

AGENDA FOR THURSDAY, APRIL 8, 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. - County Administrator Reports
- 4. 9:50 a.m. - County Commission Reports
- 5. 10:00 a.m. - Lynn Fields & Karen Olden, Probate Clerks - Request to Set a
Hearing for the Petition of James B. Packard to Resign as
Administrator of the Estate of John J. Warfield, Deceased -
Discussion/Action
- 6. 10:15 a.m. - Tom Bayuzik, Jr., Executive Director of the Jefferson County
Economic Development Authority - Land Development Fees for Land
Owned by the Economic Development Authority - Discussion/Action
- 7. 10:45 a.m. - Jennifer S. Maghan - County Clerk's Report

UNFINISHED BUSINESS: (None)

11:00 a.m. - NEW BUSINESS:

- 8. Legislative Issues
- 9. Set time to Lay Levy on Tuesday, April 20, 2010
- 10. Appointment to the Jefferson County Property Safety Ordinance Enforcement
Agency - Fire Chief Vacancy

- 11. Authorization and Motion to Hire GIS Intern for Summer 2010
- 12. Approval to Hold a West Virginia Ethics Commission Work Session on May 19, 2010
- Discussion/Action
- 13. Jefferson County Democratic Women Book Discussion Group - Request for Use of
the County Meeting Room Monthly
- 14. Old Charles Town Library - Request for Use of County Meeting Room
- 15. Creation of Commission to Explore Alternatives and Options in Providing Legally
Mandated Courtroom Space (JS)
- 16. 11:30 a.m. - Adjourn

INFORMATION:

- 17. Appointment to be made to the Eastern Panhandle Transit Authority Board of
Directors on April 22, 2010.
- 18. Invitation received to attend an Open House Event for WorkForce West Virginia and
Telamon Corporation on Wednesday, April 21, 2010, 1:00 p.m. - 7:00 p.m.
- 19. Correspondence received from the West Virginia Economic Development Authority
the Recovery Zone Facility Bond Volume CAP.
- 20. News release received from the Arts and Humanities Alliance concerning their need
for nominations or volunteers to fill vacancies on the Board of Directors.
- 21. Weekly settlement report for the Charles Town Races and Slots received from the
West Virginia Lottery.
- 22. Correspondence received from John Piwowarski.

*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.*

Minutes

Jefferson County Commission

Thursday, March 25, 2010

A meeting of the Jefferson County Commission was held on Thursday, March 25, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. The meeting was attended by Lyn Widmyer, President, and Commissioners: Dale Manuel, Patsy Noland, Frances Morgan and Jim Surkamp and Tim Boyde, County Administrator.

The Meeting was called to order at 9:30 a. m. by Commissioner Widmyer.

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE for Michael Pittinger
3. MOTION BY MR. MANUEL to approve the Minutes of the Budget Work Session held Wednesday, March 10, 2010 at the Old Charles Town Library meeting room. Motion seconded by Ms. Morgan and unanimously approved.
4. MOTION BY MR. MANUEL to approve the Minutes of the Regular Session held on Thursday, March 11, 2010 at the Old Charles Town Library meeting room as amended. Motion seconded by Ms. Morgan and unanimously approved.
5. MOTION BY MR. MANUEL to approve the Minutes of the Small Cities Block Grant meeting held on Tuesday, March 16, 2010 at the Jefferson County Extension office meeting room as amended. Motion seconded by Ms. Morgan and unanimously approved.
6. MOTION BY MR. MANUEL to approve the Minutes of the Budget FY2011 public hearing held on Wednesday, March 17, 2010 at the Old Charles Town Library meeting room.
7. MOTION BY MS. NOLAND to approve Purchased Orders in the amount of \$15,777.64 for: 47623, 47624, 47625, 48189, 48191, 48095, 48097, 48100, 47954, 47725, 47726, 47727, 47728, 47729, 47731, 47732. Purchase Order 47776 was denied. Motion seconded by Ms. Morgan and unanimously approved.
8. MOTION BY MS.MORGAN to approve the accounts payable in the amount of \$279,612.97. Motion seconded by Mr. Manuel and unanimously approved.

9. ANGIE BANKS the Assessor was present to discuss the split ticket of Bonnie K. Miller and Charles G. Miller.

Name:	Vehicle:	Assessed Value:	Taxes Due:
Bonnie K. Miller	2001 Durango	\$3,200	\$68.61
Charles G. Miller	1999 F150	\$4,000	\$85.75
Charles G. Miller	2003 F350	\$11,700	\$250.85
Charles G. Miller	2005 F350	\$14,300	\$306.59
Charles G. Miller	2005 Trailer	\$1,200	\$25.73
Charles G Miller	2006 Pace	\$1,200	\$25.73

MOTION BY MORGAN to approve the tax ticket as present by Assessor Angie Banks. Motion seconded by Manuel and unanimously approved. Ms. Banks announced that the new Assessor's website will be up and running on Friday, March 26, 2010.

10. MARY JO BROWN the Governor's representative was present to assist in presenting Ed Smith with the Mountaineer Award. Senator Herb Snyder and Delegate Tiffany Lawrence were present and gave comments. Ed Smith gave comments.
11. NO PUBLIC COMMENT was made.
12. TIM BOYDE the County Administrator reported that Joe Sacchet would not be present for his appointment and that he would give an update on his behalf.
13. MS. NOLAND REPORTED that she attended the WV Department of Tourism meeting and the Budget meetings.
14. MR. MANUEL REPORTED that he participated at the March for Meals. Mr. Manuel reported that the Jefferson Center will open on April1, 2010.
15. MR. SURKAMP REPORTED that he attended a Bakerton Fire Department meeting.
16. MS. MORGAN REPORTED that she attended the Planning Commission meeting and a Civil War Trails meeting. Ms. Morgan reported the dates for upcoming PATH Interveners meetings.
17. MS. WIDMYER REPORTED that the Hagerstown Eastern Panhandle Metropolitan Organization will meet on March 31, 2010.
18. APPOINTMENTS TO THE PLANNING COMMISSION were made for a three-year term ending March 31, 2013.

Appointed to the Planning Commission for a three-year term are:

- Stephan Alemar
- Morgan Etters
- Wm. Kelly Baty

Appointment to the Planning Commission for an unexpired term ending March 31, 2011 is:

- Daniel B. Hayes

19. APPOINTMENTS TO THE DEVELOPMENT AUTHORITY were made for a three-year ending April 5, 2013.

Appointed to the Development Authority for a three-year term are:

- Paul Espinosa
- P. David Mills
- Helen Dettmer
- Ira Hale

The Commission took a 10 minute break at 10:51 a. m.

The Commission reconvened at 11:01 a. m.

20. ROGER ETHIER REPORTED on the collaborative Mountain Water Monitoring System with the Jefferson County Planning Commission, Water Advisory Committee, Health Department and Shepherd University.

John Maxey, Jennifer Brockman and Bill Zaleski were present and gave comments.

Mr. Ethier requested \$3,600 to be approved from the Planning Commission to contribute to the funding of the project.

