

AGENDA FOR THURSDAY, MARCH 25, 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. - Mary Jo Brown - Governor's Representative - Ed Smith Retirement
Presentation

- 4. 9:50 a.m. - County Administrator Reports

- 5. 10:00 a.m. - County Commission Reports

- 6. 10:15 a.m. - Interviews and Appointments to Planning Commission and
Interviews and Appointments to the Development Authority

- 7. 11:00 a.m. - Roger Ethier, John Maxey & Bill Zaleski - Jefferson County Health
Department Water Monitoring on the Mountain

- 8. 11:15 a.m. - Joe Sacchet - Day Report Center's Grant Proposal -
Discussion/Action

- 9. 11:30 a.m. - Legal Update and Report - (Stephanie Grove)

- 10. 11:45 a.m. - Jennifer S. Maghan - County Clerk's Report

- 11. 12:00 p.m. - Tessa Reed - Request for Executive Session

UNFINISHED BUSINESS: (none)

12:15 p.m. - NEW BUSINESS:

- 12. Legislative Issues

- ☐☐☐ 13. Request for Approval of New Appointment to the Jefferson County Deputy Sheriff Reserve - Cassie Lea Johnson

- ☐☐☐ 14. 12:30 p.m. - Break for Lunch

----- AFTERNOON SESSION -----

- ☐☐☐ 15. 1:30 p.m. - Mark Schiavone, Director of Capital Planning and Management
 - Approval of Adjustments to FY 2008 and FY 2009 Financial Reports - Discussion/Action
 - Assessor's Office budget Line Item Transfer - Discussion/Action

- ☐☐☐ 16. 1:40 p.m. - Roger Goodwin, Chief County Engineer
 - Bond Reduction and/or Release - Discussion/Action

- ☐☐☐ 17. 1:45 p.m. - Jennifer Brockman, Director of Planning and Zoning & Roger Goodwin, Chief County Engineer
 - Proposed Land Development Fee Changes - Discussion/Action

- ☐☐☐ 18. 2:15 p.m. - Jennifer Brockman, Director Planning and Zoning
 - Jefferson County Planning Commission 2009 Annual Report to County Commission

- ☐☐☐ 19. 2: 30 p.m. - Kirk Davis, Capital Projects Manager
 - Approval of a Change Order - Discussion/Action
 - Grant Update
 - ADA Ramp Contract - Discussion/Action

- ☐☐☐ 20. 2:45 p.m. - Budget Work Session
 - Approval of Fiscal Year 2011 Budget

- ☐☐☐ 21. 3:15 p.m. - Priorities for the Upcoming Quarter

INFORMATION:

- ☐☐☐ 22. Notice received from the Departments of Planning and Zoning of public meetings to review proposed amendments to the subdivision regulations.

- ☐☐☐ 23. Memorandum received from the Engineering Department concerning the acceptance of bond in the amount of \$3,019 for SPARC Training Campus Subdivision.

- 24. Correspondence received from Diana Walch concerning the Potomac Headwaters RC &D's budget request.
- 25. Correspondence received from Comcast concerning programming and channel changes.
- 26. Correspondence received from the Jefferson County Public Service District concerning expressing gratitude for the Jefferson County Addressing office and to request that the Commission provide funding for implementation of a web GIS application.
- 27. Correspondence received from Larry Willingham, from Jefferson County Schools, concerning implementation of a web GIS application.
- 28. Notice received from Nationwide Insurance concerning plan changes.
- 29. Jefferson County Public Service District Financial Statements received for fiscal years ended June 30, 2008 and 2009.
- 30. Correspondence received from the Division of Criminal Justice Services acknowledging receipt of the request for Victims of Crime Act Assistance Program funds.
- 31. Notice received of the 2010 Federation of Humane Organizations Conference on Animals.
- 32. Legislative information received from the Association of Counties.
- 33. Correspondence and information received from Paul Rosa concerning the 911 Communications Center Budget.
- 34. Correspondence received from Dell concerning layoffs from Dell Perot Systems Government Services.
- 35. E-911 fees received.
- 36. Correspondence received from the Charles Town Chaplaincy Services concerning funding.
- 37. Weekly settlement report received for the Charles Town Races and Slots 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.

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the Old Charles Town Library Meeting Room thereof on Wednesday, March 10, 2010, beginning at 9:30 o'clock a.m.

PRESENT: Lyn Widmyer, President;
James Surkamp; Frances B. Morgan;
Patricia A. Noland; Dale Manuel; Commissioners

In re: BUDGET WORK SESSION - ELECTED OFFICIALS

The County Commission conducted a work session in order for the Elected Officials to present and discuss their Fiscal Year 2011 budget requests with the Commission. Mark Schiavone, Director of Capital Planning and Management, was present for the work session.

The Commission met with the following elected officials and staff:

Angela Banks - Assessor
Ralph Lorenzetti - Prosecuting Attorney
Sheriff Robert Shirley and Lt. Tom Hansen - Sheriff's Law and Tax Offices
Laura Rattenni - Circuit Clerk
Jennifer Maghan - County Clerk

No decisions were made at this meeting.

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

PRESIDENT

REGULAR TERM:

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

At a Regular Term of the County Commission of said County and State continued and held at the Old Charles Town Library meeting room thereof on Thursday, March 11, 2010 beginning at 9:30 o'clock a.m.

PRESENT: Lyn Widmyer; President;
Patricia Noland, Dale Manuel,
Frances Morgan; Commissioners

In re: PLEDGE OF ALLEGIANCE
Commissioner Noland conducted the Pledge of Allegiance.

In re: APPROVAL OF MINUTES
Motion by Morgan, second by Manuel to dispense with the reading of the Minutes for the meeting held on Thursday, March 4, 2010 and to approve the Minutes as amended. Motion carried.

In re: APPROVAL OF PURCHASE ORDERS
Motion by Manuel, second by Morgan to approve the following Purchase Orders for the week of March 11, 2010 totaling \$34,519.45:480810, 48081, 47621, 47622, 47925, 47656, 48082, 48084, 47110, 47111, 47112, 48015, 482104, 48205, 48225, 48077, 48078, 48079, 47950, 47951, 47952, 47953,47719, 47720, 47722, 47723, 47724, 48086, 48085. Motion carried.

In re: APPROVAL OF ACCOUNTS PAYABLE
Motion by Morgan, second by Manuel to approve the list of accounts payable for March 11, 2010. Motion carried.

CK #	DEPT	VENDOR	PONUM	POAMT	NOAMT	CK AMT
061003	413	ALLEGHENY POWER		\$ -	\$ 321.56	\$ 321.56
061004	440	ASCE BOOK ORDERS	47104	\$ 295.00	\$ -	\$ 295.00
061005	424	USA MOBILITY WIRELESS,IN		\$ -	\$ 89.28	\$ 89.28
061005	700	USA MOBILITY WIRELESS,IN		\$ -	\$ 195.03	\$ 195.03
061005	712	USA MOBILITY WIRELESS,IN		\$ -	\$ 432.07	\$ 432.07
061006	413	APPLE VALLEY OFF.PRO	47755	\$ 194.12	\$ -	\$ 194.12
061007	439	B-K OFFICE SUPPLY INC	47370	\$ 61.55	\$ -	\$ 61.55
061008	439	JENNIFER M. BROCKMAN		\$ -	\$ 37.11	\$ 37.11
061009	711	*CREAMERS AUTO SERVICE	48068	\$ 12.00	\$ -	\$ 12.00
061009	712	*CREAMERS AUTO SERVICE	48068	\$ 41.53	\$ -	\$ 41.53
061009	716	*CREAMERS AUTO SERVICE	48068	\$ 73.83	\$ -	\$ 73.83
061010	424	CHARLES TOWN UTILITIES		\$ -	\$ 97.90	\$ 97.90
061010	425	CHARLES TOWN UTILITIES		\$ -	\$ 790.27	\$ 790.27
061011	712	VERIZON		\$ -	\$ 380.00	\$ 380.00
061012	712	CDW-GOVERNMENT INC	46629	\$ 288.36	\$ -	\$ 288.36

061013	424	CREAMERS WRECKER SVC	48070	\$ 247.00	\$ -	\$ 247.00
061014	700	CARS/COMPLETE AUTO REPAI	48028	\$ 74.78	\$ -	\$ 74.78
061015	406	DECISIONONE CORP	47619	\$ 118.72	\$ -	\$ 118.72
061016	425	DAYCON	48071	\$ 359.31	\$ -	\$ 359.31
061017	401	DELTA DEV GROUP		\$ -	\$ 2,017.81	\$ 2,017.81
061018	424	J.C.EHRLICH		\$ -	\$ 31.00	\$ 31.00
061018	425	J.C.EHRLICH		\$ -	\$ 399.00	\$ 399.00
061019	412	FRONTIER		\$ -	\$ 435.12	\$ 435.12
061019	415	FRONTIER		\$ -	\$ 340.03	\$ 340.03
061019	424	FRONTIER		\$ -	\$ 17,085.54	\$ 17,085.54
061019	712	FRONTIER		\$ -	\$ 1,218.90	\$ 1,218.90
061020	425	GRAINGER, INC	48074	\$ 162.24	\$ -	\$ 162.24
061021	440	ROGER GOODWIN		\$ -	\$ 24.00	\$ 24.00
061022	711	GUEST SERVICES	48203	\$ 96.75	\$ -	\$ 96.75
061023	716	HILLSIDE VETERINARY	47895	\$ 57.25	\$ -	\$ 57.25
061024	433	IKON OFFICE SOLUTIONS	46764	\$ 202.35	\$ -	\$ 202.35
061024	439	IKON OFFICE SOLUTIONS	47356	\$ 1,068.70	\$ -	\$ 1,068.70
061024	401	IKON OFFICE SOLUTIONS		\$ -	\$ 299.48	\$ 299.48
061025	428	IPSWITCH, INC		\$ -	\$ 4,173.30	\$ 4,173.30
061026	402	JEFF PUBLISH CO INC	48120	\$ 370.64	\$ -	\$ 370.64
061026	712	JEFF PUBLISH CO INC	48161	\$ 25.00	\$ -	\$ 25.00
061027	401	THE JOURNAL	47107	\$ 127.37	\$ -	\$ 127.37
061028	425	JEFFERSON COUNTY SOLID	48073	\$ 236.85	\$ -	\$ 236.85
061029	440	HAINES KIMBLE		\$ -	\$ 8.39	\$ 8.39
061030	712	PRIORITY DISPATCH	47142	\$ 429.00	\$ -	\$ 429.00
061031	424	VERIZON BUSINESS		\$ -	\$ 1,127.72	\$ 1,127.72
061032	401	JOHN McCUE		\$ -	\$ 395.65	\$ 395.65
061033	ALLOC	JEFF CO PARKS &		\$ -	\$ 12,856.18	\$ 12,856.18
061034	425	LANDMARK ELEVATOR INC.	47286	\$ 240.00	\$ -	\$ 240.00
061035	424	ROACH OIL COMPANY		\$ -	\$ 2,341.57	\$ 2,341.57
061035	425	ROACH OIL COMPANY		\$ -	\$ 2,749.31	\$ 2,749.31
061036	424	RCS SECURITY	48076	\$ 525.00	\$ -	\$ 525.00
061036	425	RCS SECURITY	48076	\$ 905.80	\$ -	\$ 905.80
061037	424	ROCKWELL CONST	48075	\$ 5,700.00	\$ -	\$ 5,700.00
061037	425	ROCKWELL CONST	48075	\$ 5,246.51	\$ -	\$ 5,246.51
061038	402	RECORD MGT SOLUTN	47314	\$ 35.00	\$ -	\$ 35.00
061039	PAYROLL	RETIREE HLTH BENEFIT TRS		\$ -	\$ 7,910.00	\$ 7,910.00
061040	424	SHENANDOAH SALES & SERV	48072	\$ 225.00	\$ -	\$ 225.00
061041	404	SHERIFF OF JEFF CO	47791	\$ 33.75	\$ -	\$ 33.75
061042	424	SMITH-NADENBOUSCH INS./C		\$ -	\$ 200.00	\$ 200.00
061043	401	SOFTWARE SYSTEMS, INC		\$ -	\$ 1,808.00	\$ 1,808.00

061043	402	SOFTWARE SYSTEMS, INC		\$ -	\$ 301.50	\$ 301.50
061043	403	SOFTWARE SYSTEMS, INC		\$ -	\$ 714.00	\$ 714.00
061043	404	SOFTWARE SYSTEMS, INC		\$ -	\$ 783.00	\$ 783.00
061043	700	SOFTWARE SYSTEMS, INC		\$ -	\$ 30.50	\$ 30.50
061044	401	STAPLES CREDIT PLAN		\$ -	\$ 235.65	\$ 235.65
061044	412	STAPLES CREDIT PLAN		\$ -	\$ 70.16	\$ 70.16
061044	424	STAPLES CREDIT PLAN		\$ -	\$ 495.77	\$ 495.77
061044	700	STAPLES CREDIT PLAN		\$ -	\$ 523.28	\$ 523.28
061044	712	STAPLES CREDIT PLAN		\$ -	\$ 871.08	\$ 871.08
061044	716	STAPLES CREDIT PLAN		\$ -	\$ 49.97	\$ 49.97
061045	711	SOFTWARE COMPUTER GROUP	47171	\$ 150.00	\$ -	\$ 150.00
061046	712	SEN COMMUNICATIONS	47143	\$ 125.00	\$ -	\$ 125.00
061047	424	SCOTTS AUTO BODY	48069	\$ 565.93	\$ -	\$ 565.93
061048	425	SHENANDOAH VALLEY WATER		\$ -	\$ 520.20	\$ 520.20
061049	401	HAMMER,FERRETTI,SCHIAVON		\$ -	\$ 535.00	\$ 535.00
061050	424	HAGEMEYER	48027	\$ 834.85	\$ -	\$ 834.85
061051	700	DUSTIN TABLER		\$ -	\$ 9.93	\$ 9.93
061052	403	UNITED SYSTEMS & SOFTWARE		\$ -	\$ 177.00	\$ 177.00
061053	424	US POSTAL SERVICE		\$ -	\$ 20,000.00	\$ 20,000.00
061054	ALLOC	JEFFERSON CO CONVENTION		\$ -	\$ 15,304.97	\$ 15,304.97
061055	716	VALLEY PET CEMETERY		\$ -	\$ 246.00	\$ 246.00
061056	712	VERIZON		\$ -	\$ 6,489.38	\$ 6,489.38
061057	424	WILLIAMS MOTOR PARTS, IN	47893	\$ 21.36	\$ -	\$ 21.36
061058	425	WM OF WV, INC		\$ -	\$ 654.71	\$ 654.71
061058	716	WM OF WV, INC		\$ -	\$ 93.36	\$ 93.36
061059	440	WV CODE OFFICIALS ASSOC	47105	\$ 150.00	\$ -	\$ 150.00
061059	440	WV CODE OFFICIALS ASSOC	47106	\$ 120.00	\$ -	\$ 120.00
061060	GRANT	PAMELA HOLSTEIN-WALLACE		\$ -	\$ 1,500.00	\$ 1,500.00
061060	GRANT	PAMELA HOLSTEIN-WALLACE		\$ -	\$ 5,000.00	\$ 5,000.00
061061	413	REVA MICKEY		\$ -	\$ 100.00	\$ 100.00
061062	413	GARY DUNGAN		\$ -	\$ 100.00	\$ 100.00
TOTAL						\$ 131,990.23
TOTAL				\$ 19,420.55	\$ 112,569.68	\$ 131,990.23

In re: PUBLIC COMMENT

No new information was presented.

In re: COUNTY ADMINISTRATOR REPORTS

Sandy Slusher McDonald, Acting County Administrator reported that Jefferson County Parks and Recreation would not be present for the afternoon appointment.

Ms. McDonald reported that the Development Authority would not be present for the afternoon appointment.

Commissioner Morgan reported along the lines of jobs, the need for a meat processing facility in the county.

Ms. McDonald reminded the Commission that there will be public meetings next week.

Commissioner Widmyer directed staff to check on the availability of another location for the Small Cities Block Grant public hearing.

Ms. McDonald confirmed that the Extension Office conference room would be available for the Small Cities Block Grant public hearing.

Ms. McDonald reported that she would be emailing the weekly schedule.

In re: COUNTY COMMISSION REPORTS

Commissioner Noland reported on the 4-H meeting she attended.

Commissioner Noland reported on the public hearing she attended.

Commissioner Noland reported on the budget meetings she attended.

Commissioner Manuel reported on the Jefferson County Council on Aging meeting he attended.

Commissioner Manuel reported on the PanTran meeting he attended.

Commissioner Surkamp reported on the LAPC meeting he attended.

Commissioner Morgan reported on the Board of Health meeting she attended.

Commissioner Morgan reported on the National Association of Counties meeting she attended.

Commissioner Morgan reported on the Budget meeting she attended.

Commissioner Morgan reported on the Small Cities Block Grant public hearing she attended.

Commissioner Morgan reported on the Criminal Justice Board meeting she attended.

Commissioner Widmyer reported on the Teleconference she participated in for the Hagerstown Eastern Panhandle Metropolitan Planning Organization.

Commissioner Widmyer reported that she would be picking up the Small Cities Block Grant application on Friday.

In re: SHERIFF SHIRLEY – DEPARTMENT UPDATE AND INTRODUCTION OF NEW DEPUTY DOUGLAS FLETCHER

Sheriff Shirley reported that the Sheriff's department is fully staffed.

Sheriff Shirley introduced Douglas Fletcher as the newly hired Deputy.

Douglas Fletcher, Deputy Sheriff was present and gave comments.

In re: JENNIFER S. MAGHAN – COUNTY CLERK

No new information was provided.

In re: LEGISLATIVE ISSUES

Commissioner Noland reported on the following pending legislative issues:

- Senate Bill 237
- Senate Bill 231
- House Bill 333
- Senate Bill 337
- Senate Bill 401
- Senate Bill 614
- House Bill 4211
- House Bill 4008
- Senate Bill 537
- House Bill 583

Commissioner Surkamp reported on English as a second language.

Commissioner Widmyer reported on Senator Snyder's Bill concerning natural resources.

In re: REQUEST FOR USE OF COUNTY MEETING ROOM RECEIVED FROM DANIEL P. LUTZ, JR. – DISCUSSION/ACTION

Motion by Manuel, second by Morgan to approve the request from Daniel P. Lutz, Jr. to use the meeting room. Motion carried.

Commissioner Widmyer recommended that the Commission not meet Thursday, April 1, 2010.
Motion by Noland, second by Widmyer to not meet Thursday, April 1, 2010. Motion withdrawn.

The Commission took a break at 10:30 a. m.

The Commission reconvened at 10:35 a. m.

In re: STATE AUDITOR’S OFFICE – FY2008 AND FY2009 AUDIT EXIT DISCUSSION

Salli Martin, representative for State Auditor’s Office reported on the findings for the FY2008 and FY2009 Audits.

Kenny Drain, State Auditor Supervisor was present and gave comments.

Mark Schiavone, Director of Capital Planning and Management were present and gave comment.
Jennifer Maghan, County Clerk was present and gave comment.

In re: WATER ADVISORY COMMITTEE APPOINTMENTS

Motion by Surkamp, second by Morgan to appoint Mark Shields, Larry Johnson, Dick Latterell, Willis Nowell and Roger Ethier to the Water Advisory Committee.

Commissioner Noland recommended consulting with the Committee before increasing the membership.

The Commission directed staff to send a letter to the Water Advisory Committee asking for recommendations to the increase the numbers of members.

Commissioner Noland agreed to consult with Water Advisory Committee regarding the number of members.

Commissioner Morgan withdrew her second until a response is made from the Committee.

Nomination by Commissioner Noland to appoint Mark Shields to the Water Advisory Committee.

	Noland	Surkamp	Manuel	Morgan	Widmyer
Mark Shields	X	X	X	X	X

Mark Shields was appointed to the Water Advisory Committee for an unexpired term ending January 31, 2011.

Nomination by Commissioner Morgan to appoint Dick Latterell to the Water Advisory Committee.

Nomination by Commissioner Surkamp to appoint Willis Nowell to the Water Advisory Committee.

Nomination by Commissioner Widmyer to appoint Roger Ethier to the Water Advisory Committee.

Nomination by Commissioner Noland to appoint Larry Johnson to the Water Advisory

Committee.

	Noland	Surkamp	Manuel	Morgan	Widmyer
Dick Latterell	X		X	X	X
Willis Nowell		X	X		
Roger Ethier	X	X	X	X	X
Larry Johnson	X	X		X	X

Dick Latterell, Roger Ethier, and Larry Johnson were reappointed to the Water Advisory Committee for a Three year expired term ending March 31, 2013.

In re: LEGAL UPDATE AND REPORT – (STEPHANIE GROVE)

Stephanie Grove, Assistant Prosecuting Attorney distributed her to do list.
 Ms. Grove reported on the Jefferson Orchards and the Rissler Case at the Supreme Court.
 Ms. Grove reported that she read the Architect report.
 The Commission directed Ms. Grove to reject the report.
 Ms. Grove reported on the Public Service District case.
 Ms. Grove reported that she needs the policy for overtime from Department Heads.
 Jeff Polczynski, Director of Communications was present and gave comments.

In re: JEFFERSON COUNTY EMERGENCY SERVICES AGENCY APPOINTMENTS

David Smith appeared before the Commission for an interview.

Nomination by Commissioner Noland to appoint Michael Mood to the Jefferson County Emergency Services Agency.

Nomination by Commissioner Surkamp to appoint Andrew Arnold to the Jefferson County Emergency Services Agency.

Nomination by Commissioner Manuel to appoint Michael Mood to the Jefferson County Emergency Services Agency.

Nomination by Commissioner Widmyer to appoint Maggie Gorman to the Jefferson County Emergency Services Agency.

Commissioner Morgan abstained.

	Noland	Surkamp	Manuel	Morgan	Widmyer
Michael Mood	X		X		
Andrew Arnold		X			
Maggie Gorman					X

Michael Mood was appointed to the Jefferson County Emergency Services Agency for One unexpired term ending November 2, 2011.

In re: HARPERS FERRY/BOLIVAR PUBLIC SERVICE DISTRICT APPOINTMENTS

By unanimous consent, the Commission agreed to appoint Frank Donadio to the Harpers/Bolivar Public Service District for an unexpired term ending June 30, 2014.

The Commission recessed for lunch at 12:05 p. m.
The Commission reconvened at 1:30 p. m.

In re: JENNIFER BROCKMAN, DIRECTOR OF PLANNING AND ZONING – PLANNING COMMISSION RECOMMENDATIONS REGARDING BAKERTON AND 340 ZONING MAP AMENDMENT

Jennifer Brockman, Director of Planning and Zoning reported on recommendations by the Planning Commission on the denial of the rezoning request regarding route 340.

Ms. Brockman recommended a public hearing be held.

The Commission directed staff to work together to set the date for a public hearing.

In re: MARK SCHIAVONE, DIRECTOR OF CAPITAL PLANNING AND MANAGEMENT- BUDGET ISSUES

Mark Schiavone, Director of Capital Planning and Management presented different scenarios on the budget.

Teresa Hendricks, Chief Deputy Tax Collector was present and gave comments.

In re: JEFFERSON COUNTY EMERGENCY SERVICES AGENCY – BUDGET DISCUSSION

Doug Pittinger, Director of the Jefferson County Emergency Services Agency gave an overview of the Jefferson County Emergency Services Agency Budget.

Pete Kelley was present and gave comments.

Mark Schiavone was present and gave comments.

In re: PARKS AND RECREATION COMMISSION – BUDGET DISCUSSION

No new information was provided.

In re: DUFFIELDS STATION, INC. – BUDGET DISCUSSION

Jack Snyder, representative of the Duffields Train Station, Inc. was present and made a request for \$5,200.00.

In re: JEFFERSON COUNTY DEVELOPMENT AUTHORITY – BUDGET DISCUSSION

No new information was provided.

The Commission received the following information:

The County Commission will be welcoming the new County Administrator, Tim Boyde, and expressing their appreciation to Sandy McDonald, Deputy County Administrator on Wednesday, March 17, 2010, 4:00 p.m. - 5:30 p.m. in the basement of the Charles Town Library.

Memorandum received from the Engineering Department concerning an acceptance of bond in the amount of \$30,040 for Cambridge Manufactured Home Development.

Memorandums received from the Department of Capital Planning and Management concerning transfers of funds.

Impact Fee Status report received for February 2010.

Correspondence received from the Historic Landmarks Commission concerning the proposed “monopine” cellular tower.

Correspondence received from the Historic Landmarks Commission supporting the work of the County's GIS/Addressing office.

Correspondence received from the West Virginia Development Office concerning the Land and Water Conservation Fund.

Correspondence received from the West Virginia Division of Culture and History concerning the proposed mountain communities' water extension.

Correspondence received from the State Tax Department concerning the budget for the Statewide Computer Network.

Correspondence received from the U.S. Census Bureau concerning the "Take 10" challenge.

Notice received of the National Animal Control Association Training Academy on May 3-7, 2010.

Legislative information received from the Association of Counties and the County Commissioners' Association.

Newsletter received from the Harpers Ferry National Historical Park.

Memorandum received from the West Virginia Development Office concerning the 2010-2014 Consolidated Action Plan.

E-911 fees received.

Weekly settlement report for the Charles Town Races and Slots received from the West Virginia Lottery.

Meeting minutes received from the Jefferson County Public Service District.

Correspondence received from Jennifer Maghan, County Clerk regarding removal of platform in the mail room.

Correspondence received from Kimberly D. Smeltzer opposing the proposed judicial center building project.

Correspondence received from Gil Narro Garcia concerning the Planning Commission agenda.

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

LYN WIDMYER, COMMISSION PRESIDENT

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the Jefferson County Extension Office meeting room thereof on Tuesday, March 16, 2010, beginning at 7:00 o'clock p.m.

PRESENT: Lyn Widmyer; President
James Surkamp; Frances Morgan; Dale Manuel; Commissioners

Commissioners Patsy Noland absent.

In re: PUBLIC HEARING - SMALL CITIES BLOCK GRANT

Commissioner Widmyer opened the Public Hearing for the Small Cities Block Grant.
Carol Crabtree, Director of Region 9 and Todd Kelvington of the Public Service District were present and gave a presentation.

A sign in sheet was provided for each person wanting to speak.

Comments were made by the following:

Martha Zimmerman	Clinton McNutt	Jim McDonald
Matt Parker	Kyle Hart	Phil Bromwell
Scott Tatina	Pete Appignani	Alex Uttenhopp
Todd Baldau	Adam Goldman	Todd Cole
Budge Blake	Catherine Harris	Linda and Ed Rhodes
Heidi Parker	Deborah Johnson	Mike Kafferjohn
Jan Tooke	Jacqueline Milliron	Barbara Humes

Commissioner Noland arrived at 8:30 p. m.

No decisions were made.

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

LYN WIDMYER, COMMISSION PRESIDENT

Jefferson County Commission - Public Hearing
 Small Cities Block Grant
 Tuesday, March 16, 2010 at 7:00 p.m.

	Printed Name	Address & Phone	Providing Comments?
21.	Catherine Hawks	PO Box 166 Charles Town	Yes <input checked="" type="radio"/> No
22.	LINDA + ED RHODES	GAP VIEWS	Yes <input type="radio"/> No
23.	Heidi Parker	Breckenridge	Yes <input checked="" type="radio"/> No
24.	Deborah Johnson	Breckenridge	Yes <input checked="" type="radio"/> No
25.	Nicole Kattars-Davis	Shepherdsgrove	Yes <input checked="" type="radio"/> No
26.	Jane TOSKE	Shepherdsgrove	Yes <input checked="" type="radio"/> No
27.	Paul Bobik	Caps New Mill	Yes <input type="radio"/> No <input checked="" type="radio"/>
28.	? Brett O'FISH	Breckenridge	Yes <input checked="" type="radio"/> No
29.	Jacqueline Mullison	26 Pelham Lane	Yes <input checked="" type="radio"/> No
30.	Julie Hibberd	96 Trotting Lease	Yes <input checked="" type="radio"/> No <input checked="" type="radio"/>
31.	ADAM GORSMAN	Box 283 CTWV	Yes <input checked="" type="radio"/> No
32.	Todd Baker	182 Coventry Lane Apperly	Yes <input checked="" type="radio"/> No
33.			Yes <input type="radio"/> No
34.			Yes <input type="radio"/> No
35.			Yes <input type="radio"/> No
36.			Yes <input type="radio"/> No
37.			Yes <input type="radio"/> No
38.			Yes <input type="radio"/> No
39.			Yes <input type="radio"/> No
40.			Yes <input type="radio"/> No



Jefferson County Commission - Public Hearing
Small Cities Block Grant
Tuesday, March 16, 2010 at 7:00 p.m.

	<u>Printed Name</u>	<u>Address & Phone</u>	<u>Providing Comments?</u>
1.	Martha H Zimmerman	103 Cambridge Dr 304-708-6578	Yes <input checked="" type="radio"/> No <input type="radio"/>
2.	Chinshin McHurt	57906 W Ct. 304-243-2571	Yes <input checked="" type="radio"/> No <input type="radio"/>
3.	Jim McDonald	40 Tay Street, SEGALETT	Yes <input type="radio"/> No <input checked="" type="radio"/>
4.	Matt Parker	32 Buckskin Ct. 304-579-9717	Yes <input type="radio"/> No <input checked="" type="radio"/>
5.	Ryle Her	1345 Steel St. Dawson	Yes <input type="radio"/> No <input checked="" type="radio"/>
6.	Phil Brownell	266 Buckett Road	Yes <input checked="" type="radio"/> No <input type="radio"/>
7.	SCOTT TATINA	60 Worthing Lake HF	Yes <input checked="" type="radio"/> No <input type="radio"/>
8.	Pete Applismani	26 Gus aught Ct	Yes <input type="radio"/> No <input checked="" type="radio"/>
9.	Alex URESHORP	112 MORTINE way	Yes <input checked="" type="radio"/> No <input type="radio"/>
10.	Tom Williams	26 Selma Ln	Yes <input type="radio"/> No <input checked="" type="radio"/>
11.	Todd Paulson		Yes <input type="radio"/> No <input type="radio"/>
12.	Matt Paulson		Yes <input type="radio"/> No <input type="radio"/>
13.			Yes <input type="radio"/> No <input type="radio"/>
14.	Andrew Goldman		Yes <input type="radio"/> No <input type="radio"/>
15.	Todd Cole		Yes <input type="radio"/> No <input type="radio"/>
16.	Budger Blake		Yes <input type="radio"/> No <input type="radio"/>
17.			Yes <input type="radio"/> No <input type="radio"/>
18.			Yes <input type="radio"/> No <input type="radio"/>
19.			Yes <input type="radio"/> No <input type="radio"/>
20.			Yes <input type="radio"/> No <input type="radio"/>

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the Old Charles Town Library Ground Floor meeting room thereof on Wednesday, March 17, 2010, beginning at 7:00 o'clock p.m.

PRESENT: Lyn Widmyer; President
James Surkamp; Frances Morgan;
Patsy Noland; Dale Manuel; Commissioners

In re: PUBLIC HEARING - BUDGET FY2011
Commissioner Widmyer opened the Public Hearing for the Small Cities Block Grant.
Mark Schiavone, Director of Capital Planning was present and gave comments.

A sign in sheet was provided for each person wanting to speak.

Comments were made by the following:

Dan Lutz, Jr.	Paul Rosa	Russell Roper
Vicki Eckert	David Lavine	Jim Knode
Toni Milbourne	Kyle Sneathen	Judy Matlick

No decisions were made.

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

LYN WIDMYER, COMMISSION PRESIDENT

Jefferson County Commission - Public Hearing
 BUDGET FY2011
 Wednesday, March 17, 2010 at 7:00 p.m.

	Printed Name	Address & Phone	Providing Comments?
1.	DAVID L. P. Lutz	175 Asted Road	Yes <input checked="" type="radio"/> No <input type="radio"/>
2.	PAUL ROSA	P Box 1350 HARPER FERRY 25425	Yes <input type="radio"/> No <input checked="" type="radio"/>
3.	R B Rojau	4670 T Wash Circle	Yes <input checked="" type="radio"/> No <input type="radio"/>
4.	Vicki SeLent	175 Cheney Ave HF	Yes <input type="radio"/> No <input checked="" type="radio"/>
5.	David Levine	2426 Stearlist Ln Chapl Hill	Yes <input type="radio"/> No <input checked="" type="radio"/>
6.	JIM Knobe	1969 Kearneysville Pike 304 876 2663	Yes <input checked="" type="radio"/> No <input type="radio"/>
7.	Tom Melburn	Boburn	Yes <input type="radio"/> No <input checked="" type="radio"/>
8.	Kyle Sneathen	S'ton	Yes <input type="radio"/> No <input checked="" type="radio"/>
9.	Dorey Mastick	Wm Jeffco Exhcn	Yes <input type="radio"/> No <input checked="" type="radio"/>
10.			Yes <input type="radio"/> No <input checked="" type="radio"/>
11.			Yes <input type="radio"/> No <input checked="" type="radio"/>
12.			Yes <input type="radio"/> No <input checked="" type="radio"/>
13.			Yes <input type="radio"/> No <input checked="" type="radio"/>
14.			Yes <input type="radio"/> No <input checked="" type="radio"/>
15.			Yes <input type="radio"/> No <input checked="" type="radio"/>
16.			Yes <input type="radio"/> No <input checked="" type="radio"/>
17.			Yes <input type="radio"/> No <input checked="" type="radio"/>
18.			Yes <input type="radio"/> No <input checked="" type="radio"/>
19.			Yes <input type="radio"/> No <input checked="" type="radio"/>
20.			Yes <input type="radio"/> No <input checked="" type="radio"/>

#3

Sandy McDonald

From: "Brown, Mary Jo" <Mary.J.Brown@wv.gov>
To: "Sandy McDonald" <sandy@jeffersoncountywv.org>
Sent: Monday, March 08, 2010 10:50 AM
Subject: RE: Ed Smith Resolution

Sandy,

Herb will not be back from Charleston for our tentatively scheduled presentation on March 18. Could we move it to March 25? I also believe that Senator Snyder will be making another presentation involving money to the African American Historical Group. Pls. let me know. I will talk with Herb later this week for details of his presentation so that I can get it to you.

Thanks.

Mary Jo Brown

Regional Representative

Office of Governor Joe Manchin

Phone: 304-389-5009

Fax: 304-267-0186

Mary.J.Brown@wv.gov

(Serving: Berkeley, Hampshire, Jefferson, Mineral, Morgan)

From: Sandy McDonald [mailto:sandy@jeffersoncountywv.org]
Sent: Friday, February 05, 2010 10:44 AM
To: Brown, Mary Jo
Subject: Ed Smith Resolution

Mary Jo,

Attached is the Resolution for Ed Smith. I will be adding to our email alerts. Please let me know if you need anything additional.

Enjoy the snow and be safe.

Sandy Slusher McDonald
Acting County Administrator
Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414
304-728-3282
304-725-7916 (fax)
www.jeffersoncountywv.org

#6

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, March 25, 2010, or as soon thereafter as the Commission may decide:

Jefferson County Planning Commission - Three 3-year terms ending March 31, 2013

Jefferson County Planning Commission - One unexpired term ending March 31, 2011

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

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

Planning Commission

Members currently serving

Name	Address	Phone	Expiration
Stephen Alemar	77 Cavalier View Court Shepherdstown, WV 25443	304-876-1811	3/31/2010
John Maxey	335 Old Shenandoah Trail Harpers Ferry, WV 25425	304-724-7625	3/31/2011
Arnold W. Dailey	1694 S. Childs Rd. Kearneysville, WV 25430	304-728-7551	3/31/2012
Gene Taylor	1884 Hidden Hollow Rd Kearneysville, WV 25430	304-724-1784	1/31/2011
Thomas Trumble	2576 Warm Springs Road Shenandoah Junction, WV 25442	304-876-2161	3/31/2012
Patsy Noland	Jefferson County Commission	304-728-3284	

Resigned or expired term member(s)

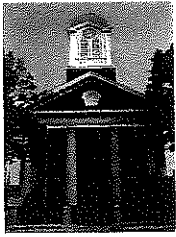
Name	Address	Phone	Expiration
Ellen May	P.O. Box 669 Charles Town, WV 25414		3/31/2010
Robert Reynolds	188 Norman Lane Shepherdstown, WV 25443		3/31/2010
Stephen Alemar	77 Cavalier View Court Shepherdstown, WV 25443		3/31/2010
John Sidor	778 Elk Run Estates Harpers Ferry, WV 25425		3/31/2011

Interested Applicants

Name	Address	Phone	Expiration
Stephen Alemar	77 Cavalier View Court Shepherdstown, WV 25443	304-876-1811	3/31/2010
Morgan Etters	810 Mission Rd Harpers Ferry, WV 25425	304-728-7433	
Matthew Harris	116 Monte Carlo Way Charles Town, WV 25414	304-283-6196	
Wm. Kelly Baty	4704 Kabletown Road Charles Town, WV 25414	304-725-3748	
Daniel B. Hayes	Unknown Shepherdstown, WV 25443	301-721-2225	
Reese Claybaugh	P.O. Box 250 Charles Town, WV 25414	304-725-0094	
Ed Burns		304-728-1160	
Todd Kelvington	1312 Rolling Lane Harpers Ferry, WV 25425	304-886-1645	

Planning Commission Applicants
March 19, 2010 Call log
(to inform applicants of interviews on 3/25 at 10:15 a.m.)

Name	Number	Result of Phone Call
Morgan Etters	304-728-7433	Left message
Reese Claybaugh	304-671-1400 304-725-0094	Will be present
Stephen Alemar	304-876-1811	Will be present
Todd Kelvington	304-886-1645	He has an exam in Charleston. He will not attend.
Daniel Hayes	301-721-2225	Left Message
William Baty	304-725-3748	Left message
Matthew Harris	304-283-3276 304-885-0609	Left two messages <i>will be there</i>
<i>ED Burns</i>		<i>will be there</i>



THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304-728-3284

www.jeffersoncountywv.org

Fax: 304-725-7916



February 17, 2010

Ellen May
P.O. Box 669
Charles Town, WV 25414

Dear Ms. May:

Please be advised that your term on the Planning Commission will expire on March 31, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant

Nichelle Hosby

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Thursday, March 04, 2010 8:59 AM
To: Nichelle Hosby
Subject: Fw: Planning Commission

Send thank you letter declining reappointment and place in packet :)

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

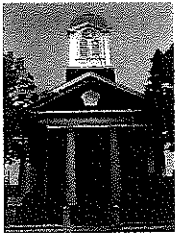
From: [Ellen May](#)
To: sandy@jeffersoncountywv.org
Sent: Thursday, March 04, 2010 8:12 AM
Subject: Planning Commission

Please accept this email as notification that I do not intend to apply for another term on the Jefferson County Planning Commission.

While I have enjoyed my service, I believe it is time to allow other citizens participate in this process, learn more about County wide challenges and gain a better understanding of the constraints inherent in this process.

Ellen May

Executive Director
ECGC Distributors, Ltd.
Al's Garden Center, OR
Armstrong Garden Centers, CA
English Gardens, MI
Green View Companies, IL
Homestead Gardens, MD
Mahoney's Garden Centers, MA
Martin Viette Nurseries, NY
McDonald Garden Centers, VA
Molbaks, WA
Pike Nurseries, GA
Southern Homes & Gardens, AL
PO 873
Charles Town, WV 254154
304/728-3791



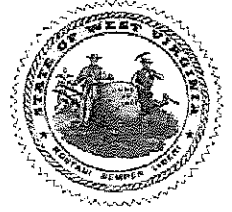
THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304-728-3284

www.jeffersoncountywv.org

Fax: 304-725-7916



February 17, 2010

Robert Reynolds
188 Norman Lane
Shepherdstown, WV 25443

Dear Mr. Reynolds:

Please be advised that your term on the Planning Commission will expire on March 31, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant

RECEIVED

February 21, 2010

FEB 25 2010

Nichelle Hosby, Administrative Assistant
The County Commission of Jefferson County
P.O. Box 250
124 East Washington Street
Charles Town, WV 25414

Jefferson County Commission

Dear Ms. Hosby:

In response to your notification and inquiries of February 17, 2010, please be advised that I will not be applying for reappointment as a member of the Jefferson County Planning Commission.

Please be further advised that due to other personal interests I will be unable to continue serving beyond the expiration of my term March 31, 2010.

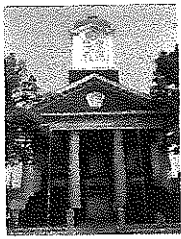
Sincerely,



Robert Reynolds

Cc: John Maxey
Jennifer Brockman

THE COUNTY COMMISSION OF JEFFERSON COUNTY



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



Phone: 304/728-3284

www.jeffersoncountywv.org

Fax: 304/725-7916

March 1, 2010

John Sidor
778 Elk Run Estates
Harpers Ferry, WV 25425

Dear Mr. Sidor:

The County Commission of Jefferson County has received your letter of resignation to the Jefferson County Planning Commission.

On behalf of the Commission, I want to thank you for your time and effort spent in serving on the Jefferson County Planning Commission. Please accept this letter as a token of our appreciation for your efforts.

For the Commission,

Nichelle Hosby
Administrative Assistant

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

Dear Ms. Widmyer:

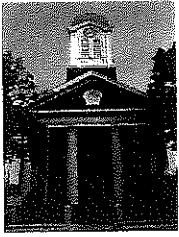
This is to present my resignation from the Planning Commission effective on adjournment of tonight's (February 23) regularly scheduled meeting. Beginning two weeks ago, I have taken a new position with Mountain State University that requires some out-of-area traveling and significant new responsibilities. Consequently, I will not have the time it takes to prepare for and participate in many meetings.

I have much enjoyed my nearly six years on the Planning Commission and the opportunity to work with the county commission and the planning department and the staff of the county on issues so important to the future of our county and its current and future residents.

Sincerely,

John Sidor

cc Sandy Slusher



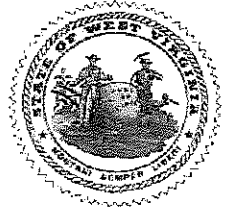
THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304-728-3284

www.jeffersoncountywv.org

Fax: 304-725-7916



February 17, 2010

Stephen Alemar
77 Cavalier Court
Shepherdstown, WV 25443

Dear Mr. Alemar:

Please be advised that your term on the Planning Commission will expire on March 31, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant

Stephen Alemar
77 Cavalier View Ct
Shepherdstown, WV 25443-5026
(304) 876 1811

February 25, 2010

RECEIVED

MAR 01 2010

Commission of Jefferson County
PO BOX 250
Charles Town, WV 25414
Attention: Nichelle Hosby, Administrative Assistant

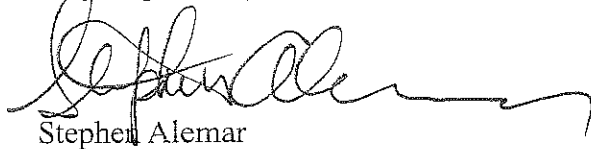
Jefferson County Commission

Dear Ms. Hosby,

Pursuant to your correspondence dated February 17, 2010 it is my intention to remain on the Jefferson County Planning Commission when my term expires on March 31, 2010, therefore please submit my name as a candidate for a three year term during the March 25, 2010 appointment process.

