

**AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, MAY 20, 2010
9:30 A.M.**

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

PRESENTATIONS:

1. 10:00 a.m. Lynn Fields & Karen Olden - Probate Office - Special Session to Close the Estates of Morrison and Wait
2. 10:15 a.m. Legal Update and Report - (Stephanie Grove)
3. 10:30 a.m. Public Hearing - Property Safety Ordinance Amendments
4. 10:45 a.m. Roger Goodwin - Complete Bond Release - Bakerton Fire Department
5. 11:00 a.m. Jennifer S. Maghan - County Clerk's Report
6. 11:15 a.m. Rate approval for Hagerstown Eastern Panhandle Metropolitan Organization

NEW BUSINESS:

7. Legislative Issues

Break for Lunch

~~~~~ AFTERNOON SESSION ~~~~~

8. 1:30 p.m. Work Session - Carolyn Zdziera – Community Alternatives to Violence

CORRESPONDENCE:

News release received from the Arts & Humanities Alliance concerning grant awards.

Resolution received from the Association of Counties concerning counties of origin and coal severance tax.

Budget for Fiscal Year 2010-2011 received from the Jefferson County Public Service District.

Correspondence received from the Somerset County Commission concerning the Appalachian Regional Commission.

The County Line newsletter received from the Association of Counties.

Annual Progress Report and Quarterly Newsletter received from the USDA Rural Development Office.

ANNOUNCEMENTS:

Notice of Freedom's Run marathon on October 2nd, 2010.

Notice of 2010 Spring Board Meeting on June 14-15, 2010 received from the Association of Counties.

Notice of OPEB seminars on May 10th and 11th, 2010 in Morgantown and Charleston.

Notice received of a public forums on The New Health Legislation on Wednesday, May 26, 2010 and Thursday, May 27, 2010.

RECESS

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.

1

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

AGENDA REQUEST FORM

Name: Lynn Fields and Karen Olden

Department or Entity: Probate Office-County Clerk

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: May 20th, 2010

Date Requested – 2nd Choice: May 27th, 2010

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

Subject: **Special session to close two estates that were not closed last session in April.**

Please provide the County Commission with a description of your request or presentation, including any background information: **Estates of MORRISON and WAIT were not closed in the last April term because they were still being reviewed by Fiduciary Commissioner David DeJarnett. Both estates have since been signed off on by Mr. DeJarnett, and are awaiting closure. The personal reps from both estates have requested a special session to close the two estates so that disbursements to beneficiaries can be made in a timely manner.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Approve the estates of MORRISON and WAIT for closure.**

Attachments:

**NOTICE OF PUBLIC HEARING
COUNTY COMMISSION OF JEFFERSON COUNTY
PROPERTY SAFETY ORDINANCE AMENDMENTS**

The County Commission of Jefferson County will hold a Public Hearing regarding Property Safety Ordinance Amendments. The hearing will be held on Thursday, May 20, 2010, at 10:30 a.m. in the Old Charles Town Library Meeting Room on the ground floor of the Library, 200 East Washington Street, Charles Town, WV 25414.

Anyone wishing to provide comment may do so at this meeting or by email at info@jeffersoncountywv.org

**By Order of The County
Commission of Jefferson County
Lyn Widmyer, President**

#3

Commission Office Use Only	
Date on Agenda:	
Appt Time or New Business:	10:45 AM 5/6/10

AGENDA REQUEST FORM

Name: Roger Goodwin

Department or Entity: Engineering

Estimation of amount of time needed for appointment: 1 hour work session

Date Requested – 1st Choice: April 29, 2010

Date Requested – 2nd Choice: May 10th

If a specific date is needed, please provide reason for specific date:
To be able to notify the Board members in the event they would like to be present for the work session.

Subject: Proposed Jefferson County Property Safety Ordinance amendments.

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

The Property Safety Enforcement Agency Board would like the County Commission to consider allowing quarterly meetings as opposed to monthly meetings due to the low public participation. See memorandum dated April 1, 2010 and proposed ordinance amendments.

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

To adopt the proposed amendments to Article 3.1 and Article 7 of the Jefferson County Property Safety Ordinance, as presented.

Attachments: April 1, 2010 Memorandum outlining proposed amendments
Jefferson County Property Safety Ordinance with proposed amendments

MEMORANDUM

Jefferson County, West Virginia Engineering Department

TO: County Commission of Jefferson County

FROM: Roger Goodwin *RHG*
Chief County Engineer

DATE: April 01, 2010

SUBJECT: Property Safety Ordinance

Attached is the amended Property Safety Ordinance that was previously submitted to the County Commission for their consideration of adoption. The ordinance contains an amendment to Section 3.1, "Meetings," to give more flexibility to the board in scheduling meetings. The reason for this request is as follows:

Since the adoption of the Property Safety Ordinance in 1999, the board has investigated and resolved 95 of 95 cases/complaints. The number of complaints/cases has dropped significantly since year 2001. The resolution of complaints has resulted in a decrease in the inventory of properties that are violations under this ordinance, and has averaged 4 cases per year over the past five years.

At the September 27, 2006, meeting of the Property Safety Enforcement Agency, the board discussed the possibility of changing the meeting requirements. The board believes that the ordinance requirement to meet monthly is not necessary as we do not have any public attendance at most of our meetings and/or there are no complaints or investigations that need to be discussed. Therefore, the board passed a motion to approach the County Commission with a request to amend the Property Safety Ordinance to allow the board to set its own meeting requirements with a minimum requirement of meeting on a quarterly basis.

The state enabling legislation (State Code, Chapter 7-1-3ff) does not set a meeting requirement; however, the current Property Safety Ordinance, Section 3.1(a) states:

"The members of Enforcement Agency shall meet one evening a month in public session."

The proposed ordinance amendment gives the board more latitude in setting meeting requirements by amending Section 3.1 (a) to read as follows:

"The members of the Enforcement Agency shall meet, at a minimum, on a quarterly basis in public session; and may schedule additional monthly meetings, as deemed necessary by the Enforcement Agency, in accordance with the by-laws."

The board believes amending the ordinance will eliminate unnecessary meetings while still giving the board the flexibility to respond to citizen complaints in a timely manner. If the need arises for the board to meet more frequently, the by-laws allow the board to call additional "special meetings."

Attached is a copy of the ordinance with the changes highlighted in yellow (see pg. 14 & 31). The Property Safety Enforcement Agency board is requesting that the County Commission adopt the proposed ordinance amendment.

JEFFERSON COUNTY

West Virginia

PROPERTY SAFETY ORDINANCE

Proposed Amendment - November 10, 2009

(See Article 3, Section 3.1, and Article 7)

AN ORDINANCE REGULATING THE REPAIR, ALTERATION OR IMPROVEMENT, OR THE VACATING AND CLOSING OR REMOVAL OR DEMOLITION, OR ANY COMBINATION THEREOF, OF ANY DWELLINGS OR OTHER BUILDINGS UNFIT FOR HUMAN HABITATION DUE TO DILAPIDATION, DEFECTS INCREASING THE HAZARD OF FIRE, ACCIDENTS OR OTHER CALAMITIES, OR ANY OTHER CONDITIONS PREVAILING IN ANY DWELLING OR BUILDING, WHETHER USED FOR HUMAN HABITATION OR NOT, WHICH WOULD CAUSE SUCH DWELLINGS OR OTHER BUILDINGS TO BE UNSAFE, UNSANITARY, DANGEROUS OR DETRIMENTAL TO THE PUBLIC SAFETY OR WELFARE, WHETHER THE RESULT OF NATURAL OR MANMADE FORCE OR EFFECT; AND AN ORDINANCE REGULATING THE REMOVAL AND CLEAN UP OF ANY ACCUMULATION OF REFUSE OR DEBRIS, OR TOXIC SPILLAGE OR TOXIC SEEPAGE LOCATED ON PRIVATE LANDS WHICH IS DEEMED TO BE UNSAFE, UNSANITARY, DANGEROUS OR DETRIMENTAL TO THE PUBLIC SAFETY OR WELFARE WHETHER THE RESULT OF NATURAL OR MANMADE FORCE OR EFFECT; AND AN ORDINANCE DESIGNATING AN ENFORCEMENT AGENCY AND FAIR AND EQUITABLE RULES OF PROCEDURES AND STANDARDS TO GUIDE THE ENFORCEMENT AGENCY AND ITS AGENTS IN CONDUCTING INVESTIGATIONS HEREUNDER; AND AN ORDINANCE PROVIDING FOR FAIR AND EQUITABLE RULES OF PROCEDURE FOR INSTITUTING AND CONDUCTING HEARINGS IN SUCH MATTERS BEFORE THE COUNTY COMMISSION, AND THE BURDEN OF PROOF TO BE MET BY THE ENFORCEMENT AGENCY IN THE PRESENTATION OF ITS EVIDENCE AND THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDERS WHICH MAY BE MADE BY THE COUNTY COMMISSION; AND AN ORDINANCE

PROVIDING FOR VARIOUS REMEDIES FOR FAILURE OF THE PROPERTY OWNER OR OWNERS TO COMPLY WITH THE ORDERS OF THE COUNTY COMMISSION; AND AN ORDINANCE PROVIDING FOR AN APPEAL OF THE DECISIONS AND ORDERS OF THE COUNTY COMMISSION TO THE CIRCUIT COURT; AND AN ORDINANCE PROVIDING FOR THE COUNTY COMMISSION TO ENFORCE ITS ORDERS BY CONTRACTS WITH INDEPENDENT CONTRACTORS TO MAKE THE ORDERED REPAIRS, ALTERATIONS, IMPROVEMENTS, DEMOLITIONS, REMOVAL OR CLEAN UP; AND AN ORDINANCE PROVIDING FOR THE ENFORCEMENT OF COUNTY COMMISSION ORDERS AND CONTRACTS IN CIRCUIT COURT, SUBJECTING THE PROPERTY IN QUESTION TO A LIEN FOR THE AMOUNT OF THE CONTRACTOR'S COSTS IN CARRYING OUT THE COMMISSIONS ORDERS AND CONTRACT, TOGETHER WITH ANY DAILY CIVIL MONETARY PENALTY IMPOSED, COURT COSTS AND REASONABLE ATTORNEY FEES AND FOR THE SALE OF THE SUBJECT PROPERTY TO SATISFY THIS LIEN.