Motion by Ms. Morgan to accept the proposal of the Mountain Water Monitoring System as outlined and approve the request of \$3,600, subject to a memorandum of understanding that the data is public information and a work plan consisting of hours and a time line. Motion seconded by Mr. Surkamp and unanimously approved.

21. TIM BOYDE REPORTED that the Day Report Center has amended their request for funds to \$34,102.00 after a Commission meeting in Berkeley County.

Motion by Ms. Morgan to approve the reduction of funds allocated to Berkeley/Jefferson Day Report Center to \$34,102.00. Motion seconded by Noland and unanimously approved.

22. JENNIFER MAGHAN REPORTED that a notice of public testing for the new election machines will be forthcoming.

23. MR. BOYDE REPORTED there will be no Executive Session.

24. MS. NOLAND REPORTED on the following legislative issues:

- English as a second language
- Health care Bill

25. KIRK DAVIS REPORTED on the Substantial Completion for the Jefferson County Emergency Service Agency and the Change Order that requires authorization and signature of the President of the Commission.

Motion by Ms. Morgan to approve the Substantial Completion of the Jefferson County Emergency Service Agency Building and authorize the President of the Commission to affix her signature upon the appropriate Change Order. Motion was seconded by Manuel and unanimously approved.

Mr. Davis reported that the contract for ADA ramp for the Hunter House came in \$30,000 less than budgeted and is in for review with Stephanie Grove.

Mr. Davis reported on Delta services.

26. LIEUTENANT HANSEN REPORTED on behalf of Sheriff Shirley a request to hire Cassie Lea Johnson to the Deputy Reserves.

Motion by Ms. Noland to appoint Cassie Lea Johnson is hired to serve in the Deputy Reserves. Motion seconded by Mr. Manual and unanimously approved.

27. STEPHANIE GROVE DISTRIBUTED her to do list to the Commission. Ms. Grove reported that she has several contracts to review as well as a copier lease for the Planning Commission. Ms. Grove reported that she is doing research for the County Clerk, Jennifer Maghan concerning poll workers.

The Commission recessed for lunch at 12:10.

The Commission reconvened at 1:15 p.m.

IN RE: MARK SCHIAVONE, DIRECTOR OF CAPITAL PLANNING AND MANAGEMENT

- **APPROVAL OF ADJUSTMENTS TO FISCAL YEAR 2008 AND FISCAL YEAR 2009 FINANCIAL REPORTS**

Mark Schiavone, Director of Capital Planning and Management appeared before the Commission to request approval of adjustments to the fiscal year 2008-2009 financial reports. Mr. Schiavone provided an explanation of adjustments and reported on the management letter that will accompany the adjustments when submitted to the West Virginia State Auditor's office.

Motion by Noland, second by Manuel to approve the adjustments and authorize the Commission President's signature upon the 2008 and 2009 fiscal year financial reports and representation letter to the WV State Auditor's Office. Motion carried.

- **ASSESSOR'S OFFICE BUDGET LINE ITEM TRANSFER**

Mr. Schiavone reported this agenda item was taken up during the March 18, 2010 session.

IN RE: ROGER GOODWIN – CHIEF COUNTY ENGINEER

- **BOND REDUCTION AND/OR RELEASE**

Roger Goodwin, Chief County Engineer appeared before the Commission to request approval of a complete bond release of a cash in escrow account for Summit Point Tactical Training Center.

Mr. Goodwin provided the Commission a site map detailing the work plan at the Summit Point Tactical Training Center.

Upon recommendation from Chief County Engineer Roger Goodwin, motion by Noland, second by Morgan to approve the complete release of a cash in escrow agreement in the amount of \$60,000.00 for William H. Schott Inter Vivos Trust – Summit Point Tactical Training Center. Motion carried.

IN RE: JENNIFER BROCKMAN, DIRECTOR OF PLANNING AND ZONING AND ROGER GOODWIN, CHIEF COUNTY ENGINEER

- **PROPOSED LAND DEVELOPMENT FEE CHANGES**

Jennifer Brockman, Planning and Zoning Director appeared before the Commission and reported on the Planning Commission's review and recommendations of the proposed Land Development fee changes and requested the Commission's direction on how to proceed.

Mr. John Maxey, Planning Commission member was present for comments. Mr. Maxey provided the Commission an overview of his recommendations for the proposed Land Development fee changes.

The Commission agreed by consensus to authorize Ms. Brockman and the Planning Commission to proceed with a public workshop to apprise the public of the proposed Land Development fee changes and then schedule a public hearing to receive comments from the public.

The Commission discussed numerous amendments they wish to have included in the draft proposed Land Development fee changes prior to public review.

IN RE: JENNIFER BROCKMAN, DIRECTOR OF PLANNING AND ZONING

- **JEFFERSON COUNTY PLANNING COMMISSION 2009 ANNUAL REPORT TO COUNTY COMMISSION**

Mr. John Maxey, Planning Commission member appeared before the Commission to provide a report on the Planning Commission 2009 annual report.

Mr. Maxey reported on the amendments to the annual report made by Planning Commission members.

Mr. Maxey reported on the Planning Commission's upcoming objectives and goals and expressed concerns with legal representation provided by the County. Mr. Maxey reported that Planning Commission members agreed by consensus that additional legal representation should be provided.

Ralph Lorenzetti, Prosecuting Attorney was present for comments.

IN RE: APPROVAL OF PURCHASE ORDER

Motion by Widmyer, second by Morgan to approve Purchase Order #48191 totaling \$510.00.
Motion carried.

IN RE: PROCEDURAL REQUEST

Commissioner Surkamp requested that Tim Boyde, County Administrator proceed with advertising for the vacancy to the E-911 Advisory Committee.

IN RE: PRIORITIES FOR THE UPCOMING QUARTER

Commissioner Noland expressed her priorities to be: implementation of the overtime and personnel policies and management and organization of budget procedures.

Commissioner Manuel expressed his priorities to be: management and organization of budget procedures and to conduct a workshop with Parks and Recreation officials in order to do a needs assessment of activities and services.

Commissioner Surkamp expressed his priorities to be: implementation of the personnel/employee policy, implementation of a purchasing policy and to conduct a workshop with IT personnel in order to conduct an IT needs assessment.

Commissioner Morgan expressed her priorities to be: management and organization of budget procedures, research additional insurance options for county needs, Emergency Service Agency management to insure a unity between Fire and EMS agencies throughout the County, addressing county building and maintenance issues, Parks and Recreation land acquisition and to improve management practices within county departments.

Commissioner Manuel also expressed an interest in conducting County Department performance audits.

Commissioner Widmyer expressed her priorities to be: improving the structure of county departments and personnel, improving webcam capabilities and upgrading the county website.

Tim Boyde, County Administrator discussed ways to improve financial management and budget procedures.

The Commission recessed at 2:00 p.m. The Commission reconvened at 3:00 p.m.

IN RE: BUDGET WORK SESSION – APPROVAL OF FISCAL YEAR 2011 BUDGET

Commissioner Manuel requested unanimous consent to allow Jay Watson to appear before the Commission for a budget request on behalf of the county's seven fire departments. The Commission consented.