Thank you for your consideration.

Very respectfully,



Stephen Alemar

Stephen Alemar

Objective To obtain a position on Jefferson County Planning Commission.

Experience 5-27-09 to current US Army Medical Research & Materiel Command Fort Detrick, MD

Management Analyst

- Conduct management studies and reviews
- Perform managerial cost accounting and develop cost models
- Oversee office redesigns and construction

07-16-86 to 5-27-09 United States Postal Service, HQ Washington, DC

Activity Based Costing Team Leader

- Lead a large team of financial, Activity Based Costing, and Operations Research analysts.
- Oversee the construction of cost accounting models and operational reviews.
- Develop policies and financial reports for corporate officers.

3-15-83 to 07-16-86 National Park Service Washington, DC

Lead Park Ranger

- Perform living history as captain of a C&O Canal boat.
- Perform interpretive programs as the ranger in charge of the Vietnam Veterans Memorial.
- Perform law enforcement and interpretive duties at Grand Canyon National Park.

1980-1985 Montgomery College Takoma Park, MD

Lecturer

- Taught introductory college history classes.

1-15-79 – 3-15-83 Dockside Construction Takoma Park, MD

President/Owner

Operate a contracting company doing painting, carpentry, and historical renovations (licensed in MD, VA, DC).

Education	Graduated Spring 1977	Montgomery College	Takoma Park, MD
	Graduated Spring 1980	University of MD	College Park, MD
	Graduate Studies	Catholic University WV University	Washington, DC Morgantown, WV

- Summary**
- Skilled at learning new concepts quickly, working well under pressure, and communicating ideas clearly and effectively.
 - Strong leadership and finance background combined with excellent communication skill

References References are available on request.

Sandy McDonald

From: "Morgan Etters" <m_etters@hotmail.com>
To: <sandy@jeffersoncountywv.org>; <lynwidmyer@gmail.com>; <jim@jimurkamp.net>; <dmanuel@frontiernet.net>; <fberrymorgan@aol.com>; <pnoland@jeffersoncountywv.org>
Sent: Tuesday, March 02, 2010 6:12 AM
Attach: 10-0301_MorganEtters_PC_Letter.pdf
Subject: Planning Commission Resignation Vacancy
Acting Administrator and County Commissioners,

I have recently received notice that there has been a resignation within the Planning Commission and would like to express my interest in filing that position. I have attached my letter of interest.

As a citizen of Jefferson County with Civil Engineering and Surveying Degrees and a career as a Civil Engineer I believe that I should help my community in anyway possible. I became a Civil Engineer because I believe in improving the lives of citizens. Land development should be done to improve the quality of life for those who live in and around it, not wreak havoc on the environment around them. A position on the Planning Commission would allow me to utilize the information I've obtained while in school and the experience I gain on the job to help my neighbors.

Thank you for your consideration.

Morgan L. Etters
810 Mission Rd.
Harpers Ferry, WV 25425
(304) 728-7433

Hotmail: Powerful Free email with security by Microsoft. [Get it now.](#)

March 01, 2010

In regards to: Planning Commission Vacancy

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

To the Commissioners of Jefferson County:

I would like to be considered for the vacant position on the Jefferson County Planning Commission. In this position I could provide a valuable service to my community by applying aspects of my career as a civil engineer and my perspective of Jefferson County life to the commission's purpose.

Jefferson County has great appeal to those seeking a quiet life away from work and city. This appeal is what brought my husband and me here almost two years ago. We we're happy to find a perfect home on a small plot on the Blue Ridge. Jefferson County allowed us to start the life we've always wanted by providing us with an affordable home and reasonable taxes. It is a sad occurrence when you cannot afford to live where you work, but is a common dilemma in this area. I understand the need for growth in this area as there are many others in the same situation as I. Jefferson County can provide for those like me and preserve its original residents' way of life.

I grew up in Central Pennsylvania, in a farming community, and realize the importance of preserving the agricultural and environmental aspects of this county. I love the rural life that exists here and believe it should not be endangered while growth occurs in this area. Our mountains, rivers and streams should not suffer the consequences of irresponsible development.

Our need for growth should not endanger the preservation of Jefferson County's heritage, history, and environmental well being. Currently the economy is in a slowing state and it is important to use this time to perfect ordinances and regulations that preserve those things that make Jefferson County a wonderful place. By encouraging responsible growth, the important aspects of this county can be preserved while still maintaining the quality of life that everyone living here deserves.

My perspective could be helpful to the Planning Commission and I would be grateful for the opportunity to serve my community. Thank you for your consideration.

Sincerely,

Morgan L. Ethers
Civil Engineer
810 Mission Rd.
Harpers Ferry, WV 25425
Email: m_eters@frontier.net
Phone: 304-728-7433
Mobil: 570-295-2262

Wayne M.

Harris Sr.

(Matthew)

116 Monte Carlo Way

Town, WV 25414

304-283-3276

Charles

Re: Jefferson County Planning Commission

To Whom This May Concern:

Thank you for viewing my letter in resume. As my resume indicates, my past employment within Management has been very interesting and challenging. I enjoy problem solving and creative thinking to resolve issues and complete tasks. I feel very strong and positive that I can fully execute and accomplish the tasks appointed to me within my potential appointment. I believe I may be a positive asset to due to my education and employment experiences.

Upon appointment, my future plans will include; accomplish further education with the County, its Commission, its theories, ideas and grow with experiences. I look forward to meeting with your staff concerning an interview.

Thank you for your time and patience.

Respectfully

Wayne M. Harris Sr. (Matthew)

References upon request.

02 Feb 2010

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

In Reference to:
W. Matthew Harris
116 Monte Carlo Way
Charles Town, WV 25414
304-885-0609 Office
304-283-3276 Cell

Letter of Interest

Jefferson County Planning Commission

Dear Jefferson Commission Members;

I am submitted my Resume, Letters of References and this Letter of Interest for the position advertised within the Jefferson County Planning Commission. My interest in the commission is to support the positive general concerns within Jefferson County. My interests are limited to the well being and prosperity of Jefferson County and how the general interests relate to its citizens. I believe in Jefferson County, its citizens and the future stability concerning its economics, politics and growth. I am interested in being a voice for the general public and supportings there well-being.

If I were selected for this position, I would stand committed, strong and defend the Planning Commission, Jefferson County, its laws and its citizens. I believe Jefferson County is the strongest County in West Virginia and with my help and voice, we can become even stronger and healthier.

Additionally, I have committed myself to Jefferson County Historical Landmark Commission and Reliving History, Inc.. With these two associations, I know I can become a positive productive member and voice for the better of this community and I will show the same kind of dedication within Jefferson County Planning Commission.

Thank you for taking the time to review my Resume, Letters of References and Letter of Interest. I look forward to talk with the Jefferson County Planning Commission Members in the very near future.

Respectfully;

W. Matthew Harris Sr.

W. Matthew Harris

116 Monte Carlo Way
Charles Town, WV 25414
304-283-3276 Cell
304-885-0609 Home

OBJECTIVE

To seek career employment with a perspective employer and/or within my home community using my experiences in MANAGEMENT.

Education

NYU at Oneonta
Oneonta, New York
Graduated: 6-1995
Bachelors Business Administration

Work Experiences

Brann's Conoco & Real Estate
Clinton, Oklahoma
6/1997 12/2005
*Business Manager
*Residential Business Manager
*Market Director

- * Problem solving, creating fundamental positive constructive work environments.
- * Numerous awards for Milestone, Leadership and Achievement Accomplishments.
- * Training: OSHA 10 hour safety training course. November 04, 1998
- * Persistent in Milestone as Scheduled. Expert in time management.
- * Expert in re-designing drafts to meet approvals of deadlines.
- * Leadership of 45+ employees including Management Levels

Boilermakers Local 592
Claremore, Oklahoma
12/2005 Present
*Industrial Construction
*Training: OSHA 10 Completed (November 05, 2005)
*Forman: 10-25 employees

Hobby Interests

Electronics, computer technology, history, military. Presently limited involvement in Jefferson County Historical Landmark Commission and Reliving History, Inc.

December 20, 2009

Harold Gray
Charles Town, WV 25414
304-886-9218 Cell

Letter of Recommendation

To Whom This May Concern;

I have known Matthew for about four years. Its my opinion that he seeks his interest in a department of Management and/or Executive Management of his choosing. I believe his determination, dedication and eagerness will succeed within the position he is currently seeking. . In the past, I have seen Mr. Harris dedicate long hours to accomplish every task he seeks to finish and/or resolve. I also feel confident Mr. Harris will be a strong asset to any employer he seeks.

His professionalism and work ethics are strong and Mr. Harris strives to seek better to himself; his employees, employer and surroundings.

Sincerely;

Harold Gray

June 01, 2009

Mike Freeman

Dear Friend;

I have known Matthew for 15 years. He is a great person with a lot of desire to push forward with his education and work ethics. As a former employee of Matthew's, he has shown his interest in listening to his employees and making our work environment interesting and fun. He has gone above and beyond the call of duty to satisfy his co-workers.

As a person, he has a funny sense of humor. He can be a bit blunt, straight forward and professional in order to get the job done.

Sincerely,
Mike Freeman

Brann's Conoco & Real Estate

Rt. 66 Box 1509
Clinton, Oklahoma 73601
580-715-0872

Professional Letter of Reference

Date: December 15, 2005

In Reference To: Wayne Matthew Harris

To Whom This May Concern

Matthew has been employed by the above stated business for eight(8) years. He has directly grown with the company and has proven to be a very strong positive asset. He is one of the best Management Employees I have ever had the pleasure of working with. We admire his strong will to succeed and to achieve his goals regardless of the obstacles. He has shown a strong desire along with our Administration to achieve higher business goals. He's a stern believer in taking care of his employees with promoting health, goals, objectives and professionalism.

We would highly recommend any Mr. Harris to any future employer of his choosing.

Respectfully;
Brann Lewis

Bill's Garage

Bill Marrs
304-724-7160

July 15, 2009

Re: W. Matthew Harris Sr.

Personal/Business Letter of Reference

To Whom This May Concern;

I have known Mr. Harris for a couple years as a very close, dedicated and reliable close friend. As a former Business Owner, I would have taken pleasure in employing Mr. Harris in the position of Management. During many conversations with Mr. Harris, he is very eager to listen and learn. He seems to find creative perspectives to situation and strives to develop ways to resolve issues and/or problems.

I would highly recommend Mr. Harris as an employee in Management field. I believe you will see his dedication to his employer and co-workers. His Professionalism is outstanding. He is very keen on keeping a neutral position within problem solving issues.

Thanks

William (Bill) Marrs

Sandy McDonald

From: <kbaty@frontiernet.net>
To: "Sandy Slusher McDonald" <sandy@jeffersoncountywv.org>
Cc: "kbaty" <kbaty@frontiernet.net>; <kelly.baty@loudoun.gov>
Sent: Sunday, February 28, 2010 10:45 PM
Attach: Kelly Baty Resume, 01-04-10.docx
Subject: Interest in Serving on Planning Commission

Good day Ms. McDonald:

Would you please accept my attached resume and convey my desire to be considered to serve on the Jefferson County Planning Commission? As I understand the situation, some persons currently serving will be relinquishing their positions on the PC as their time to serve will soon expire and that there are vacancies on the 2010 PC. Thank you for your assistance.

Best regards,

Wm. Kelly Baty
4704 Kabletown Road
Charles Town, WV 25414
304.725.3748

William Kelly Baty
4704 Kabletown Road, Charles Town, WV 25414
Home : 304 .725.3748; Cell: 571. 265.2607
Daytime Number : 703.771.5390
e-mail: kbaty@frontiernet.net

Qualifications

Strategic planning, completion, and presentation of critical energy and environmental information and briefings to community, NGOs, US Congress, and other audiences to build awareness and coalitions. Attend briefings on Capitol Hill with Hill Staff, Federal Agency Staff, and , Science Symposia to gather latest climate change findings for dissemination to County Departments, Advisory Committees, and to the County Board of Supervisors. Web site monitoring, design, and blogging for current climate change research results and dialogue.

Employment History

- Sustainable Energy and Environmental Solutions (SEES)/Director; Present.
Energy and environmental consortium www.kellybaty.com.

Building Coalitions of private industry, government, and NGOs on federal and state government legislation and funding opportunities to reduce green house gas emissions and other pollutants through alternative and sustainable energy and environmental strategies.

- Loudoun County, Virginia, Department of Building and Development.
Hydrogeologist / Gov. Specialist IV; 2000 to Present.
Scientific and government relations expertise.

Providing technical, business, and project management expertise for intradepartmental projects and studies, and government relations liaison to federal government. Upgraded and revised County standards and procedures to legally-defensible level of expertise. Established the Department's Wetlands Inventory and Mapping Project (WetIMP), the Strategy for Watershed Management Solutions (SWMS), the Water Resources Monitoring Program (WRMP), and the Comprehensive Watershed Management Plan (CWMP). Management and implementation of various aspects of the aforementioned environmental initiatives for the County General Plan Policies. Skilled coalition and alliance builder, creating and facilitating teams of county government departments, federal government agencies, local and state government agencies, and public interest groups. Working to establish County Energy and Environmental Policies and Procedures. Successful funding and partnership efforts with U.S. Congressional Committees and Executive Branch Agencies in conducting environmental initiatives, offsetting general county tax revenue. www.loudoun.gov/watershed.

- Contract Consultant-Senior Scientist; Memphis, TN; 1996 to 2000.
Environmental and hydrogeologic consulting to industry and government.

Provided extensive contract consulting services for federal government environmental investigations at Superfund (CERCLA), RCRA, and other hazardous waste sites across the country. Worked to expedite languishing projects by providing technical solutions to remediate substantial difficulties field operations. Efforts resulted in substantial project time and material savings.

- IT Corporation; Project and Office Manager/ Senior Scientist; Memphis, TN; 1994 to 1996.
Regional office manager for international environmental consulting firm.

Initiated, staffed, and managed office of engineers and scientists in multi-state region. In less than two years, doubled staff and business opportunities in a highly competitive market. Client and government relations specialty resulted in very high client satisfaction, accommodation, and repeat business opportunities.

- IT Corporation; Professional Geologist; Knoxville, TN; 1990 to 1994
Environmental consulting services.

Extensive technical expertise and professionalism provided multiple clients extraordinary services, resulting in substantial repeat contracts and business opportunities for international environmental consulting firm.

Education

Graduate Level Course Work in Legislative Affairs and Sustainable Resource Policies, George Washington University, Washington, D.C., 2003-2007
MS, Geology; the University of Memphis; Memphis, Tennessee; 1992
BS, Geology; the University of Tennessee at Chattanooga, Tennessee; 1987
(Graduated cum laude / merit scholar)

Continuing Education

Geothermal Energy Structural Controls in Nevada's Great Basin, 2009
Water Conservation Design, 2009
Infrastructure, CIP, & Alternative Transportation, 2009
Geothermal Energy Reservoir Evaluation, 2008
Lobbying, 2007
Global Energy Challenges, 2006
USACE Wetlands Delineation, 2005
Federal Budgetary Policy, 2004-2005
Campaigns, and Political Strategy, 2004
Politics and Public Policy, 2003
Innovative Responses for Sustainable Water Infrastructure Forum, 2003
National Water Resources Policy Dialogue, 2002
Washington Briefing and Government Affairs Committee Strategy Session, 2002
Virginia Water Research Symposium, 2001
Watershed and Safe Drinking Water Management, 2000
Statistical Methods in Business and Economics, 1999
Organic Chemistry and Laboratory, 1998
Microbiology and Laboratory, 1997
Hydrocarbon Mitigation and Remediation, 1995-1996
Groundwater Pollution and Hydrology, The Princeton Course, 1994

License/Registration

Registered Professional Geologist in Tennessee, Georgia, and Virginia

Recent Publications

Baty, W.K., and McGranahan, B., Developing a Watershed Strategy for Stakeholders, in Proceedings, Virginia Lakes and Watersheds Association, March 2008.

Nichelle Hosby

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Monday, March 15, 2010 9:32 AM
To: Nichelle Hosby
Subject: Fw: Planning Commission
Attachments: Daniel_Hayes_JeffCo.doc

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

From: Daniel_Hayes@URSCorp.com
To: sandy@jeffersoncountywv.org
Sent: Monday, March 15, 2010 9:28 AM
Subject: Planning Commission

Sandy

I would like to express my interest in an appointment to the Jefferson County Planning Commission. I have attached a resume for the use of the County Commission.

(See attached file: Daniel_Hayes_JeffCo.doc)

Daniel B. Hayes, PE
Principal Civil Engineer
URS Corporation
Gaithersburg MD
Phone (301) 721-2225

This e-mail and any attachments contain URS Corporation confidential information that may be proprietary or privileged. If you receive this message in error or are not the intended recipient, you should not retain, distribute, disclose or use any of this information and you should destroy the e-mail and any attachments or copies.

March 15, 2010

RECEIVED

MAR 15 2010

JEFFERSON COUNTY COMMISSION

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

To whom it may concern,

My name is Reese Clabaugh. I understand there may be an opportunity to serve as a member of the Jefferson County Planning Commission. If this is correct, I would like to be considered for a seat on that Commission.

My background is as follows:

Born: September 28, 1960, in Frederick, Maryland.

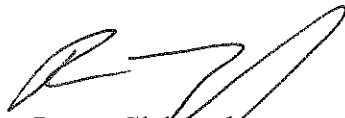
Education:

I am a 1978 graduate of Jefferson High School with 2 years of Horticulture through James Rumsey Vo-Tech School as part of my High School education.

Work and Business Background:

- 1976 – 1977 O’Sullivan Farms – Race Track Grooming horses while in school.
- 1977 - 1978 Badger Powhatan – Laborer, Brass Inspection
- 1978 – 1985 Dixie Narco - Paint Department, Soda Fountain Assembly, Automatic paint Line Setup and various other departments as needed.
- 1985 – 2010 Reese’s Nursery and Landscaping (Owner)
- 2000 - 2006 R&M Properties- Partner in Real Estate Investment
- 2010 - Real Estate Investment, Landscaping, and other interest

Thank you for your consideration,



Reese Clabaugh
PO Box 495
Ranson, WV 25438
Cell# 304 671-1400
Office# 304 725-0094

March 14, 2010
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

RECEIVED

MAR 17 2010

Attn: Commission Members

Jefferson County Commission

Re: Interest in Appointment
Jefferson County Planning Commission

Dear County Commission,

In accordance with your announcement intending to appoint citizens to serve in two available positions within the Jefferson County Planning Commission, I would like to hereby request your consideration for appointment.

As both a resident of Jefferson County for over 20 years and a professional within the West Virginia engineering/land planning industry, I have a great interest in the successful planning of our county.

I have worked with many of you on various projects over the last several years. I hope that the professional and objective manner in which I have handled tough issues in the past has been evident and that you would recognize the value that both my character and professional expertise would bring to the Planning Commission.

It would be my honor and great pleasure to serve my fellow citizens in this important role. I have attached my standard resume for your review. If you have questions or concerns, please do not hesitate to contact me.

Thank you for your consideration. I look forward to your response.

Respectfully submitted,



Todd Kelvington
(304) 886-1645

Encl: Resume for Todd E. Kelvington

Todd E. Kelvington
1312 Rolling Lane, Harpers Ferry, WV 25425
(304) 886-1645
tkelvington@hotmail.com

OBJECTIVE

This resume is provided for consideration of appointment to the Jefferson County Planning Commission.

SKILLS PROFILE

- » 10 years of advanced environmental experience
- » Strong project manager and team leader
- » Extensive experience with Due Diligence Assessments, Brownfield Investigations, and NEPA policy
- » Strong background in transaction risk assessment and remedial planning
- » Strong technical writer
- » Strong presentation and public speaking skills

EMPLOYMENT HISTORY

Senior Environmental Specialist 2008-2010
Thrasher Engineering, Clarksburg, WV

- » Oversee and conduct due diligence (Phase I and II Environmental Site Assessments).
- » Review technical reports prepared by other scientists and environmental technicians.
- » Prepare corporate report standards to ensure compliance with ASTM and AAI standards.
- » Perform advanced project management duties for Brownfield assessment and clean-up grants.
- » Prepare site sampling plans, Health and Safety Plans (HASP), and Quality Assurance Plans (QAPP).
- » Conduct NEPA compliance research and reporting for public infrastructure projects. Including documentation of NEPA process, agency correspondence, and preparation of EA documents.
- » Perform project and budget management duties for multiple simultaneous environmental projects.
- » Supervise and review the work of various subcontractors including legal firms, drilling contractors, analytical labs, wetland consultants, toxicologist, and other specialty contractors.
- » Present project details and answer public concerns at various public and municipal meetings.
- » Prepare and submit U.S. EPA reporting documents for client grants.
- » Coordinate and expedite regulatory review of various site documents and submittals.

Senior Environmental Scientist 2007-2008
Triad Engineering, Winchester, VA

- » Performed field work and technical report writing for due diligence assessments (Phase I and II Environmental Site Assessments).
- » Marketed firm services to various financial institutions and commercial real estate firms.
- » Directed the work of various subcontractors including drillers, surveyors, analytical labs, and other specialty contractors.
- » Supervised the work of environmental technicians (2).
- » Trained entry level scientists and interns in proper methods of environmental assessment and how to write ASTM/AAI compliant Phase I and Phase II ESA reports.

Director of Environmental and Geotechnical Services

2004-2007

AH Design/Build Group, Martinsburg, WV

- › Managed all day to day operations of diverse team of environmental/engineering professionals for the performance of feasibility studies and initial site planning for land acquisition.
- › Screened potential acquisitions against local, state, and federal regulations and developed paths to approval for residential and commercial developments.
- › Supervised the performance of site surveying, due diligence studies, geotechnical analysis, preliminary civil engineering, and master planning.
- › Managed the work of 4 engineering technicians and 5 environmental/engineering professionals.
- › Reported site issues and requirements to stakeholders and financial institutions.
- › Prepared project permit applications including NPDES, 401/404 permits, sediment and erosion control, and US Army COE wetland permits.
- › Prepared detailed feasibility reports for use in financial and construction planning and for acquisition negotiation.

Environmental Project Manager

2002-2004

Professional Service Industries (PSI), Fairfax, VA

- › Performed all aspects of field service and report writing for Phase I and Phase II Environmental Site Assessments.
- › Conducted large portfolio environmental assessment services for national financial institutions, insurance firms, legal firms, and REITs.
- › Served as environmental consultant to National Client Group serving national client base including major retail and food service chains.
- › Managed environmental assessment and hazardous materials consulting for large federal clients.
- › Conducted large corridor NEPA studies for highway, communications, and pipeline projects.
- › Developed project specific scopes to comply with regulatory and financial institution guidelines.
- › Reviewed junior staff and technician reports for compliance with internal standards, ASTM standards, and specific bank report template requirements.
- › Conducted asbestos inspection, lead inspection, and abatement design services.
- › Managed the removal and documentation of underground storage tank projects.

Staff Scientist

1998-2002

Patton, Harris, Rust, & Assoc. (PHR+A), Chantilly, VA

- › Performed all aspects of field service and report writing for Phase I and Phase II Environmental Site Assessments.
- › Conducted large package cellular tower due diligence investigations throughout Mid-Atlantic.
- › Performed multi-media sampling (soil, water, air) for various environmental investigations.
- › Served as team leader for team of 10 engineering technicians managing daily schedule and report management.
- › Managed and documented field and laboratory equipment calibration.
- › Interacted daily with project engineers and site contractors.

EDUCATION**BS Biology**

1994-1999

*Norwich University, Northfield, VT***LICENSES/CERTIFICATIONS**

40 Hour OSHA HAZWOPER

Certified Lead Inspector/Risk Assessor

Certified Asbestos Inspector/Project Designer

MILITARY EXPERIENCE

U.S. Army Basic Training 1996

U.S. Army Armor School – Ft. Knox, KY – 1996

Assigned to 172 Armor Division (Reserve Status), Northfield, VT 1996-1999

Assigned to 157th Military Police (Reserve Status), Martinsburg, WV 1999-2003

Joint Task Force Bravo, Soto Cano Air Base, Honduras – Security Mission 2000

Operation Noble Eagle – 2001

VOLUNTEER EXPERIENCE

Board of Directors – Harvest Pointe Community Church, 2002-present, (Chairman 2004-2005)

Rotary International 2007-present

Leadership Jefferson – Class of 2008

Jefferson County Chamber of Commerce – 2004 - present

Memorandum

To: Jefferson County Commission
From: E.L. Burns
Date: 3/19/10
Re: Openings on Jefferson County Planning Commission

In response to the Notice to Appoint Alert of March 9th 2010 I wish to be considered for appointment to the Jefferson County Planning Commission.

I believe I possess all the necessary attributes to be a pro-active and productive member of the commission.

As all of you know I am an active member of the community and have been involved in several successful major initiatives here in the county. I am retired and have the time to devote to this work. Additionally, I have lived here in the county, on the mountain, for over 20 years. I was actively engaged with Mr. Redman during the previous planning process and wish to continue to do so at the Commissioner level.

I believe that my record of accomplishments will stand above all others who apply. I wish to become a member of the Planning Commission in order to help guide and mold the vision of the future for Jefferson County.

Thank you for your consideration.

Respectfully,



E.L. Burns

304-728-1160

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, March 25, 2010, or as soon thereafter as the Commission may decide:

Jefferson County Development Authority - Four 3-year terms ending April 5, 2013

- One Represents County Commission
- One Represents Bolivar
- One Represents Ranson
- One Represents Harpers Ferry

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.

Development Authority

Members currently serving

Name	Address	Phone	Expiration
Linda Case			4/5/2012
James D. Campbell			4/5/2012
William Chelsey			4/5/2011
Mark Dyck			4/5/2011
Conrad C. Hammann			4/5/2011
George Holland			4/5/2012
Terry Marcus			4/5/2012
Howard Mills	Represents Shepherdstown		4/5/2011
Ann Paonessa	Represents Charles Town		4/5/2012
James A. Tolbert, Jr.			4/5/2011
Dale Manuel	County Commission Liason		
Scott Sudduth	Jefferson Co. Board of Ed. Liason		
Gary Cable	Jefferson Co. Board of Ed. Liason		
Thomas Bayuzik, Jr.	Director of Development Authority		

Expired term member(s)

Name	Address	Represents	Expiration
Greg Corliss	948 Daniels Road Shenandoah Junction, WV 25442	At Large	3/31/2010
Donald Mickey	P.O. Box 45 Charles Town, WV 25414	At Large	3/31/2010
Susan Kennison	191 Wild Hare Road Harpers Ferry, WV 25425	At Large	3/31/2010
P. David Mills	312 South Mildred Street Ranson, WV 25438	Ranson	3/31/2011

Ira Hale	828 Washington Street Harpers Ferry, WV 25425	Harpers Ferry	3/31/2010
----------	--------------------------------------------------	---------------	-----------

Interested Applicants

Name	Address	Phone	Represents
Ira Hale	828 Washington Street Harpers Ferry, WV 25425	304-535-2416	Harpers Ferry
P. David Mills	312 South Mildred Street Ranson, WV 25438	304-725-1010	Ranson
<i>Paul Espinosa</i>			<i>At Large</i>

Development Authority Applicants
March 19, 2010 Call log
(to advise applicants of interviews on 5/21 at 11:30)

Name	Number	Result of Phone Call
Ira Hale	304-535-2416	Spoke with Ira - he will not be attending (HF)
P. David Mills	304-725-1010	Per Mayor he will stay on. Mr. Mills agreed. Will try to attend.
Greg Corliss	304-728-1355	does not want to continu.
Mayor Hardy of Bolivar	304-535-2476	emailing two names--if one can not attend there is a backup plan.

Sandy McDonald

From: <FBerryMorgan@aol.com>
To: <sandy@jeffersoncountywv.org>
Cc: <lynwidmyer@gmail.com>
Sent: Friday, March 05, 2010 9:06 AM
Subject: fyi re JC EDA appts.

Sandy, hello, I have been reminded that state law requires each of our five towns to collect 3 names for the designated JC EDA rep., and send them to us, the JCC, for us to pick one to be on the Board. If there were a process whereby we could get a letter out to Bolivar or a notice, so that they could act upon it, that would streamline things, as they need to have a rep. on the EDA board. Mention this to Lyn or Patsy or the other commissioners as you would wish, I just wanted to suggest that we start correspondence to avoid unnecessary delays. Thanks. ---Frances

Jefferson County Development Authority

P.O. BOX 237 • CHARLES TOWN, WV 25414 • (304) 728-3255 • FAX (304) 725-3133 • E-mail: info@jcda.net

Thomas Bayuzik, Jr.
Executive Director

February 25, 2010

RECEIVED

MAR 02 2010

Board of Directors 2009-2010

Terry L. Marcus
President

Mark Dyck
Vice President

Ann Paonessa
Secretary/Treasurer

James D. Campbell
Linda Case
William H. Chesley
Greg Corliss
Ira Hale

Conrad C. Hammann
George Holland
Susan Kennison
Dale Manuel
Donald K. Mickey
Howard Mills
P. David Mills
James A. Tolbert

Staff

Kellie Boles
Agriculture Development Officer

Beverly Bolger
Director, BizTech Telework Center

Whitney Barrett
Research Assistant

Lane Donley
Administrative Assistant

The Honorable Lyn Widmyer
President
Jefferson County Commission
P. O. Box 250
Charles Town, WV 25414

Jefferson County Commission

Dear Madam President:

As you may be aware, the number of Board Members on the Jefferson County Development Authority (JCDA) has historically been fifteen (15). That number has consisted of fourteen (14) appointed by the County Commission and one (1) delegated County Commissioner who holds a voting position on the Board.

In 2008, the County Commission increased the number of appointed JCDA Board Members to fifteen (15) and then assigned the County Commissioner bringing the total Board membership to sixteen (16). On behalf of the Jefferson County Development Authority Board, I would like to request the Jefferson County Commission appoint four (4) members this year thus taking the number of Board Members back to a total of fifteen (15).

I have attached a copy of the Executive Order and a listing of the Board membership and their period of appointment. We recommend that only two of the At Large positions be filled at this time.

Thank you for your cooperation.

Sincerely,

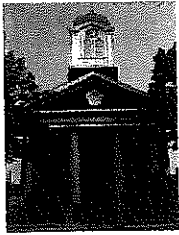


Thomas Bayuzik, Jr.
Executive Director

Enclosures



THE COUNTY COMMISSION OF JEFFERSON COUNTY



P.O. Box 250
Charles Town, WV 25414



Phone: 304/728-3284

E-mail: jeffco@intrepid.net

Fax: 304/725-7916

February 17, 2010

Donald Mickey
P.O. Box 45
Charles Town, WV 25414

Dear Mr. Mickey:

Please be advised that your term on the Development Authority will expire on April 5, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

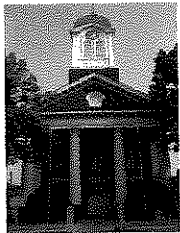
The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant

THE COUNTY COMMISSION OF JEFFERSON COUNTY



P.O. Box 250
Charles Town, WV 25414



Phone: 304/728-3284

E-mail: jeffco@intrepid.net

Fax: 304/725-7916

RECEIVED

February 17, 2010

MAR 01 2010

Donald Mickey
P.O. Box 45
Charles Town, WV 25414

Jefferson County Commission

Dear Mr. Mickey:

Please be advised that your term on the Development Authority will expire on April 5, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

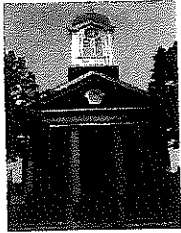
Nichelle Hosby
Administrative Assistant

Ms Gosby.
I do not wish to be considered for
re appointment.

Thanks
Don Mickey

2-27-10

THE COUNTY COMMISSION OF JEFFERSON COUNTY



P.O. Box 250
Charles Town, WV 25414



Phone: 304/728-3284

E-mail: jeffco@intrepid.net

Fax: 304/725-7916

February 17, 2010

Susan Kennison
191 Wild Hare Rd.
Harpers Ferry, WV 25425

Dear Ms. Kennison:

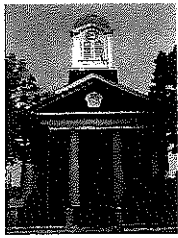
Please be advised that your term on the Development Authority will expire on April 5, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant



THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304-728-3284

www.jeffersoncountywv.org

Fax: 304-725-7916



February 17, 2010

Gregory Corliss
948 Daniels Road
Shenandoah Junction, WV 25442

Dear Mr. Corliss:

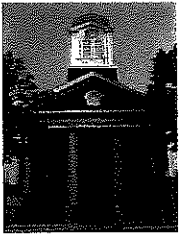
Please be advised that your term on the Development Authority will expire on April 5, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant



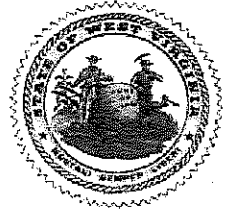
THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304/728-3284

www.jeffersoncountywv.org

Fax: 304/725-7916



March 5, 2010

P. David Mills
312 S. Mildred Street
Ranson, WV 25438

Dear Mr. Mills:

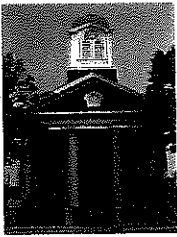
Please be advised that your term on the Jefferson County Development Authority will expire on April 5, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant



THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304/728-3284

www.jeffersoncountywv.org

Fax: 304/725-7916



March 5, 2010

Ira Hale
P.O. Box 1024
Harpers Ferry, WV 25425

Dear Mr. Mills:

Please be advised that your term on the Jefferson County Development Authority will expire on April 5, 2010. Until the County Commission has acted to appoint someone for another 3 year term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, March 25, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant

Nichelle Hosby

From: Ira Hale [jlinhale@comcast.net]
Sent: Friday, March 19, 2010 11:57 AM
To: Nichelle Hosby
Subject: Re: Development Authority Board Interview

If it is necessary for me to attend I will do so. However, I have already served two terms at the Mayor's request and don't understand a need for another interview.

Ira L. Hale
828 Washington St.
Harpers Ferry, WV 25425

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

From: Nichelle Hosby
To: jlinhale@comcast.net
Sent: Friday, March 19, 2010 11:07 AM
Subject: FW: Development Authority Board Interview

From: Nichelle Hosby [mailto:nhosby@jeffersoncountywv.org]
Sent: Friday, March 19, 2010 10:32 AM
To: 'jlinhale@comcast.net'
Subject: Development Authority Board Interview

Mr. Hale,

Per our phone conversation, this email is to let you know that the interviews for the Development Authority Board is scheduled for March 25, 2010 at 10:15 a.m.

I do understand that the Mayor has requested that you stay on representing Harpers Ferry.

Please respond if you will be in attendance.

Working to serve you better,

Nichelle Hosby
Administrative Assistant
PO Box 250
Charles Town, WV 25414
Phone: 304-728-3284
Fax: 304-725-7916

JEFFERSON COUNTY DEVELOPMENT AUTHORITY
Membership and Terms of Service
2009-2010

<u>NAME</u>	<u>POSITION</u>
Terry L. Marcus	President
Mark Dyck	Vice President
Ann Paonessa	Secretary/Treasurer
Thomas Bayuzik, Jr.	Exec. Director

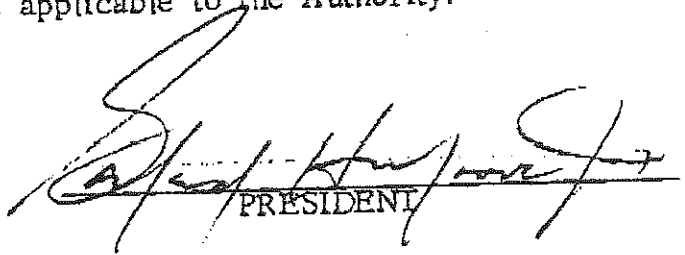
<u>NAME</u>	<u>TERM EXPIRES</u>
Linda Case	April 5, 2012
James D. Campbell	April 5, 2012
William H. Chesley	April 5, 2011
Greg Corliss At Large	April 5, 2010
Mark Dyck	April 5, 2011
Ira Hale Harpers Ferry	April 5, 2010
Conrad C. Hammann	April 5, 2011
George Holland	April 5, 2012
Terry L. Marcus	April 5, 2012
Donald K. Mickey At Large	April 5, 2010
Howard Mills Shepherdstown	April 5, 2011
P. David Mills Ranson	April 5, 2010
Susan L. Kennison At Large	April 5, 2010
Ann Paonessa Charles Town	April 5, 2012
James A. Tolbert, Jr.	April 5, 2011
Dale Manuel	County Commissioner

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

In Re: Creation of the Jefferson County Development Authority

ORDER

On the 15th day of February, 1979, the County Commission of Jefferson County, West Virginia, under the authority vested in it by Section 1, Article 12, Chapter 7 of the West Virginia Code, and upon motion duly seconded and approved, doth ADJUDGE, ORDER and DECREE that there is hereby created and established a public agency to be known as The Jefferson County Development Authority, to advance and promote the purposes set forth in Section Two of said article of the Code. The management and control of the Authority, its property, operations, business and affairs shall be lodged in a board of fifteen persons to be appointed by the County Commission at a later date. It is ADJUDGED and ORDERED that all the provisions of Article 12, Chapter 7 of the Code shall govern and be applicable to the Authority.


 PRESIDENT

Post-It® Fax Note	7671	Date	5/26	# of pages	3
To	<i>Randy</i>	From	<i>R. Moore</i>		
Co./Dept.		Co.	L		
Phone #		Phone #			
Fax #	725-7916	Fax #	728-0779		

THANKS



WEST VIRGINIA CODE

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

ARTICLE 12. COUNTY AND MUNICIPAL DEVELOPMENT AUTHORITIES.

§7-12-1. Establishment authorized; name; exceptions.

Except as hereinafter provided, the governing body of every municipality and the county commission of every county is hereby authorized to create and establish a public agency to be known as a development authority. The name of the authority shall contain the words "development authority," together with the designation of the municipality or the county within which such authority is intended to operate. Nothing in this article contained, however, shall be construed as permitting the governing body of any municipality or county commission of any county in which there exists, on the date on which this article becomes effective, one or more public development authorities, corporations or commissions, organized and existing pursuant to an act or acts of the Legislature, either local or general, and performing substantially the same or similar functions as the development authorities herein authorized, to create and establish such a development authority until such time as all such other public development authorities, corporations and commissions cease operations in such municipality or county: *Provided*, That nothing herein shall be construed to prohibit the creation and establishment of a municipal development authority when a county or regional development authority exists, and any municipal development authority shall have the exclusive right to exercise its powers granted pursuant to this article within the boundaries of the municipality.

§7-12-2. Purposes.

The purposes for which the authority is created are to promote, develop and advance the business prosperity and economic welfare of the municipality or county for which it is created, its citizens and its industrial complex; to encourage and assist through loans, investments or other business transactions in the locating of new business and industry within the municipality or county and to rehabilitate and assist existing businesses and industries therein; to stimulate and promote the expansion of all kinds of business and industrial activity which will tend to advance business and industrial development and maintain the economic stability of the municipality or county, provide maximum opportunities for employment, encourage thrift, and improve the standard of living of the citizens of the county; to cooperate and act in conjunction with other organizations, federal, state or local, in the promotion and advancement of industrial, commercial, agricultural, and recreational developments within the municipality or county; and to furnish money and credit, land and industrial sites, technical assistance and such other aid as may be deemed requisite to approved and deserving applicants for the promotion, development and conduct of all kinds of business activity within the municipality or county.

§7-12-3. Management and control of county authority vested in board; appointment and terms of members; vacancies; removal of members.

The management and control of a county authority, its property, operations, business and affairs shall be lodged in a board of not fewer than twelve nor more than twenty-one persons who shall be appointed by the county commission and be known as members of the authority. The county commission shall appoint one member to represent the county commission on the board and, for each municipality located within the county, the county commission shall appoint one member to represent the municipality. The city and town council of each municipality located within the county shall submit to the county commission the names of three persons, one of whom the county commission shall appoint to be the municipality's representative on the board. Other members of the board shall be appointed by the county commission and shall include representatives of business, industry and labor. The members of the authority first appointed shall serve respectively for terms of one year, two years and three years, divided equally or as nearly equal as possible between these terms. Thereafter, members shall be appointed for terms of three years each. A member may be reappointed for such additional term or terms as the county commission may deem proper. If a member resigns, is removed or for any other reason his membership terminates during his term of office, a successor shall be appointed by the county commission to fill out the remainder of his term. Members in office at the expiration of their respective terms shall continue to serve until their successors have been appointed and have qualified. The county commission may at any time remove any member of the board by an order duly entered of record and may appoint a successor member for any member so removed.

Other persons, firms, unincorporated associations, and corporations, who reside, maintain offices, or have economic interests, as the case may be, in the county, shall be eligible to participate in and request the county commission to appoint members to the development authority as the said authority shall by its bylaws provide.

§7-12-3a. Management and control of municipal authority vested in board; appointment and terms of members; vacancies; removal of members.

The management and control of a municipal authority, its property, operations, business and affairs shall be lodged in a board of not fewer than twelve nor more than twenty-one persons who shall be appointed by the governing body and be known as members of the authority. One member of the authority shall also be a member of the governing body appointed to represent it on the board. Other members shall be appointed by the governing body and shall include representatives of business, industry and labor. The members of the authority first appointed shall serve respectively for terms of one year, two years and three years, divided equally or as nearly equal as possible between these terms. Thereafter, members shall be appointed for terms of three years each. A member may be reappointed for such additional term or terms as the appointing agency may deem proper. If a member resigns, is removed or for any other reason his membership terminates during his term of office, a successor shall be appointed by the appointing agency to fill out the remainder of his term. Members in office at the expiration of their respective terms shall continue to serve until their successors have been appointed and have qualified. The appointing agency may at any time remove its appointed member of the authority by an order duly entered of record or by other action appropriate for such appointing agency and may appoint a successor member for any member so removed.