BE IT ORDAINED AND ORDERED

BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA, A PUBLIC BODY CORPORATE OF JEFFERSON COUNTY, WEST VIRGINIA, AS FOLLOWS:

ARTICLE 1. AUTHORITY, EFFECTIVE DATE, TITLE, PURPOSE, JURISDICTION AND SEVERABILITY

Section 1.0 Authority

This ordinance is adopted by virtue of the authority granted in Chapter Seven (7), Article One (1) Section three ff (3ff) of the Code of West Virginia as amended.

Section 1.1 Effective Date

This ordinance shall become effective thirty (30) days after the date on which the County Commission of Jefferson County, West Virginia acts to adopt it.

Section 1.2 Title

This ordinance shall be titled as cited as the Jefferson County Property Safety Ordinance.

Section 1.3 Purpose

The purpose of this ordinance is to promote the public safety or welfare of Jefferson County, West Virginia by requiring, as the case may be, the repair, alteration, improvement, vacating, closing, removal or demolition of dwellings or other buildings, or any combination thereof, unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, or other conditions prevailing in any dwelling or building, whether used for human habitation or not, which would cause such dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare, whether the result of natural or manmade force or effect, exclusive of buildings utilized for farm purposes on land actually being used for farming; and by requiring, as the case may be, the removal and clean up of any accumulation of refuse or debris or toxic spillage or toxic seepage located on private lands which is determined to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare whether the result of natural or manmade force or effect.

Section 1.4 Jurisdiction

This ordinance shall apply to all properties within Jefferson County, West Virginia, exclusive of the incorporated towns and cities, properties of the United States Government, and of the West Virginia State Government and any incorporated Town or City.

Section 1.5 Severability

Should any article, section, subsection or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

ARTICLE 2. DEFINITIONS

Section 2.0 Interpretation

For the purpose of this ordinance, the following interpretations shall apply:

- (a) Words used in the present tense include the future.
- (b) The singular includes the plural.
- (c) The plural includes the singular.
- (d) The word "person" includes a corporation, unincorporated association or partnership, chartered associations, partnerships, natural persons, joint ventures, joint stock company, club, company, business trust, or the manager, agent, servant, officer or employee of any of them.
- (e) The term "shall" is mandatory and the term "may" is permissive.
- (f) The word "county" shall refer to Jefferson County, West Virginia.

Section 2.1 Definitions

Blighted Area

"Blighted area" shall mean an area (other than a slum area) which by reason of the predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site improvement, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

Building	Any structure on a parcel of land that has one or more walls.
Commission	The County Commission of Jefferson County, West Virginia.
Commissioner	An elected member of the County Commission of Jefferson County, West Virginia.
Condemn	To adjudge unfit for use or occupancy.
County Board of Health	An agency of local government either created pursuant to Chapter 16, Article 2 or Chapter 16, Article 2A of the Code of West Virginia to oversee the health needs of the citizens of a county in accordance with law.
County Engineer	An engineer employed by Jefferson County Government, who is a member of the Enforcement Agency and who is registered by the West Virginia Board of Registration of Professional Engineers as a Professional Engineer .
County Health Officer	A physician appointed by the County Board of Health pursuant to Chapter 16, Article 2A, Section 4 of the Code of West Virginia, or a physician appointed by the direction of the West Virginia Department of Health pursuant to Chapter 16, Article 2, Section 1 of the Code of West Virginia, who is a member of the Enforcement Agency.
Dilapidated	Falling to pieces or into disrepair; broken down; shabby and neglected.
Disaster	Disaster means the occurrence or imminent threat of

widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including fire, flood, earthquake, wind, snow, storm, chemical or oil spill or other water or soil contamination, epidemic, air contamination, blight, drought, infestation or other public calamity requiring emergency action.

Deed A written instrument, signed and delivered by which a person transfers and conveys title to real estate to another person.

Deed of Trust A written instrument by which legal title to real estate is placed in one or more trustees to secure the payment of a sum of money or the performance of other conditions, which serves the purpose and function of a mortgage.

Easement A lawfully acquired right or privilege to use a parcel of land or portion thereof for a specified purpose such as a road.

Enforcement Agency An Enforcement Agency is that agency of Jefferson County Government charged under Chapter 7, Article 1, Section 3ff of the Code of West Virginia with the investigation and enforcement of violations of that statute and this ordinance. Its membership includes: County Engineer, County Health Officer, Sheriff, an appointed Fire Chief and two other members at large. The Sheriff is an ex officio member.

Flood-Prone Area Areas subject to inundation by the one hundred year flood as determined by the Flood Insurance Study prepared by the Federal Insurance Administration for Jefferson County.

Garbage The animal and vegetable waste resulting from handling, preparation, cooking and consumption of food.

Historic Site	Any lot, parcel, historic structure or designated area which has been listed on the West Virginia or National Register of Historic Places.
Judgment Lien	A claim, encumbrance or charge on property for payment of some debt, obligation or duty owed to another person as decreed by a court of law and recorded among the land records of Jefferson County.
Motor Vehicle	Any vehicle which is self-propelled by use of internal combustion engine or by electrical engine which is intended to be driven upon a highway.
Motor Vehicle, Junked	Any motor vehicle which is discarded, wrecked, ruined, scrapped or dismantled which would not pass the State of West Virginia motor vehicle inspection laws and which is not serving a reasonable functional use or purpose or is not inside an enclosed building.
Owner	A person who holds legal title to any real estate or personal property.
Public Body	Public body shall mean the state or any municipality, county, township, board, commission, authority, district or any other subdivision or public body of the State.
Public Safety Or Welfare	A condition of well being, health and safety of a significant number of people in an area, neighborhood or community.
Real Property	Real Property shall include all lands including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate,

interest and right, legal or equitable therein including terms for years.

- Refuse** Anything thrown away or rejected as worthless or useless; waste; trash; rubbish.
- Right-of-Way** A right which grants passage across or through a property. A right-of-way is also the (usually dimensioned) path along which the right of passage is granted.
- Road** A prepared surface within a right-of-way which is intended for vehicular use. Road does not include shoulders.
- Rubbish** Combustible and noncombustible waste materials and the term shall include garbage, the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood excelsior, rubber, leather, tree branches, yard clippings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.
- Salvage** Old or scrap copper, brass, rope, rags, batteries, paper, rubber, trash, waste, junked, dismantled or wrecked machinery, machine or motor vehicles or any parts of any junked, dismantled or wrecked machinery, machines or motor vehicles, iron, steel, and other old or scrap ferrous or nonferrous materials.
- Salvage Yard** Any place which is maintained, operated or used or the storing, keeping, buying, selling, or processing of salvage, or for the operation and maintenance of a motor vehicle graveyard, and the term shall also include garbage dumps

and sanitary landfills. Any collection of three or more junked motor vehicles, or combination of ferrous or nonferrous materials together with one or more junked motor vehicles, or a collection of any salvage contained in an area more than one quarter acre in size, shall be considered a salvage yard.

**Solid Waste
Disposal Facility**

Any facility established, modified or operated for the purpose of the disposal of solid waste as defined by West Virginia Department of Natural Resources, Legislative Regulations for Solid Waste Management, as amended.

Structure

Anything constructed, the use of which requires fixed location on the ground; or, anything attached to something having such location. A structure does not include fences, individual driveways, or retaining walls. Structures do include prefabricated buildings even if they are not anchored to the ground.

Slum Area

A Slum area shall mean an area in which there is a predominance of buildings or improvements (or which is predominantly residential in character), and which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant

mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

Subdivision

The partition or division of land into two or more lots, tracts, parcels, plots, sites, areas, units, interests or other division of land, for the purpose, whether immediate or future, of offer, sale, lease, transfer of ownership, building construction, development, or land use. Subdivision applies to all forms of development including residential, commercial and industrial and includes the division of land either by deed, deed of trust, contract of sale, metes and bounds description, devise, intestacy, lease, map, plat or other instrument, or by act of construction or land use. Subdivision includes re-subdivision and, when appropriate to the context, shall relate to the land subdivided.

Toxic Substance

Means any substance which because of its quantity, concentration or physical, chemical or infectious characteristics may (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating or reversible illness; or (2) pose a substantial present or potential hazard to human health exclusive of any application of substances for bona fide farming operations.

Ventilation

The natural or mechanical process of supplying conditioned or unconditioned air to or removing air from any space.

ARTICLE 3. ENFORCEMENT AGENCY

Section 3.0 Membership

The Enforcement Agency shall consist of the following members: County Engineer, County Health Officer or his or her designee, a Fire Chief from a county fire company and two members of the general public. The Sheriff of Jefferson County shall serve as an ex-officio member of the Enforcement Agency. The County Commission shall select and appoint two members of the general public to serve two year terms and shall select and appoint a Fire Chief from a county fire company to serve a 1.5 year term.

Section 3.1 Meetings

- (a) The members of the Enforcement Agency shall meet, at a minimum, on a quarterly basis in public session; and may schedule additional monthly meetings, as deemed necessary by the Enforcement Agency, in accordance with the by-laws.
- (b) At the first meeting of the Enforcement Agency and on the one (1) year anniversary date thereafter, the members of the Enforcement Agency shall appoint: one of its members to serve as its President, and one of its members to serve as its Vice-President and one of its members to serve as its Secretary. Each member so appointed to the office of President, Vice-President or Secretary shall serve a one (1) year term of office or until replaced.

- (c) Three members of the Enforcement Agency in attendance at the monthly meeting shall constitute a quorum.
- (d) Meetings of the Enforcement Agency shall be conducted generally in accordance with Roberts Rules of Order.
- (e) At the monthly public meeting, the Enforcement Agency shall receive complaints from the general public concerning: dwellings or other buildings or any combination thereof that may be unfit for human habitation due to dilapidation, defects increasing the hazard of fire, accidents or other calamities, or any other conditions prevailing in these dwellings or other buildings whether used for human habitation or not, which would cause such dwellings or other buildings to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare whether the result of natural or manmade force or effect; and complaints concerning accumulation of refuse or debris or toxic spillage or toxic seepage located on private lands which may be deemed to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare whether the result of natural or manmade force or effect.