Mr. Watson appeared before the Commission to request reconsideration of funding allocation for the county's seven volunteer fire departments. Mr. Watson reported on the needs and operational expenditures for the seven volunteer departments.

Motion by Manuel, second by Surkamp to restore \$70,000.00; \$10,000.00 for each volunteer department with Tim Boyde, County Administrator and Mark Schiavone, Capital Planning and Management Director to ascertain which account funding shall be allocated.

Motion by Morgan to table this matter until the closing of the Fiscal Year 2010 budget. Commissioner Morgan's motion died due to lack of a second.

Original motion by Manuel, second by Surkamp to restore \$10,000.00 for each volunteer fire department totaling \$70,000.00 with Tim Boyde, County Administrator and Mark Schiavone, Capital Planning and Management Director to ascertain which account funding shall be allocated. Motion failed by a 2-3 vote. Commissioners Widmyer, Morgan and Surkamp voted no.

Motion by Surkamp, second by Manuel that re-allocation of fire department funding be the first priority after the close of the fiscal year 2010 budget.

The Commission discussed the need for volunteer services within Jefferson County to ensure public safety and welfare and expressed concerns with the importance of funding the County's fire departments.

Commissioner Surkamp withdrew his motion.

Motion by Manuel, second by Surkamp to allocate \$10,000.00 to each of the seven volunteer fire departments in Jefferson County with available funds that exceeds current fiscal year expenditures. Motion carried by a 4-1 vote. Commissioner Morgan voted no.

Mark Schiavone, Capital Planning and Management Director appeared before the Commission to request approval of the fiscal year 2011 budget. Mr. Schiavone reported on the specifications of the fiscal year 2011 budget that will be submitted to the WV State Auditor's office for review and approval.

Motion by Morgan, second by Noland to approve the fiscal year 2011 budget as presented by Mr. Schiavone. Motion carried by a 4-1 vote. Commissioner Surkamp voted no.

Mr. Schiavone reported on future budget management procedures that have been implemented at the request of the Commission.

IN RE: ADJOURN

Motion by Manuel, second by Morgan to adjourn the March 25, 2010 County Commission meeting at 3:54 p.m. Motion carried.

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<p>Commission Office Use Only</p> <p>Date on Agenda: <u>4-8-10</u></p> <p>Appt Time or New Business: <u>10:00 Am</u></p>
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RECEIVED

MAR 31 2010

03-31-10 09:26 RCVD

AGENDA REQUEST FORM
Jefferson County Commission

Name: Lynn Fields and Karen Olden

Department or Entity: Probate Office

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: April 8th

Date Requested – 2nd Choice: April 15th

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

Subject: **Petition of James B. Packard-Gomez, Administrator, cta of the estate of John J. Warfield, deceased to resign**

Please provide the County Commission with a description of your request or presentation, including any background information: **Request that the County Commission on April 8th, 2010, to set a future date for a hearing of the petition of James B. Packard-Gomez to resign**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To set a date for a hearing for petition of James B. Packard-Gomez to resign**

Attachments: **petition from John K. Dorsey, counsel for petitioner**

COPY

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN RE: the Estate of John J. Warfield

PETITION OF JAMES B. PACKARD-GOMEZ, ADMINISTRATOR, c.t.a.,
OF THE ESTATE OF JOHN J. WARFIELD, DECEASED, TO RESIGN

COMES NOW, James Packard-Gomez, acting in his capacity as Administrator, c.t.a., for the Estate of John J. Warfield, deceased, and tenders this Petition of Administrator for leave to resign as Administrator, c.t.a., of the Estate of John J. Warfield, deceased, and states as follows:

1. That by order of this Commission entered on the 3rd day of March, 2006, the Clerk of this Commission duly appointed your Petitioner, James Packard-Gomez, as Administrator, c.t.a., of the estate of the said John J. Warfield.

2. That on the 3rd day of March, 2006, your Petitioner accepted the said appointment and qualified as such administrator, c.t.a., by taking the oath and by entering into bond conditioned as provided by law, in the penal sum of Ninety Thousand Dollars (\$90,000.00), with The Travelers Casualty and Surety Company of America, a corporation, as surety thereon.

3. That the said estate was referred to David A. DeJarnett, one of the Fiduciary Commissioners of this Commission.

4. That your Petitioner entered upon his duties as such administrator, c.t.a., and caused the real and personal estate of the said John J. Warfield to be appraised, and that he has continued to act as such administrator, c.t.a., of said estate.

5. That your Petitioner as such administrator, c.t.a., has filed an interim accounting of his activities as administrator, c.t.a., of the estate of John J. Warfield as of January 30, 2008, and a second interim accounting as of December 31, 2008, with David A. DeJarnett, Fiduciary Commissioner.

6. That the aforesaid interim accountings of his activities as administrator, c.t.a. of the estate of John J. Warfield, are pending and subject to outstanding objections of one or more of the beneficiaries under the Will of John J. Warfield.

7. That this Commission entered an order dated November 20, 2008, increasing the required bond of your Petitioner to the penal sum of Four Million Six Hundred Twenty Nine Thousand Six Hundred Sixty Four Dollars (\$4,629,664.00).

8. That your Petitioner is unable to obtain surety on his required bond and consequently desires to voluntarily resign as such administrator, c.t.a.

9. That the persons and/or entities interested in the estate of the said John J. Warfield in his hands or under his control are as follows:

Beneficiaries:

Barbara Drozier
P.O. Box 671
St. Paris, OH 43072

Mary E. Lilly
62419 Hawthorn Hills Road
Jacobsburg, OH 43933

Mark Buzek
c/o Patty Buzek
3006 30th Lane
Lakeworth, FL 33463

Todd Buzek
c/o Patty Buzek
3006 30th Lane
Lakeworth, FL 33463

Edmund Buzek
3480 Concord Ave.
Lakeworth, FL 33463

John T. Buzek
5941 Pinex Court
Lakeworth, FL 33463

Jeanne Busack
121 4th Avenue
Bel Air, OH 43906

Creditors or Potential Creditors:

PNC Bank, National Association
10480 Little Patuxent Parkway, Suite 400
Columbia, MD 21044

Department of Treasury
Internal Revenue Service
c/o The United States of America
c/o Sharon L. Potter, United States Attorney
P.O. Box 591, Wheeling, WV 26003
and
The United States of America
c/o Hon. Eric Holder,
United States Attorney General
U. S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

West Virginia State Tax Department
ATTN: Katherine A. Schultz, Esq.
c/o Hon. Darrell V. McGraw, Jr.,
West Virginia Attorney General
Building 1, Room W-435
State Capitol Complex
Charleston, WV 25305

and

ATTN: Christopher G. Morris, State Tax Commissioner
WV Department of Tax & Revenue
Building 1, Room W-300
State Capitol Complex
Charleston, WV 25305

Stefanou & Co., Ltd
401 S. Frederick Ave.
Gaithersburg, MD 20877

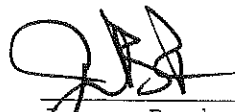
Tobin, O'Connor & Ewing
Chevy Chase Pavilion
5335 Wisconsin Avenue, NW
Suite 700
Washington, DC 20015

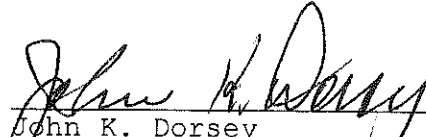
Campbell Miller Zimmerman, PC
201 North George Street, Suite 202
Charles Town, WV 25414

John K. Dorsey
P.O. Box 42
Charles Town, WV 25414

Wherefore, your Petitioner prays that summons be issued against all interested persons, requiring them to appear and answer this Petition, and state to the Commission the reasons, if any they have, why the prayer of this Petition should not be granted; that your Petitioner be permitted to resign as such administrator, c.t.a.; that a suitable person be appointed administrator, c.t.a., d.b.n., of the estate of the said John J. Warfield in the place and stead of your Petitioner; and that your Petitioner may have such other and further relief, both general and special, as the nature of the case may require.