In addition to the appointing agencies hereinbefore named, such other persons, firms, unincorporated associations, and corporations, who reside, maintain offices, or have economic interests, as the case may be, in the municipality, are eligible to participate in and request the governing body to appoint members to the development authority as the said authority by its bylaws provides.

§7-12-4. Qualifications of members.

(a) In addition to the appointing agencies as provided for in section three of this article, such other persons, firms, unincorporated associations and corporations, which reside or maintain offices in the county of the development authority, are eligible to participate in and request the governing body to appoint members to the development authority as the said authority by its bylaws provides. Members can also be drawn from citizens of a county contiguous to the county in which the county development authority is located regardless of their state of residence.

(b) Any person employed by, owning an interest in, or otherwise associated with a public utility company as defined in section two, article one, chapter twenty-four of this code or bank as defined in section two, article one, chapter thirty-one-a of this code may serve as a board member and shall not be disqualified from serving as a board member because of conflict of interest as defined in section fifteen, article ten, chapter sixty-one of this code and shall not be subject to prosecution under the provisions of said section when the violation is created solely as a result of his or her relationship with the bank or public utility. This member must recuse himself or herself from board participation regarding the conflicting issue as provided for in section five of this article.

§7-12-5. Compensation of members; expenses; recusal of member from voting where conflict of interest involved.

(a) No member of the authority shall receive any compensation, whether in formal salary, per diem allowance or otherwise, in connection with his or her services as such member. Each member shall, however, be entitled to reimbursement by the authority for any necessary expenditures in connection with the performance of his or her general duties as such member.

(b) Whenever a person associated with a public utility or bank as set out in section four of this article has a conflict of interest between the board and that public utility or bank, then he or she must recuse himself or herself from any vote, discussion or other activity associated with the board or its members that creates the conflict of interest.

§7-12-6. Authority to be a public corporation.

The authority and the members thereof shall constitute and be a public corporation under the name provided for in section one, and as such shall have perpetual succession, may contract and be contracted with, sue and be sued, plead and be pleaded, and have and use a common seal.

§7-12-7. Powers generally.

(a) The development authority is hereby given power and authority as follows: (1) To make and adopt all necessary bylaws

and rules for its organization and operations not inconsistent with laws; (2) to elect its own officers, to appoint committees and to employ and fix compensation for personnel necessary for its operation; (3) to enter into contracts with any person, agency, governmental department, firm or corporation, including both public and private corporations, and generally to do any and all things necessary or convenient for the purpose of promoting, developing and advancing the business prosperity and economic welfare of the county in which it is intended to operate, its citizens and industrial complex, including, without limiting any of the foregoing, the construction of any building or structure for lease to the federal government or any of its agencies or departments, and in connection therewith to prepare and submit bids and negotiate with the federal government or such agencies or departments in accordance with plans and specifications and in the manner and on the terms and conditions and subject to any requirements, regulations, rules and laws of the United States of America for the construction of said buildings or structures and the leasing thereof to the federal government or such agencies or departments; (4) to amend or supplement any contracts or leases or to enter into new, additional or further contracts or leases upon such terms and conditions, for such consideration and for such term of duration, with or without option of renewal, as may be agreed upon by the authority and such person, agency, governmental department, firm or corporation; (5) unless otherwise provided for in, and subject to the provisions of, such contracts, or leases, to operate, repair, manage and maintain such buildings and structures and provide adequate insurance of all types and in connection with the primary use thereof and incidental thereto to provide such services, such as barber shops, newsstands, drugstores and restaurants, and to effectuate such incidental purposes, grant leases, permits, concessions or other authorizations to any person or persons, upon such terms and conditions, for such consideration and for such term of duration as may be agreed upon by the authority and such person, agency, governmental department, firm or corporation; (6) to delegate any authority given to it by law to any of its officers, committees, agents or employees; (7) to apply for, receive and use grants-in-aid, donations and contributions from any source or sources and to accept and use bequests, devises, gifts and donations from any person, firm or corporation; (8) to acquire real property by gift, purchase or construction, or in any other lawful manner, and hold title thereto in its own name and to sell, lease or otherwise dispose of all or part of such real property which it may own, either by contract or at public auction, upon the approval by the board of directors of the development authority; (9) to purchase or otherwise acquire, own, hold, sell, lease and dispose of all or part of any personal property which it may own, either by contract or at public auction; (10) pursuant to a determination by the board that there exists a continuing need for programs to alleviate and prevent unemployment within the county in which the authority is intended to operate or aid in the rehabilitation of areas in said county which are underdeveloped, decaying or otherwise economically depressed and that moneys or funds of the authority are necessary therefor, to borrow money and execute and deliver the authority's negotiable notes, mortgage bonds, other bonds, debentures and other evidences of indebtedness therefor, on such terms as the authority shall determine and give such security therefor as shall be requisite, including giving a mortgage or deed of trust on its real or personal property and facilities in connection with the issuance of mortgage bonds; (11) to raise funds by the issuance and sale of revenue bonds in the manner provided by the applicable provisions of article sixteen, chapter eight of this code, it being hereby expressly provided that a development authority created under this article is a "governing body" within the definition of that term as used in said article sixteen, chapter eight of this code; and (12) to expend its funds in the execution of the powers and authority herein given, which expenditures, by the means authorized herein, are hereby determined and declared as a matter of legislative finding to be for a public purpose and use, in the public interest, and for the general welfare of the people of West Virginia, to alleviate and prevent economic deterioration and to relieve the existing critical condition of unemployment existing within the state.

(b) The amendment of this section enacted in the year one thousand nine hundred ninety-eight is intended to clarify the intent of the Legislature as to the manner in which an authority may sell, lease or otherwise dispose of real and personal property owned by an authority and shall be retroactive to the date of the prior enactment of this section.

(c) Notwithstanding any provision of this code to the contrary, any development authority participating in the Appalachian Region Interstate Compact pursuant to chapter seven-a of this code may agree to a revenue and economic growth-sharing arrangement with respect to tax revenues and other income and revenues generated by any facility owned by an authority. Any development authority or member locality may be located in any jurisdiction participating in the Appalachian Region Interstate Compact or a similar agreement for interstate cooperation for economic and workforce development authorized by law. The obligations of the parties to any such agreement shall not be debt within the meaning of section eight, article X of the Constitution of West Virginia. Any such agreement shall be approved by a majority vote of the governing bodies of the member localities reaching such an agreement but does not require any other approval.

(d) "Member localities" means the counties, municipalities or combination thereof which are members of an authority.

§7-12-7a. Findings respecting necessity for exercise of right of eminent domain; authorization to exercise right of eminent domain.

(a) It is hereby found and determined by the Legislature that in fulfilling their prescribed purposes and exercising their powers, including the purpose of promoting, developing and advancing the business prosperity and economic welfare of the county for which created by acquiring lands and other real property to be furnished by lease, sale or other disposition as industrial sites, county development authorities are performing essential public purposes; that the performance of such essential public purposes are frequently impeded, unduly delayed, or wholly frustrated by imperfections in the title to essential land and other real properties, by lost heirs or widely scattered owners of undivided interests in essential lands and other real properties and by owners of relatively small but essential parcels of a proposed land development site who refuse to sell their land or other real property to the county; and, that the exercise by county development authorities of the right of eminent domain within the limitations herein provided is therefore necessary and appropriate to achieve the said public purposes of county development authorities.

(b) Any county development authority heretofore or hereafter created by a county commission pursuant to the authority of this article is hereby authorized and empowered to exercise the right of eminent domain if an order of such county commission authorizing exercise of the right of eminent domain as to any proposed acquisition is first made and entered and at least three fourths of the entire tract has either been purchased, optioned, or is under contract to be purchased: *Provided*, That prior to the issuance of the order by the county commission, it shall hold a public hearing on the public necessity of the exercise of eminent domain and shall cause a Class II legal advertisement to be published in accordance with the provisions of section two, article three, chapter fifty-nine, prior to the hearing: *Provided, however*, That a separate hearing must be held and a separate order promulgated for each parcel over which the authority wishes to exercise the power of eminent domain: *Provided further*, That the right of eminent domain shall not be exercised to acquire real property which exceeds one fourth of any land development site proposed by the county development authority, and the aforesaid order of a county commission shall specifically state the anticipated size of the entire site with respect to which the exercise by a county development authority of the right of eminent domain is authorized.

§7-12-8. Incurring indebtedness; rights of creditors.

The authority may incur any proper indebtedness and issue any obligations and give any security therefor which it may deem necessary or advisable in connection with carrying out its purposes as hereinbefore mentioned. No statutory limitation with respect to the nature, or amount, interest rate or duration of indebtedness which may be incurred by municipalities or other public bodies shall apply to indebtedness of the authority. No indebtedness of any nature of the authority shall constitute an indebtedness of the governing body of the municipality or county commission of the municipality or county in which the commission is intended to operate or any municipality situated therein, or a charge against any property of said county commission, municipalities, or other appointing agencies. The rights of creditors of the authority shall be solely against the authority as a corporate body and shall be satisfied only out of property held by it in its corporate capacity.

§7-12-9. Agreements in connection with obtaining funds.

The authority may, in connection with obtaining funds for its purposes, enter into any agreement with any person, firm or corporation, including the federal government; or any agency or subdivision thereof, containing such provisions, covenants, terms and conditions as the authority may deem advisable.

§7-12-9a. Joint undertakings by county development authorities.

(a) The Legislature hereby finds and declares that the citizens of the state would benefit from coordinated economic development efforts and that to encourage cooperation and coordination, county economic development authorities should share in the tax revenues derived from joint programs regardless of the county in which they are located.

(b) Any three or more county development authorities may contract to share expenses for and revenues derived from joint economic development projects within their respective geographic territories. Notwithstanding any other section of the code to the contrary, county development authorities may contract to distribute on a pro rata basis proceeds derived from joint economic development projects.

(c) Each county development authority participating in a joint economic development project contract must contribute at least fifteen thousand dollars in cash to the project.

(d) In the event that a county development authority desires to withdraw from participation, then the remaining participants may jointly choose a successor. No withdrawing county development authority shall be entitled to the return of any money or property advanced to the project, unless specifically provided for in the contract.

(e) In the event that a joint economic development project is terminated, all funds, property and other assets shall be returned to the county development authorities in the same proportion as contributions of funds, property and other assets were made by the county development authorities.

(f) A grant, which may not exceed one hundred thousand dollars, may be made by the West Virginia development office to any county economic development authority which enters into such contracts.

§7-12-9b. Joint development entities.

(a) The Legislature hereby finds and declares that the citizens of this state would benefit from coordinated economic development efforts and that to encourage cooperation and coordination, county governing bodies, municipal governing bodies and county and municipal development authorities should be authorized to organize and jointly own all of the partnership, ownership and membership interests in a partnership, corporation or limited liability company for the sole purpose of undertaking jointly through their joint ownership of or membership in the partnership, corporation or limited liability company any project or projects that an authority established pursuant to this article would be permitted to undertake.

(b) Any combination of two or more county governing bodies, municipal governing bodies, municipal development authorities or county development authorities may jointly form and hold all of the partnership, ownership or membership interests in a partnership, corporation or limited liability company, the sole purpose of which is to develop and own one or more joint economic development projects (for purposes of this section, a "joint development entity"). No person or entity other than a county governing body, municipal governing body, municipal development authority or county development authority may own any ownership or membership interest in a joint development entity. Any existing partnership, corporation or limited liability company is a joint development entity on and after the effective date of this section if: (i) It was organized for the purposes described in this subsection prior to the effective date of this section; and (ii) the partnership, ownership or membership interests in it meet the requirements of this subsection on and after the effective date of this section.

(c) To the extent consistent with and not prohibited by or in conflict with the restrictions and limitations on, or the rights and attributes of, a joint development entity set forth in this section, the applicable general law governing partnerships, corporations or limited liability companies govern the organization, existence, duration, powers, governance and dissolution of a joint development entity and the rights and responsibilities of the partners, owners or members of a joint development entity.

(d) A joint development entity is a public corporation and a political subdivision and instrumentality of its partners, owners or members and has the powers, rights and privileges of an authority set forth in sections seven, eight, nine, ten, eleven, twelve and fourteen of this article in addition to those granted to partnerships, corporations and limited liability companies under applicable general law.

(e) For West Virginia tax purposes, a joint development entity is a political subdivision of the State of West Virginia and is exempt from all state and local taxation and all real and personal property owned by a joint development entity, or which the joint development entity may acquire to be leased, sold or otherwise disposed of, is exempt from taxation by the state or any county, municipality or other levying body as public property.

§7-12-10. Property, bonds and obligations of authority exempt from taxation.

The authority shall be exempt from the payment of any taxes or fees to the state or any subdivision thereof or to any officer or employee of the state or other subdivision thereof. The property of the authority shall be exempt from all local and municipal taxes. Bonds, notes, debentures and other evidence of indebtedness of the authority are declared to be issued for a public purpose and to be public instrumentalities, and shall be exempt from taxes.

§7-12-11. Participation and appropriations authorized; transfers and conveyances of property.

The governing body of a municipality and county commission are hereby authorized and empowered to appoint members of the said authority and the county commission and any municipality therein, or any one or more of them, jointly and

severally, are hereby authorized and empowered to contribute by appropriation from their respective general funds not otherwise appropriated to the cost of the operation and projects of the authority.

The county commission of the county or municipal corporations therein are hereby authorized and empowered to transfer and convey to the said authority property of any kind acquired by said county commission or municipal corporation for or adaptable to use in industrial, economic and recreational development, such transfers or conveyances to be without consideration or for such price and upon such terms and conditions as the said county commission or municipal corporation deems proper.

§7-12-12. Contributions by county commissions, municipalities and others; funds and accounts; reports; audit and examination of books, records and accounts.

Contributions may be made to the authority from time to time by the county commission of the county or any municipal corporation therein, and by any persons, firms or corporations which shall desire to do so. All such funds and all other funds received by the authority shall be deposited in such bank or banks as the authority may direct and shall be withdrawn therefrom in such manner as the authority may direct. The authority shall keep strict account of all its receipts and expenditures and shall each quarter make a quarterly report to the county commission and municipalities containing an itemized statement of its receipts and disbursements during the preceding quarter. Within sixty days after the end of each fiscal year, the authority shall make an annual report containing an itemized statement of its receipts and disbursements for the preceding year, and such annual report shall be published as a Class I legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code, and the publication area for such publication shall be the county in which the development authority is located. The books, records and accounts of the authority shall be subject to audit and examination by the office of the state tax commissioner of West Virginia and by any other proper public official or body in the manner provided by law.

§7-12-13. Sale or lease of property; reversion of assets upon dissolution.

In the event the board of the authority shall so determine, the authority may lease or sell all of its property and equipment, either by contract or at public auction, on such terms and conditions as the authority may fix and determine. Upon the dissolution of the authority, all of its assets and property shall revert to and become the property of the county or municipality for which said authority was created.

The amendment of this section in the year one thousand nine hundred ninety-eight, is intended to clarify the intent of the Legislature as to the manner in which an authority may sell, lease or otherwise dispose of real and personal property owned by an authority, and shall be retroactive to the date of the prior enactment of this section.

§7-12-14. Employees to be covered by workers' compensation.

All employees of the authority eligible thereto are deemed to be within the Workers' Compensation Act of West Virginia, and premiums on their compensation shall be paid by the authority as required by law.

§7-12-15. Liberal construction of article.

It is the purpose of this article to provide for promotion, development and advancement of the business prosperity and economic welfare of the municipality or county, its citizens and its industrial complex, and this article shall be liberally construed as giving to the authority full and complete power reasonably required to give effect to the purposes hereof.

§7-12-16. Provisions severable.

The several sections and provisions of this article are severable, and if any section or provisions hereof shall be held unconstitutional, all the remaining sections and provisions of this article shall nevertheless remain valid.

Note: Code updated with legislation passed through the 2008 2nd Extraordinary Session

March 18, 2010

RECEIVED

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

MAR 22 2010

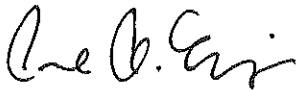
Dear Commissioners:

Jefferson County Commission

I am writing this letter to express my willingness to serve on the Jefferson County Development Authority. I believe my role as general manager of Jefferson County's leading telecommunications provider and my on-going support of the County's economic development efforts would enable me to bring a valuable perspective to the Development Authority.

Enclosed, please a copy of my resume that details my experience and qualifications for this appointment. Thank you for your consideration of my application.

Respectfully,



Paul Espinosa

Paul A. Espinosa

Objective An appointment to the Jefferson County Development Authority.

Work Experience 2008-Present
Frontier Communications Ranson, W. Va.

General Manager-Eastern W. Va. Operations

Provide leadership to eastern West Virginia operations staff with responsibility for fostering innovation and cross-functional cooperation in order to exceed P&L goals and deliver customer and employee satisfaction.

Positively represent the company and communicate company vision and direction through active engagement and involvement in the community.

Collaborate with regional staff and provide local market analysis in order to improve operational processes and ensure responsiveness to customer needs and expectations.

2003-2007
Branch Banking & Trust Company Ranson, W. Va.

Business Services Officer/Financial Center Manager

As Business Services Officer, managed and strengthened relationships with commercial banking clients in Eastern West Virginia.

Served as manager of Shepherdstown, West Virginia financial center from 2003-2005 and promoted to manager of Ranson, West Virginia financial center from 2005-2006 with responsibility for all branch customer service and sales activities.

Interfaced with retail and commercial clients to promote positive corporate image and to identify and cultivate banking relationships.

2001-2003
Citizens Communications Charles Town, W. Va.

Sales Associate

Cultivated relationships with major business telecommunications customers resulting in 2002 revenue growth of \$111,000.

Led sales representatives in Mid-Atlantic territory in 2002 with more than \$200,000 in customer-premise equipment sales.

Recipient of prestigious Council of Leaders Award presented to company sales representatives ranking among the top 10% nationally.

1996-2001
GS Communications, Inc. Frederick, Md.

Marketing Coordinator

Developed, implemented and managed multi-media marketing campaigns to acquire new customers, retain existing customers and increase average subscriber revenues and new product penetration.

Managed all aspects of marketing the core cable business as well as new digital cable television and high-speed Internet ancillary services including the creation of original artwork concepts, advertising layouts, and radio, telemarketing and television scripts to support campaigns.

Negotiated contracts with vendors and developed professional relationships with cable network representatives.

Coordinated product training for customer contact personnel to increase product knowledge and utilization of effective sales strategies.

Interfaced with the business community, franchise authorities, and general public to promote corporate image and product lines.

1985-1995
Charles Town Races Charles Town, W. Va.

Communications Director

Directed publicity and media relations activities to promote racing schedule and special events.

Developed, implemented and managed multi-media campaigns to attract and retain customers.

Produced and co-hosted monthly television program broadcast on local Fox affiliate.

Coordinated media relations activities for inaugural West Virginia Breeders Classics, West Virginia's richest day of racing.

Served as company spokesman and interfaced with the media, government officials, the community and patrons to promote positive company image.

Education

1980-1984
W. Va. Wesleyan College Buckhannon, W. Va.

Bachelor of Arts

Graduated Cum Laude

1983 Okey J. Stout Collegian

Phi Kappa Phi Scholastic Honorary, Omicron Delta Kappa Leadership Honorary, Delta Mu Delta Business Honorary, Community Council Representative at Large, Theta Xi Social Fraternity, et. al.

**Professional
Memberships**

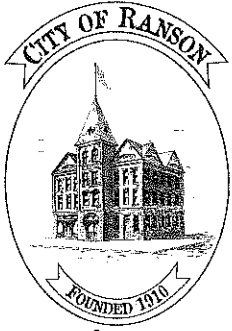
Jefferson County Chamber of Commerce, 1st Vice President;
Rotary Club of Charles Town, Past President, 2003 Rotarian of
the Year; Rotary Club of Martinsburg, 1997-2001.

**Community
Activities**

United Way of the Eastern Panhandle, Director & Campaign
Division Leader; Jefferson County Schools Education Foundation,
Treasurer; Washington High School Public Address Announcer;
Umpire, Summit Point Babe Ruth Baseball and WVSSAC; Past
President & Member Jefferson County Parks & Recreation
Commission.

References

Available upon request.



City of Ranson



Office of the Mayor

312 South Mildred Street
Ranson, West Virginia 25438-1621
Phone (304) 725-1010 FAX (304) 728-8579
E-mail: citymanager@cityofransonwv.net
www.cityofransonwv.net

Council Members
Kim Biddle
Scott Coulter
Donnie Haines
Duke Pierson
Howard Shade

Paul D. Mills – City Manager

Andrew Blake, Esq. – City Attorney

RECEIVED

March 16, 2010

MAR 22 2010

Commissioner Lyn Widmyer
President
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Jefferson County Commission

RE: Ranson's Appointment to the Jefferson County Development Authority

Dear Commissioner Widmyer:

It is our understanding that Ranson's appointment to the Jefferson County Development Authority expires on April 10th. We also understand that State Code requires that we submit three nominations to fill this appointment with the Jefferson County Commission selecting from this list. To this end, we have discussed this matter as a Council and would like to reappoint our City Manager, David Mills, to continue his service on this board. David has served us well over the last twelve years and we can think of no one who understands our community better or has the professional knowledge necessary to be an effective representative of our City. In keeping with the spirit and intent of the law, we are submitting Recorder Braithwaite, the chair of our Finance Committee, and me to complete the list. However, we, as a Council, want to offer our full endorsement for the reappointment of our City Manager to another term on the Jefferson County Development Authority.

I thank you in advance for your time and attention in this matter.

Sincerely,

A. David Hamill
Mayor

#7

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Thursday, March 11, 2010 8:35 AM
Subject: Fw: Sched Brief for County Cimmissioners on 25 Mar

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

From: Roger Ethier
To: sandy@jeffersoncountywv.org
Cc: john maxey ; bill zaleski
Sent: Wednesday, March 10, 2010 3:20 PM
Subject: Sched Brief for County Cimmissioners on 25 Mar

For Sandy Slusher...Pls sched me for presentation re: Mountain Water Monitoring Sys to County Commissioners on 25 Mar. Attending also will be John Maxey/Planning and Bill Zaleski/Health depts...Thanks...Roger Ethier WAC Chair

Hotmail: Free, trusted and rich email service. [Get it now.](#)

Monitoring *E. coli* levels in streams in the mountain region of Jefferson
County, West Virginia

Submitted by: Dr. Peter Vila
Submitted to: Jefferson County Commission
Date: 16 March 2010
pvila@shepherd.edu
304-876-5426

Introduction

E. coli is a microorganism that lives in the gastrointestinal tract of almost all warm-blooded animals. *E. coli* can be found in all human waste and makes up about 90 to 100% of the coliform organisms in human and animal feces. Principal sources of *E. coli* (and other fecal coliform bacteria as well as pathogens) are wastewaters from sewage plants, septic systems, runoff from agricultural feedlots and fields, food processing plants, and stormwater runoff, which carries animal and bird (domestic and wildlife) fecal material.

Objective

The objective of this study is to establish a monitoring program that will quantitatively enumerate *E. coli* populations in several streams draining the mountain region located on the eastern portion of Jefferson County on the strip of land between the Shenandoah River and Virginia. If funded, beginning in spring 2010 four stream sites would be sampled weekly for 52 weeks. The number of *E. coli* in each sample will be determined and in addition, stream temperature, pH, turbidity, conductivity, salinity, and dissolved oxygen, will also be measured to determine if there is a correlation between any of these environmental variables and bacterial populations.

Specific stream sites will be determined in collaboration with the Jefferson County Watershed Advisory Committee, The Jefferson County Health Department, and the Jefferson County Planning Commission. Once sampling sites are selected, a GPS coordinate will be determined for each sampling site. In addition a sampling schedule will be prepared to ensure that all sites are sampled each week. Water samples will be collected by Dr. Peter Vila, or student interns under the direction of Dr. Peter Vila. Enumeration of *E. coli* population numbers (reported as CFU/100ml) in each sample will be determined utilizing the EPA approved IDEXX method. Physical variables listed above will be determined with a Eureka Multiparameter probe.

Deliverables (to be submitted monthly by email to designated Jefferson County representatives)

- Weekly *E. coli* levels at each of the four stream sites
- Weekly values of the physical variables (listed above) at each of the four stream sites
- A final report will be prepared documenting the weekly fluctuations in both *E. coli* levels and the physical variables at each of the four stream sites. In the final report conclusions will be provided regarding the health of each stream based on these variables and if appropriate recommendations will be made in this final report.
- While not a deliverable, Dr. Vila will retain the right to utilize these findings as part of his scholarly activities at Shepherd University. As such, he will be allowed to present these results at local, regional, and national meetings as well as to publish these results in scholarly journals.

Budget

Item	Number	Cost	Total Cost
E. Coli Sampling	52	\$30	\$6,240
Coordination (Dr. Peter Vila)	1	\$2,293.20	\$2,293.20
Equipment and Supplies	--	--	\$1,820
Transportation	1	\$500	\$500
Subtotal			\$10,033.20
		Total	\$10,853.20

#8

Nichelle Hosby

From: Brook E. Tucker [btucker@berkeleycountycomm.org]
Sent: Thursday, March 18, 2010 11:48 AM
To: nhosby@jeffersoncountywv.org
Cc: Joe Sacchet
Subject: schedule Joe Sacchet

We'd like to schedule Joe Sacchet to appear before the Jefferson County Commission on March 25, 2010 to resubmit his grant proposal to the Commission based on Berkeley County Commission's response.

Thank you

Brook Tucker
Administrative Assistant
Berkeley/Jefferson Day Report Center
406 South Raleigh St.
Martinsburg, WV 25401
304-267-5000 EXT. 3961
Fax: 304-596-2047
email: btucker@berkeleycountycomm.org

BERKELEY/JEFFERSON DAY REPORT CENTER

406 SOUTH RALEIGH STREET

MARTINSBURG, WV 25401

304-267-5000 EXT. 3961

304-596-2047: FAX

FAX

TO:

FROM:

Nichelle Hosby

Joseph P. Sacchet, Director

COMPANY:

DATE:

Jefferson County Commission

3-22-2010

TOTAL NO. OF PAGES, INCLUDING COVER:

304-725-7916

7

Pages of the grant submission that have been changed to be presented to the Jefferson County Commissioners on Thursday, March 25th. Copies to need to be made and passed to all commissioners prior to meeting.

Also, please let us know when a time is scheduled for the director to appear this week. Thank you

West Virginia Community Corrections Grant Program Application	General Administrative Information Page 1
--------------------------------------------------------------------------	------------------------------------------------------

Applicant Agency: <input type="text" value="Berkeley & Jefferson County Commissions"/> Address: <input type="text" value="400 W. Stephen Street
Martinsburg, WV 25401"/> Phone: <input type="text" value="(304) 264-1923"/> Fax Number: <input type="text" value="(304) 267-5049"/>	Type of Agency: <input type="checkbox"/> State <input checked="" type="checkbox"/> County Type of Application: <input checked="" type="checkbox"/> For State Funds <input type="checkbox"/> No State Funds
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Project Director: <input type="text" value="William Stubblefield"/> PD Title: <input type="text" value="Commissioner"/> Address: <input type="text" value="400 W. Stephen Street
Martinsburg, WV 25401"/> Phone: <input type="text" value="(304) 264-1923"/> Fax: <input type="text" value="(304) 267-5049"/> Email: <input type="text" value="wstubblefield@berkeleycountycomm.org"/>	Fiscal Officer: <input type="text" value="Deborah Hammond"/> FO Title: <input type="text" value="County Administrator"/> Address: <input type="text" value="400 W. Stephen Street
Martinsburg, WV 25401"/> Phone: <input type="text" value="(304) 264-1923"/> Fax: <input type="text" value="(304) 267-5049"/> Email: <input type="text" value="dhammond@berkeleycountycomm.org"/>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

State Funds Requested: **Amount Awarded:** _____
Local Funds Committed: (for DCJS use only)
Project Period: July 1, 2010 – June 30, 2011

Number of years previously funded: **Estimated Number to be Served:**
Geographic Area(s) Served:
Total Population:
Project Title:

Project Description:

The BJDRC is an alternative sentencing program that blends high level of control with intensive delivery of services to offenders sentenced/referred by circuit courts, magistrate courts, drug courts, mental health courts, prosecuting attorneys, probation officers, and the Department of Health and Human Resources.

Certification: To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by the governing body and the applicant will comply with the attached special conditions and assurances, if funding is provided.

Authorized Official: <input type="text" value="Ronald Collins"/> Address: <input type="text" value="400 W. Stephen Street
Martinsburg, WV 25401"/>	AO Title: <input type="text" value="President, Berkeley Co. Commission"/> Phone: <input type="text" value="(304) 254-1923"/> Fax: <input type="text" value="(304) 267-5049"/> E-Mail: <input type="text" value="rcollins@berkeleycountycomm.org"/>
Signature: _____	Date: _____

West Virginia Community Corrections Grant Program Application	Budget Summary Page 2
--------------------------------------------------------------------------	----------------------------------

Applicant: Berkeley County Commission	FEIN Number: 55-6000296
---------------------------------------	-------------------------

Budget Category	WV Community Corrections Requested Funds (A)	Local (Match) Funds (B)	Total Budget (A + B)
Personnel/Contractual	\$168,960.00	\$42,240.00	\$211,200.00
Travel/Training	\$6,973.00	\$1,743.00	\$8,716.00
Equipment	\$8,360.00	\$2,090.00	\$10,450.00
Other	\$88,528.00	\$22,132.00	\$110,660.00
Totals	\$272,821.00	\$68,205.00	\$341,026.00

**All funds must be rounded to the nearest whole dollar amount*

Funding Strategy

Funding Source(s)	Amount	Status
Berkeley County Commission	\$34,103.00	C
Jefferson County Commission	\$34,102.00	C
State of West Virginia	\$272,821.00	P
Total	\$341,026.00	C+P

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

P – Projected grant, loan or donation

A – Application submitted and under review

C – Funds Committed

R – Funds received, appropriated or on hand

West Virginia Community Corrections Grant Program Application	Budget Detail Page 3
--------------------------------------------------------------------------	---------------------------------

Detailed Project Cost by Budget Category	Requested Community Corrections Funds	Local Funds Utilized	Grant Funds Approved
Personnel / Contractual:			(DCJS Use Only)
DRC Director	46,600	11,400	
DRC Officer	28,000	7,000	
Administrative Secretary	21,600	5,400	
Contractual Services	56,288	14,072	
Driver	17,472	4,368	
Travel / Training:			
Staff Training Trips - 3 - 5-day trips 3 x Lodging+M&E+mileage/trip (3x (475+220+247))	2,261	565	
Staff Administrative Trips (4x (190+88+247))	1,680	420	
Fuel and maintenance for DRC van	3,032	758	
Equipment (\$1,000/unit):			
1 PC with software @1,350	1,080	270	
VCR/DVD player, stand, monitor	1,280	320	
Office furniture (desks, chairs, file cabinets)	6,000	1,500	
Other:			
(see detailed budget justification)	88,528	22,132	
Total Requested WVCC Funds			
	\$272,821.00		
Total Local Matching Funds			
		\$68,205.00	
Total Funds APPROVED for Project			(For DCJS Only)

**West Virginia Community Corrections
Grant Program Application****Budget Justification
Page 4**

Provide specific information that explains each proposed expense for the project. State clearly and in concise detail the breakdown and justification of need for each item requested for funding in the Budget Detail pages. Also, provide an identified breakdown of matching funds. Be sure to label the breakdown of matching funds as such. Attach additional pages if necessary.

Personnel:

Salaries are requested for the DRC Director (\$57,000), DRC Officer (\$35,000) and an Administrative Secretary (\$27,000). Job descriptions and/or resumes for each of these positions are attached. These are all full-time positions; because of the variety of activities ongoing in the DRC, there will be times when crossover of functions will be required to meet program goals. \$23,800 in local funds are committed and \$95,200 in CC Funds is requested for this category. Funds for hiring a fiscal agent are not requested as these functions have been and will be carried out in-house by the Berkeley County Commission staff at no charge to the CC program.

Contractual Services:

A variety of counseling services for defendants will be provided through contractual arrangements with local agencies as well as the DRC Officer who will serve as case manager as well as performing other DRC duties specified in the job description attached. Depending on the level of training and experience required, contractual pay rates will be between \$35 per hour for Masters level substance abuse counselors and \$20 per hour for Bachelor level educational counselors. A full-time driver for transporting defendants is estimated at \$21,840 total cost. \$28,440 in local funds are committed and \$73,760 in CC Funds is requested for this category. (For Personnel and Contractual Services combined, \$42,240 in local funds are committed and \$168,960 in CC Funds is requested .)

Travel/Training:

Training will be required for the DRC Director and staff. All of the training will be in Charleston and the costs reflect lodging, meals and incidental expenses, and mileage for four-day training programs and one travel day. The Director will attend two training courses, the other staff will attend one training course each (total cost: \$2826). In addition, the Director will be required to attend administrative meetings in Charleston four times over the course of the project period. These will require one overnight stay and one travel day (total cost: \$2100). Finally, the DRC has a van which is used to transport defendants to and from the Center and sites where they receive services. Fuel and maintenance for this vehicle is estimated to amount to \$3790 total cost. \$1,743 in local funds are committed and \$6,973 in CC Funds is requested for this category.

Equipment:

One personal computer with software will be needed for the DRC Officer (total cost \$1350). A VCR/DVD player with stand and monitor will be needed for educational programs in the Center (total cost: \$1600). The Center does not have sufficient furniture for all the staff and additional desks, chairs and file cabinets will be needed (total cost: \$7500). \$2,090 in local funds are committed and \$8360 in CC Funds is requested for this category.

Other:

An essential part of the program, drug testing for defendants requires disposable mouth pieces for the Portable Breath Tester and Drug Screen kits and drug testing services, and other supplies. For the planned the number of defendants in the program and frequency of testing this amounts to a total cost of \$34,000. The annual insurance cost for the DRC building is \$6800 total cost. Building repair and maintenance estimate includes replacement of windows which are inefficient and unsafe at \$5700, paving the driveway at \$3200, with \$2100 for repair of siding, and maintenance of plumbing and electric service. Total cost for building repair and maintenance is \$11000. (see page 4a for continuation)

**West Virginia Community Corrections
Grant Program Application****Budget Justification
Continuation Page 4a**

Other (category continued from Page 4)

Office supplies, including stationery, copy paper, toner, and miscellaneous supplies are estimated at \$2000 total cost. Based on the past year, \$600 in total cost is estimated for postage in the project period. Rent for the DRC building is \$49,860 per year. Telephone costs amount to \$1800 per year. Utilities (electricity, gas, water and sewer) amount to \$4600 per year. The local commitment is \$22,132 and \$88,528 in CC Funds is requested for this category.

Category/Item	Total Cost	Berkeley	Jefferson	Total Local	WV CC Funds	Sub Local	Sub WVCC	SubTotals
Personnel								
DRC Director	57,000.00	5,700.00	5,700.00	11,400.00	45,600.00			
DRC Officer	35,000.00	3,500.00	3,500.00	7,000.00	28,000.00			
Administrative Secretary	27,000.00	2,700.00	2,700.00	5,400.00	21,600.00			
Contractual								
Contractual/Prof Services	70,360.00	7,036.00	7,036.00	14,072.00	56,288.00			
Contractual Driver	21,840.00	2,184.00	2,184.00	4,368.00	17,472.00			
Travel & Training	8,716.00	872.00	871.00	1,743.00	6,973.00	1,743.00	6,973.00	8,716.00
Travel/Training/Fuel								
Equipment								
Office Equip - PC & accessories	10,450.00	1,045.00	1,045.00	2,090.00	8,360.00	2,090.00	8,360.00	10,450.00
Other								
Drug Testing	34,000.00	3,400.00	3,400.00	6,800.00	27,200.00			
Insurance	6,800.00	680.00	680.00	1,360.00	5,440.00			
Building Repair/Maintenance	11,000.00	1,100.00	1,100.00	2,200.00	8,800.00			
Office Supplies	2,000.00	200.00	200.00	400.00	1,600.00			
Postage	600.00	60.00	60.00	120.00	480.00			
Rent	49,860.00	4,986.00	4,986.00	9,972.00	39,888.00			
Telephone	1,800.00	180.00	180.00	360.00	1,440.00			
Utilities	4,600.00	460.00	460.00	920.00	3,680.00	22,132.00	88,528.00	110,660.00
TOTALS	341,026.00	34,103.00	34,102.00	68,205.00	272,821.00	68,205.00	272,821.00	341,026.00

[By formula, 20% of total cost = \$68,205; actual Local Cost is 34,103 + 34102= \$68,205]

03212010 Revision - 2011budgetdraft4.xlsx

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

AGENDA REQUEST FORM

Name: Tessa Yvonne Reed

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: March 25, 2010

Date Requested – 2nd Choice: April 1, 2010

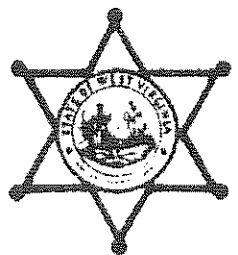
If a specific date is needed, please provide reason for specific date:

Subject: **Executive Session**

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

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

Attachments:



SHERIFF and TREASURER *of Jefferson County*

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

RECEIVED

MAR 17 2010

JEFFERSON COUNTY COMMISSION

March 17, 2010

MEMORANDUM

TO: Jefferson County Commission
FROM: Lt. T. H. Hansen
SUBJECT: Approval of new appointment

The Jefferson County Deputy Sheriff Reserve is a wholly volunteer organization and has become invaluable to the Jefferson County Sheriff's Office. Cassie Lea Johnson has applied for appointment to the Deputy Sheriff Reserve. A background investigation has been completed on Ms. Johnson, and she has been deemed suitable for appointment. I am requesting permission to appoint Cassie Lea Johnson to this exceptional organization.

Pending you're approval, we anticipate an appointment date of on or about March 28, 2010.

Thank you for your consideration and attention to this matter.

Respectfully submitted,

Thomas H. Hansen
Administrative Lieutenant
JCSO

#15A

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

AGENDA REQUEST FORM

Name: F. Mark Schiavone

Department or Entity: DCPM

Estimation of amount of time needed for appointment: 5

Date Requested – 1st Choice: 25 March 2010

Date Requested – 2nd Choice: _____

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

Subject: Approval of adjustments to FY 2008 and FY 2009 Financial Reports

Please provide the County Commission with a description of your request or presentation, including any background information: The adjustments were made by members of the State Auditor’s Office and must be approved by the County Commission prior to their incorporation into the FY 2008 or FY 2009 Financial Report. Both forms require the signature of the Commission President prior to their delivery to the State Auditor’s Office.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I Move to approve the adjustments for FY 2008 and FY 2009 as presented in the Closing Entry and Audit Adjustment Form as presented by the State Auditor’s Office.

Attachments: FY 2008 and FY 2009 Closing Entry and Audit Adjustment Forms

Jefferson County, West Virginia
 Closing Entry and Audit Adjustment Form
 For the Fiscal Year Ended June 30, 2009

	Prepared	Reviewed
Initials	sam	
Date	3/11/10	

The auditor should consider whether all misstatements aggregated together could be material to the financial statements as a whole (AU 312.18).

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
1	Compensated absence expense-GG	33,635.00	
	Compensated absence expense-PS	17,555.00	
	Compensated Absence Liability		51,190.00

Explanation for Adjustment:

Client prepared financial statement compensated absence liability did not include FICA or medicare match. See WP J-Sched of Compensated Absences.xls

Major Governmental Funds

<u>Account Number</u>	<u>Account Description</u>		
	General Fund		
1	Grants Receivable	59,614.00	
	Federal Grants Revenue		59,614.00

Explanation for Adjustment:

Client prepared financial statement did not include grant receivables for the VOCA and EMPG Grants that are receipted into the General Fund.

	General Fund		
2	Prepaid Expenses	89,547.00	
	General Government Expense		89,547.00

Explanation for Adjustment:

To reclassify expenditure for the 3rd Qtr 2009 Liability Insurance

	General Fund		
3	General Government Expenses	14,127.00	
	Public Safety Expenses	2,105.00	
	Accounts Payable		16,232.00

Explanation for Adjustment:

To account for additional accounts payable due on June 30, 2009 not included on client prepared financial statement.

Jefferson County, West Virginia
 Closing Entry and Audit Adjustment Form
 For the Fiscal Year Ended June 30, 2009

	Prepared	Reviewed
Initials	sam	
Date	3/11/10	

The auditor should consider whether all misstatements aggregated together could be material to the financial statements as a whole (AU 312.18).

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
Non_Major Governmental Funds			
	State Grants Fund		
1	Grants Receivable	137,642.00	
	Federal Grant Revenue		137,642.00

Explanation for Adjustment:

Client prepared financial statement did not account for grant receivables for several grants expended from the State Grant Fund.

Government -Wide Statements

Capital Assets

Construction in Progress	76,500.00	
Vehicles	45,794.00	
Depreciation Expense	5,644.00	
General Government Expenses		89,000.00
Public Safety Expenses		33,294.00
Accumulated Depreciation		5,644.00

Explanation for Adjustment:

To adjust for other capital assets not included on client prepared capital asset listing. See WP K_Capital Assets.xls

Likely Misstatement:

If there are any likely misstatements, refer to the Likely or Uncorrected Misstatements worksheet for audit steps. The None.

Total of audit adjustments

482,163.00

482,163.00

These adjustments are to be booked to the county clerk's accounting records.

Discussed with: _____ Position: _____ Date: _____
 County Clerk
 County Commissioner

Comments: _____

Approved by: _____

If adjustments are not approved, the auditor should refer to the Likely or Uncorrected Misstatements worksheet in this file, and consider the effect on the auditor's opinion on the financial statements.

Jefferson County, West Virginia
 Closing Entry and Audit Adjustment Form
 For the Fiscal Year Ended June 30, 2008

	Prepared	Reviewed
Initials	sam	
Date	9/24/09	

The auditor should consider whether all misstatements aggregated together could be material to the financial statements as a whole (AU 312.18).