- (f) The members of the Enforcement Agency may, if a quorum is present, by a majority vote of those present accept the complaint for investigation by the Enforcement Agency.
- (g) Upon the completion of the investigation of the citizen=s complaint, and without further public input, the members of the Enforcement Agency, relying upon the investigation report of the Enforcement Agency staff, by a majority

vote of those members present in public session may:

- (1) dismiss the citizen=s complaint; or
- (2) continue the matter over until a later monthly meeting to permit further investigation; or
- (3) adopt an agreement to remedy deficiencies and continue the matter over until a later monthly meeting to permit the property owner time to remedy deficiencies in accordance to an agreement between the Enforcement Agency and the property owner; or
- (4) continue the matter over until a later monthly meeting; or
- (5) determine that the dwelling, building, accumulation of refuse or debris, toxic spillage, or toxic seepage is unsafe, unsanitary, dangerous or detrimental to the public safety or welfare and should be repaired, altered, improved, vacated, removed, closed, cleaned up or demolished as the case may be and direct the County Engineer to initiate proceedings before the County Commission by petition/complaint to seek an order of the County Commission: requiring the property owner to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time; or to remove or clean up any accumulation of refuse or debris or toxic spillage or toxic seepage within a reasonable time; and to impose daily civil monetary penalties upon the property owner who fails to obey the order of the County Commission; and if necessary, to request that the County Commission advertise for and

seek a contractor to make the ordered repairs, alterations, improvements, demolition, removal or clean up; and to institute a civil proceeding in the Circuit Court of Jefferson County, West Virginia to subject the private land in question to a lien to satisfy: the contractor=s costs in making the ordered repairs, alterations, improvements, demolition, removal or clean up; the daily civil monetary penalty imposed; reasonable attorney fees and court costs expended and to order the private land in question sold to satisfy this lien; and order and decree that the contractor may enter upon the private land in question to perform the ordered repairs, alterations, improvements demolition, removal or clean up.

Section 3.2 Enforcement Agency Rules for Conducting Investigations

A. Upon the members of the Enforcement Agency voting to accept the citizen=s complaint and conduct an investigation, the County Engineer shall contact the following public officials and ascertain the following information:

- (1) Sheriff=s tax office to ascertain the property owner=s address, the tax district, tax map and parcel number for the property in question; its assessed value for both the lands and buildings; acreage or lot size if known by the Sheriff=s tax office and the status of taxes paid or due and owing on this property; any lien information.
- (2) Clerk of the County Commission to ascertain any information about judgment liens, tax liens, mechanics liens or deed of trust liens on the subject property

and obtain a copy of the deed, or other document by which the owner obtained title to the property in question.

- (3) Assessor=s Office to ascertain lot or parcel size and a copy of a tax map for the property in question.
 - (4) County Health Officer to ascertain the type of water and sewer system serving the property in question.
 - (5) County Fire Departments to ascertain the number of fire service or ambulance calls to that property in the last five (5) years.
 - (6) Planning Commission staff to ascertain the number of improved lots in that or nearby subdivisions; location of the property in question insofar as flood prone areas, river, streams, ponds, are concerned; the location of nearby schools, hospitals and residences in the immediate area and in the watershed area.
 - (7) United States Department of Agriculture Offices to ascertain the types of farming operations in the area in question and the soil types.
 - (8) West Virginia State Police and Jefferson County Sheriff=s Department to ascertain the nature and number of law enforcement problems originating from the property in question in the last five (5) years.
- B. The County Engineer shall deliver notice to the property owner by United States Mail postage prepaid and by certified mail, return receipt requested, to the property owner=s address as ascertained from the Sheriff=s tax office informing the property owner of the general nature of the complaint and informing the property owner that

the County Engineer, the Jefferson County Sheriff and other members of the Enforcement Agency will visit the property at a specific time and date to investigate the allegations set forth in the complaint. The notice shall inform the property owner that photographs will be taken of the property in question and/or that soil samples may be taken from the property in question. However, any such entrance upon the property in question shall be made in such a manner as to cause the least possible inconvenience to the persons in possession.

- C. The County Engineer shall whenever possible take written statements from the complaining party, the property owner, neighbors and other interested persons and attach these statements to the investigative report.
- D. The County Engineer shall at the conclusion of the investigation prepare a written investigative report providing a copy to each member of the Enforcement Agency at least three (3) days before the monthly meeting of the Enforcement Agency where the investigative report shall be considered.
- E. The County Engineer may propose an agreement between the property owner and the Enforcement Agency whereby the property owner agrees to remedy all deficiencies to the satisfaction of the Enforcement Agency within a designated period of time.
- F. The County Engineer shall at the direction of the Enforcement Agency initiate by

petition/complaint on behalf of the Enforcement Agency, an action before the County Commission to seek an order of the County Commission requiring the property owner to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time; or to remove or clean up any accumulation of refuse or debris or toxic spillage or toxic seepage within a reasonable time; and to impose daily civil monetary penalties upon the property owner who fails to obey the order of the County Commission; and if necessary, to request that the County Commission advertise for and seek a contractor to make the ordered repairs, alterations, improvements, demolition, removal or clean up; and to institute a civil proceeding in the Circuit Court of Jefferson County, West Virginia to subject the private land in question to a lien to satisfy: the contractor=s costs in making the ordered repairs, alterations, improvements, demolition, removal or clean up; the daily civil monetary penalty imposed; reasonable attorney fees and court costs expended and to order the private land in question sold to satisfy this lien; and order and decree that the contractor may enter upon the private land in question to perform the ordered repairs, alterations, improvements demolition, removal or clean up.

The petition/complaint shall state the findings and recommendations of the Enforcement Agency and inform the property owner that upon being served with this petition/complaint unless the owner or owners of the property shall file with the Clerk of the County Commission of Jefferson County at the address of PO Box 250, East Washington Street, Charles Town, West Virginia 25414, a written request for a hearing before the county commission within ten (10) days of receipt of the

complaint/petition, an order will be issued by the County Commission implementing the recommendations of the Enforcement Agency.

ARTICLE 4. PROCEEDINGS BEFORE THE COUNTY COMMISSION

Section 4.0 Institution of Proceeding Before the County Commission

The County Engineer may file in the Office of the Clerk of the County Commission of Jefferson County, a petition/complaint on behalf of the Enforcement Agency seeking an order of the County Commission requiring the property owner to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time; or to remove or clean up any accumulation of refuse or debris or toxic spillage or toxic seepage within a reasonable time; and to impose daily civil monetary penalties upon the property owner who fails to obey the order of the County Commission; and if necessary, to request that the County Commission advertise for and seek a contractor to make the ordered repairs, alterations, improvements, demolition, removal or clean up; and to institute a civil proceeding in the Circuit Court of Jefferson County, West Virginia to subject the private land in question to a lien to satisfy: the contractor=s costs in making the ordered repairs, alterations, improvements, demolition, removal or clean up; the daily civil monetary penalty imposed; reasonable attorney fees and court costs expended and to order the private land in question sold to satisfy this lien; and order and decree that the contractor may enter upon the private land in question to perform the ordered repairs, alterations, improvements demolition, removal or clean up.

And the petition/complaint shall state the findings and recommendations of the Enforcement Agency and inform the property owner that upon being served with this petition/complaint, unless the owner or owners of the property shall file with the Clerk of the County Commission of Jefferson County at the address of PO Box 250, East Washington

Street, Charles Town, West Virginia 25414, a written request for a hearing before the county commission within ten (10) days of receipt of the complaint/petition, an order will be issued by the County Commission implementing the recommendations of the Enforcement Agency.

Section 4.1 Service of a Copy of the Enforcement Agency Petition/Complaint Upon the Property Owner

The Clerk of the County Commission of Jefferson County shall receive and file the petition/complaint of the Enforcement Agency and shall cause a copy thereof to be served upon the property owner in the manner provided in Rule Four (4) of the West Virginia Rules of Civil Procedure. The Clerk of the County Commission of Jefferson County shall note on the original petition/complaint the date service was accomplished if by personal service, and cause the person making personal service to certify that personal service was performed on that date. A copy of this return of service shall be provided by the Clerk of the County Commission to the County Engineer.

Section 4.2 Failure of the Property Owner to Request a Hearing Before the County Commission Upon the Petition/Complaint of the Enforcement Agency

If the property owner or owners shall fail to file with the Clerk of the County Commission of Jefferson County, within ten (10) days of service of the petition/complaint upon said owner or owners, a written request for a hearing before the County Commission upon the petition/complaint of the Enforcement Agency, the County Commission may enter an order implementing the determinations and recommendations of the Enforcement

Agency and ordering, as the case may be, the property owner to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time or to remove or clean up any accumulation of refuse or debris or toxic spillage or toxic seepage within a reasonable time and to impose daily civil monetary penalties on any owner or owners who fail to obey such an order. The Clerk of the County Commission of Jefferson County shall cause such an order to be filed and an attested copy of such order to be served upon the property owner or owner by United States mail postage prepaid and by certified mail, return receipt requested, at the same address used by the Sheriff to mail the property owner his tax bill. The Clerk of the County Commission of Jefferson County shall note on the file copy of the order the date of the mailing and the address to which it was mailed.

Section 4.3 Setting a Date and Time for a Hearing on the Petition/Complaint of the Enforcement Agency When Requested by the Property Owner

After receipt of a written request for a hearing upon the Enforcement Agency=s petition/complaint by the property owner, the County Commission at its next regular meeting shall enter an order setting this matter down for hearing at a particular time and date within twenty (20) days of the receipt of the written request. In that regards the Clerk of the County Commission shall note the date of the filing of the written request upon the face of the written request. Upon the entry of the order setting this matter down for hearing, the Clerk of the County Commission shall file the original order and mail attested copies thereof to the property owner and County Engineer United States mail postage prepaid and by certified mail, return receipt requested, to the address of the property owner

at the return address specified in the property owner=s written request or the address utilized by the Sheriff for the property owner=s tax bill. The Clerk of the County Commission shall note on the filed order the address, date and method of mailing of each attested copy mailed.