Respectfully submitted this 26th day of March, 2010.

 cta for John J. Warfield estate
James Packard-Gomez, Administrator, c.t.a.
for the Estate of John J. Warfield


John K. Dorsey
Counsel for the Estate of John J. Warfield
West Virginia State Bar I.D. No. 1044
104 W. Congress Street
Charles Town, WV 25414

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of March, 2010, I served the foregoing Motion by (1) e-mail, (2) facsimile and/or (3) depositing true copies thereof in the United States mail, postage pre-paid in envelopes addressed to the following:

Ray A. Byrd, Esquire
Schrader, Byrd & Companion, PLLC
The Maxwell Centre
32 - 20th Street, Suite 500
Wheeling, WV 26003
(304) 233-2769
rab@schraderlaw.com

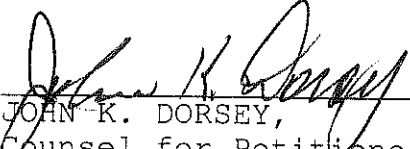
Barbara Drozier
P.O. Box 671
St. Paris, OH 43072

Mary E. Lilly
62419 Hawthorn Hill Road
Jacobsburg, OH 43933

Mark Buzek
c/o Patty Buzek
3006 30th Lane
Lakeworth, FL 33463

Todd Buzek
c/o Patty Buzek
3006 30th Lane
Lakeworth, FL 33463

David A. DeJarnett, Esq.
Fiduciary Commissioner
P.O. Drawer 1419
Martinsburg, WV 25402-1419



JOHN K. DORSEY,
Counsel for Petitioner
West Virginia State Bar I.D. No. 1044
104 W. Congress Street
Charles Town, WV 25414

#6

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>4-8-10</u></p> <p>Appt Time or New Business: <u>10:15 AM</u></p>
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AGENDA REQUEST FORM

Name: Tom Bayuzik

Department or Entity: Economic Development Authority

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: April 8, 2010

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date: **Have an application pending that needs resolution of fees in order to submit**

Subject: **Land Development Fees for land owned by the Economic Development Authority**

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

In the past, the County Commission has waived Planning, Zoning and Engineering fees for property owned by the County or the Economic Development Authority (EDA). Generally these fees relate to the division of land or the development of a site by the EDA in preparation for marketing or sale of the property. In some cases this could also include building permit fees for County owned land, i.e. improvements to existing buildings, additions and newly constructed buildings. Because the past action by the County Commission appears to have occurred on a case by case basis, it is not clear to the Planning, Zoning and Engineering Departments if these decisions can be applied universally to land owned by the County or EDA. This request is to permit the waiver of the land development fees for any land owned by the County or the EDA. Note that once the property is sold to a private land owner or corporation, all fees will be levied per the applicable fee schedules.

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

I move to approve the waiver of all land development fees for any land development activity on property owned by the County or the Economic Development Authority (EDA).

Attachments: n/a

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

Name: Sandy McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: April 8, 2010

Date Requested – 2nd Choice: _____

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

Subject: **New Business**

Please provide the County Commission with a description of your request or presentation, including any background information: **Set the time to Lay the Levy on Tuesday, April 20, 2010**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Move to hold a Special Session and to set the time to Lay the Levy on Tuesday, April 20, 2010 at 9:30 a.m.**

**NOTICE OF SPECIAL SESSION OF THE COUNTY COMMISSION OF
JEFFERSON COUNTY**

TO LAY THE LEVY

The County Commission of Jefferson County, will hold a Special Session on Tuesday, April 20, 2010, at 9:30 a.m. in the Old Charles Town Library Meeting Room located at 200 E. Washington Street, (Samuel Street Entrance) Charles Town, West Virginia 25414.

The purpose of the Special Session is to officially Lay the Levy.

The public is invited to attend.

By Order of the County Commission of Jefferson County
Lyn Widmyer, President



State of West Virginia

Office of the State Auditor
Glen B. Gainer III
State Auditor
www.wvsao.gov

RECEIVED

Building 1, Room W-100
Charleston, West Virginia 25305
Telephone: (304) 558-2251
FAX: (304) 558-5200

200 West Main Street
Charleston, West Virginia 26301
Telephone: (304) 627-2415
FAX: (304) 627-2417

APR 02 2010

Jefferson County Commission

March 30, 2010

NOTICE OF A CONDITIONAL APPROVAL OF THE LEVY ESTIMATE (BUDGET)

To: Jefferson County Commission

In accordance with the provisions of Chapter 11, Article 8, of the West Virginia Code, as amended, the State Auditor of West Virginia hereby conditionally approves your Levy Estimate (Budget) for the fiscal year beginning July 1, 2010.

**HOWEVER, THE FOLLOWING COMMENTS ARE MADE BASED ON AN
AUDIT AND REVIEW OF THE BUDGET DOCUMENT BY THIS OFFICE.**

County Commissions have a constitutionally mandated duty to administer the fiscal affairs of the County which includes the responsibility to sufficiently fund constitutional officers at a reasonable and proper level that promotes the efficiency of his or her office. The review of the budget includes a test for identifying those budgets in which the account of a constitutional officer has been reduced by 15% or more. Please explain the reduction in account #413, County Clerk - Elections.

The State Auditor is responsible for establishing and maintaining a uniform system of accounts; therefore, all revenue account numbers must be assigned by this office. Our office has assigned account 422 for Infrastructure.

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Please take whatever corrective action is necessary to remedy these problems and notify this office of your intentions.

With this written approval, the levying body shall meet on the third Tuesday in April (April 20) to hear and consider any objections and to officially adopt the levy rates for property taxation. The clerk/recording officer, within three days of such meeting, shall prepare and forward to the State Auditor the officially adopted levy rates and levy order.

If you have any questions, please do not hesitate to contact me at 627-2415 or 1-877-982-9148 extension 5114, Joyce Ferree extension 5118 Hunter Delligatti extension 5119 or Karen Drain extension 5101.

Sincerely,
Glen B. Gainer III
WV State Auditor

A handwritten signature in cursive script, appearing to read "Ora Ash".