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
1	Contributions-Other Entities Notes Payable	117,351.00	117,351.00

Explanation for Adjustment:

Client prepared financial statement required adjustment to include the liability for a loan/lease agreement with the West Virginia Secretary of States Office to purchase election equipment. See WP R-5

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
2	Deferred Revenue-SWA Loan Refunds/Reimbursements -External Sources	83,145.00	83,145.00

Explanation for Adjustment:

Adjust Government-Wide statements for deferred revenue SWA loan. See WP R-6 to 6.2

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
3	Capital Outlay expenditures-GG Capital Lease Payable	154,022.00	154,022.00
	Depreciation Exp- General Government Accumulated Depreciation- Equipment	12,835.00	12,835.00
	Capital Lease Payable Capital Outlay expenditures	9,421.00	9,421.00

Explanation for Adjustment:

To record CSSI Imaging/Indexing system purchased, lease payments made, and the related depreciation of the equipment acquired by capital lease not recognized on the client prepared financial statement. See WP R-5.1 to 5.30

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
4	Compensated absence expense-GG Compensated absence expense-PS Compensated Absence Liability	24,183.00 52,304.00	76,487.00

Jefferson County, West Virginia
 Closing Entry and Audit Adjustment Form
 For the Fiscal Year Ended June 30, 2008

	Prepared	Reviewed
Initials	sam	
Date	9/24/09	

The auditor should consider whether all misstatements aggregated together could be material to the financial statements as a whole (AU 312.18).

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
-----------------------	----------------------------	--------------	---------------

Explanation for Adjustment:

Client prepared financial statement compensated absence liability did not include compensatory time or FICA match or retirement matching. See WP J-Sched of Compensated Absences.xls

Major Governmental Funds

<u>Account Number</u>	<u>Account Description</u>		
-----------------------	----------------------------	--	--

	General Fund		
1	301-01 Property Tax - Current Year	33,097.00	
	Deferred Revenue- Property taxes		33,097.00

Explanation for Adjustment:

To adjust deferred revenue and current year tax revenue to reflect the amounts actually collected in July and August of 2008 for prior year taxes. The amounts reflected on the client prepared financial statement were estimated.

	General Fund		
2	Due from Other Governments -SWA	83,145.00	
	Deferred Revenue		83,145.00

Explanation for Adjustment:

To adjust the client prepared financial statement to reflect the June 30, 2008 balance due from the Solid Waste Authority loan.

	General Fund		
3	323 State Grants	62,667.00	
	382 Refunds/Reimbursements (External Sources)	50,195.00	
	322 Federal Grants		112,862.00

Explanation for Adjustment:

To reclassify monies received from the VOCA and Homeland Security grants as Intergovernmental-State source or Refunds/Reimbursements (External Sources) to Intergovernmental-Federal.

	General Fund		
4	960 General Govt Exp - Capital Outlay	154,022.00	
	New Capital Leases		154,022.00

Jefferson County, West Virginia
 Closing Entry and Audit Adjustment Form
 For the Fiscal Year Ended June 30, 2008

	Prepared	Reviewed
Initials	sam	
Date	9/24/09	

The auditor should consider whether all misstatements aggregated together could be material to the financial statements as a whole (AU 312.18).

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
-----------------------	----------------------------	--------------	---------------

Explanation for Adjustment:

To record lease agreement for equipment that was not recognized on the client prepared financial statement at the fund level.

Non_Major Governmental Funds

State Grants Fund

1	323 State Grants	439,678.00	
	322 Federal Grants		439,678.00

Explanation for Adjustment:

To reclassify monies receipted from the Homeland Security grant as Intergovernmental-State source to Intergovernmental-Federal.

Government -Wide Statements

Schedule of Expenditures of Federal Awards (SEFA)

The SEFA had to be totally constructed by the auditor.

Explanation for Adjustment:

There was not a client prepared SEFA. Examination of grant documentation revealed that total expenditures were over \$500,000 and a single audit was required. Grants are fairly stated with audit adjustments made. Refer to N-Workpapers for further details and documentation.

Capital Assets

Explanation for Adjustment:

When reviewing the client prepared asset list, noted several errors. Many adjustments were needed to correctly add assets and to restate depreciation. Advised client to review list, including depreciation calculations and useful lives and to make necessary corrections. Also advised doing an inventory of assets and a comparison of the asset schedule to the County Administrator's insurance list. A finding will be issued. Capital Assets are fairly stated with audit adjustments made. Refer to WP's K-FixedAssets&Deprec6-30-08.xls

Jefferson County, West Virginia
 Closing Entry and Audit Adjustment Form
 For the Fiscal Year Ended June 30, 2008

	Prepared	Reviewed
Initials	sam	
Date	9/24/09	

The auditor should consider whether all misstatements aggregated together could be material to the financial statements as a whole (AU 312.18).

Government -Wide Statements

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
-----------------------	----------------------------	--------------	---------------

Likely Misstatement:

If there are any likely misstatements, refer to the Likely or Uncorrected Misstatements worksheet for audit steps. The None.

Total of audit adjustments

1,276,065.00	1,276,065.00
--------------	--------------

These adjustments are to be booked to the county clerk's accounting records.

Discussed with: _____ Comments: _____ _____ _____	Position: County Clerk County Commissioner	Date: _____
Approved by: _____		

If adjustments are not approved, the auditor should refer to the Likely or Uncorrected Misstatements worksheet in this file, and consider the effect on the auditor's opinion on the financial statements.

15B

ASSESSOR OF JEFFERSON COUNTY

104 East Washington Street

Charles Town, WV 25414

Angela L. Banks

304-728-3224

March 11, 2010

RECEIVED

MAR 12 2010

Jefferson County Commission

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

Re: Budget line item transfer

To Whom It May Concern:

I want to transfer \$2,000 from line item #406/216 (assr main/repair) to line #406/212 (assr painting). I would also like to transfer \$1,000 from line item #406/216 (assr main/repair) to line item #406/341 (assr materials/supplies).

Sincerely,



Angela L. Banks

Jefferson County Assessor

#16

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Roger Goodwin

Department or Entity: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: March 25, 2010

Date Requested – 2nd Choice: April 1, 2010

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

Subject: Bond reduction and/or release.

Please provide the County Commission with a description of your request or presentation, including any background information: Complete release of the Construction Bond security for The William H. Scott Inter Vivos Trust (AKA Summit Point Automotive Research Center-SPARC, LLC) - Summit Point Tactical Training Center (File #S07-01) - Cash in Escrow Agreement with the Bank of Charles Town.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I authorize a complete release of the remaining \$60,000.00 construction bond amount for The William H. Scott Inter Vivos Trust (AKA Summit Point Automotive Research Center -SPARC, LLC) - Summit Point Tactical Training Center (File #S07-01).

Attachments: Bond Release Letter
Bond Reduction or Release Request Report



THE COUNTY COMMISSION OF JEFFERSON COUNTY

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



Phone: 304-728-3284

www.jeffersoncountywv.org

Fax: 304-725-7916

March 25, 2010

Mr. Robert F. Baronner, Jr.
President & CEO
Bank of Charles Town
P. O. Box 906
Charles Town, West Virginia 25414

RE: Cash in Escrow Agreement, dated July 2, 2009 Construction Bond Surety for The William H. Scott Inter Vivos Trust - Summit Point Tactical Training Center (PC File #S07-01).

Dear Mr. Baronner:

The Jefferson County Commission authorizes a complete release of the remaining \$60,000.00 from the construction bond for The William H. Scott Inter Vivos Trust - Summit Point Tactical Training Center (PC File #S07-01). This project is located on the south side of Summit Point Road (Route 13) approximately 4000 feet east of its intersection with Hardesty Road (Route 2). The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount for the above referenced Cash in Escrow Agreement, originally issued in the amount of \$137,560.00.

Please contact the Engineering Department at (304)-728-3228 if you have any questions.

Sincerely,

Lyn Widmyer, President
Jefferson County Commission

LW:rfb

cc: Ms. Barbara L. Scott
SPARC, LLC
P. O. Box 190
Summit Point, West Virginia 25446
Department of Engineering

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

BOND REDUCTION or RELEASE REQUEST - REPORT

Date Received: 1/28/2010 JPCP File No S07-01

Consultant/Engineer/Firm Name: William H. Gordon Associates, Inc.

Mailing Address: 301 North Mildred Street Suite 1

City: Charles Town State: WV Zip: 25414

Contact Person: Jason Gerhart Phone: (304) 725-8456

Project/Subdivision Name Summit Point Tactical Training Center

Section/Phase: 6 Blds, parking area, internal drive aisles, training pad

Review Comments:

The Bond Release request is Approved

Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

Bonding Policy & Unit Cost Figures attached for your use.

Comments:

Recommends bond release.

**LAND DEVELOPMENT INSPECTION
APPROVED FOR:**

BOND RELEASE \$0.00

BY: Norma J. Kuroski 1.29.10
INSPECTOR **DATE**

Original Bond Amount: \$862,114.51

Current Bond Amount: \$60,000.00

Cost of Work Remaining: \$0.00

+ Contingency Amount: \$0.00

Approved for Revised Bond Amount: \$0.00

Reviewed By: Norma Kuroski

Title: Land Development Inspector

Signature: Norma J. Kuroski

Date: 1/29/2010

17

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

AGENDA REQUEST FORM

Name: Jennifer Brockman and Roger Goodwin

Department or Entity: Departments of Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: 3/25/10

Date Requested – 2nd Choice: _____

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

Subject: **Proposed Land Development Fee Changes**

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

After the adoption of the new Subdivision Regulations in November 2008, the Planning Commission and Planning, Zoning and Engineering staff initiated a review of the land development fees to determine if they accurately reflected costs which occurred with these activities. This effort was put on hold until a decision was made regarding the proposed new zoning ordinance. After the referendum vote in November 2009, this project was reinstated and staff and the Commission has been working on it since this time. The fees attached reflect an effort to estimate actual time and costs for these efforts. The Planning Commission has reviewed these fees and voted unanimously to forward these to the County Commission for your information as you consider revising the land development fees. Engineering and Building Permit fees are included in this document.

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

A workshop and/or public hearing needs to be scheduled to allow staff an opportunity to review the attached fees with the County Commission and to receive public input.

Attachments:

Memo from Departments of Planning, Zoning and Engineering and attachments

JEFFERSON COUNTY, WEST VIRGINIA
Department of Planning & Zoning
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

MEMORANDUM

Date: March 18, 2010
To: County Commission
From: Jennifer M. Brockman, AICP, Director, Planning & Zoning
Roger Goodwin, County Engineer
RE: Proposed Fee Changes

On Tuesday, March 9, 2010, the Planning Commission voted unanimously to recommend to the County Commission that fees associated with land development processing be reviewed for the purpose of determining if they should be changed. As you may know, this is the first time the County is considering a fee review since January 1, 2001. As such, the Planning Commission has asked that you be presented with the attached documentation that will assist you in making a decision regarding fees. Attached are the following documents for your review:

1. Memorandum to Planning Commission, dated February 19, 2010 (modified)
2. Three Tables:
 - a. Comparison of Site Plan Fees (Current vs. Proposed)
 - b. Planning and Zoning Departments Proposed Land Development Fees (modified)
 - c. Engineering Department Proposed Land Development Fees (modified)
3. Comparison and Proposal for Building Permit Fee Schedule

We are asking the County Commission to review the documents provided and schedule a workshop or public hearing, as soon as possible, for staff to discuss and answer all questions. If the Commission determines that the fees should be changed, the Planning Commission is requesting the fees be reviewed again six months after adoption.

JEFFERSON COUNTY, WEST VIRGINIA
Department of Planning & Zoning
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

MEMORANDUM

Date: February 19, 2010
To: Planning Commission
From: Jennie Brockman, Planning & Zoning Director
RE: Proposed Fee Changes

History

In November 2008, the proposed Zoning Ordinance and proposed Subdivision Regulations went into effect. On November 25, 2008, a draft Processing Fees document for Planning, Zoning & Engineering was presented by Planning & Zoning Staff to the Planning Commission for their review and consideration. On December 9, 2008, the Planning Commission adopted a resolution to recommend a final draft of the Processing Fees be forwarded to County Commission for their consideration and requested that said fees be reviewed on an annual basis.

In January 2009, the proposed Zoning Ordinance had a stay and the departments reverted to using the 1988 Zoning Ordinance. A new draft Processing Fees document was initiated, but a review of how the old Zoning Ordinance and new Subdivision Regulations would interact took priority.

During FY2010's budget process, Mark Schiavone, Director of Capital Planning & Management, asked Roger Goodwin, Chief County Engineer, to look at the fees charged by his department for land development projects and building permits. The intent was to consider raising fees in order to raise additional revenue. Through April and May 2009, Roger Goodwin and Jennilee Hartman, Senior Planning Clerk, completed extensive research into fees charged for similar tasks in surrounding jurisdictions, such as Berkeley County, WV; Clarke County, VA; Frederick County, VA; Washington County, MD; and Frederick County, MD. The City of Ranson, the City of Martinsburg, the City of Charles Town, and the City of Hagerstown were also consulted. Due to the wide variety in processes as well as fees, this research provided more of a "big picture" view of how land development was being handled in our area than a side-by-side comparison of fees charged.

Also during the month of April, the Planning Commission drafted specific recommendations for presentation to the County Commission as part of the Annual Report and Budget Statement. The decision tree included in this material expressed an understanding that changes in the fee structure would have to occur once the County Commission set a date for the referendum. A joint meeting to discuss the Planning Commission's Report was tentatively scheduled for May 17, 2009, but the County Commission chose to delay scheduling the joint meeting until the new Director was hired. Both the Planning & Zoning and Engineering departments moved locations over the next two months.

On May 21, 2009, Roger Goodwin presented his draft fee schedule to the County Commission. At that meeting, the Commissioners placed the matter on the following week's agenda for a combined report with the Planning Commission. May 28, 2009 was Ms. Brockman's first appointment in front of the County Commission since being hired. She addressed staff vacancies and scheduling the joint Planning Commission/County Commission meeting for July 6, 2009. At the joint meeting, the group agreed that

Planning & Zoning should work with Engineering to review all land development fees and establish a timeline for revising those fees.

Throughout August and September, Ms. Brockman and related Staff were engaged in filling the vacancies within the department, orienting her with the issues related to the necessary referendum, organizing public education on the zoning ordinance differences, bringing her up-to-speed on serious conflicts between the 1988 Zoning Ordinance and the newly adopted Subdivision Regulations, handling outside counsel concerns that the County Commission had, discussions regarding the Urban Growth Boundary enabled by the state, and researching how land development review extensions were being handled in surrounding jurisdictions.

In October, after prompting during a County Commission meeting, Mr. Goodwin again forwarded to Planning & Zoning the draft fee schedule he had presented to the County Commission in May. At that time, Mr. Goodwin and Ms. Brockman agreed that waiting until the referendum occurred in the first week of November was the most sensible course of action. Once the referendum was held, the 1988 Zoning Ordinance was re-established and shortly thereafter Judge Steptoe's decision to remove the amendments from April 2005 was reversed. Staff now had a clearer course of action and immediately began work on clarifying the issues that had been raised over the year previous, while working with the mismatched documents. Of key importance, is the conflict between the processing of subdivisions and site plans within the Subdivision Regulations and the new ability to handle either of these types of developments via a minor process. Thus, the previously created fee schedules contained holes which could not be fixed until Staff had the opportunity to meet with the Planning Commission in regards to amendments. This work began in January and is currently underway. Presented in this document is the culmination of fees from the Planning, Zoning and Engineering Departments, which now addresses those serious issues. Please note, a general methodology for setting fees was utilized, but due to the differences between the Planning & Zoning functions and the Engineering & Building Permit functions, the actual process for calculating staff involvement differed slightly.

Methodology

As mentioned above, during 2009, research was conducted by Staff to obtain a "big picture" look at how Jefferson County's fee schedule compared with the surrounding area. While there was no consistency among the jurisdictions in cost or tasks to be charged for, what was evident was that Jefferson County's fees appeared to be some of the lowest in the area. In order to create a more realistic fee schedule for our county, the following was taken into consideration.

In the first step of estimating costs, we determined both the personnel involved and estimated the time involved in the processing and reviewing of land development submissions. For Engineering and Building Permits, this also included an estimation of time for administration and inspections once the submission is approved. In estimating the time involved, we considered the economy of scale that results from processing and administering a Major Subdivision (i.e., 100 lot subdivision) versus a Minor Subdivision (i.e., 5 lot subdivision); or a Limited Site Plan versus a Full Site Plan. The cost for each type of personnel is based on a rate of 2x the hourly wage. This is to cover salary, fringe benefits and overhead associated with each project. For both residential and non-residential subdivisions (and apartment/rental unit site plans for Engineering and Building Permits), we tried to establish a base or minimum fee plus an additional fee to be charged as the size of the project grows. As such, the total permit fee cost per lot/unit decreases, as the number of lots/units increases and the economies of scale are realized.

It was determined that most Minor/Limited Site Plans and Minor/Full Site Plans, require the same amount of work for each plan. Therefore, a single set fee was established for each. Since the processing for Major Site Plans is more extensive, Planning & Zoning set fees for each step. Engineering included costs associated with the size of the development as well.

Discussion

In establishing the fee schedule, we kept the process simple by not creating a system that requires the tracking of staff time or invoicing and collecting of additional fees. The fee schedule is based on the average time typically involved in a project from beginning to end. The fees are paid up front at each stage and, with few exceptions, no additional fees are anticipated. This reduces staff time for invoicing and collecting fees.

An exact comparison of fees, between the jurisdictions, is somewhat difficult because the basis for calculating fees varies. This makes it difficult to make an “apples to apples” comparison. In addition, the fee data does not reflect whether or not the intent of each jurisdiction is to fully cover the processing costs; or if the intent is to partially cover processing costs with the jurisdiction subsidizing part of the cost with tax/revenue sources.

Subdivisions Fees:

The proposed fees for Minor & Major and Residential & Non-Residential Subdivisions include a “base fee” plus a “per-lot-fee” which results in an increase in the total fee as the size of the subdivision increases. The fees appear to be reasonable compared to other jurisdictions.

Site Plan Fees:

Under the current fee schedule, a single fee is charged by the Planning, Zoning & Engineering Departments for site plan (commercial/industrial projects) projects, to cover all the work in processing the site plan under the land development ordinances. This fee also covers the work involved in processing a building permit application, reviewing the building plans and performing the building inspections under the Building Code Enforcement Ordinance. *Table 1* has examples of fees charged on typical site plan projects under the current fee schedule. These fees appear low, considering the amount of work required by staff in processing them as both a land development project and then a building permit project. It appears that the fees generated by the larger volume of residential development in recent years and the fees generated by the larger site plan projects (i.e., Charles Town Races, Martins Grocery Store Expansion, etc.) may have been subsidizing the costs of processing smaller commercial site development projects.

Under the proposed fee schedule, there will be a site plan fee charged by Planning & Zoning and a separate site plan fee charged by Engineering. In addition, Engineering will charge a separate building permit fee for the structure on the site. Building permit fees are also under review and will be provided to the County Commission for their consideration.

Minor/Limited Site Plans are limited in scope, compared to a Minor/Full Site Plan or a Major Site Plan. However, all Minor/Limited Site Plans usually involve approximately the same amount of work in processing relative to each other. As a result, a set fee is proposed by both departments for Minor/Limited Site Plans. The fee is less than that proposed for a Major Site Plan.

For Major Site Plans, the amount of work involved in processing is relatively the same for typical projects. Therefore, a set fee is proposed for typical projects. However, when there is a project of larger magnitude, it will involve additional engineering review. The additional costs are accounted for by charging an additional engineering fee for projects that are greater than 4 acres in impervious area/disturbed area footprint. Due to the nature and scope of the Planning & Zoning Department’s review of site plans, the additional costs are not figured into their proposed fees.

Apartment/Multiplex/Condominium Site Plans require a “base fee” plus a “per-unit-fee” that results in an increase in the total engineering fee as the number of apartment units or condominium units increases. Self-Storage Unit Site Plans include a “base fee” plus a “per sq. ft. of building footprint fee” that results in an increase in the total engineering fee as the number of storage units increases. Due to the nature and scope of the Planning & Zoning Department’s review of these particular types of development, the additional costs were not figured into their proposed fees.

Cell Tower Site Plans are limited in scope and involve less work than to a Major Site Plan. However, all Cell Tower Site Plans involve approximately the same amount of work for processing. As a result, a set fee is proposed for Cell Tower Site Plans. Planning and Zoning assumed these fees under the Minor/Limited Site Plan category.

Summary & Fee Schedule

Since land development fees have not increased since January 2001, and in light of the recent decrease in development in Jefferson County resulting in a reduction in permit fee revenue, the Planning & Zoning Department and the Engineering Department were asked to consider increasing the land development fees.

Attached are proposed fee schedules for fees to be charged by the Planning & Zoning Department and the Engineering Department for land development projects in Jefferson County. The proposed fee schedule reflects an increase in fees charged by both departments for both subdivision and site plan projects. These fees are in addition to fees that will be charged for the building permit, if applicable.

The proposed fees are a starting point for discussion. We believe the proposed subdivision fees are reasonable. However, the increases in site plan fees are significant and probably warrant further discussion by staff, the Planning Commission, the County Commission and any other stakeholders; especially with regard to their potential impact on commercial and industrial site development and future economic growth in Jefferson County.

Attachments Provided

Table 1	Comparison of Site Plan Fees (Current vs. Proposed)
Table 2	Planning and Zoning Departments Proposed Land Development Fees (3 pages)
Table 3	Engineering Department Proposed Land Development Fees (3 pages)
Memo	Brief Introduction to Building Permit Fee Proposal
Chart 1	Comparison and Proposal of IRC Building Permit Fees Schedule
Chart 2	Comparison and Proposal of IBC Building Permit Fees Schedule

Table 1
Site Plan
Current vs. Proposed Permit Fee Comparison***

File No.	Project Name	Total Current Fee	Proposed Engineering Fee	Proposed Building Permit Fee	Proposed P&Z Fee	Total Proposed Fees
S02-18	AT&T Wireless Cell Tower	\$1,474	\$3,500	\$750	\$1,000	\$5,250
S03-11	C.T. Self-storage (20,400 sq.-ft.)	\$7,496	\$6,672	\$4,172	\$3,000	\$13,844
S03-09	Cingular Wireless Cell Tower	\$1,250	\$3,500	\$750	\$1,000	\$5,250
S04-18	Long John Silver's Restaurant (1 ac)	\$1,007	\$5,300	\$976	\$1,000	\$7,276
S04-22	Jefferson Security Bank (2.41 ac)	\$1,796	\$5,300	\$2,455	\$3,000	\$10,755
S01-04	Ruby Tuesday's Restaurant (1.5 ac)	\$850	\$5,300	\$1,418	\$1,000	\$7,718
S05-08	Applebee's Restaurant (1.3 ac)	\$1,423	\$5,300	\$1,578	\$1,000	\$7,878
S05-09	Route 340 Business Center (7.95 ac)	\$9,631	\$5,300	\$8,861	\$1,000	\$15,161
S05-11	Martin's Grocery Store Expansion	\$15,313	\$5,300	\$10,873	\$3,000	\$19,173
S05-13	Rock Spring Church (14.5 ac parcel)	\$1,890	\$5,300	\$3,110	\$1,000	\$9,410
S06-11	Jefferson Crossing II Office Buildings Complex (3.54 ac)	\$4,888	\$5,300	\$5,876	\$3,000	\$14,176
	Total Fees =	\$47,018	\$56,072	\$40,819	\$19,000	\$115,891

*** Note: "Total Current Fee" is the combined fee charged by P, Z & E and **only** reflects building permit fees as required by Building Code. No site plan review fees were ever charged.

Table 2 (Page 1 of 3)

**Planning & Zoning Department's
Proposed Land Development Fee Schedule**
(March 18, 2010)**

Minor Residential Subdivision	Pre-Proposal Review (Eligibility)	Final Plat	Review for Recording
Base Fee Per Plat	\$100	\$250	\$50
Plus Per Lot Fee	\$0	\$200	\$25

Minor Non-Residential Subdivision	Pre-Proposal Review (Eligibility)	Final Plat	Review for Recording
Base Fee Per Plat	\$100	\$300	\$50
Plus Per Lot Fee	\$0	\$250	\$25

Major Residential Subdivision	Pre-Proposal Review	Concept Plan	Preliminary Plat (each phase)	Final Plat (each phase)	Review for Recording
Base Fee Per Plat	\$0	1-50 Lots \$750 51-100 \$1250	\$500	\$300	\$100
Plus Per Lot Fee	\$0	101 – up \$1750	\$250	\$150	\$50

Major Non-Residential Subdivision	Pre-Proposal Review	Concept Plan	Preliminary Plat (each phase)	Final Plat (each phase)	Review for Recording
Base Fee Per Plat	\$0	\$1000	\$500	\$300	\$100
Plus Per Lot Fee	\$0	\$500	\$400	\$250	\$50

Minor/Limited Site Plan	Pre-Proposal Review	Site Plan
Base Fee Per Plat	\$0	\$750

Minor/Full Site Plan	Pre-Proposal Review	Site Plan
Base Fee Per Plat	\$0	\$1,000

Major/Full Site Plan	Pre-Proposal Review	Concept Plan	Site Plan
Base Fee Per Plat	\$0	\$1,000	\$2,000

Redline Revision Review	Preliminary Plat	Site Plan
Base Fee Per Plat (up to 3 different revisions on one submission)	\$250	\$250

Table 2 (Page 2 of 3)
Additional Planning & Zoning Department Fees
(March 18, 2010)

<u>Zoning Items</u>	<u>Fee</u>
Zoning Ordinance Text Amendment Application	\$3,000 + \$15 per Certified Letter
Zoning Ordinance Map Amendment Application (Rezoning)	\$2,500 + \$15 per Certified Letter
Conditional Use Permit (CUP) Application without LESA	\$2,000 + \$15 per Certified Letter
Conditional Use Permit (CUP) Application with LESA	\$2,500 + \$15 per Certified Letter 50% returned if the project fails LESA 0% returned if the project fails LESA & loses and appeal to BZA
Modification of existing CUP requiring Board/Commission Approval	\$250
Appeal of CUP once issued by Board/Commission	\$250 per appeal filed
Zoning Variance Application	\$250 per section varied
Zoning Variance Application (construction/use has commenced prior to BZA approval)	\$350
Administrative Appeal Application	\$250/per item
Zoning Map Interpretation	Free (Verbal) \$75 (Written)
Zoning Text Interpretation	Free (Verbal) \$75 (Written)
Zoning Certificate	\$150 (Sign, Animated) \$75 (Sign, Non-animated) \$75 (All others)

Table 2 (Page 3 of 3)
Additional Planning & Zoning Department Fees
(March 18, 2010)

<u>Subdivision Items</u>	<u>Fee</u>
Lot Line Adjustment/Merger	\$150
Subdivision Ordinance Waiver Request	\$200 per section waived
Minor Final Plat or Site Plan Amendment	\$150
Clerical/Scrivener Error	Free (Staff error) \$50 (Non-Staff error)
<u>Miscellaneous Items</u>	<u>Fee</u>
Aerial Photograph	\$25
Comprehensive Plan	\$15
Zoning Map (small)	\$10
Zoning Map (medium)	\$15
Zoning Map (large)	\$20
CD (copy of meetings, electronic copy of files, etc.)	\$10
Zoning Ordinance	\$15
Subdivision Regulations	\$25
Copies (letter, legal & 11"x17")	\$1/page*
Copies (plan sheets, maps, etc.)	\$7.50/sheet*
*Note: The charge for copies is subject to change and shall be the prevailing rate as set by the County Commission of Jefferson County	

* Note: These fees do not include any Engineering or Building Permit fees.

** Note: All projects vested in process prior to the adoption of this fee schedule will utilize the fee schedule last amended in January 2001.

Table 3 (Page 1 of 3)

**Engineering Department's
Proposed Land Development Fee Schedule
(March 18, 2010)**

Minor Residential Subdivision & Minor Process (≤ 5 Lots; 4+Residue Lot maximum)	Eligibility/Concept	Final Plat
Base Fee	\$100	\$500
Plus Per Lot Fee	\$0	\$100/lot

Minor Non-Residential Subdivision & Minor Process (≤ 5 Lots; 4+Residue Lot maximum; and only in existing approved Commercial/Ind. Park)	Eligibility/Concept	Final Plat
Base Fee	\$100	\$500
Plus Per Lot Fee	\$0	\$100/lot

Major Residential Subdivision & Major Process (>5 Lots or not eligible for Minor Subdivision)	Pre-Proposal Conference	Concept Plan	Preliminary Plat (each phase)	Final Plat (each phase)	Bonding & Milestone Inspections (Re-inspection fees apply)
		Public Workshop	Public Hearing	Public Hearing	
Base Fee	\$0	\$300	\$300	\$300	\$0
Plus Per Lot Fee	\$0	\$0	\$175/per lot	\$100/lot	\$0

Major Non-Residential Subdivision & Major Process (>5 Lots or not eligible for Minor Subdivision)	Pre-Proposal Conference	Concept Plan	Preliminary Plat (each phase)	Final Plat (each phase)	Bonding & Milestone Inspections (Re-inspection fees apply)
		Public Workshop	Public Hearing	Public Hearing	
Base Fee	\$0	\$300	\$600	\$400	\$0
Plus Per Lot Fee	\$0	\$0	\$275/per lot	\$225/lot	\$0

Table 3 (Page 2 of 3)
Engineering Department's
Proposed Land Development Fee Schedule
(March 18, 2010)

Limited Site Plan & Minor Process (Limited Site Plan if eligible under ILP Ord.)	Pre-Proposal Conference	Site Plan, Bonding & Milestone Inspections (Re-inspection fees apply)	
Base Fee	\$0	\$3,500	
Full Site Plan & Minor Process (≤ 20,000 sq.-ft. on undeveloped site, or ≤10% of sq.-ft. of building on developed site, however not > 50,000 sq.-ft.; and not eligible for Limited Site Plan.)	Pre-Proposal Conference	Site Plan, Bonding & Milestone Inspections (Re-inspection fees apply)	
Base Fee	\$0	\$5,300	
Plus fee for area greater than 20,000 sq.-ft. of impervious area + disturbed area.	\$0	\$0.02/sq.-ft. of impervious + disturbed area over 20,000 sq.-ft.	
Full Site Plan & Major Process (> 20,000 sq.-ft. on undeveloped site; or >10% of sq.-ft. of building on developed site, or > 50,000 sq.-ft.)	Pre-Proposal Conference	Concept Plan	Site Plan, Bonding & Milestone Inspections (Re-inspection fees apply)
		Public Workshop	Public Hearing
Base Fee	\$0	\$300	\$5,300
Plus fee for area greater than 20,000 sq.-ft. of impervious area + disturbed area.	\$0	\$0	\$0.04/sq.-ft. of impervious + disturbed area over 20,000 sq.-ft.
Apartment/Multiplex/Condominium Site Plan & Minor (≤ 8 units) or Major Process	Pre-Proposal Conference	Concept Plan (only applicable under Major Process)	Site Plan, Bonding & Milestone Inspections (Re-inspection fees apply)
		Public Workshop	Public Hearing under Major Process only
Base Fee	\$0	\$300	\$3,000
Plus Per Unit Fee	\$0	\$0	\$200/unit
Self-Storage Units Site Plan & Minor or Major Process	Pre-Proposal Conference	Concept Plan (only applicable under Major Process)	Site Plan, Bonding & Milestone Inspections (Re-inspection fees apply)
		Public Workshop	Public Hearing under Major Process only
Base Fee	\$0	\$300	\$3,000
Plus Per sq.-ft. of Building Footprint Fee	\$0	\$0	\$0.18/sq.-ft. of building footprint
Cell Tower Site Plan Site Plan & Minor Process	Pre-Proposal Conference	Site Plan, Bonding & Milestone Inspections (Re-inspection fees apply)	
Base Fee	\$0	\$3,500	

Table 3 (Page 3 of 3)

**Engineering Department's
Proposed Land Development Fee Schedule
(March 18, 2010)**

Jefferson County Engineering Department (March 18, 2010)		
Proposed Miscellaneous Fees		
No.	Item	Fee
1	Major Redline Revision – Preliminary Plat & Site Plans Note: Major Redline Revision examples include: revisions to SWM plan & drainage, roadway design, water & sewer design, changes to parking layout, and/or more than 3 different minor revisions on one submission.	\$300
2	Minor Redline Revision – Preliminary Plat & Site Plans Note: Minor Redline Revision examples include revisions to easements, addition of notes to plan sheets, revisions to sediment & erosion control plan, addition of bus shelter, changes to landscaping plan, and no more than 3 different minor revisions on one submission.	\$200
3	Re-inspection – Land Development failed inspections	\$75
4	Construction Bond – Time Extension Request (by staff or CC)	\$400
5	Construction Bond – Surety Renewal	\$300
6	Subdivision Ordinance Variance Request	\$50
7	Minor Final Plat Amendment review	\$75
8	Floodplain Ordinance – Floodplain Delineations	\$20
9	Floodplain Ordinance – 100 Yr. Flood Elevation Determination	\$25
10	Floodplain Ordinance – Review of LOMA, LOMR or LOMR-F requests	\$100
11	Small Format Document Copies (letter, legal & 11"x17")	\$1/page*
12	Large Format Document Copies (plan sheets, maps, etc.)	\$7.50/sheet*
	*Note: The charge for copies is subject to change and shall be the prevailing rate as set by the County Commission of Jefferson County	

MEMORANDUM

Comparisons and Proposed Building Permit Fee Schedule March 18, 2010

The authority of a county commission to adopt a building code is provided in West Virginia State Code, Section 7-1-3n, Authority of Certain Counties as to Building and Housing Codes; State Building Code, which states:

“...county commissions are hereby authorized and empowered, by order duly entered of record, to adopt building and housing codes establishing and regulating minimum building housing standards for the purpose of improving the health, safety and well-being of its citizens.”

Section 108, Fees, of each of the various building codes provides for permit fees. It states:

“On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the schedule as established by the applicable governing body.”

Since March 29, 2001, when Jefferson County adopted the Building Code Enforcement Ordinance, building permit fees have not been reviewed or increased. As mentioned in the Memorandum to the Planning Commission dated, February 19, 2010, and in attached *Table 1*, a site plan review fee was not included in the processing of a site plan. The entire site plan fee consisted only of building permit fees. To address this issue, staff has proposed a separate plan review fee, but has also proposed the following fee revisions for building permits. The building permit fees were reviewed and adjusted in the same manner as all other fees proposed in this packet.

Chart 1

Jefferson County, West Virginia
 Engineering Department
 Office of Building Permits & Inspections

IRC - Residential Building Permit Fee Schedule

PROPOSED IRC BUILDING PERMIT FEE SCHEDULE
FINAL DRAFT
 (As of Feb. 22, 2010)

Date: 5/21/2009

Residential Permit Type	Current Fee			Proposed Fee		
	Base Fee	Fee per Sq.-Ft. of Finished Area	Fee per Sq.-Ft. of Un-finished Area	Base Fee	Fee per Sq.-Ft. of Finished Area	Fee per Sq.-Ft. of Un-finished Area
Single-Family Dwelling	\$25.00	\$0.18	\$0.10	\$50.00	\$0.18	\$0.10
Mobile/Manufactured Home	\$25.00	\$0.18	\$0.10	\$50.00	\$0.18	\$0.10
Townhouse & Duplex (less than 4 story)	\$25 per unit	\$0.20	\$0.10	\$50 per unit	\$0.20	\$0.10
Residential Dwelling Addition	\$50.00	\$0.18	\$0.00	\$50.00	\$0.18	\$0.00
Residential Interior Room/Basement Renovation		\$50 + \$50/inspection			\$150 + \$50/inspection	
Chimney/Fireplace (added to existing dwelling)	\$100.00			\$150.00	\$250 per chimney	
Sheds/Garage/Structure ancillary to Residence	\$50.00	plus \$0.08/sq.-ft.		\$150.00	plus \$0.08/sq.-ft.	
Decks	\$50.00	plus \$0.08/sq.-ft.		\$150.00	plus \$0.08/sq.-ft. of deck area	
Swimming Pool	\$50.00	plus \$0.08/sq.-ft. of pool area and patio area.		\$150.00	plus \$0.08/sq.-ft. of pool area and patio area.	
Demolition - Residential Dwelling	\$50.00	plus \$0.08/sq.-ft.		\$150.00	\$0.00	
Retaining Wall (4' or more from footer to top wall)		\$50 plus \$0.08/lineal foot of wall			\$150 plus \$0.08/lineal foot of wall	
Fence (6' or more in height above ground surface)		\$50 plus \$0.08/lineal foot of fence			\$150 plus \$0.08/lineal foot of fence	
Re-inspection Fee	\$50/each re-inspection, paid prior to re-inspection			\$50/each re-inspection, paid prior to re-inspection		
Plan change after permit issued	\$50 plus \$50 for each additional inspection due to plan change.			\$50 plus \$50 for each additional inspection due to plan change.		
Permit Application Denied & Resubmitted within 90 days for review, \$75 re-application fee						
Beginning Construction Without a Permit	1st time = \$50	2nd time = \$150	3rd time = \$300	1st time = \$50	2nd time = \$150	3rd time = \$300

Chart 2

Jefferson County, West Virginia
Engineering Department
Office of Building Permits & Inspections

**PROPOSED IBC BUILDING PERMIT FEE SCHEDULE
FINAL DRAFT
(As of Feb. 22, 2010)**

IBC - Commercial/Industrial Building Permit Fee Schedule

Date: 5/21/2009

Commercial Permit Type	Current Fee			Proposed Fee		
	Base Fee	Fee per Sq.-Ft. of Finished Area	Fee per Sq.-Ft. of Un-finished Area	Base Fee	Fee per Sq.-Ft. of Finished Floor Area	Fee per Sq.-Ft. of Un-finished Floor Area
Commercial/Industrial/Multi-Family Buildings (value less than \$50,000)	\$250.00	\$0.18	\$0.18	\$250.00	\$0.18	\$0.18
Commercial/Industrial/Multi-Family Buildings (value greater than \$50,000)	\$500.00	\$0.18	\$0.18	\$500.00	\$0.18	\$0.18
Commercial Interior Room Renovation	\$1,000 plus \$50 per required inspection			\$1,000 plus \$50 per required inspection		
Church Building	\$500.00	\$0.18	\$0.18	\$500.00	\$0.18	\$0.18
Church Addition, Pavilions & Ancillary Structures (value less than \$25,000)	\$50 plus \$50 per required inspection			\$200 + \$50/inspection per required inspection		
Church Addition, Pavilions & Ancillary Structures (value greater than \$25,000)	\$250.00	\$0.18	\$0.18	\$350	\$0.18	\$0.18
Institutional (hospital, school, fire hall, etc.)	none	none	none	\$500	\$0.18	\$0.18
Commercial Swimming Pool	none	none	none	\$1,000 per pool & \$200 per Whirlpool/Hot Tub		
Demolition Permit	\$200.00	\$0.00	\$0.00	\$300.00	\$0.00	\$0.00
Cell Tower or Electric Substation & Equipment	\$250.00	\$0.00	\$0.00	\$750.00	\$0.00	\$0.00
Temporary Construction Trailers	\$50.00	\$0.00	\$0.00	\$350.00	\$0.00	\$0.00
Sign Permit: Value less than \$25,000	\$50.00	N/A	N/A	\$250.00	N/A	N/A
Sign Permit: Value \$25,000 or more	\$250.00	N/A	N/A	\$400.00	N/A	N/A
Retaining Wall (4' or more from footer to top wall)	\$50 plus \$0.08/lineal foot of wall			\$150 plus \$0.08/lineal foot of wall		
Fence (6' or more in height above ground surface)	\$50 plus \$0.08/lineal foot of fence			\$150 plus \$0.08/lineal foot of fence		
Re-inspection Fee	\$50/each re-inspection, paid prior to re-inspection			\$50/each re-inspection, paid prior to re-inspection		
Plan change after permit application reviewed	\$50 plus \$50 for each additional inspection due to plan change.			\$50 plus \$50 for each additional inspection due to plan change.		
Permit Application Denied & Resubmitted within 90 days for review: \$75 re-application fee.	1st time = \$50 2nd time = \$150 3rd time = \$300			1st time = \$50 2nd time = \$150 3rd time = \$300		
Beginning Construction Without a Permit	1st time = \$50 2nd time = \$150 3rd time = \$300			1st time = \$50 2nd time = \$150 3rd time = \$300		

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

AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Departments of Planning and Zoning

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: 3/25/10

Date Requested – 2nd Choice: _____

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

Subject: **Jefferson County Planning Commission 2009 Annual Report to County Commission**

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

Chapter 8A of the West Virginia Code, Article 2, Section 11, requires that a locally created and appointed Planning Commission make an annual report to the County Commission concerning the operation of the Planning Commission and the status of planning within its jurisdiction. It also requires that the Planning Commission prepare and submit an annual budget to the County Commission. Pursuant to these requirements, the Planning Commission conferred with the Departments of Planning and Zoning regarding both the 2009 planning efforts, and the planning requirements for calendar year 2010. The attached report is to submitted the County Commission by a unanimous vote of the Planning Commission.

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

No action required

Attachments:
Jefferson County Planning Commission's 2009 Annual Report and Budget Statement

**JEFFERSON COUNTY, WEST VIRGINIA
Department of Planning & Zoning
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414**

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

2009 Annual Report

TO: Jefferson County Commission
FROM: Jefferson County Planning Commission
DATE: March 9, 2010
RE: Annual Report and Budget Statement

Executive Summary

Chapter 8A of the West Virginia Code, Article 2, Section 11, requires that a locally created and appointed Planning Commission make an annual report to the County Commission concerning the operation of the Planning Commission and the status of planning within its jurisdiction. It also requires that the Planning Commission prepare and submit an annual budget to the County Commission. Pursuant to these requirements, the Planning Commission conferred with the Departments of Planning and Zoning regarding both the 2009 planning efforts, and the planning requirements for calendar year 2010. The following is submitted the County Commission's perusal.

The Jefferson County Planning Commission is pleased to report that, in spite of a declining budget, by early 2010, the Departments of Planning and Zoning will be fully staffed for the first time in eighteen months. Although this staffing will provide the capacity to manage the daily operations which comprises four of the five major categories of the Department's tasks and responsibilities, the Departments do have limited ability to address the comprehensive planning needs of the county. Even during the current economic downturn, the need for a more robust planning function continues to be a matter of great concern to the Planning Commission since there are a number of county-wide planning issues that need to be addressed in the very near future.

A. Year 2009 Performance

On the positive side, the Planning Commission finds that over the course of the 2009 calendar year, the filling of the vacant staff positions has resulted in a competent and friendly staff with a high priority on customer service and a desire to implement the planning and zoning regulations in a fair and equitable manner. The ability to fill all budgeted positions (including the Office Manager in January 2010) has set the stage for an effective and efficient office that will reengineer processes and implement regulations that promote more effective daily customer service and planning functions.

