2009	09-1420	47544	County	1561 Johnnycake Lane	09-0347	Shepherd Mix	Blk/Tan	Male	A-8	S/H				AC-3
12/16/2009	09-1424	47545	County	Mission Road Fire St	N/A	Rott Mix	Bro/Blk	Male	A-12	RTO				AC-1
12/16/2009	09-1424	47546	County	Mission Road Fire St	N/A	Lab	Yellow	Male	A-12	RTO				AC-1
12/18/2009	09-1425	47547	Ranson	1022 N Mildred St	09-0348	Pit Bull	Wht/Tan	Female	A-5	S/H				AC-2
12/18/2009	09-1426	47548	County(O/S Bl)	12 Bay Court	09-0349	Husky	Black/White	Male/N	A-12	RTO				AC-2
12/18/2009	09-1427	47549	County	421 Maddex farm Rd	N/A	Shep/Lab	Blk/Tan	Male/N	B-6	RTO				AC-4

Jefferson County Health Department

MONTHLY RABIES REPORT
DECEMBER, 2009

TYPE OF ANIMAL	# TESTED DECEMBER 2009	# NEGATIVE DECEMBER 2009	# POSITIVE DECEMBER 2009
BAT			
CAT	1		
DOG	7		
FOX	3	3	
RACCOON			
TOTAL	3	3	

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

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.85%	RANSON 35.00%	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	\$ 180,652.98	\$ 180,652.98	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,889.09	\$ 158,889.09	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 155,846.74	\$ 138,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,028.55	\$ 636.48	\$ 6,117.24	\$ 2,491.89
08/15/09	\$ 162,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.79	\$ 28,070.37	\$ 2,864.61	\$ 28,482.73	\$ 11,606.64
08/22/09	\$ 152,520.62	\$ 76,260.31	\$ 76,260.31	\$ 9,471.53	\$ 26,355.56	\$ 2,783.50	\$ 28,752.12	\$ 10,897.80
08/29/09	\$ 160,945.84	\$ 80,472.92	\$ 80,472.92	\$ 9,994.74	\$ 27,811.44	\$ 2,837.26	\$ 26,229.90	\$ 11,499.58
09/05/09	\$ 161,596.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,949.13	\$ 28,343.99	\$ 11,546.06
09/12/09	\$ 172,573.84	\$ 86,286.92	\$ 86,286.92	\$ 10,716.84	\$ 29,820.76	\$ 3,149.47	\$ 30,269.46	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,695.28	\$ 24,195.51	\$ 2,555.37	\$ 24,559.56	\$ 10,004.45
09/26/09	\$ 138,633.74	\$ 69,316.87	\$ 69,316.87	\$ 8,609.19	\$ 23,955.91	\$ 2,530.07	\$ 24,316.35	\$ 9,905.39
10/03/09	\$ 144,572.06	\$ 72,286.04	\$ 72,286.04	\$ 8,977.93	\$ 24,982.06	\$ 2,638.44	\$ 25,357.93	\$ 10,329.66
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 8,650.61	\$ 24,071.25	\$ 2,542.25	\$ 24,433.44	\$ 9,953.08
10/17/09	\$ 147,120.42	\$ 73,560.21	\$ 73,560.21	\$ 9,136.19	\$ 25,422.41	\$ 2,684.95	\$ 25,804.92	\$ 10,511.75
10/24/09	\$ 135,163.32	\$ 67,581.66	\$ 67,581.66	\$ 8,393.64	\$ 23,356.22	\$ 2,468.73	\$ 23,707.65	\$ 9,657.42
10/31/09	\$ 129,056.60	\$ 64,528.30	\$ 64,528.30	\$ 8,014.41	\$ 22,300.98	\$ 2,355.28	\$ 22,636.54	\$ 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
11/14/09	\$ 131,919.28	\$ 65,959.64	\$ 65,959.64	\$ 8,192.19	\$ 22,795.85	\$ 2,407.53	\$ 23,138.64	\$ 9,425.63
11/21/09	\$ 119,084.10	\$ 59,547.05	\$ 59,547.05	\$ 7,395.74	\$ 20,579.46	\$ 2,173.47	\$ 20,889.11	\$ 8,509.27
11/28/09	\$ 144,799.96	\$ 72,399.98	\$ 72,399.98	\$ 8,982.08	\$ 25,021.43	\$ 2,642.60	\$ 25,397.91	\$ 10,345.96
12/05/09	\$ 102,013.02	\$ 51,006.51	\$ 51,006.51	\$ 6,335.01	\$ 17,627.85	\$ 1,861.74	\$ 17,893.06	\$ 7,268.63
12/12/09	\$ 104,921.16	\$ 52,460.58	\$ 52,460.58	\$ 6,515.80	\$ 18,130.38	\$ 1,914.81	\$ 18,403.17	\$ 7,496.62
12/19/09	\$ 65,866.78	\$ 32,834.39	\$ 32,834.39	\$ 4,078.03	\$ 11,347.57	\$ 1,198.46	\$ 11,518.30	\$ 4,682.03
12/26/09	\$ 106,912.68	\$ 53,406.34	\$ 53,406.34	\$ 6,633.07	\$ 18,467.23	\$ 1,949.33	\$ 18,734.94	\$ 7,631.77
01/02/10	\$ 185,960.80	\$ 92,980.40	\$ 92,980.40	\$ 11,546.17	\$ 32,134.03	\$ 3,393.78	\$ 32,617.52	\$ 13,286.90
01/09/10	\$ 110,040.92	\$ 55,020.46	\$ 55,020.46	\$ 6,833.54	\$ 19,015.07	\$ 2,008.25	\$ 19,301.18	\$ 7,662.42
Subtotal	\$ 3,928,601.66	\$ 2,420,832.68	\$ 1,506,789.18	\$ 187,385.15	\$ 521,430.62	\$ 55,070.08	\$ 529,276.22	\$ 215,603.11

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending January 9, 2010 FY10 January 15, 2010
To be Deposited on:	
Amount Played	64,385,798.56
Amount Won	57,761,620.28
Amount Promo	227,240.00
MWAP Contribution	<u>28,829.00</u>
Adjusted Gross Terminal Revenue	<u>6,368,109.28</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>254,724.38</u>
Net Terminal Revenue	<u>6,113,384.90</u>
Surcharge @ 10%	611,338.50
State Share Excess @ 58%	354,576.33
Track Share of Capital Reinvestment @ 42%	256,762.17
Track Share of Capital Reinvestment @ 42% - 88%	\$ 246,491.69
Track Share of Capital Reinvestment @ 42% - 4%	\$ 10,270.49
Adjusted Net Terminal Revenue	<u>5,502,046.40</u>
Racetrack @ 46.50% / 42%	2,310,859.49
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,255,839.04
Race Track Purses @ 7% / 14% / 8%	440,163.71
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	27,510.23
Greyhound Development @ .75%	41,265.35
Thoroughbred Development @ .75%	41,265.35
Racing Commission @ 1%	55,020.46
County/Municipality @ 2%	110,040.92
3% Funds:	
Tourism Promotion Fund @ 1.375%	75,653.14
Development Office Promotion Fund @ .375%	20,632.67
Research Challenge Fund @ .5%	27,510.23
Capitol Renovation and Improvement Fund @ .8875%	37,826.57
2004 Capitol Complex Parking Garage Fund @ .0625%	3,438.78
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	0.00
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>55,020.46</u>
	<u>5,502,046.40</u>