By: Ora Ash, Director
Local Government Services Division

IN RE: Appointment to JC Property Safety Ordinance
Enforcement Agency #10

Nichelle Hosby

From: Ronald L. Fletcher [president@citizensfirecompany.com]
Sent: Friday, March 26, 2010 3:18 PM
To: nhosby@jeffersoncountywv.org
Subject: Property Safety Ordinance Enforcement Agency

Ms. Hosby,

I am requesting that Ben Money, Fire Chief of Citizens Fire Company, be the representative on the Jefferson County Property Safety Ordinance Enforcement Agency.

If there are any questions in regards to this, please feel free to contact me at (304) 279-2029 (cell) or (304) 725-2814.

Thanks in advance,

Ronald L. Fletcher,
President
Citizens Fire Company,
Jefferson County Fire and Rescue Association

JEFFERSON COUNTY PROPERTY SAFETY ORDINANCE
ENFORCEMENT AGENCY

County Health Officer
1948 Wiltshire Road Suite 1
Kearneysville, WV 25430

Jefferson County Chief Engineer
Roger Goodwin
P.O. Box 338
Charles Town, WV 25414
304-728-3228
email: rgoodwin@jeffersoncountywv.org

Bobby Shirley, Sheriff of Jefferson County (Non-voting member)
P.O. Box 9
Charles Town, WV 25414
304-728-3205
email: jcsheriff@citlink.net

Fire Chief
1.5 year term Appointed by: County Commission - **VACANT**
Exp: 06/19/11

Fred Blackmer
191 Wild Hare Road
Harpers Ferry, WV 25425
h: 725-6754
email: fredblackmer@aol.com
2 year term Appointed by: County Commission
Exp: 2/8/2011

Melinda Keuroglan
563 Shenandoah River Drive
Harpers Ferry, WV 25425
h: 728-2174
2 year term Appointed by: County Commission
Exp: 2/8/2011



Jefferson County Emergency Communications DEPARTMENTAL MEMORANDUM

TO: Jefferson County Commission
Tim Boyde, County Administrator

FROM: Todd Fagan, GIS Specialist
Jeff Polczynski, Director of Communications

DATE: April 8th, 2010

SUBJECT: Authorization and Motion to Hire GIS Intern for Summer 2010

This memo serves as a request for the Commission to authorize the temporary hire of Patrick Corley as an intern to be managed and budgeted under GIS. We are filling a vacant, temporary (3 months) position that has been authorized in the FY2011 GIS budget and requires no benefits. His pay rate is \$10.00/hr. His period of employment will start around May 10th, 2010 and likely run until August 20th, 2010. I will need this written authorization to have him entered into payroll.

Recommended motion: Move to approve hire of Patrick Corley as temporary GIS intern for Summer 2010

Our GIS internship program has proven successful in each of the last two years, filling in data gaps on sewer infrastructure networks, subdivision development patterns and mountain slope analysis. The benefit is felt by each partner invested in the program; the County completes projects at minimal cost, the University enhances its reputation which attracts students, and the student meets academic requirements while gaining valuable paid work experience. An internship with Jefferson County GIS gives the young graduate a competitive career advantage, a notion supported by the fact that each of our past interns has gained employment in GIS positions just months after graduation.

We have selected a student candidate from the West Virginia University Geography/GIS Program. Patrick Corley is a Jefferson County native who wishes to hone his skills working with us on a number of potential projects. We have targeted the following projects: hydrological data review and reconciliation, trails research, Elks Run watershed pollution source review, zip code boundary reconciliation and possible address enforcement support. We look forward to working with him and continued success in the program.

Thank You

12

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: County Commission

Department or Entity: County Commission

Estimation of amount of time needed for appointment: Five minutes

Date Requested – 1st Choice: April 8, 2010

Date Requested – 2nd Choice: _____

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

Subject: **WV Ethics Commission Work Session**

Please provide the County Commission with a description of your request or presentation, including any background information: **Wednesday, May 19, 2010 from 6:00 p. m. – 7:00 p.m. Theresa Kirk, Executive Director of WV Ethics Commission, will do a presentation to provide information of Ethics for general knowledge and for public meetings. There could be a cost of \$125.00. (Currently there this is at no cost.)**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **To approve a work Session on WV Ethics**

Attachments:

Nichelle Hosby

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Tuesday, March 30, 2010 9:01 AM
To: Nichelle Hosby
Subject: Fw: permission to use Charles Town Library Meeting Room

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

From: SMOrrick@aol.com
To: sandy@jeffersoncountywv.org
Sent: Saturday, March 27, 2010 9:03 AM
Subject: permission to use Charles Town Library Meeting Room

Dear Sandy:

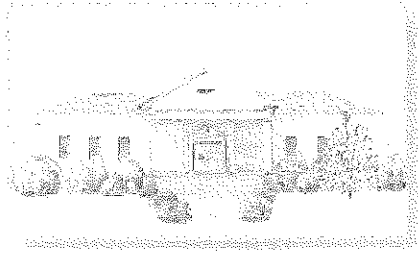
I'm writing as president of the Jefferson County Democratic Women to ask the County Commission's permission to use the meeting room space of the Charles Town Library for a monthly JCODW book discussion group. The group will meet on the fourth Thursday of each month from 6 to 7 pm.

Thank you very much.

Sarah Orrick
304-535-2209

Available per Amy

14



Tuesday, March 23rd, 2010

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

Dear Mr. Boyde:

I am requesting to reserve the Community Room at the Charles Town Library for the following dates and times:

- Wednesday, June 9th, 2010 8AM – 5PM – History program for Leadership Jefferson. *OK*
- Saturday, June 19th, 2010 10 AM – 1PM. Local History program. *OK*
- ~~Thursday (after the commission meeting)~~, Friday, and Saturday, ~~September 23rd, 24th, and 25th, 2010~~; Thursday afternoon – 9PM; Friday and Saturday 8AM – 6PM. This is the date for our major fund raiser – our annual book sale.
- Saturday, October 16th, 10 AM – 1PM. Local History program. *OK*

Thanks for helping us with this. I look forward to hearing from you.

Sincerely,

P. Douglas Perks, Director

OLD CHARLES TOWN LIBRARY, INC.
200 East Washington Street, Charles Town, West Virginia 25414
304-725-2208

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

AGENDA REQUEST FORM

Name: Jim Surkamp
 Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: April 8, 2010

Date Requested – 2nd Choice: _____

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

Subject: **New Business**

Please provide the County Commission with a description of your request or presentation, including any background information: **Creation of Commission to explore alternatives and options in providing legally mandated Courtroom space**

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

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, April 22, 2010, or as soon thereafter as the Commission may decide:

**Eastern Panhandle Transit Authority Board of Directors- 1
unexpired term ending January 31, 2012**

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

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

WORKFORCE
West Virginia

#18
Telamon
Corporation
Empowering Individuals. Improving Communities



You're Invited!
to an Open House Event

Wednesday, April 21, 2010
1:00pm-7:00pm

238 W. Washington Street
Charles Town, WV

(Jefferson County Community Ministries Building)



*Please join us to learn about the services offered through the collaborative One Stop Shop to members of the community.
Refreshments provided.*

#19



West Virginia Economic Development Authority

RECEIVED

MAR 25 2010

March 22, 2010

Jefferson County Commission

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

Dear Ms. Lyn Widmyer:

Senate Bill No. 4002 requires that the West Virginia Economic Development Authority (WVEDA) provide public notice of the amount of Recovery Zone Facility Bond Volume CAP available for reallocation by the WVEDA. The Governor's Office notified the WVEDA on March 19, 2010 of the amount of CAP waived and available for reallocation.