In 2009, the following employees formed the staff of the Departments of Planning and Zoning:

Department Member	Title	Hire Date
Jennifer M. Brockman	Director	May 2009
Jennifer J. Snyder	Zoning Administrator	2007-Promoted September 2009
Seth Rivard	Development Review Planner	September 2009
Jennilee Hartman	Planning Clerk	October 2003
Christine Chalmers	Zoning Clerk	October 2006
Amy Puetz	Receptionist/Office Assistant	September 2009

The Commission would like to commend the staff that “manned the ship” during an exceptionally difficult transition between the previous Planning Director and the current Planning Director. With new regulations in place, and with the Planning Director position vacant, the staff managed to keep the daily operations functioning at a reasonable level. The stay placed upon the recently adopted Zoning Ordinance, and the conflict between the previous ordinance and the newly adopted Subdivision Regulations, not only increased the interpretation and implementation workload but added pressure to ensure compliance with the existing rules and regulations. The staff is commended for both their response to this difficult situation and their ability to accomplish tasks in polite, diligent, and customer oriented manner that are reflective of a county government that is responsive to the demands of its citizens.

Efforts to educate the public on the differences between the existing Zoning Ordinance and the stayed Zoning Ordinance (which was on the referendum ballot), were well received. We believe that the public appreciated the opportunity to become more informed about both versions, even while the failure of the stayed Zoning Ordinance was a disappointment for those who had spent years drafting the regulations. Both the Planning Commission and the public greatly appreciate the efforts to quickly conform these two sets of currently in place regulations.

In analyzing the staff function of the Departments of Planning and Zoning, the staff appears to be five major categories of tasks. The following summarizes the efforts under each of these categories for the calendar year 2009.

1. Customer Service

Walk-In Customers: In 2009, there was no effort to track the number and types of general customers or the variety informational requests. Generally, the walk-in requests required multiple staff members to respond. For 2010, a tracking mechanism has been developed and implemented that will provide data on the magnitude of this daily customer contact and is organized into a small number of categories to allow for future analysis.

Phone calls/Voice mail: In 2009, there was no tracking of the numbers and types of phone calls or messages received by Department staff. Again, in 2010, a tracking mechanism is being developed so that the magnitude and scope of this type of customer contact can be monitored. The Departments already have a standing policy that requires staff to respond to phone messages and voice mail within 72 hours.

email: The Planning and Zoning Department email address is posted on the web-site and on staff business cards. Correspondence received by the general Planning and Zoning Department mailboxes totaled 1,049 emails. Email is monitored by the administrative staff and appropriately forwarded to the relevant staff members. Although individual staff members email correspondence is usually not tracked, if there is a specific request for information then it is recorded on Information Request Forms (IRF). The Department’s policy is that email responses must be within 7-10 business days unless the requests complexity requires additional research or analysis in order to formulate an appropriate response.

Responses to Information Request Forms (IRFs): The Departments have an internal policy that if a walk-in or email request will take more than 15 minutes for the professional staff to respond, an Information Request Form is completed and a response is prepared or maintained in writing. Often these requests require some background research and a follow up meeting that is generally scheduled within 72 hours of the request. The number of IRFs in 2009 totaled 122, 87 of which required background research and an email response from the Zoning Administrator.

2. Planning Commission Support

The Planning Commission (PC) is a nine member appointed volunteer board created under the provision of the WV Code Chapter 8A with specific duties and responsibilities.

Commission members in 2009 include the following:

Commission Member	Title	Effective Date
Arnie Dailey	President	May 2009
Bob Reynolds	President/Vice President	January-May 2009/May 2009
Lynne Deming	Secretary	
Ellen May		
John Maxey		
Tom Trumble		Appointed July 2009
John Sidor		
Ed Dunleavy		Through November 2009
Jim Surkamp	County Commission Representative	

The Departments of Planning and Zoning support the Planning Commission meetings with professional and administrative support staff. Generally, four Department staff members are present; the Director, the Zoning Administrator, the County Planner and an administrative staff member. Additionally, the Legal and Engineering departments send representatives as necessary. The Planning Commission held 18 regularly scheduled meetings in 2009, plus two special meetings and two workshops (including a joint meeting with the County Commission), for a total of 22 meetings. Planning Commission meetings consist of regular business regarding PC staff interaction with the public, as well as specific development requests. Certain development requests require a formal public hearing, as a part of the Planning Commission meeting. The following types of Public Hearings were held within the 22 times that the PC met.

- Final Plat Public Hearings 12
- CIS Public Hearings 3
- Variance Hearings 19
- Site Plan Hearings 1
- Minor Plat Change Hearing 1
- Total # of Public Hearings within the meetings 36

An additional eight (8) meetings were held for the purposes of discussing the Zoning Referendum or Amendments to the Zoning Ordinance or Subdivision Regulations, including public outreach meetings and open houses.

In order for a Planning Commission to be effective, it is important that the members have opportunities for training and orientation. The Planning Commission commends the staff's efforts to make the Commission aware of training opportunities within Jefferson County (webinars hosted by

Ranson) and encourages that additional opportunities be made available for all members, as well as staff.

3. Board of Zoning Appeals support

The Board of Zoning Appeals (BZA) is a five member appointed volunteer board, with one alternate, created under the provision of the WV Code Chapter 8A with specific duties and responsibilities.

The BZA members in 2009 include the following:

BZA Member	Title	Effective Date
Jeff Bresee	Chairman	
Christy Huddle	Vice Chairman	
Tiffany Hine		
Jon Brusco		
Edwin T. Kelly, II		
Tom Trumble		through June 2009
Tyler Quynn		alternate appointed July 2009

The Departments of Planning and Zoning also support the Board of Zoning Appeals (BZA) meetings with professional and administrative support staff. Generally three Department staff members attend these meetings; the Director, the Zoning Administrator and an administrative staff member. Additionally, legal sends a staff representative as necessary. The BZA held 11 regularly scheduled meetings in 2009. BZA meetings consist of regular business primarily focused on conditional use permits and variances as defined in the locally adopted Zoning Ordinance and the state law Chapter 8A, as well as appeals of the Zoning Administrator's decision. Changes in the locally adopted Zoning Ordinance, due to the conclusion of a law suit, have resulted in a changing role of the BZA throughout the year and careful monitoring on the part of staff to ensure the agenda items were being heard by the correct body.

The following types of Public Hearings were held within the 11 meetings of the BZA in 2009:

- Variance Requests 19
- Conditional Use Permit Activity 3
- Seasonal Use Permits 1
- Appeals of Zoning Administrator's decisions 1

Again, in order for the BZA to be effective, it is important that the members have opportunities for training and orientation. The Planning Commission encourages the staff to continue to pursue training opportunities that would benefit both the new Zoning Administrator, the BZA members, and the citizens of Jefferson County.

4. Pre-Proposal Conferences and Development Review

A significant part of the Departments' staff time is spent on development related items. Even during the current economic slowdown, the Departments receive numerous requests for information on processing minor site plans and subdivisions. Inconsistencies between the Subdivision Regulations adopted in October 2008 and the Zoning Ordinance in effect since 1988, has required staff to interact with applicants to resolve complexities between the two regulations and ensure that the correct process and type of application is being utilized. There are generally two types of activities related to development: the first is referred to as a Pre-Proposal Conference (PPC) and is described below, and the second is the actual review of an application, its plans and/or plats.

The staff offers the opportunity for any applicant to meet with the planning, zoning and engineering staff to review their proposed projects prior to any significant investment in engineering services. In part, these meetings help determine what the submittal requirements are, and whether an applicant needs to follow a major or minor process for their proposed site plan or subdivision. These types of meetings also occur when a property is found to have a violation of the Zoning Ordinance and the property owner wants to work with staff to determine the corrective action necessary to resolve the violation. This process is referred to as a Pre-Proposal Conference (PPC). Staff attendance at a PPC varies depending on the type of request and complexity of the request. Generally the Zoning Administrator, County Planner and County Engineer are present.

The following data relates to the PPCs held in 2009:

- Site Plans 21 plus 6 violation follow up meetings
- Subdivision Plats 43 plus 6 parent-to-child discussions

The transition to the Subdivision Regulations adopted in October 2008 has resulted in a change in the review and processing of the various development items. If an item was submitted under the previous Subdivision Regulations, it continues to be processed under those rules (as long as it is an active application). As a result, staff, due to the date of submittal, has reviewed a number of major preliminary and final subdivision plats under the old regulations. Generally, because they have a much shorter review time, all of the 2009 minor plats have been reviewed under the 2008 Subdivision Regulations. The following project reviews occurred in 2009:

- Minor Plats 42
- Merger Deeds 30
- Major Preliminary Plat
- Major Final Plats 8 (require public hearings)
- Minor Site Plans 5
- Major Site Plans 0
- Zoning Certificates 11

5. Comprehensive Planning Function

a. Planning and Analysis Projects

The County is taking advantage of the lull in the economy to concentrate on some limited long range planning efforts. In September 2009, the County was awarded a National Fish and Wildlife Foundation grant in order to draft a Blue Ridge Mountain Communities Area Watershed Plan. The grant request was drafted by a Planning Commission committee and promotes the County's desire to develop a citizen's based issues analysis and vision for the Mountain area. Decisions made in the development of this Communities Area Watershed Plan should also provide recommendations which benefit the Chesapeake Bay watershed concerns. Staffing for this grant falls to the County Development Review Planner and Planning Director. The grant provides for the hiring of a facilitator to assist with outreach efforts intended to develop a stakeholders consensus regarding critical issues impacting the mountain; an analysis of relevant available data; a recommendation regarding best management practices on steep slopes within the Chesapeake Bay watershed and a recommendation regarding the next steps in this planning process. The grant also calls for engineering input and a webmaster, which will enable the public to interact with the planning process utilizing the web. Since this planning effort is a high priority for the Planning Commission (and may lay the groundwork for future grants and planning efforts), it is critical that the project stay on task and meet the required time lines. The Planning Commission strongly supports this type of long term planning that includes citizen input, and would like to see more of these opportunities in the future.

b. Regional and Cross Jurisdictional Outreach Efforts

In an effort to increase awareness, provide feedback, and participate in projects that may impact future long range planning efforts, the Planning staff attends numerous regional meetings.

These meetings include the following:

• Chesapeake Bay Initiative	5
• Joint Utility Working Group	4
• School Board Comprehensive Educational Facilities Plan Working Group	2
• Water Advisory Committee	2
• Economic Development Authority Board Meetings	3
• Blue Ridge Mountain grant/slope related meetings	7
• Miscellaneous	10
• Public Service District Board meetings (attended by PC members)	10

Additionally, the Planning Commission supports the efforts of the new Director of Planning and Zoning to reach out to other Departments, jurisdictions, and regional entities to ensure that there is an open and free flow of communication between these entities and both the Planning and County Commissions. These efforts also ensure that the County is aware of projects that may have overlapping interests. When the Director was hired, one of key tasks identified was to bridge the lines of communication by acting as a liaison between the Planning Commission and County Commission, as well as pursuing opportunities for multi-jurisdictional planning efforts. Toward this end, the Planning Commission appreciates the County Commission's sponsoring of the Director in Leadership Jefferson, which began in Fall 2009. This year's Leadership Jefferson class also includes the planners from the cities of Ranson and Charles Town, as well as the Director of Region 9 and the County's Economic Development Director. This program provides an opportunity to meet key individuals throughout the County and become familiar with issues that might not otherwise come to the forefront. While time consuming, the Planning Commission believes that these outreach efforts and reports on other entities' efforts, are integral for planning and evaluating projects that will be undertaken within Jefferson County in the near future.

B. Planning Commission Concerns

1. Comprehensive Planning Function

Although the Planning Commission recognizes that there have been only fledgling comprehensive planning efforts to address localized areas of concern (such as the grant received for the Blue Ridge Mountain Communities Area Plan), there has been no progress on infrastructure issues with an overwhelming impact on the future growth strategies for the County. In particular, the lack of a coordinated county-wide water and sanitary sewer plan, and the lack of a county-wide stormwater plan is both disheartening and frustrating for the Planning Commissioners; without these plans, federal legislation related to the Chesapeake Bay environmental initiatives could potentially result in severe and costly penalties for Jefferson County. The Planning Commission strongly supports staff's role in the relatively new County wide Utility Working Group, and also encourages a cooperative effort to develop a county wide planning document to address these issues. The County needs to work towards creating a common vision for the County, pursuing means for implementing Chesapeake Bay standards and examining new strategies for implementing these programs.

For over seven years, the need for a dedicated Comprehensive Planner has been consistently identified by the Planning Commission. The Commission renews its recommendation that this additional staff position be created to address the Comprehensive Planning needs of the

County. Without a planner dedicated to long range issues and initiatives, the planning function of the Department has to be considered "bare bones". The Planning Commission sees the need for the County to undertake some significant long range planning activities over the next three to four years. The capacity of the staff to manage long range projects while still providing stellar customer service and meeting the demands of on-going development review activities is of great concern.

The Planning Commission also would like to take this opportunity to alert the County Commission as to the significance of the changing rules related to the federal Chesapeake Bay Initiative. Lax watershed and stormwater management that may have been tolerable in the past is not going to be acceptable under new forthcoming federal rules. Significant penalties for noncompliance are expected. For this reason, there is also a need for the County to appoint a lead person on the Chesapeake Bay Initiative, allowing a single point of contact to attend the wide variety of meetings that are occurring and to advise the County Commission on action items that need to be undertaken. The Planning and Engineering Departments are not staffed to undertake this role at this time and the Planning Commission highly recommends that the County Commission consider working with the municipalities to jointly fund such a position to ensure that the County is not exposed to the severe penalties that may be forthcoming related to the Chesapeake Bay standards. The Planning Commission and its staff will continue to pursue funding alternatives for this effort and will keep the County Commission informed.

2. Staff Development

The Departments of Planning and Zoning have a very dedicated staff with a commitment and interest in their departments and professions that need to be "grown" from within. As a single Planner is currently managing both the long range and current planning functions and the Zoning Administrator is managing day to day operations and ordinance rewrites, there is a need to develop internally a Planning Technician that can support these professional staff positions in a way that an administrative staff person cannot. The Commission recommends providing training opportunities for staff within the Departments to develop in a way that would allow the creation of such a position, without adding additional staff. A job description and training requirements should be developed to lay the ground work for the creation of a future Planning Technician position, which could support both the Planning and Zoning Administrators. As noted in previous years, the formation of a Human Resources Department would provide support not only to the Departments of Planning and Zoning, but all county employees and would simplify these types of efforts.

Additionally, the Planning Commission supports the need for on-going staff training for all and encourages the staff to continue to take advantage of planning conferences that occur regionally, such as the recent "Growing Communities on Karst" conference. Opportunities to attend training conferences not only broadens staff's knowledge base and meets on-going training requirements of the planning profession, but also provides opportunities to network with others experiencing the same issues. Training of support staff can also allow for the development of ways to streamline processes and work more effectively and efficiently. Training and development opportunities need to continue to be a part of the Departments' budgets.

3. Administrative Issues

Another on-going area of concern is the lack of adequate legal counsel that can regularly support staff, the Planning Commission, and Board of Zoning Appeals. The Planning Commission believes that the Commission, BZA, and staff all need access to a competent attorney with land use experience and a commitment to the land use process and regulations. The Planning Commission and staff need access to an attorney experienced in local land use law and its changes. The Planning Commission recommends a line item in the budget that would allow for retaining an attorney with land use experience and would be available to staff

and the Planning Commission to address both long range and current planning needs and issues.

4. Technical Support

Technical support is integral to an efficient and effective Planning Department, hence the Planning Commission commends the staff for their efforts to coordinate with the County's Geographic Information Services/Addressing (GIS) and Information Technology (IT) offices. However, the Planning Commission respectfully requests that the County Commission investigate ways to fund and manage these types of activities on a county-wide basis. The County needs an intranet system that will allow efficient communication between county departments. The County Commission should support the creation of web-based GIS technology, so that mapping products that are being created can be utilized in the analysis of various proposals and in developing planning documents. The County Commission needs to expand the capacity of the IT staff to allow for a logical and timely analysis of the capacity, age and life cycle schedule of computers, copiers, and other automation equipment. This would also allow the Departments to have confidence in the ability of their equipment to meet their daily and growing needs. Issues with Planning and Zoning Departments computers and copiers impact the ability of the departments to manage their daily work load.

C. Proposed FY 2011 Work Plan

The annual budget process provides the County Commission with an opportunity to not only review the performance of the Departments, but also to make policy decisions for the forthcoming year, determine priorities, and establish metrics that will gage the Department's performance. It is this policy direction that provides context for subsequent consideration of department staffing and expenditure decisions.

The on-going needs of the four current planning related tasks (Customer Service, PC support, BZA support and PPC and Development Review) will continue to consume a large portion of all of the Planning and Zoning Departments' staff time and efforts. While opportunities for long range planning initiatives are limited by the demand for current planning efforts, there are a number of initiatives listed below that the Planning Commission would like to endorse and support; the Planning Commissioners request that the County Commission enable the staff to complete these in a reasonable time frame.

Upcoming planning initiatives:

- Completion of the Blue Ridge Mountain Communities Area Plan grant study – public outreach effort May 2010 – August 2010; draft recommendations to PC and CC Fall 2010; final report due to grantor March 2011
- Update of Development Review Fees – current fees have been in place for over 10 years and do not account for staff time required to process applications; staff is evaluating the fees to estimate what would be necessary to recover these costs
- Urban Growth boundary – in July 2009 a new state law allowed the adoption of urban growth boundaries (UGB) around municipalities in counties that had adopted county-wide zoning; efforts to have the proposed UGBs endorsed by the municipalities are underway; revisions to the County Zoning Ordinance and Zoning Map will be required to implement this provision of state law
- Zoning Map Update – the current zoning map is inaccurate in a number of places and exists on a very old base map; although an effort is underway to update the base map, correct the errors, and include the UGBs discussed above, a proposed policy on the regular updating of the zoning map should be drafted

- Zoning Ordinance Update/Revisions – once the subdivision regulation amendments are adopted, the existing zoning ordinance needs a thorough review to ensure that inconsistencies and conflicts are corrected, and that County policies are correctly represented in the provisions of the Ordinance
- 340 Gateway/Commercial Corridor Enhancement Study – kick off early 2011; 12-15 month process; needs collaborative process to build consensus on a vision that maximizes economic growth while protecting view sheds and sensitive resources
- 2014 Comprehensive Plan Update (mandated by state law) – kick off late Fall 2011 pending Census release; 24 month process
- County-wide Water and Sewer Study – The PC staff should head a cooperative effort that addresses this critical public health issue and the land use implications; land use planning and zoning needs to guide where development occurs and where services are provided
- Chesapeake Bay compliance requirements – federal requirements and penalties are expected to be released soon; county-wide coordination regarding the variety of compliance techniques being implemented is required; this may include the need for the creation of a county-wide storm water utility and related regulations
- Ongoing Coordination with Other Departments:
 - PSD/Health Dept/Municipal Utilities -- assist in planning efforts and developing a digital database for use in long range planning
 - Economic Development Authority – coordinate the efforts to attract jobs and develop streamlined approval processes that support the County's economic development efforts
 - School Board – coordinate on facilities planning efforts

Conclusion

In conclusion, the Planning Commission is very pleased with the progress made in fully staffing the Departments of Planning and Zoning and the diligent efforts of the staff in maintaining the day to day operations. The Planning Commission encourages the County Commission to continue to support these departments and realize efficiency of incorporating the more fully developed comprehensive planning function. Long range planning designed to achieve a common community vision lays the groundwork for the wise investment of financial resources and the County's future growth.

This Annual Report and Budget Statement was adopted by the Planning Commission during its regular meeting on March 9, 2010, 6 in favor, 0 opposed.

Respectfully submitted,



John Maxey President
Jefferson County Planning Commission

19 A

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

AGENDA REQUEST FORM

Name: Kirk Davis, Sr.

Department or Entity: Capital Planning and Management

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: March 25, 2010

Date Requested – 2nd Choice: April 1, 2010

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

Subject: **Change Order for Ambulance Authority and the Substantial Completion**

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

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

Attachments:

#19B

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Kirk Davis, Sr.

Department or Entity: Capital Planning and Management

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: March 25, 2010

Date Requested – 2nd Choice: April 1, 2010

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

Subject: **Delta Grant Update**

Please provide the County Commission with a description of your request or presentation, including any background information: **to approve a request to release of additional funds for Delta services**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Move to approve the release of additional funds for services provided by Delta.**

Attachments:

#19C

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

AGENDA REQUEST FORM

Name: Kirk Davis, Sr.

Department or Entity: Capital Planning and Management

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: March 25, 2010

Date Requested – 2nd Choice: April 1, 2010

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

Subject: **Hunter House - ADA Ramp Contract – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information: **To review and sign contract to begin construction of the ADA Ramp at the Hunter House.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve and authorize the Commission President to affix her signature upon the appropriate documents to begin construction on the ADA Ramp at the Hunter House.**

Attachments:

PRESS RELEASE

**JEFFERSON COUNTY DEPARTMENTS OF PLANNING AND ZONING
March 15, 2010**

PUBLIC MEETINGS TO REVIEW PROPOSED AMENDMENTS TO SUBDIVISION REGULATIONS

The Jefferson County Departments of Planning and Zoning will be hosting four Public Meetings/Open Houses to provide Jefferson County residents with an opportunity to learn more about the proposed amendments to the Subdivision Regulations. These Meetings/Open Houses will begin with a short overview of the basis for the proposed amendments and will then follow an Open House format allowing for informal questions and answers, with multiple Planning and Zoning Staff members present with whom the public can interact. Our purpose in conducting these Public Meetings/Open Houses is to garner public input on our "working draft", so that we may supply the Planning Commission with a viable document. A copy of the Proposed Subdivision Regulation Amendments will be available for viewing on March 16, 2010 at all Jefferson County Public Libraries, the Charles Town Library, and at our website <http://www.jeffersoncountywv.org/Planning%20and%20Zoning.html>.

The Meetings/Open Houses are planned as follows:

Friday, March 26, 2010

10:00 am – 12:00 noon
2nd Floor Conference Room, Mason Building*
116 E. Washington Street
Charles Town, WV

Monday, March 29, 2010

6:00 pm – 9:00 pm
War Memorial Building, 2nd Floor
102 East German Street
Shepherdstown, WV

Wednesday, March 31, 2010

1:30 pm – 3:30 pm
2nd Floor Conference Room, Mason Building
116 E. Washington Street
Charles Town, WV

Thursday, April 1, 2010

6:00 pm – 9:00 pm
Charles Town Library Basement
200 East Washington Street
Charles Town, WV

*The room is not ADA accessible. If accommodations are required, please call ahead at 304-728-3228.

For more information please contact the Departments of Planning and Zoning at 304-728-3228 or at zoning@jeffersoncountywv.org

Submitted by:

Jennifer M. Brockman, AICP
Director, Departments of Planning and Zoning

23

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 *Roger L. Goodwin/rfb*
ENGINEERING DEPARTMENT

DATE: MARCH 12, 2010

SUBJECT: THE WILLIAM H. SCOTT INTERVIVOS TRUST
SPARC TRAINING CAMPUS SUBDIVISION, PHASE II
SECTION ONE, LOTS 1-4 & RESIDUE – FILE 07-14R

RECEIVED

MAR 11 2010

JEFFERSON COUNTY COMMISSION

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

The SPARC Training Campus Subdivision, Phase II, Section One, Lots 1-4 & Residue which is secured by Cash-in-Escrow with The Bank of Charles Town in Charles Town, West Virginia in the amount of 3,019.00.

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

RLG:rfb

24

March 1, 2010

Ms. Lyn Widmyer, President
Jefferson County Commission
124 E. Washington St.
PO Box 250
Charles town WV 25414


Dear Ms. Widmyer and Commission Members,

In November 2009, the Jefferson County Commission appointed me as your volunteer representative to the Potomac Headwaters RC&D Board (PHRC&D). Since that time, I have become more familiar with the organization and its goals and have met with Rebecca MacLeod and Olga Adams for a working/introductory lunch. On March 16, I will attend the first 2010 quarterly Board of Directors meeting.

As your representative, I am committed to do my best to bring the Potomac Headwaters RC & D mission to Jefferson County and to take worthy Jefferson County projects to the Board for consideration. As part of my commitment to both the County and the Board, I would ask that the Commission fully fund the annual \$1200.00 request made February 22, 2010 by Jim Horn, Chairman of the Potomac Headwaters Board. This request is made annually of the eight counties that make up the Region. The financial contribution made by the counties is important because it funds the PHRC&D administrative costs. In turn, the PHRC&D staff is able to generate through grants and other sources, approximately \$17.00 for each \$1.00 given by the county. The attached PHRC&D Current Projects list demonstrates the positive return for Jefferson County.

In 2009, six of the eight county commissions of the PHRC& D made the \$1200.00 annual contribution. Unfortunately, Jefferson was one of the two that did not. I hope that your decision this year will be different and that you will fully fund the request. Please feel free to contact me with any questions. You may also give my email address to anyone associated with an organization that may have a project they would like to submit to the PHRC&D for funding or technical assistance.

Sincerely,


Diana Walch
Diwalch@aol.com

RECEIVED

MAR 17 2010

Jefferson County Commission

#25

RECEIVED

MAR 17 2010



400 Westfield Road
Charlottesville, Virginia 22901

Jefferson County Commission

March 12, 2010

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

Dear Ms. Smith,

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

Customers will receive notice of these changes via the newspaper advertisement and a direct mail piece or bill message.

In order for subscribers to view High Definition programming, High Definition equipment is required. In order for subscribers to view digital programming, digital equipment is required. Customers who currently subscribe to Standard Service can upgrade to Digital Starter Service, including a digital box, for no additional charge. Customers who currently subscribe to Limited Basic Service can add a digital box for no additional charge for 12 months.

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

Sincerely,

Paul Comes
Director, Government Affairs

Important News for Comcast Customers

The following channel changes will be effective in Jefferson County and Martinsburg.

The following new channel will be added on Wednesday, April 7th.

NEW!



Digital Starter with HD Service
Channel 844

On Saturday, April 10th, to help make room for this and future channel additions, the duplicated west coast versions of several movie channels will be removed. The east coast versions of these channels remain on their current locations.

Channel:	Number:
HBO 2 (W)	307
HBO Signature (W)	308
HBO Family (W)	309
More Max (W)	323
Showtime (W)	343
Showtime Too (W)	344
Showtime Showcase (W)	345
Showtime Extreme (W)	348
The Movie Channel (W)	351
The Movie Channel Xtra (W)	353
Starz (W)	376

Comcast.

HDTV equipment and an HDTV required to view HD channels. Limited Basic digital channels are not scrambled. All other digital channels are scrambled for security reasons. Viewing a digital channel requires compatible equipment. A digital ready television with a QAM tuner will only work for digital channels that are not scrambled in the Limited Basic digital channels. A Digital converter or television set with a CableCard will work for all digital channels – scrambled and unscrambled. Service is subject to terms and conditions of Comcast Cable Subscriber Agreement. Call 1.800.COMCAST for complete details about service, prices and equipment. Other restrictions apply. © 2010 Comcast. All rights reserved. © 2010 Eclipse Marketing Services, Inc. All Rights Reserved.

260

Jefferson County Public Service District

RECEIVED

March 15, 2010

MAR 17 2010

Lyn Widmyer, President
Jefferson County Commission
P.O. Box 250
124 E. Washington Street
Charles town, WV 25414

Jefferson County Commission

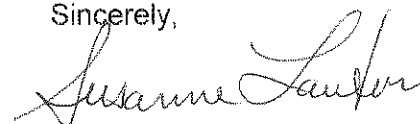
Dear Mrs. Widmyer:

I am writing this letter two-fold; to express our gratitude for the efforts of the Jefferson County Addressing Office over the past several years and also to strongly urge that the County Commission provide appropriate funding in the FY2011 budget for development and implementation of a web GIS application. Mr. Todd Fagan, Ms. Jessica Gormont, and the entire staff at the Jefferson County Addressing Office have always been very helpful. In 2008 Todd and Jessica were instrumental in providing recommendations and assistance in the creation of a layer of the District's facilities to add to the County's GIS. With their guidance, the District proceeded to digitize our plans as a preliminary step in preparation of obtaining a GIS layer to meet our needs as well as the needs of the County and possibly others in the future. After digitization, Todd and Jessica assisted us in the creation of contracts with Shepherd and West Virginia Universities to provide a GIS layer of our public potable water and sanitary sewer systems which has come to be a very useful tool today.

The District fully supports the efforts of the Addressing Office and encourages the Jefferson County Commission to support the funding for the development and implementation of their first web GIS application. This tool will not only serve our needs, but also the needs of the community and those working for and in the County. Specifically, most useful to the District in the design and maintenance of our systems would be any layers providing physical features and topographic surveys, water shed maps, storm water systems, all water and sewer lines, and all other public or private utility systems. In addition, for our future planning and design of systems the layers of Land Development Projects, Zoning, Subdivisions, Proposed Roads, County/Town Boundaries, Annexations, and Land Cover/Land Use would also be helpful tools to the District.

Jefferson County is quite fortunate to have the staff which serves the needs of the Jefferson County Addressing Office and we support their request 100 percent. Thank you for the opportunity to express our gratitude and support for the needs of that fine Office in the attempt to make Jefferson County a most efficient government for their citizens.

Sincerely,



Susanne Lawton
General Manager

cc: Todd Fagan, Jefferson County Addressing Office

27

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Tuesday, March 16, 2010 8:58 AM
Subject: Fw: Proposed GIS implementation

Agenda info

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

From: Larry Willingham
To: sandy@jeffersoncountywv.org
Cc: Bob Boylan
Sent: Monday, March 15, 2010 6:06 PM
Subject: Proposed GIS implementation

Hello,

I just recently learned that the Jefferson County Commission will soon be discussing appropriation of funding to implement GIS applications for Jefferson County. I am a computer operator for Jefferson County Schools, at the Transportation Department. Part of my duties include school bus routing. The 911 addressing office is on my "speed dial", for address information and confirmation, for the 8200 + students attending Jefferson County Schools. Our routing software depends solely on 911 addressing and there still are many individuals who are not aware of their correct physical address. I am constantly referring to the map book provided by the 911 addressing office to determine correct addresses and can then provide that information to parents.

I, occasionally, use the GIS addressing application in which our neighboring county of Berkeley uses, to confirm Berkeley County residency. Although I seldom refer to their software, it has proven to be extremely useful and with the additional layers, it appears that many agencies would benefit. For example, school districts could be added as a layer, for other agencies or individuals to view school district boundaries. This added feature could assist real estate professionals with providing accurate information to potential buyers. In addition, as a growing county, land development layers would be extremely useful for us in our planning for the best location of additional schools.

GIS mapping would be a welcome addition in our office.

I would like to respectfully ask the Jefferson County Commission to please consider the implementation of the GIS application for Jefferson County.

Thank you for your time and consideration.

Larry Willingham

Larry Willingham

Computer Operator - Routing/Operations Asst.

Jefferson County Schools - Transportation

754 Shenandoah Junction Road

Shenandoah Junction, WV 25442

(304) 725-7664 Option 4

RECEIVED



#28
Nationwide®
On Your Side

MAR 17 2010

NOTICE TO PLAN FIDUCIARY OF CHANGES TO THE DESIGNATED INVESTMENT OPTIONS WITHIN YOUR RETIREMENT PLAN'S ANNUITY CONTRACT

This Notice to Plan Fiduciary is furnished as a result of the annual investment review of the investment products underwritten by Nationwide Life Insurance Company (Nationwide) offered to your retirement plan(s) ("Plan"). As the product provider to your Plan, Nationwide intends to implement the following product changes that affect the investment options offered to the participants in your Plan. **Unless you notify us that you have rejected the changes prior to April 15, 2010, we will deem your silence as consent and instruction and implement the changes explained by this Notice.**

Summary of the proposed changes

On April 16, 2010, the **MFS High Income Fund will be removed from your Plan's designated investment options.** Please note, as of January 31, 2010, your plan had no assets invested in the MFS High Income Fund. For additional information about these proposed changes and the investment review process may be found at www.nrsforu.com/video.

To accept these changes:

If you wish to accept the changes explained in this Notice, no additional action on your part is required. **Nationwide will deem your silence as consent and instruction to make the changes explained by this Notice.** The changes will be implemented on April 16, 2010, at the close of the New York Stock Exchange.

To reject these changes:

You have the right to reject the changes contained in this Notice. If you decide to reject the changes, please provide written notification to Nationwide using one of the following methods:

Fax notification to 1-877-677-4329;

Mail a letter to:

Nationwide Retirement Solutions
Attn: Plan Administration
5900 Parkwood Place, PW-04-08
Dublin, OH 43016

Please include your plan name, plan/entity number, plan mailing address, telephone number, email address, and language indicating your decision to reject the changes in your notification. **If we have not received written notification by 4 p.m. on April 15, 2010, the changes will be implemented on April 16, 2010, at that day's close of the New York Stock Exchange.**

What happens if I reject these changes?

The changes explained by this Notice will not occur. A Nationwide representative will contact you to discuss options available to you including alternative fund selection, your rights to terminate the Nationwide annuity contract, and other choices you have as plan fiduciary.

Questions?

If you still have questions, please contact us to discuss the impact of these changes. You may reach us by calling 877-849-8282.

#29

201 E. Burke Street
Martinsburg, WV 25401
Phone 304.263.0891
Toll Free 877.242.7278
Fax 304.263.0997



December 9, 2009

RECEIVED

Jefferson County Commission
PO Box 250
Charles Town, WV 25414

MAR 12 2010

Jefferson County Commission

Enclosed please find one copy of the Jefferson County Public Service District Financial Statements for the fiscal years ended June 30, 2009 and 2008.

Please let me know if you have any questions.

Sincerely

CoxHollidaPrice LLP

Chuck W. Young, CPA
Partner

JEFFERSON COUNTY PUBLIC SERVICE DISTRICT

FINANCIAL STATEMENTS

For the years ended June 30, 2009 and June 30, 2008





INDEPENDENT AUDITORS' REPORT ON FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION

The Members of the Public Service Board
Jefferson County Public Service District

We have audited the accompanying financial statements of the business-type activities of the Jefferson County Public Service District ("District"), as of and for the years ended June 30, 2009 and 2008, which collectively comprise the District's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the District's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities of the Jefferson County Public Service District as of June 30, 2009 and 2008, and the respective changes in financial position and cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued our report dated December 1, 2009 on our consideration of the District's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

The management's discussion and analysis on pages 5 through 9 and the budgetary comparison schedules on pages 38 through 41 are not a required part of the basic financial statements, but are supplemental information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods and measurement and presentation of required supplemental information. However we did not audit the information and express no opinion on it.

Our audits were conducted for the purpose of forming opinions on the financial statements that collectively comprise the Jefferson County Public Service District's basic financial statements. The supplemental information presented on pages 42 and 43 is presented for purposes of additional analysis and is not a required part of the basic financial statements. This supplemental information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

CoxHollidaPrice LLP
Martinsburg, WV

December 1, 2009

CONTENTS

	<u>Page</u>
INDEPENDENT AUDITORS' REPORT ON FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION	3-4
MANAGEMENT'S DISCUSSION & ANALYSIS	5-9
FINANCIAL STATEMENTS	
Balance sheets	10-11
Statements of revenues, expenses and changes in net assets	12
Statements of cash flows	13
Notes to financial statements	14-36
SUPPLEMENTAL INFORMATION	
Budgetary comparison schedules - water department	38-39
Budgetary comparison schedules - sewer department	40-41
Schedules of operating expenses - water department	42
Schedules of operating expenses - sewer department	43
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <u>GOVERNMENT AUDITING STANDARDS</u>	44-45

Jefferson County Public Service District
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the fiscal year ended June 30, 2009

The management of Jefferson County Public Service District provides the following information as an introduction, overview and analysis of the District's financial statements for the year ended June 30, 2009. Readers should also review the basic financial statements that begin on page 10 to further enhance their understanding of the District's financial performance.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the District's basic financial statements. This annual report consists of three parts: Management's Discussion and Analysis, Financial Statements and Required Supplementary Information. The Financial Statements also include notes that explain in more detail some of the information in the financial statements.

Financial statements

The Financial Statements of the District report information about the District using accounting methods similar to those used by private sector companies. These statements offer short- and long-term financial information about its activities.

The Balance Sheet includes all of the District's assets and liabilities and provides information about the nature and amounts of investments in resources (assets) and obligations to creditors (liabilities). It also provides the basis for computing the rate of return, evaluating the capital structure of the District and assessing the liquidity and financial flexibility of the District.

All of the current year's revenues and expenses are accounted for in the Statement of Revenues, Expenses and Changes in Net Assets. This statement measures the success of the District's operations over the past year and can be used to determine whether the District has successfully recovered all its costs through its user fees and other charges.

The final required financial statement is the Statement of Cash Flows. The primary purpose of this statement is to provide information about the District's cash receipts and cash payments during the reporting period. The statement reports cash receipts, cash payments and net changes in cash resulting from operations, investing, and capital and non capital financing activities and provides answers to such questions as "from where did cash come?", "for what was cash used?", and "what was the change in cash balance during the reporting period?"

The notes to the basic financial statements provide additional and explanatory data. They are an integral part of the basic financial statements.

Jefferson County Public Service District
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the fiscal year ended June 30, 2009

Financial Analysis of the District as a Whole

One of the most important questions asked about the District's finances is "Is the District, as a whole, better off or worse off as a result of the year's activities?" The Balance Sheet, the Statement of Revenue, Expenses and Changes in Net Assets and the Statement of Cash Flows report information about the District's activities in a way that will help answer this question. These statements report the net assets of the District and changes in them. You can think of the District's net assets- the difference between assets and liabilities- as one way to measure financial health or financial position. Over time, increases or decreases in the District's net assets are one indicator of whether its financial health is improving or deteriorating. However, you will need to also consider other non-financial factors such as changes in economic conditions, population growth, political leaders, and new or changed legislation.

The net assets may serve over time as a useful indicator of an entity's financial position. In the case of the District, at various times, the District receives infrastructure improvements from a developer and in return takes over these assets and maintains them. The District either puts in or has a developer put in the infrastructure, and pays for it through a developer contribution, current operations or by an issuance of a bond. These assets are reflected as an asset on the District's books and are depreciated over the estimated life of the assets.

Below are highlights of the financial statements:

	<u>2009</u>	<u>2008</u>
Unrestricted cash	\$ 510,583	\$ 587,574
Restricted cash	780,459	1,251,927
Other assets	2,004,318	2,232,738
Capital assets	<u>12,869,053</u>	<u>11,705,805</u>
Total assets	<u>16,164,413</u>	<u>15,778,044</u>
Current and other liabilities	581,359	580,058
Long-term liabilities	<u>6,819,214</u>	<u>6,322,699</u>
Total liabilities	<u>7,400,573</u>	<u>6,902,757</u>
Net assets	<u>\$ 8,763,840</u>	<u>\$ 8,875,287</u>
Invested in assets, net of debt	\$ 7,507,309	\$ 7,093,930
Restricted net assets	670,992	1,128,355
Unrestricted net assets	<u>585,539</u>	<u>653,002</u>
Total net assets	<u>\$ 8,763,840</u>	<u>\$ 8,875,287</u>

Jefferson County Public Service District
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the fiscal year ended June 30, 2009

	<u>2009</u>	<u>2008</u>
Revenues		
Sales to customers	\$ 1,850,714	\$ 1,921,763
Other	<u>179,760</u>	<u>236,168</u>
Total revenue	<u>2,030,474</u>	<u>2,157,931</u>
Expenses		
Operating	1,619,879	1,604,890
Dropped projects	878	10,266
Depreciation & amortization	418,214	389,215
Interest expense	<u>116,196</u>	<u>117,990</u>
Total expenses	<u>2,155,167</u>	<u>2,122,361</u>
Net income (loss) before capital contributions	(124,693)	35,570
Capital contributions	<u>13,246</u>	<u>-</u>
Change in net assets	<u>\$(111,447)</u>	<u>\$ 35,570</u>

The District did not receive contributed capital from developers for the current fiscal year.

The District invested approximately \$1.5 million in the current year for improvements of the sewer system and planning of the Flowing Springs waste water treatment plant. This investment was financed by the use of the District's restricted assets and issuance of the bond anticipation note.

The District had an assessment of the water systems. The water systems were found to be very old, but had received excellent maintenance by District staff. The District was presented with improvement options, future recommendations, secondary improvements, and grant funding options. The District will move forward with upgrades to the system and set up informational meetings to the affected communities. Management expects that it will proceed with continuing maintenance and capital investment in those systems based on the consultant's recommendations and financial resources available.

The District began to experience a slowdown in new customer connections in 2008 which has continued into 2009 and management attributes that decline to the overall national slump in the housing industry. The District has also experienced a reduction in usage by individual customers which is due to more efficient use of water together with the conservation of water usage. The District expects that the conventional residential sector will continue to be slow through this fiscal year, but recovering thereafter. However, the District expects continued sustained commercial and institutional sector growth. Overall, the District expects growth in new customer growth and equivalent domestic units (EDU) to remain

Jefferson County Public Service District
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the fiscal year ended June 30, 2009

comparable with prior years. The District believes that the fundamentals of location and cost in Jefferson County remain favorable, for economic development and expect that the District's plans for readily available services will position the community for early economic recovery

The District has become a bulk rate customer for waste being treated at the Charles Town treatment plant under a PSC final order. The rates have increased as a result of this change. Charles Town has upgraded their plant to increase the available wastewater treatment capacity available to the District. The Charles Town assets purchased by the District has been moved from Utility plant in service to Other assets.

The District entered into a Bond Anticipation Note to help pay for the professional fees related to the Flowing Springs Waste Water Treatment Plant. This note will be paid off when permanent financing is secured for the project.

As previously noted, the slump in the economy has affected the revenue generated by the District. The drop in operating revenue accounts for most of the decline in income from the prior year's net income. The District has proposed a 8.6% rate increase to assist in the operating revenues needed for the operations of the District and to meet the bond requirements.

The District is operating under an interstate environmental compact that commits West Virginia to play a role restoring water quality in the Chesapeake Bay. The new operating environment has required that the District find and implement unconventional solutions for emerging issues. The District has requested and received a Capital Assurance Fee (to insure capacity) and a Capital Improvement Fee (to pay for capacity) from the PSC.

The District has increased the number of customers by less than 1%.

Budgetary Highlights

Over the course of the year, the District approved one amendment to the Sewer Department mid-year decreasing revenue for reduced usage of about \$128,000 and a decrease in expenses mainly due to the decrease of treatment costs by \$50,000. Several accounts were over budget, and those expenditures were approved by the board. Overall, the actual expenses were within approximately 2% of the amended budget amount; however, even with the reduction of budgeted revenue, the District was short on the revenue estimate by \$100,000, approximately 5% under the amended budgeted amount.