Section 4.4 Hearing Before the County Commission

The hearing before the County Commission upon the petition/complaint of the Enforcement Agency shall be either recorded by electronic device or by court reporter. The President of the County Commission will call the hearing to order and note on the record, each member of the County Commission in attendance and whether a quorum exists to proceed. The President will note on the record of presence or absence of each of the litigants in person, *pro se* and or by their respective counsel. Witnesses will be administered an oath by the President prior to testifying. The President of the County Commission will conduct the hearing and rule on matters of procedure and law. The West Virginia Rules of Evidence shall not apply to the proceedings, but each party shall have the right to present evidence and examine and cross examine all witnesses. Documentary evidence will be marked as exhibits and if relevant and probative admitted into evidence. The County Commission shall have the right to recess the hearing and visit the property in question for a view. Facts discerned by commission members on the view are evidence that may be considered. Each party shall have the right to make an opening and a closing statement. The Enforcement Agency has the burden of proving its allegations by a preponderance of the evidence and shall have the duty to go forward with the evidence.

Section 4.5 Findings of Fact, Determinations, Conclusions of Law, Orders, Civil Monetary Penalties by the County Commission

A. At the conclusion of the Section 4.4 hearing, the County Commission shall by a majority vote make findings of fact, determinations and conclusions of law as to whether a dwelling or building:

- (1) Is unfit for human habitation due to dilapidation, whether the result of natural or manmade force or effect, which would cause the dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
- (2) Has defects that increase the hazard of fire, accidents or other calamities, whether the result of natural or manmade force or effect, which would cause the dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
- (3) Has other conditions prevailing therein whether used for human habitation or not, and whether the result of natural or manmade force or effect, which would cause such dwelling or other building to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare.

And if these findings of fact, determinations and conclusion of law are made, the County Commission may by majority vote, order the property owner or owners to repair, alter, improve, vacate, remove, close, clean up or demolish the dwelling or building in question within a reasonable time and to impose a daily civil monetary penalty of \$25.00 upon the property owner or owners jointly and severally for each day after the time limitation has passed for the

ordered work to be performed and completed to the satisfaction of the County Commission and the ordered work has not been completed, or for any other failure to obey the order of the County Commission beyond the time limitation set for that compliance to have occurred.

B. At the conclusion for the Section 4.4 hearing, the County Commission shall by a majority vote make findings of fact, determination and conclusions of law as to whether:

- (1) There is an accumulation of refuse or debris on private land whether the result of natural or manmade force or effect, which would cause such private land to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or,
- (2) There is toxic spillage on private lands, whether the result of natural or manmade force or effect, which would cause such private land to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; and/or
- (3) There is toxic seepage on private land whether the result of natural or manmade force or effect, which would cause private land to be unsafe, unsanitary, dangerous or detrimental to the public safety or welfare.

And if these findings of fact, determinations and conclusions of law are made, the County Commission may by a majority vote order the property owner or owners to remove or clean up any accumulation of refuse or debris or toxic spillage or toxic seepage from the private land in question within a reasonable time and to impose a daily civil monetary penalty of \$ 25.00 upon the property owner or owners jointly and severally for each day after the time limitation has passed for the ordered work to be performed and completed to the

satisfaction of the County Commission and the ordered work has not been completed, or for any other failure to obey the order of the County Commission beyond the time limitation set for that compliance to have occurred.

ARTICLE 5. APPEAL OF DECISION OF THE COUNTY COMMISSION TO CIRCUIT COURT

Section 5.0 Appeals of Decisions of County Commission to Circuit Court

Appeals from the County Commission of decisions made in the Section 4.4 hearings to Circuit Court shall be in accordance with the provisions of Article Three, Chapter Fifty-eight of the Code of West Virginia as amended.

ARTICLE 6. PROCEDURES FOR CONTRACTING WITH VENDORS TO PERFORM ORDERED REPAIRS, ALTERATIONS, IMPROVEMENTS, DEMOLITION, REMOVAL OR CLEAN UP UPON THE FAILURE OF THE PROPERTY OWNER TO COMPLY WITH THE ORDER OF THE COUNTY COMMISSION

Upon the failure of the property owner or owners to perform the ordered duties and obligation as set forth in the order of the County Commission within the time limitation set by said order, the County Commission may advertise for and seek contractors to make the ordered repairs, alterations, improvements, demolition, removal or clean up, and may enter into any contract with any such contractor to accomplish the ordered repairs, alteration, improvements, demolition removal or clean up. The County Commission may make this contract contingent upon the order and decree of the Circuit Court making the contractor=s costs or the contract amount in making these ordered repairs a lien upon the private land in question and ordering the private land in question be sold to satisfy this lien, and ordering that the contractor may enter upon the private land in question to make these ordered repairs.

ARTICLE 7. EXISTING ORDINANCES

This ordinance supercedes all previously adopted property safety ordinances and amendments.

ADOPTED this _____ day of _____ 2010, upon motion duly made by Commissioner _____, which motion was seconded by Commissioner _____ and upon Commissioners: _____

_____ voting for the adoption motion, and Commissioners: _____

_____ voting against the motion.

Lyn Widmyer, President
County Commission of Jefferson County

Attest

County Clerk

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

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: May 20, 2010

Date Requested – 2nd Choice: _____

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 Bakerton Fire Department, Inc. – Bakerton Fire Department (File #S07-11).

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 \$16,988.00 construction bond amount for Bakerton Fire Department, Inc. – Bakerton Fire Department (File #S07-11).

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

May 20, 2010

Mr. Tim Procita, President
MVB Bank-East
651 Foxcroft Avenue
Martinsburg, West Virginia 25401

RE: Irrevocable Letter of Credit #40025-8005 dated July 7, 2009 Construction Bond Surety for the Bakerton Fire Department, Inc. – Bakerton Fire Department (File #S07-11).

Dear Mr. Procita:

The Jefferson County Commission authorizes a complete release of the remaining \$16,988.00 from the construction bond amount for Bakerton Fire Department, Inc. – Bakerton Fire Department (File #S07-11). This project is located on the north side of Carter Avenue (Route 30) just east of its intersection with Maple Avenue (Route 30/1). The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount for the above referenced Irrevocable Letter of Credit, originally issued in the amount of \$85,778.22. Please contact the Engineering Department at 304-728-3257 if you have any questions.

Sincerely,

Lyn Widmyer, President
Jefferson County Commission

LW:rfb

cc: Ms. Wanda Mason, Secretary
Bakerton Fire Department, Inc.
P. O. Box 891
Bakerton, West Virginia 25410
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: 5/7/2010 JPCP File No S07-11

Consultant/Engineer/Firm Name: Bakerton Fire Department

Mailing Address: 891 Carter Avenue

City: Harpers Ferry State: WV Zip: 25425-

Contact Person: Wanda Mason Phone: (304) 876-6280

Project/Subdivision Name Bakerton Fire Dept.

Section/Phase: _____

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 in the amount of \$16,988.00.

**LAND DEVELOPMENT INSPECTION
APPROVED FOR:**

BOND RELEASE #0.00

BY: Norma J. Kuroski 5.10.10
INSPECTOR [Signature] DATE

Original Bond Amount: \$85,778.22

Current Bond Amount: \$16,988.00

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: [Signature]

Date: 5/10/2010

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Friday, April 09, 2010 3:39 PM
Subject: Fw: 5/20 Commission work session

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

From: Tim Boyde
To: sandy@jeffersoncountywv.org
Sent: Friday, April 09, 2010 3:00 PM
Subject: FW: 5/20 Commission work session

We need to get these folks on the agenda for the 20th in a brief afternoon work session. The goal is for the agencies to provide a brief overview of the services they provide. I will get the numbers & names for you.

From: Carolyn Zdziera [mailto:czdziera@msn.com]
Sent: Friday, April 09, 2010 9:58 AM
To: tboyde@jeffersoncountywv.org
Subject: 5/20 Commission work session

Thanks for meeting with me Monday. Look forward to hearing from you on confirming the 5/20 date with a time!

Carolyn Zdziera
Executive Director
Community Alternatives to Violence
891 Auto Parts Place Box 136
Martinsburg, WV 25403
304-262-4424
866-332-2906 fax
www.commav.org

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. Get busy.



RECEIVED

MAY 12 2010

News for release May 7, 2010.

For more information, contact Ron Widmyer at 304-725-4326.

Jefferson County Commission

Arts and Humanities Alliance Awards Grants to Community Groups

The Arts and Humanities Alliance of Jefferson County, W.V., awarded \$5,500 in grants in April for six Jefferson County community projects that will make a positive impact on the county.

CORE, the Center Cities One Renewal Effort, received a \$600 grant to commission an artist and graphic designer to paint a map of historic Charles Town and to develop a brochure that will be distributed to visitors with information about shopping, dining and other attractions in downtown Charles Town.

Poetry Plus Workshop received an \$800 grant to hold a summer workshop for Jefferson County youngsters.

The Jefferson County Historic Landmarks Commission received a \$2,000 grant for a project to consolidate information that is useful for studying our local history into a single, Internet-accessible source that will include a geographical information system component, as well as historic documents, images, maps and databases to aid researchers. Resources created during the project will be available to the public at no charge.

The Ranson Centennial Committee received a \$250 grant to cover part of the cost of 50 locally produced commemorative pots to be sold to the public at a reduced price during the Ranson centennial celebration.

Festival organizer Hope Maxwell Snyder received an \$800 grant to stage the 6th Sotto Voce Poetry Festival Oct. 1-3 in Shepherdstown, with 60 participants expected for workshops and readings that in past years have attracted nationally recognized literary figures.

Shepherd University history professor Dr. Keith Alexander received a \$1,050 grant to organize and present Shepherd undergraduate students performing late nineteenth century living history interpretations of the history of Shepherdstown during the Contemporary American Theater Festival and the Arts and History Festival in Shepherdstown the last week in July.

AHA Community Grant recipients must be residents of or operate from facilities within Jefferson County. Projects must demonstrate positive community impact through the arts and humanities. Grant criteria and other details can be found at <http://www.ahajc.org/CommunityGrant.htm>.

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

Photo caption: AHA board member Lois Turko and AHA President Paul Pritchard (center) present a grant check to Dr. Keith Alexander to stage living history presentations in Shepherdstown.

To : ALL COMMISSIONERS
From: McDOWELL Co.