The WVEDA does hereby announce that \$77,858,000 is available for reallocation for projects in any West Virginia county that can comply with the Recovery Zone guidelines. Projects interested in applying for Recovery Zone Facility Bond Volume CAP must complete the attached application and forward it to the WVEDA by May 1, 2010.

Sincerely,

David A. Warner
Executive Director

WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY
APPLICATION FOR RECOVERY ZONE BOND VOLUME CAP

West Virginia Economic Development Authority
NorthGate Business Park
160 Association Drive
Charleston, West Virginia 25311-1217
(304) 558-3650 Phone
(304) 558-0206 FAX

I. GENERAL REQUIREMENTS

All applications for recovery zone bond volume cap allocations must be complete. The Authority, in its sole discretion, will determine whether an application is complete or incomplete.

Applications for reallocation of **RECOVERY ZONE ECONOMIC DEVELOPMENT BOND VOLUME CAP** shall be postmarked or hand delivered to the Authority not later than 5:00 pm on April 1, 2010.

Applications for reallocation of **RECOVERY ZONE FACILITY BOND VOLUME CAP** shall be postmarked or hand delivered to the Authority not later than 5:00 pm on May 1, 2010.

Applications for **reallocation of Recovery Zone Economic Development Bond and/or Facility Bond Volume Cap waived** because an applicant either does not file a final certification with the Governor's Office as required by W. Va. Code § 5B-7-3, or files a final certification utilizing less volume cap than the amount stated in the preliminary certification filed with the Governor's office, shall be postmarked or hand delivered to the Authority not later than 5:00 pm on September 1, 2010.

Date received by WVEDA:

The submitted package in its entirety will include the following:

- A copy of the order or ordinance adopted by the eligible issuer establishing the recovery zone in which bond net proceeds will be spent;
- A copy of the approved financing plan, including without limitation documentation of proof of marketability of the bonds;
- A copy of the parameters and/or inducement resolution adopted by the eligible issuer;
- A copy of the resolution or order of the county commission (or municipality) authorizing submission of the application for allocation of unallocated recovery bonds signed by the president of the county commission or the mayor of the municipality submitting the application or other applicable authorized officer of the eligible issuer; and
- A description of the project plan and related documentation.

Please forward application to:

West Virginia Economic Development Authority
Greenway Building
Northgate Business Park
160 Association Drive
Charleston, WV 25311-1217



#20
RECEIVED

MAR 31 2010

News for release March 26, 2010.

For more information, contact Lois Turco at 304-876-9141 Jefferson County Commission

Arts and Humanities Alliance Seeks New Board Members

The Arts and Humanities Alliance of Jefferson County, W.V., is seeking nominations or volunteers to fill vacancies on the AHA Board of Directors. AHA members will elect the new board members at the AHA annual meeting Sunday, June 20. New board members will serve a three-year term on the 15-member, volunteer board.

AHA Nominating Committee Chairwoman Lois Turco said, "We are looking for candidates who live or work in Jefferson County, are actively committed to community service, and are willing and able to volunteer their time and efforts to support cultural and artistic events and programs for both children and adults in Jefferson County."

For more information, call Lois Turco at 304-876-9141 and visit AHA's website at www.ahajc.org.

The mission of AHA, a volunteer, non-profit organization, is to preserve the rich history and culture of Jefferson County and to encourage creative opportunity for all its citizens.

XXX



News for release March 26, 2010.