Jefferson County Public Service District
MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)
For the fiscal year ended June 30, 2009

Capital Assets and Debt Administration

At the end of the current fiscal year, the District's Sewer Department had outstanding debt of \$7,192,819. The District's debt has increased by \$521,053 during the current year. This increase was the result of an issuance of a note payable of \$750,000 to pay for professional fees related to the Flowing Springs Waste Water Treatment Plant. The debt was decreased by the principal payments on debt of \$228,947.

Many debt obligations require debt coverage (revenues over operating expenses) to be more than 115% of the debt obligation. For the current fiscal year debt coverage was only 109% mainly due to the lack of revenue as discussed earlier.

Economic Factors

The long-term trend of increasing numbers of residences and businesses in Jefferson County has resulted in the increase in demand on the Charles Town wastewater facility which is used by the customers of the District. The District is a bulk customer of Charles Town. The District has submitted and has received preliminary approval through the West Virginia Infrastructure and Jobs Development Council a loan commitment from West Virginia Department of Environmental Protection from the West Virginia State Revolving Fund of \$24.5 million for the construction of a Flowing Springs wastewater treatment plant which will remove some of the burden on the Charles Town Wastewater treatment plant.

Jefferson County watersheds all drain directly into either the Potomac or the Shenandoah rivers and are part of the headwaters of the Chesapeake Bay. Emerging requirements for protecting and recovering water quality in the Bay will require all sources of nutrients to reduce contributions of nitrogen and phosphorus by 30-40% and to maintain a cap load allocation for the future. These environmental clean-up obligations will increase capital and operational costs to utilities and ultimately to rate payers. The District is already planning for compliance with Chesapeake Bay standards and all new facilities currently planned will meet or exceed projected water quality requirements.

Jefferson County Public Service District

BALANCE SHEETS

June 30, 2009 and 2008

ASSETS

	<u>Water Department</u>	<u>Sewer Department</u>	<u>2009 Total</u>	2008 Memorandum Only <u>Total</u>
CURRENT ASSETS				
Cash	\$ 128,143	\$ 382,440	\$ 510,583	\$ 587,574
Accounts receivable, net of allowance for doubtful accounts of \$10,000	2,058	86,639	88,697	85,834
Accounts receivable - other	-	392	392	5,950
Accrued utility revenue	4,555	153,266	157,821	146,929
Prepaid expenses and deposits	<u>-</u>	<u>9,247</u>	<u>9,247</u>	<u>28,508</u>
Total current assets	<u>134,756</u>	<u>631,984</u>	<u>766,740</u>	<u>854,795</u>
RESTRICTED CASH	<u>3,674</u>	<u>776,785</u>	<u>780,459</u>	<u>1,251,927</u>
CAPITAL ASSETS				
Land and land rights	2,066	917,885	919,951	919,951
Construction work in progress	-	1,114,762	1,114,762	71,035
Utility plant in service	174,643	14,836,223	15,010,866	14,583,089
Less accumulated depreciation	<u>(51,386)</u>	<u>(4,125,140)</u>	<u>(4,176,526)</u>	<u>(3,868,270)</u>
Net capital assets	<u>125,323</u>	<u>12,743,730</u>	<u>12,869,053</u>	<u>11,705,805</u>
OTHER ASSETS				
Unamortized debt issue expense, net of accumulated amortization of \$162,571 and \$148,385, respectively	-	270,736	270,736	284,922
Future utility plant preliminary survey and design charges	157,482	306,750	464,232	598,981
Due from other funds	-	12,482	12,482	12,482
Other assets - capacity upgrades, net of accumulated amortization of \$225,226 and \$156,804, respectively	<u>-</u>	<u>1,000,711</u>	<u>1,000,711</u>	<u>1,069,132</u>
Total other assets	<u>157,482</u>	<u>1,590,679</u>	<u>1,748,161</u>	<u>1,965,517</u>
Total assets	\$ <u>421,235</u>	\$ <u>15,743,178</u>	\$ <u>16,164,413</u>	\$ <u>15,778,044</u>

The accompanying notes are an integral part of this statement.

Jefferson County Public Service District

BALANCE SHEETS (Continued)

June 30, 2009 and 2008

LIABILITIES

	<u>Water Department</u>	<u>Sewer Department</u>	2009 <u>Total</u>	2008 Memorandum Only <u>Total</u>
CURRENT LIABILITIES (payable from current assets)				
Accounts payable	\$ 1,087	\$ 166,321	\$ 167,408	\$ 172,486
Accrued taxes and expenses	<u>-</u>	<u>11,373</u>	<u>11,373</u>	<u>29,307</u>
Total current liabilities (payable from current assets)	<u>1,087</u>	<u>177,694</u>	<u>178,781</u>	<u>201,793</u>
CURRENT LIABILITIES (payable from restricted cash)				
Revenue bonds payable (due within one year)	-	267,365	267,365	228,947
Accrued interest payable	-	25,746	25,746	25,746
Customer deposits	2,354	107,113	109,467	117,937
Capital improvement fees	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,635</u>
Total current liabilities (payable from restricted cash)	<u>2,354</u>	<u>400,224</u>	<u>402,578</u>	<u>378,265</u>
LONG-TERM LIABILITIES				
Due to other funds	12,482	-	12,482	12,482
Revenue bonds payable	-	6,175,454	6,175,454	6,442,819
Notes payable	145,000	750,000	895,000	145,000
Deferred loss on bond refinancing, net of accumulated amortization of \$138,802 and \$124,922, respectively	<u>-</u>	<u>(263,722)</u>	<u>(263,722)</u>	<u>(277,602)</u>
Total long-term liabilities	<u>157,482</u>	<u>6,661,732</u>	<u>6,819,214</u>	<u>6,322,699</u>
Total liabilities	<u>160,923</u>	<u>7,239,650</u>	<u>7,400,573</u>	<u>6,902,757</u>
NET ASSETS				
NET ASSETS				
Invested in capital assets, net of related debt	137,805	7,369,504	7,507,309	7,093,930
Restricted for debt and construction	1,320	669,672	670,992	1,128,355
Unrestricted	<u>121,187</u>	<u>464,352</u>	<u>585,539</u>	<u>653,002</u>
Total net assets	<u>260,312</u>	<u>8,503,528</u>	<u>8,763,840</u>	<u>8,875,287</u>
Total liabilities and net assets	\$ <u>421,235</u>	\$ <u>15,743,178</u>	\$ <u>16,164,413</u>	\$ <u>15,778,044</u>

The accompanying notes are an integral part of this statement.

Jefferson County Public Service District

STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS

For the years ended June 30, 2009 and 2008

	<u>Water Department</u>	<u>Sewer Department</u>	<u>2009 Total</u>	2008 Memorandum Only <u>Total</u>
OPERATING REVENUES				
Sales to general customers	\$ 48,986	\$ 1,801,728	\$ 1,850,714	\$ 1,921,763
Customers' forfeited discounts and penalties	1,212	49,260	50,472	58,605
Miscellaneous revenues	<u>174</u>	<u>76,496</u>	<u>76,670</u>	<u>94,642</u>
Total operating revenues	<u>50,372</u>	<u>1,927,484</u>	<u>1,977,856</u>	<u>2,075,010</u>
OPERATING REVENUE DEDUCTIONS BEFORE DEPRECIATION				
Operating expenses	<u>41,639</u>	<u>1,578,240</u>	<u>1,619,879</u>	<u>1,604,890</u>
Operating income before depreciation	8,733	349,244	357,977	470,120
DEPRECIATION	<u>5,172</u>	<u>330,434</u>	<u>335,606</u>	<u>308,006</u>
Operating income	<u>3,561</u>	<u>18,810</u>	<u>22,371</u>	<u>162,114</u>
NON-OPERATING INCOME (EXPENSE)				
Interest income	826	10,355	11,181	42,903
Gain (loss) on disposal of assets	-	25	25	(1,394)
Interest expense	(9)	(116,187)	(116,196)	(117,990)
Amortization of debt issue expense and other assets - treatment plant upgrades	-	(82,608)	(82,608)	(81,209)
Loss due to dropped projects	-	(878)	(878)	(10,266)
Miscellaneous non-operating revenues	<u>-</u>	<u>41,412</u>	<u>41,412</u>	<u>41,412</u>
Total non-operating income (expense)	<u>817</u>	<u>(147,881)</u>	<u>(147,064)</u>	<u>(126,544)</u>
Increase (decrease) in net assets before capital contributions	<u>4,378</u>	<u>(129,071)</u>	<u>(124,693)</u>	<u>35,570</u>
CAPITAL CONTRIBUTIONS	<u>-</u>	<u>13,246</u>	<u>13,246</u>	<u>-</u>
Increase (decrease) in net assets	4,378	(115,825)	(111,447)	35,570
Net assets at beginning of year	<u>255,934</u>	<u>8,619,353</u>	<u>8,875,287</u>	<u>8,839,717</u>
Net assets at end of year	\$ <u>260,312</u>	\$ <u>8,503,528</u>	\$ <u>8,763,840</u>	\$ <u>8,875,287</u>

The accompanying notes are an integral part of this statement.

Jefferson County Public Service District

STATEMENTS OF CASH FLOWS

For the years ended June 30, 2009 and 2008

	Water Department	Sewer Department	2009 Total	2008 Memorandum Only Total
CASH FLOWS FROM OPERATING ACTIVITIES				
Cash received from customers	\$ 49,771	\$ 1,919,887	\$ 1,969,658	\$ 2,097,447
Cash payments for goods and services	(43,783)	(1,084,687)	(1,128,470)	(1,055,457)
Cash payments for employee services	-	(513,938)	(513,938)	(478,073)
Net cash flows provided by operating activities	<u>5,988</u>	<u>321,262</u>	<u>327,250</u>	<u>563,917</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Interest received	<u>826</u>	<u>10,355</u>	<u>11,181</u>	<u>42,903</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Expenditures for utility plant and other assets	(38,888)	(363,190)	(402,078)	(200,346)
Increase (decrease) in customer deposits	(291)	(8,179)	(8,470)	182
Capital improvement fees collected	-	50,437	50,437	100,303
Capital improvement fees transferred to joint account	-	(42,826)	(42,826)	(96,922)
Principal payment on debt - bond	-	(228,947)	(228,947)	(195,529)
Principal payment on debt - notes	-	-	-	(5,760)
Credits on treatment upgrade bonds	-	41,412	41,412	41,412
Proceeds from bonds payable	-	-	-	649,073
Proceeds from notes payable	-	750,000	750,000	-
Interest paid on bonds and notes	(9)	(102,307)	(102,316)	(104,728)
Developer payables	-	-	-	(256,829)
Construction work in progress capital expenditures	-	(772,011)	(772,011)	-
Increase in preliminary surveys	-	(172,091)	(172,091)	(76,012)
Payment of bond issuance costs	-	-	-	(41,453)
Net cash (used in) capital and related financing activities	<u>(39,188)</u>	<u>(847,702)</u>	<u>(886,890)</u>	<u>(186,609)</u>
Net increase (decrease) in cash	<u>(32,374)</u>	<u>(516,085)</u>	<u>(548,459)</u>	<u>420,211</u>
CASH AND CASH EQUIVALENTS BEGINNING OF YEAR				
	<u>164,191</u>	<u>1,675,310</u>	<u>1,839,501</u>	<u>1,419,290</u>
CASH AND CASH EQUIVALENTS END OF YEAR				
	<u>\$ 131,817</u>	<u>\$ 1,159,225</u>	<u>\$ 1,291,042</u>	<u>\$ 1,839,501</u>
RECONCILIATION OF OPERATING INCOME TO NET CASH FLOWS FROM OPERATING ACTIVITIES				
Operating income	\$ 3,561	\$ 18,810	\$ 22,371	\$ 162,114
Depreciation	5,172	330,434	335,606	308,006
Adjustments for changes in operating assets and liabilities				
Increase in operating assets	(601)	(7,116)	(7,717)	(2,125)
Increase (decrease) in operating liabilities	(2,144)	(20,866)	(23,010)	95,922
Net cash provided by operating activities	<u>\$ 5,988</u>	<u>\$ 321,262</u>	<u>\$ 327,250</u>	<u>\$ 563,917</u>

The accompanying notes are an integral part of this statement.

Jefferson County Public Service District
NOTES TO FINANCIAL STATEMENTS

June 30, 2009 and 2008

GENERAL

Jefferson County Public Service District ("District") is a public corporation created by the Jefferson County Commission on December 1, 1983, for the purpose of operating a public utility by providing water and sewer services to customers in its franchise area in Jefferson County. The District is governed by a board of directors who are appointed by the Jefferson County Commission.

The territory embraced by the District consists of all land within the boundaries of Jefferson County, excluding sewage authorities within incorporated municipalities and any other public service districts properly authorized and existing within the county.

Reporting Entity

For financial reporting purposes, the District is considered an independent reporting entity. The basic criteria for defining the District as an independent reporting entity is the District's financial independence, accountability for fiscal matters, significant influence on operations and ability to designate management.

For purposes of regulation by the West Virginia Public Service Commission and as required by its revenue bond issues, water and sewer departments are maintained as separate entities with separate books of account.

The District purchased two private water systems, Glen Haven Utilities, Inc. and Cavaland South Water Service in 1994 for \$5,010. The assets were recorded by Jefferson County Public Service District at net book value since fair market value was not available. Financial data of these water systems are shown in the financial statements under the columnar heading of water department.

The District is also showing the potential Blue Ridge Water Project under the columnar heading of water department. (See more details in the note payable and deferred cost of system design notes).

SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES

The financial statements of the District are prepared in accordance with Generally Accepted Accounting Principles (GAAP). As a proprietary fund type, the District applies all Financial Accounting Standards Board (FASB) pronouncements and Accounting Principles Board (APB) opinions issued on or before November 30, 1989, unless those pronouncements conflict with or contradict Governmental Accounting Standards Board (GASB) pronouncements, in which case, GASB prevails.

Financial Reporting Entity

The District complies with GASB Statement No. 14, *"The Financial Reporting Entity."* This statement establishes standards for defining and reporting on the financial reporting entity. It defines component units as legally separate organizations for which the officials of the primary government are financially accountable and other organizations for which the nature and significance of their relationship with a primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete. Based on the criteria, there are no component units to include in the District's financial statements.

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES (Continued)

Basis of Presentation

Accounts of the District are organized on the basis of fund accounting under one fund, an enterprise fund. Enterprise funds are proprietary funds used to account for business-like activities provided to the general public. These activities are financed primarily by user charges and the measurement of financial activity focuses on net income measurement similar to the private sector.

Measurement Focus and Basis of Accounting

Measurement focus is a term used to describe *which* transactions are recorded within the various financial statements. Basis of accounting refers to *when* transactions are recorded regardless of the measurement focus applied.

The proprietary funds utilize an "*economic resources*" measurement focus. The accounting objectives of this measurement focus are the determination of operating income, changes in net assets (or cost recovery), financial position, and cash flows. All assets and liabilities (whether current or non-current) associated with their activities are reported. Proprietary fund equity is classified as net assets.

All proprietary funds utilize the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used, except for the immaterial modification concerning inventories listed in the notes.

Proprietary funds distinguish *operating* revenues and expenses from *non-operating* items. Operating revenues and expenses generally result from providing services in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the District's enterprise funds are charges to customers for sales and service. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

Assets, Liabilities and Net Assets

The reserve method is used to provide for possible losses in the collection of customer's accounts receivable.

The District bills customers each month for the prior month's usage. Therefore, accrued utility revenue represents one month's revenues earned but not billed at June 30, 2009 and 2008.

Inventory of materials and supplies are not recorded on the balance sheet. Materials and supplies are expensed when purchased.

Restricted cash held in trust under trust indentures is stated at cost.

It is the District's policy to first use restricted assets when available and then use general revenues to finance projects and expenses.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Assets (Continued)

Utility plant purchased is stated at cost at the date of acquisition. Donated assets, principally sewer lines and land, are recorded at an amount which approximates the donor's cost and are recorded as capital contributions. Depreciation is provided on the straight-line method at various rates calculated to allocate the costs of the respective items over their estimated useful lives ranging from 3 to 50 years. Interest paid on loans obtained for construction of plant facilities is capitalized when material. There was no capitalized interest for the years ended June 30, 2009 or 2008. Maintenance and repairs are charged to expense as incurred; major renewals and betterments are capitalized. When items of property or equipment are sold or retired, the related cost and accumulated depreciation are removed from the accounts and any gain or loss is included in income.

Major classifications of utility plant of the District and their respective useful lives at June 30, 2009 and 2008, are summarized below:

Sewer Department

<u>Classification</u>	<u>Useful Lives</u>
Collection mains and services	50 years
Transmission mains	50 years
Gravity mains	50 years
Force mains	50 years
Flow meters	50 years
Electric pumping equipment	20-50 years
Transportation equipment	5 years
Communication equipment	5 - 7 years
Furniture and office equipment	3 - 7 years

Water Department

<u>Classification</u>	<u>Useful Lives</u>
Structures and improvements	20-40 years
Supply mains	40 years
Pump equipment	10-40 years
Transmission and distribution lines	10-40 years
Services and meters	10-40 years
Hydrants	30 years

Construction work in progress represents costs for projects that were not completed at year end.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Assets (Continued)

Compensated Absences

It is the District's policy to permit employees to accumulate earned but unused vacation and sick pay benefits. Employees may, depending on level and length of service, be paid for various amounts of their total accrued vacation upon termination or retirement. Accrued sick pay is not paid upon termination. The District accrues a liability for unused vacation hours that meets the criteria for payment at the eligible employees' current rates of pay plus retirement benefits and employment taxes. The accrual for compensated absences was \$11,371 and \$8,619 at June 30, 2009 and 2008, respectively.

Long-term Obligations

Long-term debt and other long-term obligations are reported as liabilities in the District's balance sheet. Debt issuance expense is reported as "other assets" and amortized over the term of the related bond issues using the straight line method.

Amortization of the deferred loss on bond refinancing is calculated by the straight-line method over the terms of the Series 1998A Revenue Bond and is reflected as an increase to interest expense.

Equity Classifications

Equity is classified as net assets and displayed in three components:

- a. Invested in capital assets, net of related debt-Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, notes, or other borrowings that are attributable to the acquisition, construction or improvement of those assets.
- b. Restricted net assets-Consists of net assets with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- c. Unrestricted net assets – All other net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt."

Statement of Cash Flows

For purposes of the statement of cash flows, the District considers all highly liquid investments, including restricted assets, with a maturity of three months or less when purchased to be cash equivalents.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Assets (Continued)

Budget

In accordance with West Virginia Code, Management shall prepare and submit to the Board a tentative budget. Such tentative budget shall be considered by the Board and, subject to any revisions or amendments that may be determined by the Board, shall be adopted as the budget for the ensuing fiscal year. No expenditures for operation and maintenance expenses in excess of the budget shall be made during such fiscal year unless unanimously authorized and directed by the Board.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

CASH AND TEMPORARY INVESTMENTS

Cash and temporary investments consisted of the following accounts and amounts at June 30, 2009 and 2008:

	<u>Water</u>	<u>Sewer</u>	2009 Total	2008 Memorandum Only Total
Revenue	\$ -	\$ 244,734	\$ 244,734	\$ 305,469
Petty cash	-	700	700	700
Operations and maintenance	128,143	-	128,143	160,181
Future needs	<u>-</u>	<u>137,006</u>	<u>137,006</u>	<u>121,224</u>
Total	\$ <u>128,143</u>	\$ <u>382,440</u>	\$ <u>510,583</u>	\$ <u>587,574</u>

The revenue fund is a restricted account in accordance with provisions of the revenue bond resolutions; however, these funds are generally available for the operations of the District.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

RESTRICTED CASH AND RESERVES

Restricted cash and reserves consisted of the following accounts and amounts at June 30, 2009 and 2008:

	<u>Water</u>	<u>Sewer</u>	2009 Total	2008 Memorandum <u>Only Total</u>
Debt service revenue	\$ -	\$ 145,765	\$ 145,765	\$ 487,528
Debt service reserve	-	442,505	442,505	426,733
Renewal and Replacement	-	55,335	55,335	184,917
Capital Improvement Fee	-	21,630	21,630	14,459
Customer Deposits	<u>3,674</u>	<u>111,550</u>	<u>115,224</u>	<u>138,290</u>
Total	\$ <u>3,674</u>	\$ <u>776,785</u>	\$ <u>780,459</u>	\$ <u>1,251,927</u>

The debt service revenue and related reserve includes funds on deposit with the West Virginia Municipal Bond Commission as trustee under the various revenue bond indentures and proceeds from bond issues. The Trust indentures require the trustee to establish various special purpose trust fund accounts, make periodic transfers to and between funds, maintain them at a specified level and/or disburse funds from them in accordance with the specific terms of the indentures.

The renewal and replacement funds are under the control and custody of the District as trustee in accordance with provisions of the revenue bond indentures. The renewal and replacement fund represents funds on deposit for the purpose of making repairs and replacements.

The capital improvement fee funds, by order of the Public Service Commission of West Virginia dated March 28, 2005, are to be used only for the purpose of improving the Charles Town treatment facilities and are to be held in a joint account by the District, the City of Ranson, and the City of Charles Town. All three governments are to share in the responsibility of establishing the account and collecting the appropriate fees. As of June 30, 2006, a joint account had been established and the District was depositing capital improvement fees collected into the joint account within the required period of (30) Thirty days from collection without interest. The balance in the District's cash account at June 30, 2009 and 2008, respectively is the interest earned on the account and the fees collected but not yet transferred to the joint account.

The District also has a liability on the books for capital improvement fees collected but not yet transferred to the joint account. The balance left as of June 30, 2009 and 2008 respectively were transferred after June 30, 2009 and 2008 respectively. This amount is reflected in the balance sheet as a current liability payable from restricted cash.

The customer deposits fund represents funds on deposit with a financial institution as required by the Public Service Commission of West Virginia. These funds are returned to customers upon twelve consecutive timely service payments or upon termination of service.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

DEPOSITS AND INVESTMENTS

At June 30, 2009, the District's cash and investment balances were as follows:

<u>Investment Type</u>	<u>Maturities</u>	<u>Fair Value</u>
Repurchase Agreements	Various	\$ 591,963
State Investment Pool	Average of 90 days	<u>559,907</u>
Total investments		1,151,870
Cash		<u>139,172</u>
Total Cash and Investments		\$ <u>1,291,042</u>

Interest Rate Risk

The District does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value changes arising from changing interest rates.

Credit Risk

State statutes authorize the government to invest in the State Investment Pool or the Municipal Bond Commission or to invest such funds in the following classes of securities: Obligations of the United States or any agency thereof, certificates of deposit (which mature in less than one year), general and direct obligations of the state of West Virginia, obligations of the federal mortgage association, indebtedness secured by first lien deeds of trust for property situated within this state if the payment is substantially insured or guaranteed by the federal government, pooled mortgage trusts (subject to limitations), indebtedness of any private corporation that is properly graded as in the top two or three highest rating grades, interest earning deposits which are fully insured or collateralized, and mutual funds registered with S.E.C. which have fund assets over three hundred million dollars. The District has no investment policy that would further limit its investment choices.

Concentration Credit Risk

The District does not have a formal investment policy that limits its investments in any one issuer.

GAAP requires disclosure when any one issuer is 5% or more of the investment portfolio. The investment in the repurchase agreements, with its underlying securities being Federal Home Loan Bank and Fannie Mae mortgage loans of 51%, and investments in the state investment pool of 49% of the investment portfolio. These types of investments are within state statutes as listed under credit risk, therefore, this is not viewed as an additional risk by the District.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

DEPOSITS AND INVESTMENTS (Continued)

Custodial Credit Risk-Deposits and Investments (excluding investments at the West Virginia Municipal Bond Commission)

Custodial credit risk is the risk that in the event of a bank or counter party failure, the District will not be able to recover the value of its deposits, investments or collateral securities that are in possession of an outside party. The District does not have a formal deposit policy for custodial credit risk. As of June 30, 2009, \$354,583 of the District's bank balance of \$743,668 was exposed to custodial credit risk. \$389,085 of the bank balance was covered by Federal Deposit Insurance (FDIC) and \$354,583 was collateralized with securities held by the pledging financial institution's trust department or agent but not in the District's name.

In fiscal years ended June 30, 2009 and 2008, the District has a repurchase agreement with a local financial institution for the investment of excess funds in all of the District's accounts held at that institution. Under the repurchase agreement, all collected balances in the account at the end of each day are automatically withdrawn and used to purchase an investment under the repurchase agreement. The repurchase agreement states that the securities purchased will be U.S. Government or Agency Securities or Mortgage Backed Securities. The securities will not be identified as the District's specific property, nor will they be delivered to the District and during any trading day, the District's securities are commingled with the bank's own securities, and may be subject to liens granted by the bank to third parties. The repurchase agreement also states that the purchased interest in underlying securities is not considered a deposit and therefore not insured by the FDIC, the United States Government or Agency thereof, or any other. The market value of the investments approximates cost at June 30, 2009 and 2008.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

CAPITAL ASSETS

Capital assets activity for the year ended June 30, 2008 was as follows:

Sewer Department

	<u>Balance at July 01, 2007</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2008</u>
Capital assets not being depreciated:				
Land and land rights, restated	\$ 917,885	\$ -	\$ -	\$ 917,885
Construction work in progress	98,390	-	27,355	71,035
Total capital assets not being depreciated - sewer	<u>1,016,275</u>	<u>-</u>	<u>27,355</u>	<u>988,920</u>
Capital assets being depreciated:				
Collection mains and services	10,359,465	447,376	-	10,806,841
Transmission mains	240,858	-	-	240,858
Gravity mains	64,865	-	-	64,865
Force mains	1,118,426	-	-	1,118,426
Flow meters	13,187	-	-	13,187
Electric pumping equipment	1,973,874	41,249	1,621	2,013,502
Transportation equipment	106,366	9,012	34,798	80,580
Communication equipment	4,542	528	-	5,070
Furniture and office equipment	104,254	600	850	104,004
Total capital assets being depreciated - sewer	<u>13,985,837</u>	<u>498,765</u>	<u>37,269</u>	<u>14,447,333</u>

Less Accumulated Depreciation – Sewer Department

	<u>Balance at July 01, 2007</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2008</u>
Collection mains and services	2,269,195	207,363	-	2,476,558
Transmission mains	83,727	4,817	-	88,544
Gravity mains	16,215	1,297	-	17,512
Force mains	385,428	22,369	-	407,797
Flow meters	3,406	264	-	3,670
Electric pumping equipment	621,956	49,192	282	670,866
Transportation equipment	86,610	13,634	34,798	65,446
Communication equipment	2,446	914	-	3,360
Furniture and office equipment	85,508	3,590	795	88,303
Total accumulated depreciation	<u>3,554,491</u>	<u>303,440</u>	<u>35,875</u>	<u>3,822,056</u>
Total capital assets being depreciated, net - sewer	<u>10,431,346</u>	<u>195,325</u>	<u>1,394</u>	<u>10,625,277</u>
Net capital assets - sewer	\$ <u>11,447,621</u>	\$ <u>195,325</u>	\$ <u>28,749</u>	\$ <u>11,614,197</u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

CAPITAL ASSETS (Continued)

Water Department

	<u>Balance at July 01, 2007</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2008</u>
Capital assets not being depreciated:				
Land and land rights	\$ 2,066	\$ -	\$ -	\$ 2,066
Capital assets being depreciated:				
Structures and improvements	35,953	-	-	35,953
Supply mains	1,240	-	-	1,240
Wells and springs	4,856	5,093	-	9,949
Pump equipment	17,030	1,205	-	18,235
Transmission and distribution lines	58,317	-	-	58,317
Services and meters	8,676	3,264	-	11,940
Hydrants	122	-	-	122
Total capital assets being depreciated - water	<u>126,194</u>	<u>9,562</u>	<u>-</u>	<u>135,756</u>

Less Accumulated Depreciation – Water Department

	<u>Balance at July 01, 2007</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2008</u>
Structures and improvements	12,670	1,152	-	13,822
Supply mains	403	31	-	434
Wells and springs	-	127	-	127
Pump equipment	7,190	1,253	-	8,443
Transmission and distribution lines	16,450	1,749	-	18,199
Services and meters	4,878	249	-	5,127
Hydrants	57	5	-	62
Total accumulated depreciation	<u>41,648</u>	<u>4,566</u>	<u>-</u>	<u>46,214</u>
Total capital assets being depreciated, net - water	<u>84,546</u>	<u>4,996</u>	<u>-</u>	<u>89,542</u>
Net capital assets - water	\$ <u>86,612</u>	\$ <u>4,996</u>	\$ <u>-</u>	\$ <u>91,608</u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

CAPITAL ASSETS (Continued)

Capital assets activity for the year ended June 30, 2009 was as follows:

Sewer Department

	Balance at <u>July 01, 2008</u>	<u>Additions</u>	<u>Retirements</u>	Balance at <u>June 30, 2009</u>
Capital assets not being depreciated:				
Land and land rights	\$ 917,885	\$ -	\$ -	\$ 917,885
Construction work in progress	<u>71,035</u>	<u>1,043,727</u>	<u>-</u>	<u>1,114,762</u>
Total capital assets not being depreciated - sewer	<u>988,920</u>	<u>1,043,727</u>	<u>-</u>	<u>2,032,647</u>
Capital assets being depreciated:				
Collection mains and services	10,806,841	13,605	-	10,820,446
Transmission mains	240,858	-	-	240,858
Gravity mains	64,865	-	-	64,865
Force mains	1,118,426	28,650	-	1,147,076
Flow meters	13,187	-	-	13,187
Electric pumping equipment	2,013,502	192,580	-	2,206,082
Transportation equipment	80,580	22,430	22,800	80,210
Communication equipment	5,070	21,343	3,540	22,873
Furniture and office equipment	<u>104,004</u>	<u>136,510</u>	<u>1,888</u>	<u>238,626</u>
Total capital assets being depreciated - sewer	<u>14,447,333</u>	<u>415,118</u>	<u>28,228</u>	<u>14,834,223</u>

Less Accumulated Depreciation – Sewer Department

	Balance at <u>July 01, 2008</u>	<u>Additions</u>	<u>Retirements</u>	Balance at <u>June 30, 2009</u>
Collection mains and services	2,476,558	216,284	-	2,692,842
Transmission mains	88,544	4,817	-	93,361
Gravity mains	17,512	1,297	-	18,809
Force mains	407,797	22,511	-	430,308
Flow meters	3,670	264	-	3,934
Electric pumping equipment	670,866	58,900	-	729,766
Transportation equipment	65,446	11,804	22,800	54,450
Communication equipment	3,360	3,083	2,844	3,599
Furniture and office equipment	<u>88,303</u>	<u>11,474</u>	<u>1,706</u>	<u>98,071</u>
Total accumulated depreciation	<u>3,822,056</u>	<u>330,434</u>	<u>27,350</u>	<u>4,125,140</u>
Total capital assets being depreciated, net - sewer	<u>10,625,277</u>	<u>84,684</u>	<u>878</u>	<u>10,709,083</u>
Net capital assets - sewer	\$ <u>11,614,197</u>	\$ <u>1,128,411</u>	\$ <u>878</u>	\$ <u>12,741,730</u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

CAPITAL ASSETS (Continued)

Water Department

	<u>Balance at July 01, 2008</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2009</u>
Capital assets not being depreciated:				
Land and land rights	\$ <u>2,066</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>2,066</u>
Capital assets being depreciated:				
Structures and improvements	35,953	38,329	-	74,282
Supply mains	1,240	-	-	1,240
Wells and springs	9,949	-	-	9,949
Pump equipment	18,235	-	-	18,235
Transmission and distribution lines	58,317	-	-	58,317
Services and meters	11,940	558	-	12,498
Hydrants	<u>122</u>	<u>-</u>	<u>-</u>	<u>122</u>
Total capital assets being depreciated - water	<u>135,756</u>	<u>38,887</u>	<u>-</u>	<u>174,643</u>
Less Accumulated Depreciation – Water Department				
	<u>Balance at July 01, 2008</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2009</u>
Structures and improvements	13,822	1,795	-	15,617
Supply mains	434	31	-	465
Wells and springs	127	255	-	382
Pump equipment	8,443	1,016	-	9,459
Transmission and distribution lines	18,199	1,749	-	19,948
Services and meters	5,127	322	-	5,449
Hydrants	<u>62</u>	<u>4</u>	<u>-</u>	<u>66</u>
Total accumulated depreciation	<u>46,214</u>	<u>5,172</u>	<u>-</u>	<u>51,386</u>
Total capital assets being depreciated, net - water	<u>89,542</u>	<u>33,715</u>	<u>-</u>	<u>123,257</u>
Net capital assets - water	\$ <u><u>91,608</u></u>	\$ <u><u>33,715</u></u>	\$ <u><u>-</u></u>	\$ <u><u>125,323</u></u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

CONSTRUCTION WORK IN PROGRESS

Construction work in progress is made up of the following at June 30, 2009:

Flowing Springs Sewer Treatment Plant	\$ 1,037,245
Norborne Glebe Project	9,689
Sheridan Project	8,403
Old Standard	27,582
Wormald/Beallair Project	15,934
Spruce Hill North Project	14,740
Jefferson Crossing II	<u>1,169</u>
	\$ <u>1,114,762</u>

The District is in the planning phase of construction of the Flowing Springs waste water treatment plant. The District estimated the cost of the 1 million gallons a day treatment plant to be approximately \$26.5 million. The District is planning to finance this project with West Virginia Department of Environmental Protection bonds in the amount of \$25.5 million at 0% interest for thirty years with a 1/2% administration fee. The District also received a \$1 million funding comment from the Jefferson County Development Authority. Through fiscal year ended June 30, 2009 the District has invested \$1,037,245 in engineering fees and other professional services that were financed through a Bond Anticipation Note payable of \$750,000 and operations.

The Norborne Glebe Project is an alternate main line extension that will service the Norborne Glebe subdivision. The project will service approximately 602 homes, of which 60 homes are currently on the billing system. This project is being built by the developer and upon completion will be turned over to the District, at which time the estimated total cost of the project will be recorded on the District's books as utility plant and capital contributions. Phase I was turned over to the District in September 2005. This is reflected in capital contributions and utility plant in the year ended June 30, 2006. The estimated date of completion for the remainder of the project is 2015 with an estimated total cost of \$500,000 (unaudited).

The District has an alternate main line extension agreement for the Sheridan development and four separate agreements for the associated Old Standard wastewater treatment plant. The agreements are; real estate purchase agreement, leaseback agreement, o & m agreement and an asset purchase agreement. The real estate purchase agreement and leaseback agreement stages have already taken place and the plant is currently constructed and serving the homes of Sheridan. It has not been turned over to the District from the developer as there is still small debt on the plant. The homes in Sheridan are customers of the developer until they turn the plant over to the District.

The Old Standard wastewater treatment plant is serving the customers from the Sheridan development. Customers are now residing at the Sheridan development. The developer deeded approximately 2.5 acres to the District for a treatment plant in September 2004. Fiscal year ended June 30, 2005 was retroactively restated to reflect this as a prior period adjustment in capital contributions and utility plant. This treatment plant is being built by the developer and eventually will be turned over to the District for \$1, at which time the estimated total cost of the plant will be recorded on the District's books as utility plant and capital contributions. The total estimated cost is approximately \$1,500,000 (unaudited), but in the future the total cost is estimated to be approximately \$4,500,000 (unaudited) as customers come on line.

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

CONSTRUCTION WORK IN PROGRESS (Continued)

The Wormald/Beallair Project is an alternate mainline extension that will service the Wormald/Beallair subdivision. The project will service approximately 400 homes, of which 2 are currently online; however, homes in which a commitment letter has not been executed timely, a flat monthly rate is being billed. This project is being built by the developer and upon completion will be turned over to the District for \$1, at which time the estimated total cost of the project will be recorded on the District's books as utility plant and capital contributions. The estimated cost is currently unavailable. The District has accepted 1 pump station and lines for 1-49.

The Spruce Hill North Project is an alternate mainline extension that will service the Spruce Hill North subdivision. The project will service approximately 130 homes, of which 5 are currently on the billing system. This project is being built by the developer and upon completion will be turned over to the District, at which time the estimated total cost of the project will be recorded on the District's books as utility plant and capital contributions. The total estimated cost is approximately \$100,000 (unaudited).

The Jefferson Crossing II project is a business area consisting of two (2) office buildings, two (2) strip malls, one (1) gas station, (1) car wash and two (2) restaurants currently online, with possible expansion occurring in future years. This will be turned over to the District in the future, at which time the estimated total cost of the project will be recorded on the District's books. The estimated cost is currently unavailable.

OTHER ASSETS

Future Utility Plant Preliminary Survey and Design Charges

These charges represent engineering, legal, accounting and other incidental costs incurred for the acquisition and or development of future sewer and water systems.

Other Assets-Capacity Upgrades

The District's contribution to the Charles Town wastewater treatment plant upgrade is being amortized over the remaining life (25 years) of the associated bonds. The carrying amount of this asset, net of amortization at June 30, 2009 and 2008 is \$928,020 and \$972,212, respectively. (See details on reclassification in Sewer Service Agreement note).

During fiscal year ending June 30, 2008 the District purchased capacity related to a pump station from the Municipality of Ranson in the amount of \$121,151. The District believes it will only need that capacity for about five years. The carrying amount of this asset, net of amortization at June 30, 2009 is \$72,691.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

REVENUE BONDS PAYABLE

2009

2008

The District was obligated under trust indentures with respect to the following sewer revenue bonds outstanding at June 30, 2009 and 2008:

Series - 1988 B sewer revenue bonds, original face value of \$425,767, payable in annual installments, with principal beginning in 1990 at \$10,917 at 0% interest and concluding October 10, 2028.

\$ 218,344 \$ 229,261

Series - 1993 A sewer revenue bonds, original face value of \$971,000, payable in quarterly installments, with principal beginning March 1, 1994 at \$12,138 at 0% interest and concluding December 1, 2013.

218,466 267,014

Series - 1998 A sewer revenue refinancing bonds, original face value of \$2,430,000, payable in annual installments, with principal and interest beginning October 1, 1998 at 4.15% increasing to 5.25% interest and concluding October 1, 2028.

1,945,000 2,000,000

Series - 1998 B sewer revenue bonds, original face value of \$599,089, payable in quarterly installments, with principal beginning September 1, 1999 at \$7,489 at 0% interest and concluding June 1, 2019.

299,529 329,485

Series - 1998 C sewer revenue bond, Infrastructure fund, original face value of \$662,039, payable in quarterly installments, with principal and interest beginning September 1, 2019 at 1% interest and concluding June 1, 2038.

662,039 662,039

Series - 1999 A sewer revenue bond, original face value of \$378,363, payable in quarterly installments, with principal beginning June 1, 2000 at \$3,154 at 0% interest and concluding March 1, 2030.

261,699 274,311

Series - 2000 A sewer revenue bonds, original face value of \$1,154,889, payable in quarterly installments with principal beginning March 1, 2002 at \$9,625 at 0% interest and concluding December 1, 2031.

866,160 904,656

Series - 2008 A sewer revenue bonds, original face value of \$2,005,000, payable in quarterly installments with principal beginning March 1, 2009 at \$16,709 at 0% interest and concluding December 1, 2038.

1,971,582 2,005,000

Total revenue bonds payable

\$ 6,442,819 \$ 6,671,766

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

REVENUE BONDS PAYABLE (Continued)

Maturities of sewer revenue bonds payable and interest payments for each of the next five years and in subsequent five-year increments succeeding June 30, 2009 are as follows:

<u>Year Ending June 30</u>	<u>Principal</u>	<u>Interest</u>
2010	\$ 267,365	\$ 100,794
2011	267,365	97,794
2012	272,362	94,794
2013	272,361	91,544
2014	253,087	88,294
2015-2019	1,209,063	383,738
2020-2024	1,331,514	294,409
2025-2029	1,499,826	132,803
2030-2034	619,128	12,242
2035-2040	450,748	3,207
	<u>\$ 6,442,819</u>	<u>\$ 1,299,619</u>

The bond issues are secured by a first lien on the revenues derived from the system and a statutory mortgage

All sewer revenue bonds are on parity with each other.

Sewer revenue bond activity for the year ended June 30, 2008 was as follows:

	<u>Balance at July 01, 2007</u>	<u>Additions</u>	<u>Deductions</u>	<u>Balance at June 30, 2008</u>
Series 1988 B	\$ 240,178	\$ -	\$ 10,917	\$ 229,261
Series 1993 A	315,562	-	48,548	267,014
Series 1998 A	2,055,000	-	55,000	2,000,000
Series 1998 B	359,441	-	29,956	329,485
Series 1998 C	662,039	-	-	662,039
Series 1999 A	286,923	-	12,612	274,311
Series 2000 A	943,152	-	38,496	904,656
Series 2008 A	-	2,005,000	-	2,005,000
Total sewer revenue bonds payable	<u>\$ 4,862,295</u>	<u>\$ 2,005,000</u>	<u>\$ 195,529</u>	<u>\$ 6,671,766</u>
Less: Current portion due in upcoming year				<u>228,947</u>
Long-term sewer revenue bonds payable at June 30, 2008 (net of current portion)				<u>\$ 6,442,819</u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

REVENUE BONDS PAYABLE (Continued)

Sewer revenue bond activity for the year ended June 30, 2009 was as follows:

	<u>Balance at</u> <u>July 01, 2008</u>	<u>Additions</u>	<u>Deductions</u>	<u>Balance at</u> <u>June 30, 2009</u>
Series 1988 B	\$ 229,261	\$ -	\$ 10,917	\$ 218,344
Series 1993 A	267,014	-	48,548	218,466
Series 1998 A	2,000,000	-	55,000	1,945,000
Series 1998 B	329,485	-	29,956	299,529
Series 1998 C	662,039	-	-	662,039
Series 1999 A	274,311	-	12,612	261,699
Series 2000 A	904,656	-	38,496	866,160
Series 2008 A	2,005,000	-	33,418	<u>1,971,582</u>
 Total sewer revenue bond payable	 \$ <u>6,671,766</u>	 \$ <u>-</u>	 \$ <u>228,947</u>	 \$ 6,442,819
 Less: Current portion due in upcoming year				 <u>267,365</u>
 Long-term sewer revenue bonds payable at June 30, 2008 (net of current portion)				 \$ <u>6,175,454</u>

The covenants contained in the bond issues include a required debt service coverage ratio of 115%. As of June 30, 2009 and 2008, the District's debt service coverage ratio was 109%, and 147% respectively. Each of the bond issues also requires monthly deposits to the renewal and replacement fund equal to 2 1/2% of monthly gross revenues less reserve funding requirements. For the years ended June 30, 2009 and 2008, the District fully funded the renewal and replacement reserve.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

REVENUE BONDS PAYABLE (Continued)

Legal Defeasance of Bonds

On January 19, 2006, the City of Charles Town issued Combined Waterworks and Sewage System revenue bonds Series 2006 A to advance refund the District's 2003 A and 2003 B Series bonds. The remaining balance of the District's Series 2003 A and 2003 B Series bonds were defeased as part of the transfer of the District's Huntfield assets and customers to the City of Charles Town per West Virginia Public Service Commission (PSC) order dated July 28, 2005. Net proceeds from the issuance of Charles Town's bonds, along with funds in the District's Debt Service and Debt Service Reserve funds for the 2003 A and 2003 B bonds were deposited into an irrevocable trust with an escrow agent to provide debt service payments on the 2003 series bonds until final maturity, June 2006 for Series B bonds and June 2014 for Series A bonds.