**IN THE MATTER OF THE ADOPTION OF A RESOLUTION
REGARDING COUNTIES OF ORIGIN AND COAL SEVERANCE TAX**

The following resolution was offered by:

A. Ray Bailey , President :

WHEREAS, House Bill 4177 was introduced in the WV House of Delegates and Overwhelming passed both chambers of the West Virginia Legislature during the 2010 Regular Session, and;

WHEREAS, HB 4177 would have increased the amount of coal severance tax dollars to the counties of origin as to where the coal where as mined, and;

Whereas, HB 4177 would have directed these additional funds to be allocated by the local county commissions Exclusively for road repair, infrastructure, job creation and economic development, and;

WHEREAS, state dollars no longer provide for the maintenance of orphan roads that suffer greatly due to the nature of the transportation of coal, and;

WHEREAS, HB 4177 would have an immediate positive impact on the quality of life for the residents of coal- producing counties, and;

WHEREAS, the State of West Virginia recaps nearly a half billion dollars every year due to severance taxes that come from the coal that is mined in coal-producing counties, and;

WHEREAS, HB 4177 would not have placed any additional burden on non-coal producing counties, and;

WHEREAS, THE Economic Development of the State of West Virginia, as a whole, depends on the economic health of coal-producing counties, and;

WHEREAS, HB 4177 was unable to be enrolled or sent to the desk of The Honorable Governor Joe Manchin due to a technicality,

NOW, THEREFORE, BE IT RESOLVED: That the County Commission of McDowell County do and hereby does respectfully request that HB 4177, DEALING WITH THE Coal Severance Tax and the counties of origin, be placed on the Call of an Extraordinary Session of the 79th Legislature.

The Adoption of the foregoing resolution having been moved
by:

Gordon O. Lambert, Commissioner,
and duly seconded by:

Judy L. Cortellesi, Commissioner,
the vote thereon was as follows

Avery Ray Bailey, President	<u>yes</u>
Judy L. Cortellesi, Commissioner	<u>yes</u>
Gordon O. Lambert, Commissioner	<u>yes</u>

Whereupon Avery Ray Bailey, President, declared said resolution duly adopted and it is therefore, **ADJUDGED** and **ORDERED** that said resolution be and the same is hereby adopted as so stated above.

Avery Ray Bailey
Avery Ray Bailey, President

Judy L. Cortellesi
Judy L. Cortellesi, Commissioner

Gordon O. Lambert
Gordon O. Lambert, Commissioner

Jefferson County Public Service District

May 5, 2010

Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Dear Commissioners:

Enclosed you will find your copy of the Jefferson County Public Service District budget for the 2010-2011 fiscal year.

If you have any questions, please contact our office.

Sincerely,



April Williams
Finance Manager

Jefferson County PSD - Budget FY 2011

	REVISED BUDGET	CHANGE	FY 2011 BUDGET
Operation & Maintenance			
Collection System Expenses			
Supplies & Expense	8,000.00	0.00	8,000.00
* Operation Labor	17,300.00	700.00	18,000.00
Total	25,300.00	700.00	26,000.00
Pumping System Expenses			
(1) Power & Fuel	37,830.00	4,170.00	42,000.00
Supplies & Expense	100,892.00	0.00	100,892.00
* Operation Labor	82,600.00	1,400.00	84,000.00
Total	221,322.00	5,570.00	226,892.00
Treatment and Disposal			
(2) Rents	551,000.00	5,000.00	556,000.00
(3) Supplies & Expense	5,800.00	300.00	6,100.00
* Operation Labor	3,300.00	200.00	3,500.00
Total	560,100.00	5,500.00	565,600.00
Billing, Collecting & Accounting			
(4) Billing, Collecting & Acct. (Postage)	17,850.00	900.00	18,750.00
* Labor	82,000.00	500.00	82,500.00
Total	99,850.00	1,400.00	101,250.00
Admin & General Expenses			
* Admin & General Salaries	201,000.00	5,000.00	206,000.00
(5) General Officers Salaries	6,600.00	600.00	7,200.00
Expense of General Officers	800.00	0.00	800.00
Gen. Office Suppliers & Exp.	56,500.00	0.00	56,500.00
(6) Admin & General Insurance	41,300.00	6,200.00	47,500.00
(7) Injuries & Damages/Workers Comp	13,500.00	700.00	14,200.00
(8) Employee Insurance	39,800.00	(3,000.00)	36,800.00
(9) Pension & Fica Tax Expense	72,026.00	7,374.00	79,400.00
(10) Misc. General Expense	34,800.00	1,400.00	36,200.00
(11) Misc. Uniwest Expense	9,922.44	29,767.32	39,689.76
Maintenance of General Property	4,900.00	0.00	4,900.00
(12) Bad Debt Expense	17,000.00	(7,000.00)	10,000.00
(13) Transportation	20,400.00	1,000.00	21,400.00
(14) Rent Expense	70,943.00	520.00	71,463.00
(15) Special Expense	140,000.00	(8,000.00)	132,000.00
Total	729,491.44	34,561.32	764,052.76
Total Operation and Maintenance	1,636,063.44	47,731.32	1,683,794.76
(16) Debt Service Expense	403,200.00	2,500.00	405,700.00
Total Debt Service Expense	403,200.00	2,500.00	405,700.00
(17) Renewal & Replacement	49,800.00	3,125.00	52,925.00
Total Cash Requirement	2,089,063.44	53,356.32	2,142,419.76
Revenue Estimate			
(18) Operating Revenue	1,830,000.00	140,000.00	1,970,000.00
(19) Non-Operating Revenue	162,000.00	(15,000.00)	147,000.00
Total Revenue	1,992,000.00	125,000.00	2,117,000.00
Available Cash	1,992,000.00	125,000.00	2,117,000.00
Cash Requirements- Operating Expense	(1,636,063.44)	(47,731.32)	(1,683,794.76)
Cash Available for Debt Service (A)	355,936.56	77,268.68	433,205.24
Debt Service Requirement (B)	368,159.00		368,159.00
Remaining Cash Surplus	(12,222.44)	77,268.68	65,046.24
Percent Coverage (A)(B)	96.68%		117.67%

EXPLANATION:

* 2% increase added to total labor.

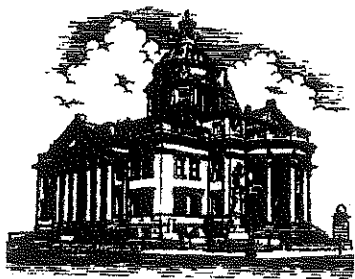
- (1) Pumping System Supplies & Expense-10% increase due to Allegheny Power rate changes.
- (2) Treatment & Disposal-Rents are based on District flows to Charles Town wastewater treatment plant in FY10 gallons billed by \$3.71 per thousand gallon bulk rate.
- (3) Treatment & Disposal- Supplies & Expense- 5% increase.
- (4) Billing Collecting & Accounting Postage-5% increase.
- (5) Officer Salaries- Increased due to additional special meetings expected to be held by the District.
- (6) Admin & General Insurance- Increases by an average of 15% every July.
- (7) Injuries & Damages/Workers Comp- 5% increase.
- (8) Employee Insurance (excluding OPEB)- Actual expenses as of July 2011 for 6 employees.
- (9) Pension & Fica- Total Labor Expense \$394,000*(12.5% pension + 7.65% Fica).
- (10) Misc. General Expense- 4% increase.
- (11) Misc. Uniwest Expense- 12 payments to Uniwest for Charles Town Water Dept. billing error.
- (12) Bad Debt Expense- Adjusted to reflect expected expense.
- (13) Transportation- 5% increase.
- (14) Rent Expense- Actual rent expense for PSD building.
- (15) Special Expense- Adjusted to reflect expected expense.
- (16) Debt Service Expense- Actual annual debt service expense.
- (17) Renewal & Replacement- 2.5% of total revenues.
- (18) Operating Revenues- FY10 gallons * 12.71 per thousand, and adjusted for minimum billings.
- (19) Non-Operating Revenues- Adjusted to reflect expected reduction in grant revenue.

SOMERSET COUNTY COMMISSIONERS

300 North Center Avenue, Suite 500 • Somerset, PA 15501

(814) 445-1400 • (814) 445-7991 Fax

www.co.somerset.pa.us



RECEIVED

Pamela A. Tokar-Ickes, Chair

John P. Vatavik, Vice Chair

James C. Marker, Secretary

MAY 10 2010

May 5, 2010

Jefferson County Commission

Dear Fellow County Commissioners:

As elected officials, we know that a robust transportation system is critical to unlocking our economic potential, creating jobs, and maintaining and improving our quality of life. We are seeking your support to improve the vital transportation network that traverses the Appalachian Region and to reinstate a valuable tool that will expedite the continued development of our highway system.

The Appalachian Regional Commission (ARC) was founded on the basis that economic growth would not be possible until the Appalachia region's isolation could be overcome. As fellow representatives of an ARC county, we are certain you understand these unique transportation needs. Previously, the region had never been adequately served by a roadway system because of the high cost of building highways through Appalachia's mountainous terrain; thus, top priority was placed on the need for a modern highway system as the key to economic development. To accomplish this task, Congress authorized the construction of the Appalachian Development Highway System (ADHS) in the Appalachian Development Act of 1965. The ADHS was designed to generate economic development in previously isolate areas, supplement the interstate system, connect Appalachia to the interstate system, and provide access to areas within the region as well as to markets in the rest of the nation.

In 1991, the Intermodal Surface Transportation Efficiency Act (ISTEA) established a mechanism for states to take credit for non-federal, toll generated capital expenditures on toll facilities. The "credit" generated by the toll facilities could be applied toward the non-federal matching share of federal programs. The concept of toll credits does not create any additional funding. It does, however, provide states with the flexibility to determine how to best use federal and state funding. In 2005, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Act suddenly prohibited the use of toll credits for the ADHS system.

Historically, the ability of states to utilize toll credits to cover non-federal cost shares has increased the flexibility of state transportation finance programs, enabled states to more effectively utilize existing resources, and encouraged investment in much-needed infrastructure. Repealing the prohibition on using toll credits toward non-federal shares of ADHS projects would allow states to use toll credits for ADHS projects as they could before SAFETEA-LU, unlock existing unspent balances, make it easier for states to access future funding, allow important ADHS projects to move forward, and eliminate a disparity that does not exist for the vast majority of other federal transportation programs.