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XXX

21

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 27, 2010 FY10 April 2, 2010
To be Deposited on:	
Amount Played	84,961,672.06
Amount Won	76,477,730.07
Amount Promo	369,606.00
MWAP Contribution	<u>35,111.36</u>
Adjusted Gross Terminal Revenue	<u>8,095,124.61</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>323,804.98</u>
Net Terminal Revenue	<u>7,771,319.63</u>
Surcharge @ 10%	777,131.96
State Share Excess @ 68%	450,736.54
Track Share of Capital Reinvestment @ 42%	326,396.42
Track Share of Capital Reinvestment @ 42% - 98%	\$ 313,339.60
Track Share of Capital Reinvestment @ 42% - 4%	\$ 13,056.82
Adjusted Net Terminal Revenue	<u>6,994,187.67</u>
Racetrack @ 46.50% / 42%	2,937,568.82
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,867,616.93
Race Track Purses @ 7% / 14% / 8%	559,635.01
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	34,970.94
Grayhound Development @ .75%	52,456.41
Thoroughbred Development @ .75%	52,456.41
Racing Commission @ 1%	69,941.88
County/Municipality @ 2%	139,883.76
3% Funds:	
Tourism Promotion Fund @ 1.375%	86,170.08
Development Office Promotion Fund @ .375%	26,228.20
Research Challenge Fund @ .5%	34,970.94
Capitol Renovation and Improvement Fund @ .6875%	48,086.04
2004 Capitol Complex Parking Garage Fund @ .0625%	4,371.37
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>69,941.88</u>
	<u>6,994,187.67</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 14.28%
4 days ending: 7/1/09 - 7/4/09	\$ 128,262.42	\$ 128,262.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/11/09	\$ 168,815.08	\$ 168,815.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/18/09	\$ 180,652.98	\$ 160,652.98	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 155,846.74	\$ 138,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,026.55	\$ 636.48	\$ 6,117.24	\$ 2,491.86
08/15/09	\$ 182,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.78	\$ 28,070.37	\$ 2,864.61	\$ 28,492.73	\$ 11,806.64
08/22/09	\$ 152,520.82	\$ 76,260.31	\$ 76,260.31	\$ 9,471.53	\$ 26,355.56	\$ 2,783.50	\$ 26,752.12	\$ 10,697.60
08/29/09	\$ 160,845.84	\$ 80,472.92	\$ 80,472.92	\$ 9,994.74	\$ 27,911.44	\$ 2,937.26	\$ 28,229.90	\$ 11,499.58
09/05/09	\$ 161,596.30	\$ 60,798.15	\$ 60,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,948.13	\$ 26,349.99	\$ 11,548.08
09/12/09	\$ 172,573.84	\$ 86,286.92	\$ 86,286.92	\$ 10,716.84	\$ 29,820.76	\$ 3,148.47	\$ 30,269.45	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,695.26	\$ 24,195.51	\$ 2,555.37	\$ 24,559.58	\$ 10,004.45
09/26/09	\$ 138,633.74	\$ 69,316.87	\$ 69,316.87	\$ 8,809.16	\$ 23,956.81	\$ 2,530.07	\$ 24,316.35	\$ 9,905.38
10/03/09	\$ 144,572.08	\$ 72,286.04	\$ 72,286.04	\$ 8,977.93	\$ 24,982.06	\$ 2,638.44	\$ 25,357.83	\$ 10,329.89
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 8,950.61	\$ 24,071.25	\$ 2,542.25	\$ 24,433.44	\$ 9,953.08
10/17/09	\$ 147,120.42	\$ 73,560.21	\$ 73,560.21	\$ 9,136.18	\$ 25,422.41	\$ 2,684.85	\$ 25,804.92	\$ 10,511.75
10/24/09	\$ 135,163.32	\$ 67,581.66	\$ 67,581.66	\$ 8,393.64	\$ 23,358.22	\$ 2,466.73	\$ 23,707.65	\$ 9,657.42
10/31/09	\$ 129,056.60	\$ 64,526.30	\$ 64,526.30	\$ 8,014.41	\$ 22,300.98	\$ 2,356.28	\$ 22,636.54	\$ 9,221.09
11/07/09	\$ 127,483.18	\$ 63,741.59	\$ 63,741.59	\$ 7,916.71	\$ 22,029.09	\$ 2,328.57	\$ 22,380.55	\$ 8,108.87
11/14/09	\$ 131,919.28	\$ 65,959.64	\$ 65,959.64	\$ 8,192.19	\$ 22,795.65	\$ 2,407.53	\$ 23,196.84	\$ 8,425.63
11/21/09	\$ 118,094.10	\$ 59,547.05	\$ 59,547.05	\$ 7,395.74	\$ 20,579.48	\$ 2,173.47	\$ 20,869.11	\$ 8,509.27
11/28/09	\$ 144,799.98	\$ 72,399.98	\$ 72,399.98	\$ 8,992.08	\$ 25,021.43	\$ 2,642.60	\$ 25,397.91	\$ 10,345.95
12/05/09	\$ 102,013.02	\$ 51,006.51	\$ 51,006.51	\$ 6,335.01	\$ 17,627.85	\$ 1,861.74	\$ 17,889.08	\$ 7,266.63
12/12/09	\$ 104,921.18	\$ 52,460.56	\$ 52,460.56	\$ 6,515.80	\$ 18,130.36	\$ 1,914.81	\$ 18,403.17	\$ 7,488.62
12/19/09	\$ 65,666.76	\$ 32,834.99	\$ 32,834.99	\$ 4,078.03	\$ 11,347.57	\$ 1,198.46	\$ 11,518.30	\$ 4,692.03
12/26/09	\$ 106,812.68	\$ 53,406.34	\$ 53,406.34	\$ 5,633.07	\$ 18,457.23	\$ 1,949.33	\$ 18,734.94	\$ 7,631.77
01/02/10	\$ 185,980.80	\$ 92,980.40	\$ 92,980.40	\$ 11,548.17	\$ 32,134.03	\$ 3,393.78	\$ 32,817.52	\$ 13,288.90
01/09/10	\$ 110,040.92	\$ 55,020.46	\$ 55,020.46	\$ 6,833.54	\$ 19,015.07	\$ 2,008.25	\$ 19,301.18	\$ 7,862.42
01/16/10	\$ 121,102.56	\$ 60,551.28	\$ 60,551.28	\$ 7,520.47	\$ 20,926.52	\$ 2,210.12	\$ 21,241.39	\$ 8,652.78
01/23/10	\$ 139,887.06	\$ 69,943.53	\$ 69,943.53	\$ 8,686.99	\$ 24,172.48	\$ 2,552.94	\$ 24,636.19	\$ 9,994.93
01/30/10	\$ 97,055.50	\$ 48,527.75	\$ 48,527.75	\$ 6,027.15	\$ 16,771.19	\$ 1,771.26	\$ 17,023.53	\$ 6,934.62
02/06/10	\$ 74,310.26	\$ 37,155.14	\$ 37,155.14	\$ 4,814.67	\$ 12,840.82	\$ 1,358.16	\$ 13,034.02	\$ 5,309.47
02/13/10	\$ 88,668.00	\$ 44,334.00	\$ 44,334.00	\$ 5,506.28	\$ 15,321.83	\$ 1,618.19	\$ 15,552.37	\$ 6,335.33
02/20/10	\$ 153,892.24	\$ 76,846.12	\$ 76,846.12	\$ 9,556.71	\$ 26,592.58	\$ 2,808.53	\$ 26,992.70	\$ 10,996.60
02/27/10	\$ 144,048.80	\$ 72,024.40	\$ 72,024.40	\$ 8,945.43	\$ 24,891.63	\$ 2,628.89	\$ 25,266.16	\$ 10,292.29
03/06/10	\$ 153,873.70	\$ 76,898.85	\$ 76,898.85	\$ 9,555.56	\$ 26,589.37	\$ 2,808.20	\$ 26,899.44	\$ 10,994.28
03/13/10	\$ 142,014.74	\$ 71,007.37	\$ 71,007.37	\$ 8,819.12	\$ 24,540.15	\$ 2,591.77	\$ 24,909.38	\$ 10,148.95
03/20/10	\$ 148,670.76	\$ 74,335.98	\$ 74,335.98	\$ 9,232.45	\$ 25,680.31	\$ 2,713.24	\$ 26,076.85	\$ 10,922.63
03/27/10	\$ 139,883.76	\$ 69,941.88	\$ 69,941.88	\$ 8,888.78	\$ 24,171.91	\$ 2,552.88	\$ 24,535.62	\$ 9,984.69
Subtotal	\$ 5,333,009.26	\$ 3,122,536.38	\$ 2,210,472.88	\$ 274,540.76	\$ 783,939.41	\$ 80,682.26	\$ 775,433.87	\$ 316,878.58

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

=== COVER PAGE ===

TO: _____

FROM: PLYMOUTH

FAX: 4076442312

TEL: 4076442312

COMMENT:

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

December 10, 2009

John Piwowarski
513 Lackawanna Avenue
Mayfield, PA 18433

3068

RE: John F. Piwowarski

Dear Mr. Piwowarski:


The various papers were received on December 10, 2009. These papers fail to comply with the Rules of this Court and are herewith returned.

You may seek review of a decision only by filing a timely petition for writ of certiorari. The papers you submitted are not construed to be a petition for writ of certiorari. Should you choose to file a petition for writ of certiorari, you must submit the petition within the 90 day time limit allowed under Rule 13 of the Rules of this Court. A Copy of the Rules of this Court and a sample petition for a writ of certiorari are enclosed.

Your case must first be reviewed by a United States court of appeals or by the highest state court in which a decision could be had. 28 USC 1254 and 1257.