Legal defeasance occurs when debt is legally satisfied based on certain provisions in the debt instrument even though the debt is not actually paid. The advance refunding of the 2003 A and 2003 B bonds was a legal defeasance per the settlement agreement, and the escrowed amounts and bonds payable have been removed from the District's balance sheet for the year ended June 30, 2006. The amount of unpaid debt at the date of refunding was \$1,460,000. As a result of the advance refunding, the District reduced its total annual debt service requirement by approximately \$110,000. A net loss of \$90,724 was recognized on the transfer of the assets and defeasance of the debt. The outstanding principal of the defeased bonds are \$1,305,000 as of June 30, 2009. (See loss on transfer of facilities note for more detail.)

NOTES PAYABLE

Notes payable consist of the following:

	<u>2009</u>	<u>2008</u>
Sewer Department		
Bond anticipation note payable to the bank in the amount of \$750,000 at the fixed rate of 3.25%, principal due for engineering and other cost associated with the planning of the new treatment plant.	\$ <u>750,000</u>	\$ <u>-</u>
Water Department		
Note payable to the West Virginia Water Development Authority in the original amount of \$145,000 for the temporary financing of the preliminary design of the Blue Ridge Water Project, non-interest bearing, principal deferred (see terms in Deferred Cost of System Design Note), secured by the proceeds of any grants received, proceeds of any bonds, and surplus operating revenues.	\$ <u>145,000</u>	\$ <u>145,000</u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

CAPITAL IMPROVEMENT FEES

The District began collecting capital improvement fees in March 2005 for all new connections to the District's system pursuant to a PSC order dated March 28, 2005. This order was modified by an order dated January 30, 2009, to increase the amount of the capital improvement fee collected to \$7,500 from \$1,127 per equivalent dwelling unit.

As required by the previous order, new service connections that will be treated at the Charles Town waste water treatment plant, \$1,127 per equivalent dwelling unit will be maintained in a separate fund administered jointly by the District and, the City of Charles Town, and the Corporation of Ranson and shall only be used for the purpose of improving the Charles Town treatment facilities. The District collected \$37,191 and \$100,303 in fiscal years ended June 30, 2009 and 2008 respectively. The District remitted \$42,826 and \$96,922 to the joint account as of June 30, 2009 and 2008 respectively. The balance of \$0 and \$5,635 is reflected in the District's balance sheet as a current liability payable from the restricted cash as of June 30, 2009 and 2008 respectively.

Per the January 30, 2009 order, new sewer connections that will be treated at the District's Flowing Springs waste water treatment plant and the capital improvement fees collected in excess of amounts required to be remitted to Charles Town, are required to be used to pay down debt service of the construction bonds.

MISCELLANEOUS OPERATING REVENUES

Miscellaneous operating revenues - sewer department- consist of the following items:

	<u>2009</u>	<u>2008</u>
Transportation credits	\$ 37,498	\$ 41,495
System billing fees - water department	30,755	32,207
Sewer inspection fees	475	1,715
Disconnect/reconnect fees	1,190	930
Other miscellaneous revenue	<u>6,578</u>	<u>17,193</u>
Total	\$ <u>76,496</u>	\$ <u>93,540</u>

LEASE

In April 2008, the District entered into a (10) ten year facilities lease agreement with options to extend. The monthly lease payments start at \$5,782 for the first twelve months and escalate at a rate of 3% each year. Minimum future rental payments under non-cancelable operating lease are as follows:

2010	\$ 70,769
2011	72,892
2012	75,079
2013	77,331
2014	79,651
There after	<u>381,176</u>
Total minimum future rental payments	\$ <u>756,898</u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

SEWER SERVICE AGREEMENT

Effective for service rendered on and after May 1, 2005, by order of the Public Service Commission of West Virginia (PSC), the District is considered a bulk rate customer to the City of Charles Town, therefore, the specific formula used to calculate the amount charged for these sewer services in prior years was changed to include actual usage at a resale rate as stated in the City of Charles Town's sewer tariff, less resale and transportation credits, applicable only to the District. The bulk rate is reflected at gross in the supplemental schedule of operating expenses - sewer department under treatment and disposal rent. The credits are reflected as income in the District's financial statements. The resale credit, which is for the debt incurred by the District as part of the 2000 Charles Town treatment plant upgrade, is reflected as miscellaneous non-operating revenues.

As of July 1, 2005, the District's asset related to the Charles Town wastewater treatment plant upgrade was reclassified from utility plant in service to other assets on the balance sheet and is being amortized over the remaining life (25 years) of the associated bonds for the Charles Town wastewater treatment plant upgrades (Series 2000). The carrying amount of this asset, net of amortization at June 30, 2009 and 2008 is \$928,020 and \$972,212, respectively. The transportation credits are for reimbursement of fixed debt associated with lift stations to transport Charles Town's sewage from the former Sanitary Associates service area, and for flows from the former Sanitary Associates area. These credits are included in miscellaneous operating revenues. During the year ended June 30, 2009 and 2008, treatment expenses totaled \$574,015 and \$579,138, respectively.

Effective December 2005, per the Amendment to Sewer Service Agreement, the District must also remit to Charles Town, on a monthly basis, \$6.10 per equivalent dwelling unit for all new sewer service customers that connect to the sewer system on or after December 2005.

COMMITMENTS AND CONTINGENCIES

Retirement Contributions Payable

All full-time employees of the District are eligible and must participate in the state PERS. The pension plan provides pension benefits, deferred allowances, and death and disability benefits. A member may retire after reaching the age of 60 and accumulating 5 years or more of credited service in force. Benefits generally vest in varying degrees once a member attains 5 or more years of credited service in force. Employees who retire at age 60 with 5 or more years of credited service in force are entitled to pension payments for the rest of their lives equal to 2% of their final, three year average salary times the number of years for which they were employed by a participant in the state PERS.

Pension provisions include deferred allowance whereby an employee may terminate his or her employment with the District after accumulating 5 or more years of credited service in force, but before reaching the age of 60. If the employee does not withdraw his or her accumulated contributions, the employee is entitled to certain pension benefits in accordance with the West Virginia Public Employees Retirement Act.

Pension provisions include annuity options to provide benefits to a member's nominated beneficiary if so elected. In addition, disability retirement is provided for members who meet certain requirements as specified in the act.

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

Retirement Contributions Payable (Continued)

Employees of the District are required to pay 4.5% of their gross earnings to the pension plan. The District is required to make annual contributions to the plan equal to 10.5% of its covered payroll. The District made \$40,618 and \$37,482 of employer contributions to the plan for the years ended June 30, 2009 and 2008, respectively. Information regarding this plan is available from the State of West Virginia.

OTHER POST EMPLOYMENT BENEFITS

The District is an active participant with the West Virginia Public Employees Insurance Agency (PEIA), a cost-sharing multiple-employer defined benefit postemployment healthcare plan. PEIA provides medical benefits to retired employees and former employees of participating and non-participating West Virginia government entities. West Virginia Code, Chapter 5, Article 16, assigns the authority to establish and amend benefit provisions to PEIA. PEIA annually issues a publically available financial report that includes financial statements and required supplementary information. That report may be obtained online from PEIA's website: www.westvirginia.com/peia.

West Virginia Code, Chapter 5, Article 16 provides that contribution requirements of the plan and the participating employers are established and may be amended by PEIA. Participating employers contribute \$140 per month per participating employee.

Participating employers are contractually required to contribute at a rate assessed each year by PEIA. PEIA sets the employer contribution rate based on the annual required contribution of the employers (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities of the plan over a period not to exceed thirty years. The District has not contributed to the post employment health care plan.

Deferred Cost of System Design

The District entered into a contract for preconstruction engineering services for design of extensions and improvements to existing water systems in the Blue Ridge Mountain area of Jefferson County. A portion of the cost of these services was paid through a 1997 loan from the West Virginia Infrastructure Council.

As of June 30, 2001, the District's Board voted not to proceed with this project. According to the 1997 loan agreement, if on the 20th anniversary of the issuance of the note the District has not received any grants, other than Infrastructure Fund grants, has not issued obligations to repay the notes and has not constructed any improvements to its system, then the notes will convert to a grant and cancel the note. The District asked the Infrastructure Council to convert this note to a grant. The request was denied. The Infrastructure Council purported to modify the terms of the loan unilaterally, and requested repayment from the District under a unilaterally established repayment schedule. The District has never agreed to the revised terms. Further, before the District could commence making payment to the Infrastructure Council under their proposed revised terms, the District would need to obtain the approval of such revised terms from the Public Service Commission.

The District has neither sought nor obtained such approval from the Public Service Commission; therefore the District is prohibited from making any payments on this loan.

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

PUBLIC PRIVATE PARTNERSHIP

The District joined a public private partnership with Jefferson Utilities, Inc. ("JUI"). JUI owns a water system serving approximately 400 customers which is currently known as Mountain Water Systems. It is estimated that approximately \$16 million of improvements to the system would be required to improve compliance with the state regulatory requirements and provide adequate water supply.

In this partnership, the District is considered the project sponsor and will apply for all public funding. The District will also be responsible for bidding and applying for all necessary permits for the construction of the project, except for the application to the Public Service Commission for a certificate of convenience and necessity and for the approval of this agreement and the request for the Bureau for Public Health for a permit, all of which shall be submitted jointly.

The project facilities will be owned by the District and a user fee will be charged to JUI at a level necessary for the District to fully satisfy its financial obligations on the project funding including, as necessary, principal and interest payments, reserve requirements, renewal and replacement funding requirements, coverage requirements, and any of the District's managements costs related to the Mountain Water Systems.

The agreement will terminate upon the earliest of the following: (1) closing on funding for the project has not occurred by December 31, 2011; (2) closing has occurred on the District's exercise of its JUI purchase option; or (3) project funding has been fully amortized. The District invested approximately \$25,000 through June 30, 2009 related to this partnership.

SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION

Cash and cash equivalents consist of the following at June 30, 2009 and 2008:

	<u>2009</u>		<u>2008</u>	
	<u>Water</u>	<u>Sewer</u>	<u>Water</u>	<u>Sewer</u>
Cash	\$ 128,143	\$ 382,440	\$ 160,181	\$ 427,393
Restricted cash	<u>3,674</u>	<u>776,785</u>	<u>4,010</u>	<u>1,247,917</u>
Total	\$ <u>131,817</u>	\$ <u>1,159,225</u>	\$ <u>164,191</u>	\$ <u>1,675,310</u>

Schedule of Noncash Investing and Financing activities at June 30, 2009 and 2008 - Sewer:

	<u>2009</u>	<u>2008</u>
Bond financed note pay off	\$ <u>-</u>	\$ <u>926,785</u>
Bond financed payments to developers	\$ <u>-</u>	\$ <u>429,142</u>
Loss on dropped projects	\$ <u>(878)</u>	\$ <u>(10,266)</u>

Jefferson County Public Service District

NOTES TO FINANCIAL STATEMENTS (Continued)

June 30, 2009 and 2008

FLOWING SPRINGS WASTEWATER TREATMENT PLANT ANTICIPATED FUNDING

The District is in the planning phase for expansion of a developer donated, state-of-the-art wastewater treatment plant in the Flowing Springs watershed, also known as the Flowing Springs wastewater treatment plant, at an estimated cost of \$27.5 million. The District expects to finance the project for \$26.5 million at 0% interest with 1/2% annual administration fee for 30 years from the State Revolving Fund Program. The remainder of the project will be financed through developer contributions.

SUPPLEMENTAL INFORMATION

Jefferson County Public Service District

BUDGETARY COMPARISON SCHEDULE - WATER DEPARTMENT

For the year ended June 30, 2009

	<u>Budgeted Amounts Original</u>	<u>Budgeted Amounts Final</u>	<u>Actual Amounts Budgetary Basis</u>	<u>Budget to GAAP Differences Over (under)</u>	<u>Actual Amounts GAAP Basis</u>
REVENUES					
Operating revenues	\$ 50,500	\$ 50,500	\$ 50,198 (C)	\$ 174	\$ 50,372
Non-operating revenues	(B) <u>4,300</u>	<u>4,300</u>	<u>826</u>	<u>(826)</u>	<u>-</u>
Total revenues	<u>54,800</u>	<u>54,800</u>	<u>51,024</u>	<u>(652)</u>	<u>50,372</u>
REVENUE DEDUCTIONS BEFORE DEPRECIATION					
Operating expenses	<u>39,700</u>	<u>39,700</u>	<u>41,639</u>	<u>-</u>	<u>41,639</u>
Income before depreciation	15,100	15,100	9,385	(652)	8,733
DEPRECIATION					
(A) <u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>5,172</u>	<u>5,172</u>
Income before non-operating expenses	<u>15,100</u>	<u>15,100</u>	<u>9,385</u>	<u>(5,824)</u>	<u>3,561</u>
NON-OPERATING INCOME (EXPENSES)					
Interest income	(B) <u>-</u>	<u>-</u>	<u>-</u>	<u>826</u>	<u>826</u>
Interest expense	<u>-</u>	<u>-</u>	<u>-</u>	<u>(9)</u>	<u>(9)</u>
Total non-operating income (expenses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>817</u>	<u>817</u>
Increase (decrease) in net assets	15,100	15,100	9,385	(5,007)	4,378
Net assets at beginning of year	<u>255,934</u>	<u>255,934</u>	<u>255,934</u>	<u>255,934</u>	<u>255,934</u>
Net assets at end of year	\$ <u>271,034</u>	\$ <u>271,034</u>	\$ <u>265,319</u>	\$ <u>250,927</u>	\$ <u>260,312</u>

NOTES:

- (A) Non-cash items are not included for budgetary purposes.
- (B) For budgetary purposes, includes interest earned.
- (C) Miscellaneous revenues included in non-operating revenues for budgetary purposes.

See independent auditors' report.

Jefferson County Public Service District

BUDGETARY COMPARISON SCHEDULE - WATER DEPARTMENT

For the year ended June 30, 2008

	Budgeted Amounts <u>Original</u>	Budgeted Amounts <u>Final</u>	Actual Amounts Budgetary <u>Basis</u>	Budget to GAAP Differences <u>Over (under)</u>	Actual Amounts <u>GAAP Basis</u>
REVENUES					
Operating revenues	\$ 50,500	\$ 50,500	\$ 51,851 (C)	\$ 450	\$ 52,301
Non-operating revenues	(B) <u>4,300</u>	<u>4,300</u>	<u>4,235</u>	<u>(4,235)</u>	<u>-</u>
Total revenues	<u>54,800</u>	<u>54,800</u>	<u>56,086</u>	<u>(3,785)</u>	<u>52,301</u>
REVENUE DEDUCTIONS BEFORE DEPRECIATION					
Operating expenses	<u>39,700</u>	<u>39,700</u>	<u>43,406</u>	<u>-</u>	<u>43,406</u>
Income before depreciation	15,100	15,100	12,680	(3,785)	8,895
DEPRECIATION					
	(A) <u>-</u>	<u>-</u>	<u>-</u>	<u>4,566</u>	<u>4,566</u>
Income before non-operating expenses	<u>15,100</u>	<u>15,100</u>	<u>12,680</u>	<u>(8,351)</u>	<u>4,329</u>
NON-OPERATING INCOME (EXPENSES)					
Interest income	(B) <u>-</u>	<u>-</u>	<u>-</u>	<u>4,235</u>	<u>4,235</u>
Interest expense	<u>-</u>	<u>-</u>	<u>-</u>	<u>(3)</u>	<u>(3)</u>
Total non-operating income (expenses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,232</u>	<u>4,232</u>
Increase (decrease) in net assets	15,100	15,100	12,680	(4,119)	8,561
Net assets at beginning of year	<u>247,373</u>	<u>247,373</u>	<u>247,373</u>	<u>-</u>	<u>247,373</u>
Net assets at end of year	\$ <u>262,473</u>	\$ <u>262,473</u>	\$ <u>260,053</u>	\$ <u>(4,119)</u>	\$ <u>255,934</u>

NOTES:

- (A) Non-cash items are not included for budgetary purposes.
- (B) For budgetary purposes, includes interest earned.
- (C) Miscellaneous revenues included in non-operating revenues for budgetary purposes.

See independent auditors' report.

Jefferson County Public Service District

BUDGETARY COMPARISON SCHEDULE - SEWER DEPARTMENT

For the year ended June 30, 2009

	Budgeted Amounts Original	Budgeted Amounts Final	Actual Amounts Budgetary Basis	Budget to GAAP Differences Over (under)	Actual Amounts GAAP Basis
REVENUES					
Operating revenues	\$ 2,027,000	\$ 1,927,000	\$ 1,840,095 (F)	\$ 87,389	\$ 1,927,484
Non-operating revenues	(C) <u>170,000</u>	<u>142,000</u>	<u>128,435</u>	<u>(128,435)</u>	<u>-</u>
Total revenues	<u>2,197,000</u>	<u>2,069,000</u>	<u>1,968,530</u>	<u>(41,046)</u>	<u>1,927,484</u>
REVENUE DEDUCTIONS BEFORE DEPRECIATION					
Operating expenses	<u>1,637,885</u>	<u>1,587,885</u>	<u>1,578,240</u>	<u>-</u>	<u>1,578,240</u>
Income before depreciation	559,115	481,115	390,290	(41,046)	349,244
DEPRECIATION					
	(A) <u>-</u>	<u>-</u>	<u>-</u>	<u>330,434</u>	<u>330,434</u>
Income before non-operating expenses	<u>559,115</u>	<u>481,115</u>	<u>390,290</u>	<u>(371,480)</u>	<u>18,810</u>
NON-OPERATING INCOME (EXPENSES)					
Interest income	(C) -	-	-	10,355	10,355
Loss on disposal of assets	(A) -	-	-	25	25
Interest expense	(B) -	-	-	(116,187)	(116,187)
Amortization of debt issue expense and other assets - treatment plant upgrades	(A) -	-	-	(82,608)	(82,608)
Loss due to dropped projects	(A) -	-	-	(878)	(878)
Miscellaneous non-operating revenues	(A) <u>-</u>	<u>-</u>	<u>-</u>	<u>41,412</u>	<u>41,412</u>
Total non-operating income (expenses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>(147,881)</u>	<u>(147,881)</u>
Increase (decrease) in net assets before capital contributions	<u>559,115</u>	<u>481,115</u>	<u>390,290</u>	<u>(519,361)</u>	<u>(129,071)</u>
CAPITAL CONTRIBUTIONS					
	(A) (C) <u>-</u>	<u>-</u>	<u>-</u>	<u>13,246</u>	<u>13,246</u>
OTHER FINANCING SOURCES (USES)					
Renewal and replacement funds	(54,925)	(51,725)	(49,254) (E)	49,254	-
Debt service	(D) <u>(308,974)</u>	<u>(393,000)</u>	<u>(341,004)</u> (E)	<u>341,004</u>	<u>-</u>
Total other financing (uses)	<u>(363,899)</u>	<u>(444,725)</u>	<u>(390,258)</u>	<u>390,258</u>	<u>-</u>
Increase (decrease) in net assets	195,216	36,390	32	(115,857)	(115,825)
Net assets at beginning of year	<u>8,619,353</u>	<u>8,619,353</u>	<u>8,619,353</u>	<u>-</u>	<u>8,619,353</u>
Net assets at end of year	\$ <u>8,814,569</u>	\$ <u>8,655,743</u>	\$ <u>8,619,385</u>	\$ <u>(115,857)</u>	\$ <u>8,503,528</u>

NOTES:

- (A) Non-cash items are not included for budgetary purposes.
- (B) Interest expense is included in debt service for budgetary purposes.
- (C) For budgetary purposes, includes interest earned on debt service and other funds, capital contributions, developer guaranteed minimum payments and miscellaneous operating revenues.
- (D) Budget includes principal, interest, and funding of debt service and reserve funds.
- (E) Balance sheet transactions are excluded from revenues and expenses under GAAP.
- (F) Miscellaneous revenues included in non-operating revenues for budgetary purposes.

See independent auditors' report.

Jefferson County Public Service District

BUDGETARY COMPARISON SCHEDULE - SEWER DEPARTMENT

For the year ended June 30, 2008

	Budgeted Amounts Original	Budgeted Amounts Final	Actual Amounts Budgetary Basis	Budget to GAAP Differences Over (under)	Actual Amounts GAAP Basis
REVENUES					
Operating revenues	\$ 1,862,000	\$ 2,000,000	\$ 1,988,939 (F)	\$ 33,770	\$ 2,022,709
Non-operating revenues	(C) 86,400	148,000	168,438	(168,438)	-
Total revenues	<u>1,948,400</u>	<u>2,148,000</u>	<u>2,157,377</u>	<u>(134,668)</u>	<u>2,022,709</u>
REVENUE DEDUCTIONS BEFORE DEPRECIATION					
Operating expenses	<u>1,351,955</u>	<u>1,540,075</u>	<u>1,561,484</u>	-	<u>1,561,484</u>
Income before depreciation	596,445	607,925	595,893	(134,668)	461,225
DEPRECIATION (A)					
Income before non-operating expenses	<u>596,445</u>	<u>607,925</u>	<u>595,893</u>	<u>(438,108)</u>	<u>157,785</u>
NON-OPERATING INCOME (EXPENSES)					
Interest income	(C) -	-	-	38,668	38,668
Loss on disposal of assets	(A) -	-	-	(1,394)	(1,394)
Developer guaranteed minimum payment	(C) -	-	-	-	-
Interest expense	(B) -	-	-	(117,987)	(117,987)
Amortization of debt issue expense and other assets - treatment plant upgrades	(A) -	-	-	(81,209)	(81,209)
Loss due to dropped projects	(A) -	-	-	(10,266)	(10,266)
Miscellaneous non-operating revenues	(A) -	-	-	41,412	41,412
Total non-operating income (expenses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>(130,776)</u>	<u>(130,776)</u>
Increase (decrease) in net assets before capital contributions	<u>596,445</u>	<u>607,925</u>	<u>595,893</u>	<u>(568,884)</u>	<u>27,009</u>
CAPITAL CONTRIBUTIONS (A) (C)					
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
OTHER FINANCING SOURCES (USES)					
Renewal and replacement funds	(48,710)	(48,710)	(54,972) (E)	54,972	-
Debt service	(D) (393,000)	(393,000)	(319,186) (E)	319,186	-
Total other financing (uses)	<u>(441,710)</u>	<u>(441,710)</u>	<u>(374,158)</u>	<u>374,158</u>	<u>-</u>
Increase (decrease) in net assets	154,735	166,215	221,735	(194,726)	27,009
Net assets at beginning of year, restated	<u>8,592,344</u>	<u>8,592,344</u>	<u>8,592,344</u>	<u>-</u>	<u>8,592,344</u>
Net assets at end of year	\$ <u>8,747,079</u>	\$ <u>8,758,559</u>	\$ <u>8,814,079</u>	\$ <u>(194,726)</u>	\$ <u>8,619,353</u>

NOTES:

- (A) Non-cash items are not included for budgetary purposes.
- (B) Interest expense is included in debt service for budgetary purposes.
- (C) For budgetary purposes, includes interest earned on debt service and other funds, capital contributions, developer guaranteed minimum payments and miscellaneous operating revenues.
- (D) Budget includes principal, interest, and funding of debt service and reserve funds.
- (E) Balance sheet transactions are excluded from revenues and expenses under GAAP.
- (F) Miscellaneous revenues included in non-operating revenues for budgetary purposes.

See independent auditors' report.

Jefferson County Public Service District

SCHEDULES OF OPERATING EXPENSES - WATER DEPARTMENT

For the years ended June 30, 2009 and 2008

	<u>2009</u>	<u>2008</u>
SOURCE OF SUPPLY EXPENSES		
Repairs and maintenance	\$ 2,766	\$ 1,268
Operation supplies and expenses	<u>1,658</u>	<u>3,685</u>
Total	<u>4,424</u>	<u>4,953</u>
PUMPING EXPENSES		
Repairs and maintenance	2,752	764
Power gas and electric	16,131	
Operation supplies and expenses	<u>3,003</u>	<u>3,427</u>
Total	<u>21,886</u>	<u>4,191</u>
BILLING AND COLLECTING EXPENSES		
Meter reading, accounting and collection	<u>14,734</u>	<u>32,266</u>
ADMINISTRATIVE AND GENERAL EXPENSES		
Professional fees	-	1,033
Miscellaneous expenses	<u>595</u>	<u>963</u>
Total	<u>595</u>	<u>1,996</u>
Total operating expenses	\$ <u>41,639</u>	\$ <u>43,406</u>

See independent auditors' report.

Jefferson County Public Service District

SCHEDULES OF OPERATING EXPENSES - SEWER DEPARTMENT

For the years ended June 30, 2009 and 2008

	<u>2009</u>	<u>2008</u>
COLLECTING EXPENSES		
Operation labor	\$ 34,261	\$ 48,783
Supplies and expense	<u>7,635</u>	<u>32,412</u>
Total	<u>41,896</u>	<u>81,195</u>
PUMPING SYSTEM		
Operation labor	58,584	66,046
Power purchased for pumping	35,542	36,908
Pumping and supplies	23,508	27,374
Pumping maintenance	<u>69,086</u>	<u>84,732</u>
Total	<u>186,720</u>	<u>215,060</u>
TREATMENT AND DISPOSAL SYSTEM EXPENSES		
Operation labor	3,888	4,373
Supplies and expense	5,189	5,595
Treatment and disposal rent	<u>574,015</u>	<u>579,138</u>
Total	<u>583,092</u>	<u>589,106</u>
BILLING AND COLLECTING EXPENSES		
Meter reading, accounting and collection	<u>74,588</u>	<u>73,321</u>
ADMINISTRATIVE AND GENERAL EXPENSES		
General office salaries	195,014	175,140
Employee benefits	129,669	117,816
Office supplies and expense	73,243	69,563
Insurance	32,007	27,180
Professional fees	110,992	106,965
Miscellaneous general expense	21,536	20,812
Directors' fees	5,050	4,780
Rent	57,336	12,000
Regulatory commission expense and penalties	16,158	13,253
Transportation expense	4,022	6,189
Utilities	16,614	16,433
Bad debts	14,515	17,840
Repairs and maintenance	<u>15,788</u>	<u>14,831</u>
Total	<u>691,944</u>	<u>602,802</u>
Total operating expenses	\$ <u>1,578,240</u>	\$ <u>1,561,484</u>

See independent auditors' report.



REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

The Members of the Public Service Board
Jefferson County Public Service District

We have audited the accompanying financial statements of the business-type activities of the Jefferson County Public Service ("District") as of and for the years ended June 30, 2009 and 2008, which collectively comprise the District's basic financial statements and have issued our report thereon dated December 1, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

Our consideration of the internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies, or material weakness. However, as discussed below, we identified a certain deficiency in internal control over financial reporting that we consider to be a significant deficiency.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the District's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the District's financial statements that is more than inconsequential will not be prevented or detected by the District's internal control. We consider the deficiency described in the accompanying schedule of findings as 2009-1 to be a significant deficiency in the internal control over financial reporting.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the District's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we consider the significant deficiency described above, as item 2009-1 to be a material weakness.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under Government Auditing Standards and which is described in the accompanying schedule of findings as item 2009-2.

We noted certain matters that we reported to management of the District in a separate letter dated December 1, 2009.

This report is intended solely for the information and use of the District and its various regulatory agencies and is not intended to be and should not be used by anyone other than these specified parties.

CoxHollidaPrice LLP

Martinsburg, WV

December 1, 2009

Jefferson County Public Service District
SCHEDULE OF FINDINGS AND RESPONSES

For the year ended June 30, 2009

Internal Control

2009-1

Condition:

Timesheets for the payroll periods during January 2008 through June 2008 were not available for our testing.

Criteria:

All timesheets should be prepared by each employee and reviewed and approved by management. Timesheets noted above were not available to support payroll hours and management approval.

Effect:

Not all payroll checks had supporting timesheets to validate corresponding payroll check.

Recommendation:

We recommend that the District review its file retention and management policies to ensure that controls are adequate.

Audited Agency's Response:

We concur with the recommendation and the timesheets will be kept in storage after general manager review and approval.

Compliance

2009-2

Condition:

District did not maintain rates established at a sufficient level to enable a bond coverage ratio of 115% for revenue bonds. The June 30, 2009 revenue bond coverage ratio is 109%.

Criteria:

Revenue bond covenants require a minimum coverage ratio of 115% of amount required to pay the highest succeeding fiscal year debt service (principal and interest) on all revenue bonds outstanding after payment of operations.

Effect:

Coverage ratio is less than mandated by bond covenants.

Recommendation:

We recommend that the District maintain rates established at a level sufficient to provide a minimum coverage ratio of 115%.

Audited Agency's Response:

We concur with the recommendation. The District has submitted a rate case for a new tariff rate in order to meet future debt service coverage requirements.

#30

Division of
CRIMINAL
JUSTICE
SERVICES
 Department of Military Affairs
 & Public Safety

March 10, 2010

RECEIVED

MAR 15 2010

Jefferson County Commission

The Honorable Lyn Widmyer
 President
 Jefferson County Commission
 Post Office Box 250
 Charles Town, West Virginia 25414

Dear Commissioner Widmyer:

This letter will acknowledge receipt of your request for \$57,658.00 in
 Victims of Crime Act Assistance Program funds.

Should you have any questions, please feel free to contact me at (304)
 558-8814, extension 223.

Sincerely,

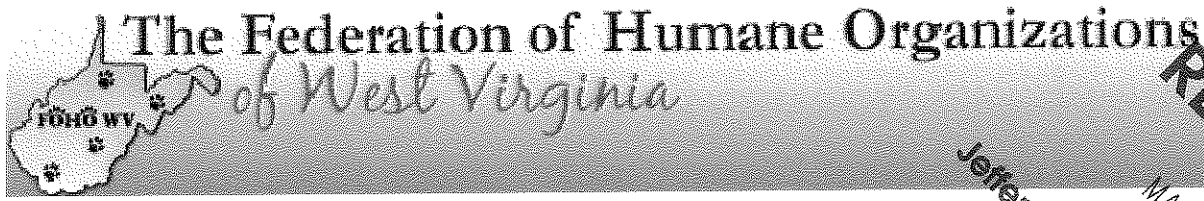


Nicholas W. Leftwich
 Justice Programs Specialist

NWL/amw

c: Ralph A. Lorenzetti





RECEIVED
 MAR 15 2010
 Jefferson County Commission

Attention County Commission:

2010 FOHO WV Conference on Animals

April 17, 2010 - Day's Hotel Conference Center, Flatwoods, WV

Who will attend: Shelter directors, humane society volunteers, **animal control officers, humane officers,** law enforcement officials, rescue coordinators, vet techs, and anyone who wants to network with others in the WV Animal Welfare Community.

There will be informative sessions throughout the day. The 3 sessions below are ones that your local animal control officer, dog warden or humane officer will not want to miss!

1) WV Animal Law Round Table Discussion: Panelists William Rhee is Associate Professor of Law at West Virginia University; Sylvia Shafer is Legislative Chairperson for The Kanawha/Charleston Humane Association; Summer Wyatt with The Humane Society of the United States. Moderator: Theresa Bruner. **A discussion about WV new and current animal laws that local authorities will not want to miss.**

2) Creating a Feral Cat Initiative: Presenter Kandi Habeb is the founder of Save a Kitty Feral Cat Program, Inc. Learn about the trials and tribulations of establishing a feral cat program and maintaining feral colonies with TNR (trap, neuter, return). This model program in Parkersburg, WV has decreased the number of cats entering the Wood County Animal Shelter. **Feral Cats are a problem facing animal control in communities throughout West Virginia.**

3) Emergency Medicine for Companion Animals: Presenter James Radcliffe, DVM is the owner and practicing veterinarian of Town and Country Animal Hospital in Wheeling, WV. Dr. Radcliffe will share a commonsense approach to treating animals in emergency situations. **Often animal control or the humane officer is faced with this emergency dilemma.**

We have speakers covering, Emergency Medicine for Companion Animals, WV Model Feral Cats Program, Effective Spay Neuter Programs, Indoor Cat Initiative, Round Table on WV Animal Law & more. This is being organized by FOHO WV (Federation of Humane Organizations of West Virginia). FOHO is an information network for animal issues within the state. Our conference is co-sponsored by HSUS, WV SNAP & of course FOHO WV.

Registration Includes: Attendees will receive continental breakfast, lunch buffet, morning & afternoon snacks, great prizes, the revised WV Animal Law Book, FOHO WV notebook & conference handouts – Registration fee is \$50 & must be received by April 9th.

Go to www.fohowv.org to download registration information about this great event.

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

FROM: PATTI HAMILTON



**THE COUNTY LEGISLATIVE LINE
Friday, March 12th, 2010**

Capitol Quotes:

"If there were page numbers, you'd see a 2 on the bottom." Attorney for House Judiciary explaining a revised bill where he forgot to add the page numbers

"We move to strike everything after the first sentence and then put that Chairman White failed to show up and everybody went home." Del. Manchin, proposing an amendment to House Finance minutes

"Of course, because I won't be watching television." Judiciary counsel to Sen. Barnes, who asked if he would have time to write an amendment on electronic stalking, based on something he saw on TV

"What if a swarm of killer bees gets loose?" Sen. Kessler questioning a representative from the apiary (beekeeping) industry on a bill giving them immunity

"I look at it as savings at the county level. It's actually attractive to me." Sen. Jenkins commenting on the \$5 million fiscal note based on assumption by the Regional Jail Authority that HB 4207 would cost the jails \$5 million

"Did you think of any way to backfill the loss?" Sen. Hall asking the Governor's legislative director about what would replace the personal property taxes if the constitutional amendment passes

"This is going to fuel the haves and the have-nots will never catch up." Sen. Browning commenting on the effect the constitutional amendment on personal property business tax exemption will have on counties

"The silence has been deafening as to support for this." Sen. Kessler, explaining that he has heard from no interest group asking for him to run HJR 101

This will be the last "Friday Fax" and email of the session. On Monday, I'll send out a wrap-up. The session ends at midnight on Saturday but there is little left to do so there has been some speculation at the capitol that they may adjourn early.

HJR 101, the Constitutional Amendment for Personal Property Tax Exemption, was discussed at length for a 2nd time Thursday morning in Senate Judiciary. The only organization to speak in support of the amendment during Wednesday's and Thursday's discussion was the County Commissioners' Association, stating that they supported the county authority and would reserve further comment until the enabling legislation was under consideration. The Manufacturers' Association stated today that, "The association does not look at the amendment and see that it helps existing business but we realize the Governor has a vision for future economic development and we do support that." No other business representatives nor any others except the Governor's legislative director spoke in favor of the amendment. A representative of the WV Center on Budget & Policy offered several points of information, noting that they were non-judgemental and non-partisan on issues. Their study findings include:

- HJR 101 would create a shifting of taxes from other general revenue budget items of the state to the schools to make up for loss of local share
- At some point, *all* equipment and inventory will be new, so eventually all of it would be exempt in those counties that enact it
- Manufacturers are currently located in the counties with the highest taxes, possibly because those same counties have the highest level of infrastructure
- A fiscal note prepared by the State Tax Dept. that states the fiscal impact as zero is correct in the short term but misleading in the long term
- The amendment would create an unlevel playing field for *existing* manufacturers
- It pits counties against counties; some are not in a position to give up revenue
- Generally, for every \$100 million in tax credits to businesses, there is a 20% gain in economic growth and a minimal effect on job creation
- The University of Kentucky did a major economic development study on workforce development vs. business tax reduction and found a 10 to 1 differential in impact from the tax credits over workforce development. Each job created by tax reductions would cost the state \$26,000 while each job created through workforce development cost the state \$2,500.
- In the Top Ten list of site selections, #1 is a trained workforce, #2 is low utility rates (WV has the 2nd lowest in country), and #3 is the value of the infrastructure. Taxes are ranked 8 & 9.

The conclusion was that there is a lack of information in WV, unlike Kentucky, and the committee was urged to further evaluate the value of tax reductions.

On Thursday afternoon, the committee quickly passed the bill out with a voice vote so weak it could barely be heard and sent it on to Senate Finance.

Other Bills of Interest to counties:

SB 218 – The Senate has concurred with house amendments on a Governor's bill that provides for early parole for certain 'non-violent' inmates

SB 232 – Transfer redemption of delinquent land sales from county clerks to State Auditor on 3rd reading, special calendar (should pass today)

SB 401 – An 'agreed upon' revision to property tax appeals process has been pulled to

the House Calendar (parking lot or graveyard) because of a pending amendment to provide a homestead exemption of 66% of the value (on a home of \$50,500 or less it would actually cause them to pay more than they currently do with the \$20,000 exemption!).

SB 443 – requiring DUI offenders participate in alcohol test & lock (interlock) never came out of a House committee and is probably dead

SB 463 – allows more grant funds to be allocated by Records Management and Preservation Board to counties was never taken up by House Finance

SB 471 – increase circuit clerks' copying fee from 50 cents to \$1 was amended to 75 cents and has passed; effective July 1, 2010

SB 493 – establishes salvage value for "21st Century Business Technologies Property" appears to be dead (although it was supposed to apply only to businesses that didn't exist here yet, it actually had many unintended potential losses of revenue for counties)

SB 533 – revises statutory language regarding child sexual exploitation for those who "procure, authorize or induce" has passed

SB 616 – revises civil service disciplinary procedures for deputy sheriffs; was not taken up in House committees and appears to be dead

SB 653 – allows court discretion for habitual offender sentencing; was of concern to prosecutors and they have been successful in getting it pulled to House Calendar

HB 4038 – establishes statutory lien on fire insurance proceeds for counties & municipalities to clean up fire debris after total loss; has completed legislative action

HB 4314 – states that the new NADA damaged value is not to be used for property taxation unless the vehicle is damaged; this bill had a salvage value for antique cars amended into it so the Tax Dept has decided to ask for their bill to be killed and will take care of the damaged value issue by administrative order

HB 4352 – establish business courts within existing circuits passed out of Senate ; has completed legislative action

HB 4460 – granting licensed real estate appraisers buy assessors' PF 11 & PF 12 forms for a fee of \$3; put in a Senate Government Organization subcommittee; most likely dead

HB 4486 – sheriff send tax tickets & other notifications on property taxes to occupants of those properties when mailing address of taxpayer differs from that of property ; 2nd reading

HB 4615 – authorize political subdivisions establish risk pools to insure workers compensation risks; 3rd reading (passage) Friday

These are just a few of the bills of interest to counties. If you look up a bill on the legislative web site: www.legis.state.wv.us be sure when checking the bill text that you look at the latest version. The committee substitute can be very different from the introduced version.

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

FROM: PATTI HAMILTON



**THE COUNTY LEGISLATIVE LINE
Monday, March 15th, 2010
"The Fall-Out"**

Capitol Quotes:

*"The Senator from Hancock will soon be leaving. We'll give you one more question."
Sen. Helmick to Sen. Bowman who is not running for re-election*

*"It's an attempt to get the amendment passed." Sen. Helmick commenting on the
suggested new title for the constitutional amendment, "Economic and Jobs
Development Amendment"*

*"Why don't we just call it 'And for the Sake of the Kids'?"...."My concern is the aspect of
misleading the public." Sen. Unger, making a motion to keep the original legalese title
of the amendment*

*"A new piece of equipment bought by an existing company doesn't create any new
jobs." Sen. Doug Facemire, commenting on HJR 101 Senate Finance on Friday*

*"It's a honey of a bill." Sen. Kessler explaining the apiary (beekeeping) bill on the
Senate floor, both bodies have gotten a lot of "buzz" from that bill!*

*"We'll be arm-twisted all day." Sen. Kessler to Rules Committee on Saturday morning,
when making a motion to postpone indefinitely HJR 101*

"They have already twisted everything I've got." Sen. Helmick, in response

*"If we had all the supporters of this bill at a public hearing, they would fit in the cockpit"
(of the Governor's plane). Sen. Kessler speaking to his motion to postpone HJR 101
(which it was determined could not be done procedurally by Rules Committee)*

As you can surmise from the quotes above, HJR 101, the proposed constitutional
amendment to allow the legislature to exempt all or components of

(parking lot or in this case, the graveyard) on Saturday morning by motion of Senator

Property tax bill lacks support

Governor sees measure as tool to boost economy

By BY HENDERSON
DAILY MAIL-CARROLL REPORTER

A proposed constitutional amendment that would allow counties to exempt some commercial and industrial businesses from property taxes narrowly cleared the Senate Judiciary Committee on Thursday.

The amendment, which is a key part of Gov. Joe Manchin's plan to help the state's economy, has little support, said the committee's chairman, Sen. Jeff Kessler, D-Mars Hill.

The silence has been short of deafening in support of this," Kessler said.

The legislation, which passed the House and is now headed to the Senate Finance Committee will go to the 60-day legislative session, would amend the constitution to allow the Legislature

to exempt new businesses or businesses that buy new equipment from the personal property tax on equipment and inventory.

If the amendment survives, county commissions would have the option of exempting property. Even if the measure passes the Legislature, it would need the approval of state voters.

The amendment is designed to spur economic development in the state.

Supporters point to the high taxes on businesses in West Virginia that are not imposed by other states. For instance, the average business in the state pays more than \$13,000 in personal property taxes on \$1 million worth of industrial machinery, according to data from the state Department of Revenue. In Kentucky, the same business would pay \$1,500.

Not county officials, who for the most part don't support the plan, say the taxes are important in paying for infrastructure and schools.

Others who are not in favor of the idea are teachers unions, left-leaning economists, several Senate lawmakers and the state's manufacturing association.

Karen Price, president of the West Virginia Manufacturers Association, said Thursday the bill "does not help" the existing manufacturing base because any cuts would not apply to existing equipment, only new businesses or new equipment.

Turn to **TAXES/3A**

CHARLESTON DAILY MAIL

Taxes

▲ Continued from 1A

Officials with the West Virginia Education Association say they also don't like the bill.

WVEA President Dale Lee said there is "no real plan" to recapture the money that could be lost by cutting taxes on businesses. And that could lead to layoffs, he said.