We write to ask for your support in reinstating the use of toll credits as the non-federal share of an ADHS project. Our Member of Congress, Representative Bill Shuster, along with his colleague, Representative Christopher Carney, are currently circulating a letter in the U.S. House of Representatives regarding this critical issue. In addition, our United States Senators, Senator Arlen Specter and Senator

**Copy of the Senator Specter/Senator Casey letter currently being circulated to Senators
representing ARC states**

The Honorable Barbara Boxer
Chairman
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable James Inhofe
Ranking Member
Senate Committee on Environment and Public Works
456 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Boxer and Ranking Member Inhofe:

We write to support legislative language in the upcoming surface transportation reauthorization bill to allow the use of toll credits for Appalachian Development Highway System (ADHS) projects. This policy revision is critical so Appalachian Regional Commission (ARC) states can better leverage substantial previously allocated federal funding.

As you know, the Safe, Accountably, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU, P.L. 109-59) included language which prohibits states from using toll credits toward their non-federal share of an ADHS project. Historically, the ability of states to utilize toll credits to cover non-federal cost shares has increased the flexibility of state transportation finance programs, enabled states to more effectively utilize existing resources, and encouraged investment in much-needed infrastructure. Prior to this statutory change in SAFETEA-LU, state transportation agencies had much greater flexibility to furnish ADHS non-federal matching funds when other state highway funds were limited. Repealing the prohibition on using toll credits toward non-federal shares of ADHS projects would allow states to use toll credits for ADHS projects as they could before SAFETEA-LU, unlock existing unspent balances, make it easier for states to access future funding, allow important ADHS projects to move forward and eliminate a disparity that does not exist for the vast majority of other federal transportation programs.

Thank you for your past support of the Appalachian Development Highway System. We appreciate your attention to this important issue and look forward to working with you.

Sincerely,

**Copy of the Congressman Shuster/Congressman Carney letter currently being circulated
in the U.S. House of Representatives**

The Honorable James Oberstar
Chairman
House Committee on Transportation and Infrastructure
2156 Rayburn House Office Building
Washington, DC 20515

The Honorable John Mica
Ranking Member
House Committee on Transportation and Infrastructure
2163 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Oberstar and Ranking Member Mica:

As the Committee on Transportation and Infrastructure continues consideration of surface transportation reauthorization legislation, we respectfully request that you include legislative language allowing the use of toll credits for Appalachian Development Highway System (ADHS) projects. This policy revision is critical so Appalachian Regional Commission (ARC) states can better leverage substantial previously allocated federal funding.

As you know, the Safe, Accountably, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU, P.L. 109-59) included language which prohibits states from using toll credits toward their non-federal share of an ADHS project. Historically, the ability of states to utilize toll credits to cover non-federal cost shares has increased the flexibility of state transportation finance programs, enabled states to more effectively utilize existing resources, and encouraged investment in much-needed infrastructure. Prior to this statutory change in SAFETEA-LU, state transportation agencies had much greater flexibility to furnish ADHS non-federal matching funds when other state highway funds were limited. Repealing the prohibition on using toll credits toward non-federal shares of ADHS projects would allow states to use toll credits for ADHS projects as they could before SAFETEA-LU, unlock existing unspent balances, make it easier for states to access future funding, allow important ADHS projects to move forward and eliminate a disparity that does not exist for the vast majority of other federal transportation programs.

Thank you for your past support of the Appalachian Development Highway System. We appreciate your attention to this important issue and look forward to working with you.

Sincerely,

Sample letter for ARC state County Commissioners to send to House and Senate transportation leaders

The Honorable James Oberstar
Chairman
House Committee on Transportation and Infrastructure
2156 Rayburn House Office Building
Washington, DC 20515

The Honorable John Mica
Ranking Member
House Committee on Transportation and Infrastructure
2163 Rayburn House Office Building
Washington, DC 20515

The Honorable Barbara Boxer
Chairwoman
Senate Committee on Environment & Public Works
410 Dirksen Senate Office Bldg.
Washington, DC 20510

The Honorable James Inhofe
Ranking Member
Senate Committee on Environment & Public Works
456 Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Chairman Oberstar, Ranking Member Mica, Chairwoman Boxer, and Ranking Member Inhofe:

As elected officials from the Appalachia Regional Commission (ARC) region, we know that a robust transportation system is critical to unlocking our economic potential, creating jobs, and maintaining and improving our quality of life. As your committees continue consideration of surface transportation reauthorization legislation, we urge you to include legislative language that will re-allow the use of toll credits for Appalachian Development Highway System (ADHS) projects.

As you know, the Safe, Accountably, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU, P.L. 109-59) included language which prohibits states from using toll credits toward their non-federal share of an ADHS project. Historically, the ability of states to utilize toll credits to cover non-federal cost shares has increased the flexibility of state transportation finance programs, enabled states to more effectively utilize existing resources, and encouraged investment in much-needed infrastructure. Prior to this statutory change in SAFETEA-LU, state transportation agencies had much greater flexibility to furnish ADHS non-federal matching funds when other state highway funds were limited. Repealing the prohibition on using toll credits toward non-federal shares of ADHS projects would allow states to use toll credits for ADHS projects as they could before SAFETEA-LU, unlock existing unspent balances, make it easier for states to access future funding, allow important ADHS projects to move forward, and eliminate a disparity that does not exist for the vast majority of other federal transportation programs.

Thank you for your past support of the ADHS and we appreciate your attention to this important issue.

Sincerely,

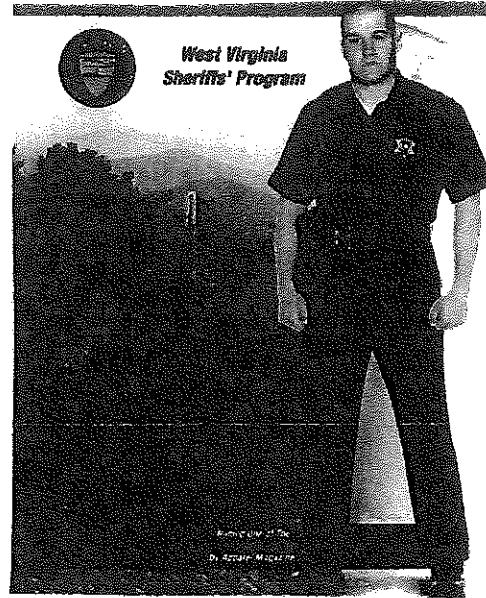
West Virginia Sheriffs' Association Wins 2010 NAUMD Best Dressed Competition with Perfection Uniforms

The West Virginia Sheriffs' Association, which represents all 55 counties of the Mountain State, has been awarded a Best Dressed distinction by NAUMD (North-American Association of Uniform Manufacturers and Dealers). In January 2005, the West Virginia Sheriffs' Association appointed a committee and, under the leadership of their president Sheriff Rodney Miller, formally began the daunting task of developing a statewide image for all departments.

Executive Director of the West Virginia Sheriffs' Association, Melissa Garretson, says, "The Sheriffs of West Virginia worked together as a unit for several years to develop the standards for the new uniform. We are proud of the steps taken toward making the Office of Sheriff more professional."

The changeover is the first time in the history of West Virginia that the Sheriffs have a consistent uniform image. As a result, sheriff uniforms across the state now consist of black

shirts with distinctive gray epaulets and pocket flaps, a matching gray tie, and gray pants with a black stripe down each leg.



CONTINUED TO PAGE 7

2010 INTERIM COMMITTEES AND STUDY ASSIGNMENTS OF INTEREST TO COUNTY GOVERNMENT

Joint Commission on Economic Development:
 SCR 31 Study of Tourism Industry Development
 SCR 73 Study of green public policy initiatives

Joint Committee on Government Organization
 HCR 99 Study of Powers & Duties of Division of Criminal Justice Services
 SCR 81 Study of Emergency Dispatch Center Training

Joint Committee on the Judiciary
 SCR 19 Study of Forensic Services
 SCR 47 Study of the Law Enforcement Training Subcommittee's Responsibilities
 SCR 76 Study of Prison & Jail Overcrowding
 SCR 79 Study of additional civil & criminal forfeiture statutes
 Review & study of the WV Freedom of Information Act

CONTINUED TO PAGE 3

INSIDE

Sympathy	2
Who Know?	2
Interim Committees (cont.)	3
Flashback Snapshots	3
County Wellness	3
CDI East Leadership Training	3
Calendar of Events	4
Legislative Interim Calendar	4
Member Profile	4
In 1960....	4
Recipe of the Month	4
Commonly Used Computer Terms	5
US Census Follow Up Operations	5
2010 NACo Conference	5
FAQ—Independent Primary Voters	6
CVB's Accreditation Process	6
NACo Steering Committee	6
NACo County Leadership Academy	7
Sheriffs' Uniforms	7
WVCo Dental Vision Plan Open Enrollment	7
Direct to You	8
President's View (cont.)	8

THE President's View

The deaths of 29 coal miners in Raleigh County a wakened a deep seated dread in all of us who live in and either work, have worked, or know friends and family who work in a coal mine. When the news flash happens and a reporter breaks in, your thoughts turn to, "Please God don't let something have happened at the mine."

My father was hurt in the mine and both my grandfathers spent their last years breathing oxygen from a tank and a great uncle was killed at the mine. Almost every one I know can say this. Many know these tragedies more intimately than this.

Seven of the twenty nine miners were from my home county, Wyoming. One was a young man I taught and coached. He was a great athlete as was his mother whom I'd coached a generation earlier. One was one of my uncles by marriage. We spent time coaching wrestling together. I knew most all these men and knew of the rest.

CONTINUED TO PAGE 8

WEST VIRGINIA ASSOCIATION OF COUNTIES
2214 WASHINGTON STREET, EAST
CHARLESTON, WV 25311

TELEPHONE (304) 346-0591 | FAX (304) 346-0592
EMAIL: WVACO@WVACO.ORG | WEBSITE: WWW.WVCOUNTIES.ORG

WVACO's County Line is published monthly by the WV Association of Counties. It is mailed to county officials, legislators, Affiliated members, & other interested parties.