Sincerely,
William K. Suter, Clerk

By:


Ruth Jones
(202) 479-3022

Enclosures

1088

The Plymouth

8 Pages

Fax Transmittal

1550 Gay Road
Winter Park Fl 32789

Office: (407)644-4551
Fax: (407)644-2312

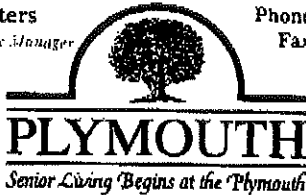
Date: 3/30/10

Total Pages: 8

Fax #: 304-725-7916

Walle J. Waters
Assistant Property Manager

Phone: 407-644-4551
Fax: 407-644-2312



walle@cambridgmsi.com
1550 Gay Road
Winter Park, FL 32789
www.theplymouthapartments.com

Other JOHN P PIWOWARSKI

URGENT For Your Review Fax Back w/Response

COMMENTS/NOTES

PLEASE Give the Lawyer who will
represent Jefferson county in
Supreme court, WASH DC
this FAX I WILL send him the
CHARGES BY MAIL John Piwowarski
Pro se.
the main problem originated when
the committee and police ignored all
news. JAW

Dear Committee,

2068

I was wrongfully arrested with resulted in my incarceration in jail. While I was in jail 3 nurses refused me medicine. Which resulted in me becoming suicidal in jail. The reason they wouldn't give me medicine was because I wouldn't give them a complete release of my medical records protected by law c42 part 2. As result of not having the medicine, I was put back in the hospital for 21 days to bring me back to where I was before I was incarcerated. I'm asking complete investigation by the prosecuting attorney's office and by the officer who arrested me unlawfully. As a result, I want to sue whoever is responsible for the neglect.

MAY - 15 - 09

Property owner &
John R. Nowak
Pro:

the Committee of commissioners
ignored me since I started
to resolve these issues

JR

4068

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Medical Malpractice
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West Virginia Medical Malpractice Lawyer Resources

West Virginia State Bar LRS
Charleston, WV
(304)558-7991
(800)642-3617
Statewide

West Virginia Medical Malpractice Lawyers

Carey, Scott & Douglas, PLLC
901 Bank One Center, 707 Virginia Street, East, Kanawha Co., Charleston, West Virginia 25323 U.S.A.
Attorneys at Law

Smith & Thompson
900 Lee Street, Suite 804, Kanawha Co., Charleston, West Virginia 25339 U.S.A.

William T. Forester
312 Main Street, Logan Co., Logan, West Virginia 25601 U.S.A.
Attorney At Law

Jones Law Offices
1998 Kelmont Lane, Kanawha Co., Charleston, West Virginia 25312 U.S.A.
Attorney at Law

West Virginia Medical Malpractice Tort Laws

State	Statutes of Limitation	Limits on Damage Awards	Pre-trial Screening and Arbitration
West Virginia	§55.7B.4. 2 years from injury or reasonable discovery, no longer than 10 years after injury. Minors under 10: 2 years from injury or age 12, whichever is longer.	§55.7B.8. \$250,000 limit for non-economic damages. \$500,000 limit for compensatory damages, limit goes up beginning in 2004 according to inflation index. Physicians must carry at least \$1 million malpractice insurance to qualify for limits.	§55.7B.6. Plaintiff must file notice with certificate of merit stating expert's familiarity with standards, qualifications, opinion of breach of standard of care. Certificates must be filed at least 30 days before filing action, and one certificate for each defendant named.
Joint and Several Liability	Expert Witnesses	West Virginia Malpractice Attorney Fees	Patient Compensation or Stabilization Fund
§55.7B.9. Defendants are proportionally liable	§55.7B.7. Expert witness must be currently trained and licensed to practice in same	No limitations.	§29.12B.1-14. Medical Liability Fund to assist in making malpractice

State Statute of Limitations
State Limits on Damage Awards
Attorneys Fees by State
State Legislation
Medical Malpractice - FAQ
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"I'm Sorry" Bill - AZ
Gov. Pushes Reform - IL
Attorneys & Hospitals Dispute Reform - NC
Bush Pushes for National Reform
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SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

5068

John F. Piwowarski
1550 Gay Road
Box 107
Winter Park, FL 32789

1/26/10

08-2149 - 08-2157
JPB 308 00 0068
JPB 308 00 0066

Dear Supreme Court Clerk

I'm Requesting Petition for writ of Certiorari
in the above entitled cases direct by 4th
Circuit court in november by Deputy
Clerk Michael Ruddy. I original filed
my writ 12/4/09 which was returned
on 12/10/10 for correction. I believe
that on any way to Supreme in both
lower court - my 14th Amendment ^{rights}
were Violated - See Exhibit 1A.

Sincerely
John F. Piwowarski
pro se

CC attorney Battner
Jefferson County Commissioner.

1/26/10

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

5068

John F. Piwowarski
1550 Gay Road
Box 107
Winter Park, FL 32789

1/26/10

09-2149 - 08-1101
JPA 308 CV 0068
JPB 308 CV 0066

Dear Supreme Court Clerk

I'm Requesting Petition for writ of Certiorari
in the above entitled cases direct by 4th
circuit court in november by Deputy
Clerk Michael Ruddy. I original filed
my writ 12/4/09 which was returned
on 12/10/10 for correction. I believe
that on any way to Supreme in both
lower court - my 14th ammendment rights
were Violated - See Exhibit 1A.

C.C. attorney Battner
Jefferson County Commissioners.

Sen curky
John F. Piwowarski
pro se
1/26/10

6068

US Supreme Court 12/4/09
1 FIRST STREET
WASHINGTON D.C.

20543 - 000

Dear Supreme Court Clerk JPB 082149
JES 308-CV 0068
JES 308 CV 0066

* Petition Request writ of habeas corpus
08-7149 308 CV 066-0068 as suggested
by Michael Radday, DEPUTY of 4th
Circuit, my Exhibits shows
that the fees accepted by courts
were timely and correspondence to
attorney Battner, including my 7/29/2009
motion, cheap for 45. ~~000~~ 9/18/09
It would be safe to say my case
was timely tel 12/11/2009 to avoid
legal treachery, please review all exhibits

Request from paupers
Pursuant to S.R. 39 40 41
and 42 See DD 214

C.E. Attorney
Battner

COUNTY COMMISSIONERS

JOHN F POWERS,
517 LACKAWANNA,
MAYFIELD,
Pa
18433

* altered to correct

New Address
The Plymouth.

706 ~~708~~

1550 Gay Road
Winter Park, Florida 32789
407-644-4551 - Phone
407-644-2312 - FAX

FAX

Time 8:45

Date: 6/11/09

Fax
Number: 304-725-7916

To: County Commissioners

From:

Re: John F Pinowarski (Retired Residence of Jefferson county)

Number of pages: 6 including cover

PLEASE ADDRESS ALL THE ISSUES
AT TODAY'S MEETING AND SEND
ME THE AGENDA TO THE ABOVE ADDRESS
ALSO I'M ENTITLED TO FINANCIAL
HELP OUT OF THE MALPRACTICE FUND
WHILE IN ILL.

Amended FAX John F Pinowarski
Resident to 29120, 1-14 I'm entitled
to money under the PATIENT COMPENSATION
ON STABILIZATION FUND I WAS HOSPITALIZED
IN 3. VA HOSPITAL sense. ~~see~~

CC
STATE ATTORNEY OFFICE, ANY AGING 75 when
this happened.

O R D E R

8/8/8

The Court consolidates Case No. 08-2149 and Case No. 08-2151. The lead case number, 08-2149, shall be included on all papers subsequently filed in this Court.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

2/28/10