"That's not good enough for the children of West Virginia," Lee said.

Paul Miller, an analyst with the left-leaning West Virginia Center on Budget and Policy, said the tax cuts on businesses will shift taxes to someone else, namely personal taxpayers.

His organization found that changes to the tax laws made by Manchin and the Legislature since 2007 will cost the state nearly \$1 billion in revenue by 2015.

WVEA's Lee points out that the state's economy hasn't exactly flourished even with those changes.

But supporters of the amendment say cutting taxes on businesses will spur investment in the state, creating jobs and increasing revenue from payroll and other taxes.

Sen. Frank Deem, R-Wood, said by attracting business the state could grow its economy, which, in turn, could help fund education.

"The teachers want more pay, yet, the economic status of this state is flat," Deem said.

Critics say the amendment also could create an uneven playing field.

Because counties, which receive a significant portion of their revenue from property taxes, could choose to adopt the exemptions, some counties could cut taxes and others not.

That could mean those richer counties could afford to cut taxes while the poorer ones would be afraid to give up what little revenue they already receive. Critics argue that if the cuts did work to attract businesses, those poorer counties would then be left even worse off.

On the other hand, supporters say poorer counties would have nothing to lose.

However, critics say there's evidence that businesses aren't inclined to locate in a county simply because of the tax climate.

Lee argues they need an educated workforce, which can't exist without better schools, which can't exist without money.

If the amendment passes, it will be sent to state voters. If they approve, the Legislature would create rules on which properties would be exempt. Only after that would counties actually begin the tax cuts.

Patti Hamilton, executive director of the West Virginia Association of Counties, said her group's inactive members weren't a proponent of the amendment and protested to the manufacturing association's tepid reaction.

"The 'hawkish' support from those who might benefit speaks volumes for the support it will receive at the ballot," she said.

Contact writer Dy Edward at ry.edward@charlestonmail.com or 304-346-5195.

#33
Rec'd
3/17/10
JSM

Post Office Box 1350
Harpers Ferry, WV 25425
March 17, 2010

President Lyn Widmyer
Jefferson County Commission
Post Office Box 250
Charles Town, WV 25414

Re: 911 Communications Center Budget

Dear Commissioner Widmyer:

I am writing regarding the 911 Communications Center budget. I wish to encourage the Commission to eliminate or reduce certain non-essential budget line items. I also believe a review is in order to reduce the compensation of the 911 Communication Center's Director to a level commensurate with surrounding jurisdictions. Lastly, I urge the Jefferson County Commission to consider adopting the Berkeley County model where 911 center operations are funded by 911 fees on our phone bills, rather than from the county treasury.

The specific line items in the draft FY 2011 budget¹ I want the Commission to scrutinize are the following:

Maintenance/Repair of Automobiles	\$ 6,000
Automobile Supplies	\$ 4,500
Travel	\$ 7,500
Dues & Subscriptions	\$ 2,200
	<hr/>
Subtotal	\$ 20,200
Salary Adjustment	-\$ 24,000
Total Potential Savings	\$ 44,200

The first of these budgetary savings opportunities is the elimination of the Director's personal vehicle for the reason that he has no job duties that require a vehicle. The Director operates perhaps the most expensive vehicle in the County fleet. His 2006 4-wheel drive V8 Dodge Durango midsize SUV with the SXT trim package and a V8 4.7 liter 287 engine has a suggested retail price with freight of \$ 32,275.² With up to 21,000

¹ FY 2011 Draft Budget, Department 712 (copy attached)

² Vehicle equipment package was deduced from the VIN number supplied by Communications Director Jeff Polczynski in an April 4, 2008 email message to Paul Rosa (copy attached).

miles per year accumulating on this vehicle, it probably is the highest use vehicle in the County fleet.³

The Communications Director first tried to justify his need for a high-end 4-wheel drive vehicle so that he could reach a County antenna site.⁴ This justification is without merit because the Communications Director has no skills that could be of use at the antenna site. He is not a radio technician, he can't climb a tower and replace an antenna, nor can he fix any radio equipment. Rather than respond to the site himself, in the event of a malfunction the Communications Director should call the County's radio maintenance contractor to solve the problem.

During the course of a 2009 West Virginia Ethics Commission investigation⁵ of personal use of this County vehicle by Mr. Polczynski he attempted to assert two alternative justifications for his need for this vehicle: that he is entitled to a vehicle because he is a department head,⁶ and because his vehicle enables him to act as a communications officer in support of an incident commander in the field.⁷

The argument of entitlement because the Communications Director is a department head fails because there are other department heads that are not issued a vehicle. Mark Schiavone, Roger Goodwin and Jennifer Brockman all are department heads, yet they are not assigned vehicles.

The argument that the Communications Director may need to go to the field to provide communications support in major emergencies also fails. That is because in the event of a major incident, rather than reporting to the scene, the Jefferson County Emergency Emergency Operations Plan requires the Communications Director to **report to the Emergency Operations Center** and to direct communications activities **from this location**.⁸ If field support is needed, Jefferson County has purchased and equipped a motor home as a command post. This vehicle is situated next to the 911 communications center and should be driven to a scene by a dispatcher, rather than the Communications Director.

The bottom line is that the Communications Director has a desk job with no field responsibilities under any circumstances. Thus, as a citizen I ask that the Commission instruct the Communications Director to turn over the keys to this vehicle and that it not authorize any future replacement vehicle. This would result in an immediate budgetary benefit of \$10,500 for FY 2011, plus the avoidance of future capital and operating costs.

³ Jefferson County Commission Vehicle Fleet Study (June 2008), Department of Capital Planning and Management, p. 7 (excerpts attached)

⁴ April 4, 2008 Polczynski to Rosa email, *supra*... Polczynski stated "I don't know how you expect the communications director to get to a tower site on the top of a mountain without four wheel drive. Don't respond-I'm not open to your suggestion."

⁵ West Virginia Ethics Commission Conciliation Agreement & Order (CIC 2009-01) dated June 5, 2009 (copy attached)

⁶ *Id.*, at p. 1, Findings of Fact, Paragraph 4

⁷ *Id.*, at p. 1, Findings of Fact, Paragraph 3.

⁸ Jefferson County Emergency Operations Plan, Annex (B)(V)(B) (excerpts attached)

The next line item I wish to address is the \$7,500 travel expense. This seems to be a very generous perk. Although I have a FOIA request pending to review past travel receipts, I question how much of this expense is to attend conventions and conferences, and similar events. Can we really afford this in these hard times? I also question the \$8,500 Training & Education expense item. Training and education for whom, where and why? Is this just additional travel or a reasonable and necessary expense? I ask the Commission to closely examine this expense category.

As for the \$ 2,200 requested for dues and subscriptions, with a base salary (before perks) of \$ 80,000 per year, can't the Communications Director afford to pay his own professional society dues and buy his own magazines as most of us do in our respective professions?

Although it probably could not do so in time for the FY 2011 budget cycle, I would encourage the Commission to review the compensation of the Communications Director, and to reduce such compensation to bring it back in line with surrounding jurisdictions. Although I do not possess a copy, I am informed that the salary study produced for the Commission indicates that the Communications Director's base salary of \$ 80,000 per annum is 30% above the average salary in surrounding jurisdictions for similar duties. If this is the case, a \$ 24,000 per year downward salary adjustment is justified.

Lastly, I'd like to encourage the Commission to evaluate the funding model for the 911 Communications Center. I am informed that Berkeley County entirely funds its 911 operations out of the 911 fees assessed on telephone bills, rather than burdening the County coffers. If this is the case it would seem to make sense for the Commission to require Jefferson County's 911 Communications Center operations to be funded out of these fees. If this would force staffing adjustments, so be it. Let the Communications Director identify cost centers to adapt his or her operations to this new budgetary reality.

I thank you for the opportunity to comment on this department's FY 2011 budget request. It is my sincere hope that the Commission will sharpen their pencils to address specific line items I have highlighted and, unless the Communications Director can provide compelling reasons for retaining them, that you will eliminate them from the FY 2011 budget.

Sincerely,



Paul Rosa

cc: County Administrator Tim Boyd

FY 2011 Draft Budget

Account Number	Description	2009 Actual	2010 Approved	2010 YTD	2011 Request
001-712-01-103-000-PS-911	COMM CTR SALARY AND WAGES	950,365	968,573	491,383	970,357
001-712-01-104-000-PS-911	COMM CTR FICA EXPENSE	61,195	61,503	30,601	64,502
001-712-01-104-001-PS-911	COMM CTR MEDICARE EXPENSE	14,312	14,384	7,157	15,085
001-712-01-105-000-PS-911	COMM CTR GROUP INSURANCE	229,785	294,461	119,765	321,215
001-712-01-106-000-PS-911	COMM CTR RETIREMENT	106,176	110,943	52,528	127,545
001-712-01-108-001-PS-911	COMM CTR OVERTIME	73,038	40,000	27,962	50,000
001-712-01-108-002-PS-911	COMM CTR PARTTIME	17,132	10,000	6,806	20,000
001-712-01-110-000-PS-911	COMM CTR OTH FRINGE BENFT	0	0	0	
001-712-02-211-000-PS-911	COMM CTR TELEPHONE	69,954	138,955	42,179	118,756
001-712-02-212-000-PS-911	COMM CTR PRINTING	2,371	4,500	990	4,500
001-712-02-214-000-PS-911	COMM CTR TRAVEL	6,415	15,041	4,534	7,500
001-712-02-216-000-PS-911	COMM CTR MAIN/REP EQUIP	62,497	102,395	71,520	122,103
001-712-02-217-000-PS-911	COMM CTR MAIN/REP AUTOS	5,208	6,000	571	6,000
001-712-02-219-000-PS-911	COMM CTR BLDG/EQUIP RENTS	0	0	0	
001-712-02-220-000-PS-911	COMM CTR ADS/LEGAL PUBS	0	2,500	0	2,500
001-712-02-221-000-PS-911	COMM CTR TRAIN/EDUCATION	9,178	13,000	2,407	8,500
001-712-02-222-000-PS-911	COMM CTR DUES/SUBSCRIPTNS	2,375	2,200	2,396	2,200
001-712-02-223-000-PS-911	COMM CTR PROF SERVICES	18,225	24,700	6,000	22,400
001-712-02-226-001-PS-911	COMM INS/BONDS/WV	0	0	0	
001-712-02-230-000-PS-911	COMM CTR CONTRCTD SERVICE	28,930	10,177	428	2,225
001-712-02-236-000-PS-911	911 REFUND MONITOR FEES	0	0	0	
001-712-03-341-000-PS-911	COMM CTR MAT/SUPPLIES	24,622	18,000	9,264	12,000
001-712-03-343-000-PS-911	COMM CTR AUTO SUPPLIES	4,849	6,000	1,397	4,500
001-712-03-345-000-PS-911	COMM CTR UNIFORMS	0	0	0	
001-712-03-353-000-PS-000	COMM CTR SOFTWARE	0	0	0	4,000
	TOTALS	1,686,626	1,843,332	877,888	1,885,888

Subject: RE: FOIA
From: "Jeffrey A. Polczynski, ENP" <jpolczynski@jeffersoncountywv.org>
Date: Fri, 4 Apr 2008 16:40:10 -0400
To: "paul rosa" <paul.rosa@frontiernet.net>
CC: "Leslie D. Smith" <ldsmith@jeffersoncountywv.org>

I don't know where you are going with this.

I did hear that you were questioning why the Commission issued me a four-wheel drive vehicle. I don't know how you expect the communications director to get to a tower site on the top of a mountain without four wheel drive. Don't respond - I'm not open to your suggestion.

I would expect that you could walk up to my vehicle and look through the window and write down the VIN number if you needed it so desperately.

Anyways, the VIN is 1D4HB38N56F188943

I didn't treat this like a freedom of information act request. Any future requests under the freedom of information act must be presented to the communications center in writing via formal letter so that we may stamp the received date/time in compliance to the Freedom of Information Act. An email requesting the information under the freedom of information is not sufficient as emails may be treated as spam, filtered by the system, or otherwise simply lost. The next time you have an FOIA request, you must send a formal letter.

Jeff

Jeffrey A. Polczynski, ENP
Director of Communications
Jefferson County Emergency Communications
Jefferson County, West Virginia
~An EMD Accredited Center of Excellence~

Phone: 304-728-3317
Fax: 304-725-4434
Blackberry: 304-279-1823

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

From: paul rosa [mailto:paul.rosa@frontiernet.net]
Sent: Monday, March 31, 2008 11:40 PM
To: Jeffrey A. Polczynski, ENP
Subject: FOIA

Mr. Polczynski:

This is a Freedom of Information Act request.

The record I request is the VIN number for the Dodge Durango vehicle that you drive. As previously stated in prior requests, I will expect your response within 5 days. Thank you for your courtesy.

Paul Rosa

6/5/2008 7:00

*City Admin
Comments
on
Study
&
Fee*

Vehicle Fleet Study

Jefferson County Commission

F. Mark Schiavone

Kirk Davis

Department of Capital Planning and Management

June 2008

Contents

1.0 Overview	2
1.1 Study Scope.....	2
1.2 Fleet Overview	2
1.3 Costs Overview	2
2.0 Fleet Operational Costs	3
Table 1. Annual Fuel Costs by Department and Fiscal Year	3
2.1 Annual Operating Costs	6
2.2 Current Cost Savings.....	7
3.0 Recordkeeping and Accountability	8
4.0 Summary of Recommendations	9
4.1 Fleet Management	9
4.2 Recordkeeping/Accountability.....	9
4.3 Fleet Composition	9
4.4 Take Home Privileges	10
4.5 Additional Cost Savings.....	10

The mileage accrued by county vehicles varies significantly. The top 10 high mileage vehicles are listed in Table 4, while the 10 lowest mileage vehicles are presented in Table 5. The 1999 Jeep Cherokee mileage in FY 2006 of 163,377 most likely represents an artifact of data entry.

Table 4. Top 10 Vehicles - Miles driven per year

Department	Vehicle Name	FY	Miles
OEM	1999 Jeep Cherokee	2006	163377
OEM	2001 Jeep Cherokee	2006	62507
OEM	1999 Jeep Cherokee	2007	58622
Engineering	2002 Steel Blue Jeep Liberty	2007	37030
Maintenance	2002 Ford F-250	2006	32254
911	2006 Dodge Durango	2007	20769
Animal Control	1997 White Ford Ranger	2006	20427
911	2006 Dodge Durango	2008	19929
911	2001 Jeep Cherokee Sport	2006	19123
Animal Control	2005 White Ford Ranger	2007	17772

Source: DCPM analysis of Department of Maintenance Records.

Table 5. 10 Least Driven Vehicles - Miles per year

Department	Vehicle Name	FY	Miles
Animal Control	2000 White Ford Ranger	2006	161
Maintenance	2000 Dodge Ram 3500	2006	398
Engineering	2006 Ford Explorer Gray	2007	501
Engineering	2006 Ford Explorer Gray	2008	561
OEM	1999 Jeep Cherokee	2008	801
Engineering	2005 Chevy Trailblazer	2008	1373
Engineering	2003 Silver Ford Explorer	2006	1541
Maintenance	1994 White Cherokee Sport	2006	1692
Engineering	2005 Chevy Trailblazer	2007	1765
Engineering	2006 Ford Explorer Gold	2007	2043

Source: DCPM analysis of Department of Maintenance Records. Some of these data are artifactual. If a vehicle was purchased late in a fiscal year the reported mileage for that year will be abnormally low.

2.2 Current Cost Savings

The County enjoys cost savings in the management of its vehicle fleet in three areas: First, we utilize the state schedule for vehicle purchases, resulting in a significant reduction in new vehicle cost relative to manufacturer's listed price. Second, the County participates in the insurance underwriting program from the State Board of Risk Insurance Management (BRIM). Third, we utilize local vendors for vehicle maintenance work. The FY 2008 repair costs come to \$15,579 (c.f. Table 2). Such a relatively low cost for a high-mileage, 21-vehicle fleet suggests that the current policy of utilizing third parties for repairs and maintenance should continue.

COPY

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

IN RE:

JEFFREY POLCZYNSKI

CIC 2009-01

CONCILIATION AGREEMENT

The West Virginia Ethics Commission and Jeffrey Polczynski freely and voluntarily enter into the following Conciliation Agreement pursuant to West Virginia Code § 6B-2-4(s) to resolve all potential charges that could arise under the Ethics Act.

FINDINGS OF FACT

- (1) Jeffrey Polczynski is the Jefferson County West Virginia Addressing Coordinator and Jefferson County Director of Communications at all times herein.
- (2) As Director of Communications, Polczynski is in charge of all emergency communications for Jefferson County, West Virginia, and is on call twenty-four hours per day, seven days per week.
- (3) Jefferson County issued Jeffrey Polczynski a 2006 Dodge Durango to drive in the performance of his job duties. This Durango is an emergency equipped vehicle containing emergency communications equipment and gear. The equipment may be used at the scene of an emergency as a communications support vehicle enabling Polczynski to act as a communications officer in support of an incident commander. There are two such vehicles within the Emergency Communications Department. One of these vehicles is assigned as the Director's vehicle; the other is located at the Emergency Communications Center and may be taken by a dispatcher to the scene of any emergency.
- (4) In 2000, Polczynski negotiated his current employment contract with Jefferson County at which time he was promised the use of a County vehicle due to his position as department head. The County never defined, orally or in writing, any policy or limitation regarding the scope of his use of said vehicle. Being on call at all hours for Jefferson County, Polczynski assumed he could use the county issued vehicle for personal purposes since he might be required to respond to an emergency when he was on personal time out of the area and could simply respond to the scene of the emergency without first returning to his residence to pick up said vehicle.

Initials



- (5) Throughout 2007 and 2008, Jeffrey Polczynski repeatedly drove the County issued vehicle for personal travel, including trips out of state.
- (6) Specifically, on February 10, 2007, Jeffrey Polczynski drove the County vehicle to Skate Frederick Hockey Rink in Frederick, Maryland. Shortly after leaving the rink, Polczynski was stopped by a Frederick police officer for erratic driving. Jeffrey Polczynski identified himself to the officer as the head of the Jefferson County 911 operations twice shortly after being pulled over.
- (7) When the officer asked Jeffrey Polczynski for his telephone number, he instead offered his business card and repeated that he was the head of 911 for Jefferson County, West Virginia. The officer told him to keep his business card, and again requested his telephone number, Jeffrey Polczynski then asked: "What about professional courtesy?" He repeated this question throughout the remainder of the encounter.
- (8) Jeffrey Polczynski also drove the County vehicle to his court appearance in Frederick on April 17, 2007.
- (9) At all times relevant herein, Jefferson County did not have in place a vehicle use policy explaining acceptable use of County issued vehicles.
- (10) Jeffrey Polczynski, after considerable reflection now understands that he should no longer use the County issued vehicle for personal travel, and to that end, he has no longer used said vehicle for personal travel upon learning of the instant complaint.

ALLEGED VIOLATION

W. Va. Code § 6B-2-5(b) provides that a public official or public employee may not knowingly and intentionally use her office or the prestige of her office for her own private gain.

CONCILIATION OF VIOLATION

I, Jeffrey Polczynski, freely and voluntarily acknowledge that I should not have used my public office for personal gain. I further acknowledge that, based upon my current knowledge and understanding of the West Virginia Governmental Ethics Act, I violated the

Initials 

Ethics Act by driving the County issued vehicle for personal travel and by failing to reimburse the County for the value derived therefrom. I further acknowledge that I violated the Ethics Act by attempting to use my position to obtain favorable treatment from a police officer.

In Order to resolve this matter, I enter this agreement. By signing this agreement, I agree to the imposition of sanctions by the West Virginia Ethics Commission

For this Conciliation Agreement to be finalized, the Commission must approve the Agreement and must further make determination concerning which sanctions to impose.

In consideration for the settlement of this matter, I agree to the Commission's imposition of the following sanctions:

- (1) Cease and Desist Order;
- (2) Order of restitution for money, things of value, or services taken or received in violation of this chapter not to exceed \$1,000.00; and
- (3) Fine not to exceed \$1,500.00.

I agree to pay \$416.66 within thirty days of the entrance of this Order, and the remaining amount in six equal monthly installments thereafter.

By signing this Agreement, I hereby acknowledge and agree that the Commission will impose only the sanctions listed above. In the event the Commission enters an Order imposing any sanction exceeding or in addition to those specifically set forth herein, then this Conciliation Agreement is null and void.

Further, I waive the opportunity to appear before the Ethics Commission.

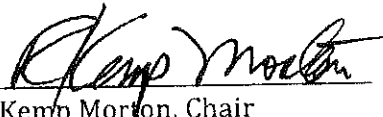
If the Ethics Commission approves the agreement, it will enter an Order in which it approves the agreement and sets forth the sanctions listed above.

Initials RB

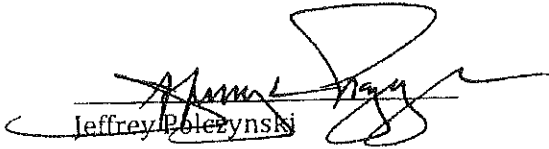
By entering this Conciliation Agreement, Respondent does not admit, but rather hereby specifically denies, that he has violated any civil, penal or administrative law, statute, ordinance or regulation, except those violations of the West Virginia Ethics Act, specifically set forth hereinabove. The Commission and Jeffrey Polczynski, further expressly agree that this Conciliation Agreement, and the terms and provisions hereof, may not be used in relation to nor admitted into evidence in any proceeding before any state, county or local court, tribunal or administrative agency; expressly excepting therefrom, that the Commission retains its rights under the Ethics Act to seek judicial enforcement of this Conciliation Agreement and the Commission's Order contemplated hereby in the event that Respondent violates any of the terms of this Conciliation Agreement, including but not limited to, timely payment of the penalties and sanctions imposed by the Commission.

Both parties understand that, pursuant to W.Va. Code § 6B-2-4(s), the Conciliation Agreement and Commission Order must be made available to the public.

Date: 06/04/09


Kemp Morton, Chair
W.Va. Ethics Commission

Date: 4/27/2009


Jeffrey Polczynski

Initials



COPY

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

IN RE:

JEFFREY POLCZYNSKI

CIC 2009-01


COMMISSION'S ORDER

After considering the foregoing FINDINGS OF FACT, RELEVANT LEGAL PROVISIONS and CONCILIATION OF VIOLATION, the West Virginia Ethics Commission finds that the Conciliation Agreement is in the best interest of the State and the Respondent, as required by West Virginia Code § 6B-2-4(r). In accordance with West Virginia Code § 6B-2-4(q), the Commission imposes the following sanctions:

- (1) The West Virginia Ethics Commission hereby Orders Respondent Polczynski to reimburse the Jefferson County Commission \$1,000.00 for the use of the vehicle. This sum shall be remitted to the County in six monthly installments, the first to be paid within thirty (30) days of the entrance of this Order;
- (2) The West Virginia Ethics Commission hereby Orders that Respondent Polczynski pay a fine of \$1,500 to the West Virginia Ethics Commission. The fine is to be paid in six monthly installments, the first to be paid within thirty (30) days of the satisfaction of Respondent's restitution payment set forth above; and
- (3) Respondent Polczynski shall cease and desist from using his county issued vehicle for personal purposes.

Date

06/05/09


Kemp Morton, Chair
W. Va. Ethics Commission

Initials



**DUTY AND LOCATION ASSIGNMENTS
FOR
JEFFERSON COUNTY OFFICIALS
IN THE EVENT OF A MAJOR EMERGENCY INCIDENT**

Jefferson County Homeland Security & Emergency Management Director

When an emergency develops, the JCHSEM Director assumes direction and control of the emergency response operations *from the activated Emergency Operations Center (EOC).*¹ (emphasis added)

Communications Director

The Jefferson County Communications Officer *will report to the Emergency Operations Center (EOC)* upon its activation. *From this location* he/she will provide direction and control over all communications activities within the county and coordinate with other EOC representatives.² (emphasis added)

¹ Jefferson County Emergency Operations Plan, Annex A(III)(B)(2), p. A-2.

² Jefferson County Emergency Operations Plan, Annex (B)(V)(B).

911 Communications Center Selected Expenses

<u>Date</u>	<u>Description</u>	<u>Amount</u>
01/21/10	EMD Re-Accreditaton NAED	2,250.00
10/29/09	2010 Annual Dues APCO International	1,702.00
02/09/09	2010 Membership Dues WV Enhanced 911 Council	95.00
01/05/09	09 Recert/Membership/LLNS/WV Enhanced 911 Council	405.14
10/01/09	2010 Membership Dues NENA/J Polczynski	120.00
02/10/09	Weapons Training	60.00
11/25/09	Weapon System RTR Maintenance	121.00
09/24/09	Annual Fee/Weapon Recertification/WV Enhanced 911 Council	310.14
03/20/09	Tri-State Annual Banquet	360.00
04/09/09	Water Bottles/Wallets	426.20
11/13/08	Calendar	35.82
09/16/08	Smokers Outpost (Ashtray)	326.98
11/25/08	Calendar	129.75
10/19/09	Calendars	151.75
02/24/09	Plaques/Signs	280.00
12/09/08	Tires	528.80
02/26/09	Tires	294.16
12/17/09	Tires	925.92
	One-Year Total Tire Expense	<u>1,748.88</u>
10/16/08	Training Class-Shooter Cares	2,000.00
05/14/09	Training CTO Classes First Contact 911	1,750.00
10/16/08	Training Public Safety Center, Inc.	2,000.00



RECEIVED

MAR 16 2010

JEFFERSON COUNTY COMMISSION

Lyn Widmyer, President
Jefferson County Commission
P.O. Box 250
124 E. Washington St.
Charles Town, WV 25414

Dear Ms. Widmyer:

Pursuant to the Worker Adjustment and Retraining Notification (WARN) Act, this notice is to inform you that layoffs may occur from Dell Perot Systems Government Services (PSGS) due to the end of a contract and the subsequent loss of the work with the customer. This contract work is performed within your jurisdiction. Security regulations prevent disclosure of the customer name, contract information, or the address of the work site.

This contract is scheduled to end on May 31, 2010. This is a mass layoff. It is possible, but not guaranteed, that workers whose employment with PSGS ends will receive offers of employment with other companies who will be performing the work under the new contract.

The number of employees in each affected job category is shown below:

HUMAN RESOURCE SPECIALIST	2
PROCUREMENT PRODUCT SPECIALIST	2
PROGRAM MANAGER	1
SYSTEMS ANALYST	1
TECHNICAL MANAGER	4
APPLICATIONS PROGRAMMER	42
CONFIGURATION MANAGEMENT SPECIALIST	1
DATABASE ADMINISTRATOR	11
DOCUMENT MANAGEMENT SPECIALIST	9
FUNCTIONAL AREA MANAGER	14
SOFTWARE SYSTEMS SPECIALIST	21
SYSTEM SUPPORT SPECIALIST	19
SYSTEMS ANALYST	6
TESTER	8
WORD PROCESSOR	2
TOTAL	143

It is anticipated that any layoffs will commence between May 18, 2010 and May 31, 2010. Workers do not have any bumping rights. There are no unions at this work site.

For further information, please contact Jim Rittinger, Associate General Counsel, at 703-289-7672.

Sincerely,

Michael J. Murray
Program Director
Dell Perot Systems Government Services

RECEIVED

MAR 15 2010

Jefferson County Commission

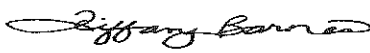
Jefferson County Commission - E911
110 E Washington Street
Charles Town, WV 25414

E911

Reporting Period: February 01, 2010 - February 28, 2010
FEIN: 202758841
Company Name: Vonage America c/o BillSoft Services, Inc.
10100 W 87th St.
Suite 200
Overland Park, KS 66212-4628
Phone: (913) 859-9674
Fax: (913) 438-9260

Month Collected for : 02/01/10 - 02/28/10
Contact Name: Tiffany Barnes
Date Remitted: 03/20/10

	<u>Residential</u>		<u>Centrex</u>
# Lines	<u>1,049</u>	# Lines	<u>0</u>
Tax Rate	<u>2.90</u>	Tax Rate	<u>0.00</u>
Amount Billed	<u>3,042.10</u>	Amount Billed	<u>0.00</u>
Admin Fee	<u>0.00</u>	Admin Fee	<u>0.00</u>
Net Remittance	<u>3,042.10</u>		<u>0.00</u>
Total Remittance		<u>3,042.10</u>	

Signed:  03/08/10
Date

Name & Title: Tiffany Barnes, Preparer

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

Handwritten initials

VONAGE TAX ACCOUNT
23 MAIN STREET
HOLMDEL, NJ 07733

CHASE
JPMorgan Chase Bank, N.A.
Syracuse, New York
50-937-213

3/12/2010

PAY TO THE ORDER OF Jefferson County Commission

\$ 3,042.10

DOLLARS

Three Thousand Forty Two And 10/100-----

Jefferson County Commission - E911

110 E Washington Street
Charles Town, WV 25414

Tanya Brauster
AUTHORIZED SIGNATURE

MEMO

2/1/2010 - 2/28/2010: FEIN202758841: Jefferson County WV Generic E911 Dual
Remittance Form

⑈040489⑈ ⑆021309379⑆

957087071⑈

Security features. Details on back.

USD

CITIZENS: CHKREQTAX 2021823 001 CHECK DATE: 3/12/2010 CHECK NO: 56225497

INVOICE NO.	DATE	GROSS AMOUNT	DISCOUNT AMOUNT	NET AMOUNT
48319 004-WVE911JERF	3/11/2010	51,280.25	.00	51,280.25
		51,280.25	.00	51,280.25

RECEIVED

MAR 17 2010

Jefferson County Commission

QUESTIONS? PLEASE CALL 1-800-209-9963.

REMOVE DOCUMENT ALONG THIS PERFORATION

THIS IS WATERMARKED PAPER. DO NOT ACCEPT WITHOUT NOTING WATERMARK. HOLD TO LIGHT TO VERIFY WATERMARK.

CITIZENS communications
Citizens Communications Company
3 High Ridge Park
Stamford, CT 06905

HSBC BANK USA
ONE HSBC CENTER
BUFFALO, NEW YORK 14203

DATE: 3/12/2010
NET AMOUNT: 56225497

*** VOID AFTER 1 YEAR ***

\$ 51,280.25

DOLLAR FIVE ONE EIGHT TWO ZERO PERIOD TWO FIVE

PAY Fifty-One Thousand Two Hundred Eighty and 25/100* Dollars

PAY TO JEFFERSON COUNTY COMMISSION
PO BOX 250
CHARLESTOWN WV 25414

C1082913

⑈56225497⑈ ⑆026306822⑆ 797⑈02973⑈7⑈

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

CITIZENS communications
180 SOUTH CLINTON AVENUE
ROCHESTER, NY 14646-0300

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
ROCHESTER, NY
Permit No. 1006

JEFFERSON COUNTY COMMISSION
PO BOX 250
CHARLESTOWN WV 25414


Telecommunications Company
CTC of West Virginia
3 High Ridge Park
Stamford, CT 06905

County of Jefferson E-911, WV

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

FEIN No: 06-1449041
Report Month: Feb-10

A. Gross Line Count	17,652.00
B. Less Adjustments	0.00
C. Net Line Count	17,652.00
D. Line Rate	2.90
E. Surcharge Billed	51,190.80
F. Centrex Line Count	2,310.95
G. Centrex Line Rate	0.725
H. Surcharge Billed	1,675.44
I. Administrative Fee Rate	0.03
J. Administrative Fee Taken	1,585.99
K. Net Surcharge Remitted	51,280.25

Signature: 
Name: Joe Morabito
Title: Tax Accountant
Phone: 203-614-5105

Date: 3/11/2010

Public Service Commission
Of West Virginia

201 Brooks Street, P. O. Box 812
Charleston, West Virginia 25323



Phone: (304) 340-0300
FAX: (304) 340-0325

March 11, 2010

RECEIVED

MAR 11 2010

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

Jefferson County Commission

SUBJECT: Disbursement of Wireless E-911 Subscriber Fees

Dear County Commissioner:

A check in the amount of \$159,991.13 representing a disbursement of Wireless E-911 subscriber fees **will be mailed directly from the West Virginia State Auditor's Office.** This amount is your County's share of the fees remitted to the Public Service Commission for the months of December 2009, January and February 2010. The next disbursement will be in three months.

I can be reached at our toll-free number, 1-800-344-511, Extension 364, or direct at 304-340-0364, should you have any questions about the disbursement calculation or about the fees in general.

Sincerely,

A handwritten signature in cursive script that reads "Herb Brooks".

Herb Brooks
Budget and Finance Manager

HB:kp

Sandy



Charles Town Chaplaincy Services

Chaplain Pete Crisswell

RECEIVED

MAR 18 2010

Jefferson County Commission

March 16, 2010

Lyn Widmyer-President
Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414

Dear Ms. Widmyer,

On behalf of the council of the Charles Town Race Track Chaplaincy of America, we would like to thank you for your past generosity in supporting our ministry.

I would like to share how some of these monies are used. This last year we upgraded our very old computers and printers. It also provides the Chaplain's salary and office staff of two part time secretaries. We along with HBPA and PNGI have hosted a BBQ for the backstretch people. Our office also holds a benefit horseshow for mostly racetrack people. We spend a large amount on our annual Christmas gift cards for our backside children. We also give assistance to needy families in the way of paying for food medicine, rent and electric. Our office also maintains a warm place where our pony people, outriders, gate crew and others can come in to have a cup of hot coffee or hot chocolate. During the extreme inclement weather we have an occasional pizza or hot bowl of soup.

We seek to maintain the same level of ministry that has been a long standing policy here at Charles Town Races and Slots. We welcome any and all suggestions that you may have.

Sincerely,

P. Gerald Dorsey
PGD/pw

Dr. Henry Christie

Chaplain Pete Crisswell

Phone Office
304-725-4028
Cell Phone 304-283-0036

Mailing Address

Charles Town RTCA Council
PO Box 1377
Charles Town WV 25414

President

*Dr. Henry Christie
304-725-9622

Vice President

*M. Victoria White
304-279-3235

Treasurer

*Gerald Dorsey
304-725-7948

Secretary

*Alfred Scott
410-218-6614

HBPA Rep.
George Yetsook

PNGI Rep.
Roger Ramey

Community Rep.
Dr. Wyman Hall

*Denotes executive
Council member

P.O. Box 2067
Charleston, WV 25327



Phone: (304) 558-0500
Fax: (304) 558-3321
www.wvlottery.com

John C. Musgrave
Director

To: Controller

Location: Jefferson County Commission

Fax #: (304) 725-7916

Phone #: (304) 728-3284

From: Melissa White ext. 290

Comments:

VIDEO LOTTERY WEEKLY SETTLEMENT REPORT

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

Week Ending Date	Week Ending March 13, 2010 FY10
To be Deposited on:	March 18, 2010
Amount Played	86,688,824.02
Amount Won	78,082,362.16
Amount Promo	364,358.00
NWAP Contribution	<u>33,657.83</u>
Adjusted Gross Terminal Revenue	<u>8,218,446.03</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>328,737.85</u>
Net Terminal Revenue	<u>7,889,708.18</u>
Surcharge @ 10%	788,970.83
State Share Excess @ 58%	457,603.08
Track Share of Capital Reinvestment @ 42%	331,367.76
<i>Track Share of Capital Reinvestment @ 42% - 58%</i>	\$ 318,113.04
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	\$ 13,254.71
Adjusted Net Terminal Revenue	<u>7,100,737.35</u>
Racetrack @ 46.50% / 42%	2,982,309.69
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,911,302.31
Race Track Purses @ 7% / 14% / 8%	568,058.99
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	36,503.69
Grayhound Development @ .75%	53,255.53
Thoroughbred Development @ .75%	53,255.53
Racing Commission @ 1%	71,007.37
County/Municipality @ 2%	142,014.74
3% Funds:	
Tourism Promotion Fund @ 1.375%	97,635.14
Development Office Promotion Fund @ .375%	26,627.77
Research Challenge Fund @ .5%	35,503.69
Capitol Renovation and Improvement Fund @ .6875%	48,817.57
2004 Capitol Complex Parking Garage Fund @ .0625%	4,437.96
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>71,007.37</u>
	<u>7,100,737.35</u>

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

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RANSON 35.08%	SHEPHERDS TOWN 14.29%
4 days ending: 7/1/09- 7/4/09	\$ 128,262.42	\$ 128,262.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/11/09	\$ 168,815.05	\$ 168,815.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/18/09	\$ 160,652.98	\$ 160,552.98	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 155,846.74	\$ 138,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,026.55	\$ 636.48	\$ 6,117.24	\$ 2,491.86
08/15/09	\$ 162,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.79	\$ 28,070.37	\$ 2,964.61	\$ 28,492.73	\$ 11,808.84
08/22/09	\$ 152,520.62	\$ 76,260.31	\$ 76,260.31	\$ 9,471.53	\$ 26,355.56	\$ 2,763.50	\$ 26,752.12	\$ 10,897.60
08/29/09	\$ 180,945.64	\$ 80,472.92	\$ 80,472.92	\$ 9,994.74	\$ 27,811.44	\$ 2,937.26	\$ 28,229.90	\$ 11,499.58
09/05/09	\$ 181,698.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,949.13	\$ 28,343.89	\$ 11,546.08
09/12/09	\$ 172,573.84	\$ 86,286.92	\$ 86,286.92	\$ 10,716.84	\$ 28,820.78	\$ 3,149.47	\$ 29,268.45	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,695.28	\$ 24,196.51	\$ 2,555.37	\$ 24,558.56	\$ 10,001.15
09/26/09	\$ 136,833.74	\$ 69,316.87	\$ 69,316.87	\$ 8,608.16	\$ 23,965.91	\$ 2,530.07	\$ 24,316.35	\$ 9,806.38
10/03/09	\$ 144,572.08	\$ 72,286.04	\$ 72,286.04	\$ 8,977.93	\$ 24,982.06	\$ 2,638.44	\$ 25,357.93	\$ 10,329.89
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 8,650.81	\$ 24,071.25	\$ 2,542.25	\$ 24,433.44	\$ 9,853.09
10/17/09	\$ 147,120.42	\$ 73,560.21	\$ 73,560.21	\$ 8,138.18	\$ 25,422.41	\$ 2,684.85	\$ 25,804.92	\$ 10,511.75
10/24/09	\$ 135,183.32	\$ 67,581.66	\$ 67,581.66	\$ 8,393.64	\$ 23,356.22	\$ 2,466.73	\$ 23,707.85	\$ 9,857.42
10/31/09	\$ 129,056.60	\$ 64,526.30	\$ 64,526.30	\$ 8,014.41	\$ 22,300.98	\$ 2,355.28	\$ 22,638.64	\$ 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	\$ 9,106.67
11/14/09	\$ 131,919.28	\$ 65,959.64	\$ 65,959.64	\$ 5,192.19	\$ 22,795.65	\$ 2,407.53	\$ 23,138.64	\$ 9,425.63
11/21/09	\$ 119,094.10	\$ 59,547.05	\$ 59,547.05	\$ 7,395.74	\$ 20,579.46	\$ 2,173.47	\$ 20,669.11	\$ 8,509.27
11/28/09	\$ 144,798.98	\$ 72,399.98	\$ 72,399.98	\$ 8,862.06	\$ 25,021.49	\$ 2,842.80	\$ 26,397.91	\$ 10,345.96
12/05/09	\$ 102,013.02	\$ 51,008.51	\$ 51,008.51	\$ 6,338.01	\$ 17,627.85	\$ 1,861.74	\$ 17,693.06	\$ 7,288.83
12/12/09	\$ 104,921.18	\$ 52,480.58	\$ 52,480.58	\$ 6,515.80	\$ 18,130.38	\$ 1,914.81	\$ 18,403.17	\$ 7,486.62
12/19/09	\$ 65,668.78	\$ 32,834.39	\$ 32,834.39	\$ 4,078.03	\$ 11,347.67	\$ 1,198.46	\$ 11,518.30	\$ 4,682.03
12/26/09	\$ 106,812.68	\$ 53,406.34	\$ 53,406.34	\$ 6,633.07	\$ 18,457.23	\$ 1,949.33	\$ 18,734.84	\$ 7,631.77
01/02/10	\$ 185,860.80	\$ 92,980.40	\$ 92,980.40	\$ 11,548.17	\$ 32,134.03	\$ 3,393.78	\$ 32,617.52	\$ 13,286.80
01/09/10	\$ 110,040.92	\$ 55,020.46	\$ 55,020.46	\$ 6,833.54	\$ 19,015.07	\$ 2,008.25	\$ 19,501.18	\$ 7,862.42
01/16/10	\$ 121,102.58	\$ 60,551.28	\$ 60,551.28	\$ 7,520.47	\$ 20,928.62	\$ 2,210.12	\$ 21,241.39	\$ 8,652.78
01/23/10	\$ 138,887.08	\$ 69,943.53	\$ 69,943.53	\$ 6,686.99	\$ 24,172.48	\$ 2,552.94	\$ 24,536.19	\$ 9,994.93
01/30/10	\$ 97,065.50	\$ 48,527.75	\$ 48,527.75	\$ 6,027.15	\$ 16,771.19	\$ 1,771.26	\$ 17,023.53	\$ 6,934.82
02/06/10	\$ 74,310.28	\$ 37,155.14	\$ 37,155.14	\$ 4,614.87	\$ 12,840.82	\$ 1,356.16	\$ 13,034.02	\$ 5,309.47
02/13/10	\$ 88,868.00	\$ 44,334.00	\$ 44,334.00	\$ 5,506.28	\$ 16,321.83	\$ 1,818.19	\$ 15,552.37	\$ 6,335.33
02/20/10	\$ 153,892.24	\$ 76,946.12	\$ 76,946.12	\$ 9,556.71	\$ 26,582.58	\$ 2,808.53	\$ 26,992.70	\$ 10,995.80
02/27/10	\$ 144,048.80	\$ 72,024.40	\$ 72,024.40	\$ 8,945.43	\$ 24,881.63	\$ 2,628.89	\$ 25,286.16	\$ 10,292.29
03/06/10	\$ 153,873.70	\$ 76,936.85	\$ 76,936.85	\$ 9,555.56	\$ 26,588.37	\$ 2,808.20	\$ 26,989.44	\$ 10,994.28
03/13/10	\$ 142,014.74	\$ 71,007.37	\$ 71,007.37	\$ 8,818.12	\$ 24,540.15	\$ 2,591.77	\$ 24,909.38	\$ 10,146.85
Subtotal	\$ 5,044,454.74	\$ 2,978,259.12	\$ 2,066,195.62	\$ 258,821.53	\$ 714,077.19	\$ 75,416.14	\$ 724,821.40	\$ 295,259.36

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$