Patti Hamilton EXECUTIVE DIRECTOR
Kathy Yates ADMINISTRATIVE ASSISTANT
Jack C McClung LEGAL COUNSEL
Mary Rader SECRETARY

WVACO Board of Directors

PRESIDENT

David "Bugs" Stover Wyoming County Circuit Clerk 732-8000

IMMEDIATE PAST PRESIDENT

John Gruzinkas Marshall County Sheriff 845-3580

VICE PRESIDENTS

Bill Blankenship Mercer County Assessor 487-8397

Betsy Castle Preston County Circuit Clerk 329-9047

Bob Bell Monongalia County Commissioner 291-7257

Karen Cole Cabell County Clerk 528-8625

Gerald Hough Putnam County Prosecutor 586-0205

Richard Ferguson Brooke County Sheriff 737-3660

COMMISSIONERS

Fran King Clay County 587-4259

Larry Barnhart Pleasants County 664-3542

Scott Bias Cabell County 526-8635

Donnie Tenney Upshur County 472-0535

COUNTY CLERKS

Donnie Evans Monroe County 772-3096

Janice Cosco Marion County 367-5445

Diana Cromley Mason County 675-1997

Jeff Waybright Jackson County 373-2258

ASSESSORS

Phyllis Gatson Kanawha County 357-0250

Cheryl Romano Harrison County 624-8510

Helen Phillips Upshur County 472-4650

Eddie Young Fayette County 574-4246

CIRCUIT CLERKS

Donnie Kopp Harrison County 624-8729

Brenda Miller Ohio County 234-3611

Sue Ann Zickefoose Boone County 369-7321

Virginia Sine Berkeley County 264-1918

PROSECUTING ATTORNEYS

John Bord Taylor County 265-3211

Michael Sparks Mingo County 235-0350

Rick Staton Wyoming County 732-8000

Judith A McCullough Ritchie County 643-2164

SENIORS

Mike White Hancock County 564-4138

Jim Childers Greenbrier County 647-8634

Mickey Metz Glimer County 462-7441

Virgil Miller Upshur County 472-1180

DIRECTOR EMERITUS

Chris Chiles Cabell County Prosecutor 526-8653

Barbara Core Marion County Circuit Clerk 367-6360

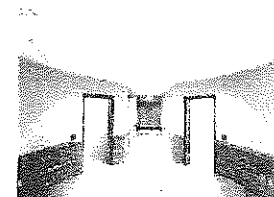
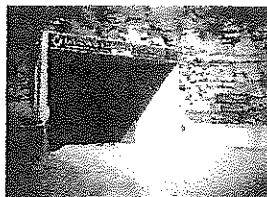
Robert Pasley Wayne County Commissioner 272-6369

Jean Friend Monongalia County Circuit Clerk 291-7240

Clarence "Sam" Hall Boone County Prosecutor 369-7383

Dana Lynch Webster County Assessor 847-2110

**When it's a matter of public record,
it matters how you store it.**



Underground Archives is the secure, affordable, climate-controlled storage solution for all of your vital county documents.

For more information contact us at: info@uarchives.com or call 724-526-0555.

uarchives.com

SYMPATHY....

The West Virginia Association of Counties extends our thoughts and sympathy to

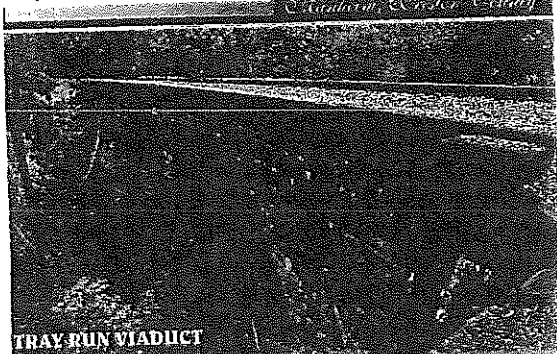
Our thoughts and prayers go out to Marion County Circuit Clerk Barb Core whose mother, Mary Scott, died in April.

Our sympathy goes out to Senator Mike Hall whose brother died this month.

Our sympathy goes out to Mike Goode, Wyoming County Clerk, whose mother, Julia Goode, passed away May 1st.

To family of Senator Don Caruth who passed away on May 1st. Senator Caruth served as Senate Minority Leader and his leadership will be missed.

W
H
O
K
N
E
W
?



TRAY RUN VIADUCT

TRAY RUN VIADUCT—Manheim, Preston

The Tray Run Viaduct, situated across the Cheat River above Manheim, is the third viaduct to be constructed over Tray Run. The original cast iron bridge, constructed in 1852 for the Baltimore & Ohio Railroad and illustrated on the reverse side of the state seal, was replaced in 1887 with a similar wrought iron design. The current viaduct, constructed after weight and speed increases in trains made the first versions insufficient, is an arched bridge constructed ca. 1905 of cut limestone. It is 2,000 feet long and 148 feet high. Tray ahead of the flues made this a cost-effective way to move coal from the steep terrain of Logan. The C&O 1308 Steam Engine was listed in the National Register of Historic Places in 2003.

Review criminal statutes to determine whether modifications should be made pursuant to recommendations of the WV Law Institute

Review criminal statutes that relate to technology crimes and related privacy issues

Study & review the annexation process utilized by political subdivisions & municipalities in this state

Study the prison & jail overcrowding issues

Study whether we should implement laws providing for the forfeiture of property used in various non-drug related crimes and the disposition of such property

Comprehensive review & overhaul of our Magistrate Court system

Select Committee on Health

Treatment options for substance abuse

Select Committee on Infrastructure

SCR 73 - Green Public Policy Initiatives

Alternative sources of funding for construction & maintenance of state, local and secondary bridges, roads and highways

Study of the ad valorem property taxation of antique motor vehicles

Joint Committee on Finance

HCR 88 Study of PEIA and Other Post Employment Benefits

HCR 135 Study of Homestead Exemption

Study of the financial burden to WV as result of substance abuse addiction problem

Tax issues generally

Other Post Employment Benefits (OPEB)

State & Local Financing Issues Generally

Study of the administration of property taxes and real property recording functions to identify any changes that may be necessary to effectuate a thoroughly modern, parallel, efficient and integrated system

COUNTY WELLNESS.....

**Healthy Food Shopping
Do's and Don'ts**

Do read nutrition labels: Any food called "Healthy" must contain at least 10% of the Daily Values per serving for several important nutrients.

Don't forget fiber's finest: Load up on whole-grain breads, rolls and cereals, as well as brown rice and dried beans.

Do pick the greenest: When buying salad greens, select those deepest in color—dark greens and reds. The dark color means higher concentrations of antioxidant vitamins A, C, and E, folic acid, calcium and other nutrients.

Don't dismiss frozen produce: Some frozen fruits and vegetables contain as many nutrients as fresh produce—sometimes more.

Do select "TV" dinner carefully: Choose frozen meals that contain less than 10 grams of fat and the least amount of sodium and cholesterol.

Don't pass up pasta: It's high in protein and contains B vitamins and iron.

Avoid shopping on an empty stomach: choose fruit "juices" instead of "drinks"; buy skinless poultry; remember that a standard serving of meat or fish should be the size of a deck of cards.



FLASHBACK SNAPSHOTS



2003 Richard Shelton Lighthouse Award recipient Sheriff and now Senator William R. Laird IV.

The late Tom Aiello and Circuit Clerk Betsy Castle get donations for flood victims in Southern WV (2001).

Extension Service
West Virginia University

*Leadership Training
that Works!*

**2010
CDI
East**

Community
Development
Institute East

**May 10-14,
2010**

Bridgeport
Conference Center
Bridgeport, W.Va.

*Build Economic
and Social Growth
for Your Community*

Expand your business, attract new investment, and create jobs in your community. This is the goal of the 2010 CDI East. The program is designed to help you achieve these goals through a series of hands-on training sessions.

Expand your business, attract new investment, and create jobs in your community. This is the goal of the 2010 CDI East. The program is designed to help you achieve these goals through a series of hands-on training sessions.

Expand your business, attract new investment, and create jobs in your community. This is the goal of the 2010 CDI East. The program is designed to help you achieve these goals through a series of hands-on training sessions.

Find out more:
 (304) 293-6131
 ext. 6215
www.cdi.org
www.cdi

Calendar of Events

- MAY 17-20, 2010** Association of WV Assessors Annual Conf.
Lakeview Resort, Monongalia County
- JUNE 6-9, 2010** WV County Clerks Association
Glade Springs, Raleigh County
- JUNE 14-15, 2010** WVACo Spring Board Meeting
Twin Falls Resort, Wyoming County
- AUGUST 1-3, 2010** CCAWV Annual Meeting
- AUGUST 10-13, 2010** WV Circuit Clerks Association Annual Meeting
Canaan Valley, Tucker County
- SEPTEMBER 12-14, 2010** WV Sheriffs' Association Meeting
Oglebay Resort, Ohio County



2010 LEGISLATIVE INTERIM CALENDAR

- May 24-26 — Monday, Tuesday, Wednesday
 June 7-9 — Monday, Tuesday, Wednesday
 July 19-21 — Monday, Tuesday, Wednesday
 August 9-11 — Monday, Tuesday, Wednesday
 September 13-15 — Monday, Tuesday, Wednesday
 October 11-13 — Monday, Tuesday, Wednesday
 November 15-17 — Monday, Tuesday, Wednesday
 December 13-15 — Monday, Tuesday, Wednesday
 January 9-11 — Sunday, Monday, Tuesday

IN 1960.. The WVACo was created

and

Top TV Shows :

- Gunsmoke
- Wagon Train
- Have Gun, Will Travel
- The Andy Griffith Show
- The Real McCoys

Top Music:

- You Talk Too Much—Joe Jones
- Cathy's Clown—The Everly Brothers
- The Twis—Chubby Checker
- Save The Last Dance for Me—The Drifters

MEMBER PROFILE:

Thomas W. "Tom" McComas
Cabell County Sheriff



Years in office: on my second year of my first term.

Education: Graduate of Barboursville High School Attended Marshall University

My favorite sport is: hunting.

A dream I have had is to: Rise through the ranks of the Cabell County Sheriff's office and become Sheriff (How often to you realize your dream, I have.)

The hardest thing I have done: is arrange my parent's funerals.

You would be surprised to know: that I enjoy to sing and am told do.....ok.

I'm most proud of: my children

My favorite meal is: meat and "tators"

The last book I read was: Bible

Three people (living or dead) I'd invite to dinner:
Mother, Father, the Apostle Paul

My favorite movie is: any John Wayne and O Brother Where Art Thou

My favorite music is: Contemporary Christian

My pet peeve is: dishonesty.



RECIPE OF THE MONTH

WV Blackberry Cake

FAYETTE COUNTY

Ingredients:

- | | |
|------------------------|----------------------------|
| 2 cups sugar | 1 teaspoon cinnamon |
| 1 cup butter, softened | 1 teaspoon baking soda |
| 4 eggs | 1 teaspoon baking powder |
| 3 cups flour | 1 cup buttermilk |
| 1 teaspoon cloves | 1 1/2 cup blackberries |
| 1 teaspoon nutmeg | |
| ***ICING*** | |
| 1 cup butter, softened | 1 pound box powdered sugar |
| 1 teaspoon vanilla | 3 tablespoons cold coffee |

Directions:

Cream sugar, butter together. Beat eggs and add to creamed mixture. Combine flour, spices, baking powder and soda. Stir into creamed mixture, alternating with buttermilk. Carefully fold in berries.

"My best friend is the one that brings out the best in me." HENRY FORD

COMMONLY USED COMPUTER TERMS

By Kathy Yates, WVACo Administrative Assistant

Throughout the world of computing you will hear computer jargon galore, which, unless you are trained or curious about pc's, you may need a few explanations. Below are few common terms that people "in the computer business" use frequently. Stay tuned for more definitions next month.

Attachment (Email)

This is the name given to a file that is sent along with an email. An email attachment can be any type of file, including images (photos), videos, mp3s, documents, zipped files/folders, and more.

Blog

A blog refers to a public webpage which is published by either an individual or a group of individuals. Blogs are commonly personal journals/diaries and are used to comment on all sorts of topics, depending on the interests of the blogger (author).

Cookie—Cookies

Cookies are small text files that are placed on your computer by websites for various different reasons. For example, web-based email providers normally use cookies to "remember" who you are while you are using their service. Cookies, sometimes referred to as temporary internet files, can sometimes slow down your computer at times. Refer to past articles about clearing cookies on your pc.

Driver—Device Driver

A device driver is a piece of software that is written specifically to control a certain piece of hardware, such as a printer, sound card, modem, graphics card, or scanner.

Firewall

Firewall refers to security program which protects your computer from un-authorized access through a network and/or the Internet. These are very important especially if your computer is connected directly to the Internet for long periods of time.

Hard Disk—Hard Drive

A hard disk (Hard Disk Drive) is your computer's main storage device. It is where you would normally keep your operating system, programs and files. It is the computers file cabinet.

IP Address—Internet Protocol

This is a unique split into 4 parts separated, every computer connected to the internet has an IP address, a typical IP address looks like the 213.22.128.66. This number identifies your computer or a webpage the same as your home address describes your location.

LAN—Local Area Network

This is common in offices and is used to link 2 or more computers together in order to share files and/or printers. A LAN refers to a network that connects all users together. A WLAN is a LAN administered wirelessly.

Stay tuned for more.....



Non-response Follow-up Operations

Beginning May 1, the U.S. Census Bureau will launch Non-response follow-up (NRFU) operations in which census takers will go door-to-door to collect information from households that did not return their census forms by mail. Residents from the local community have been hired as census takers to complete this important task.

In most cases, census workers will make initial visits during afternoons, early evenings, and weekends. Workers will identify themselves with a census ID badge that contains a Department of Commerce watermark. The census taker may also be carrying a bag with a Census Bureau logo. If asked, he or she will provide supervisor contact information and/or the Local Census Office phone number for verification. If census workers are unable to reach a household member in-person, they will also attempt contact by phone to conduct the interview with the household member.

The Local Census Office began monitoring mail response rates through the data capture centers shortly after March 17, 2010 to begin estimating the local NRFU workload. The NRFU operations are scheduled to be completed by July 10, 2010.

For information on NRFU operations, visit 2010.census.gov.

About the 2010 Census

The 2010 Census is a count of everyone living in the United States and is mandated by the U.S. Constitution. Census data are used to distribute Congressional seats to states, to distribute more than \$400 billion in federal funds to tribal, state and local governments each year and to make decisions about what community services to provide. The 2010 Census questionnaire will be one of the shortest in U.S. history and consists of 10 questions, taking about 10 minutes to complete. Strict confidentiality laws protect the respondents and the information they provide.

NATIONAL ASSOCIATION OF COUNTIES

NACO Counties Care for America



Celebrate NACO's 75th Anniversary at the 2010 Annual Conference & Exhibition in Reno-Washoe County, Nev. July 16-20, 2010. Registration is now open and hotel reservation information is also available. Don't forget: You can save \$25 by registering online at www.naco.org.

"A friend is one that walks in when others walk out." Walter Winchell



FREQUENTLY ASKED QUESTIONS INDEPENDENT PRIMARY VOTERS

Q: What is a "Major Party"?

A: There are three "major parties" as defined in West Virginia law. In alphabetical order they are Democratic, Mountain, and Republican.

Q: Can I choose what ballot I want to vote?

A: As long as you are not a member of the Democratic, Mountain or Republican parties, you may choose to vote in any one of those parties' primary elections. If you ARE a member of one of those parties, you have to vote the ballot of the party with which you are registered.

Q: Can I vote in more than one party's primary?

A: No. You may only choose one party.

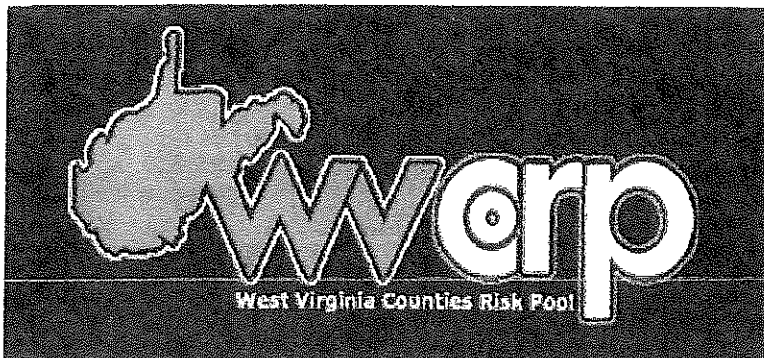
Q: At what point in the process do I have to ask for a party's ballot?

A: A voter may request a party's ballot at any time between check-in and casting the ballot. If a voter has already begun voting the non-partisan ballot, the ballot must be spoiled. Then the voter may be issued a party ballot and follow the rest of the normal process.

Q: How am I allowed to vote in a party's primary?

A: West Virginia law allows each party to decide who can vote in their primary elections. All three of the major parties have given notice to the Secretary of State that unaffiliated voters are allowed to vote in their party's primary.

From the Office of Secretary of State



www.wvrisk.org

Phone: 888-822-6772
Fax: 877-212-8599

W.Va. Tourism Commission Reviews CVBs Accreditation Process

In recognition of the stringent standards of admission to the West Virginia Association of Convention and Visitors Bureaus as well as the oversight attendant to those standards, the West Virginia Tourism Commission has reviewed the process for accreditation.

In its findings, the Commission has determined that it places a certain value on accreditation that permits it to infer that project applications from accredited CVBs have a greater probability of meeting the criteria as set forth in W.Va. Code R. 144-1-4.3.

Non-accredited CVBs shall not be automatically disqualified from consideration for matching advertising funds. However, they will not benefit from the inference created by accreditation and shall be expected to provide information to the Commission to demonstrate that the non-accredited CVBs meet or exceed the criteria as required by the WVACVB's membership standards for all Matching Advertising Partnership Program award levels.

This is in no way to be considered an endorsement for membership with the WVACVBs, but applicants to MAPP will be expected to provide information to demonstrate that they meet or exceed the basic criteria used by the WVACVBs to evaluate membership into that organization.

NATIONAL ASSOCIATION OF COUNTIES



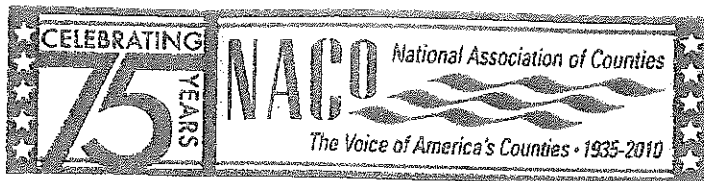
BECOME A NACo STEERING COMMITTEE MEMBER

Do you want a voice in creating the national legislative policies of the National Association of Counties? Then consider filling out a NACo nomination form to be appointed to one of their eleven steering committees, (Agriculture and Rural Affairs; Community and Economic Development; Environment, Energy and Land Use; Finance and Intergovernmental Affairs; Health; Human Services and Education; Justice and Public Safety; Labor and Employment; Public Lands; Telecommunications and Technology; and Transportation).

The nomination process for membership on NACo policy steering committees is underway. As a NACo steering committee member, you are responsible for debating and creating national policies and priorities affecting counties and serve as NACo's front line in their grassroots efforts. Committees meet at the NACo legislative and annual conferences and one other time during the year. You will be responsible for your own travel.

You may receive a form by calling the WV Association of Counties office at 304-346-0591 or email us at wvaco@wvaco.org. Please be as thorough as possible in completing the nomination and grassroots forms and send it to us by **June 11, 2010**. **The nominations are processed in our office and will be forwarded to NACo by June 30, 2010 for approval by the incoming NACo President after the NACo Annual Conference in July. NACo will announce your appointment in September 2010.**

"A friend is one who overlooks your failures and tolerates your success." DOUG LARSON



Steve Gilkeson, Executive Vice President of Perfection Uniforms, comments, "Perfection was honored to assist the committee during the developmental process, from fabric/color selection to particular technological upgrades which serve to enhance image, practicality, comfort, and mobility." Best Dressed distinction was determined in regard to overall design excellence of a uniform program.

Criteria included:

- Innovative design for use within the environment and special conditions
- Effectiveness in meeting image goals
- Innovative use of fabric, design, and accessories
- Overall attractiveness of entire program
- Effectiveness in design in identification of each team within the department

"The development of the West Virginia Sheriffs' Association achievement in creating a uniform program accepted by all parties was both unique and dramatic," according to Richard J. Lerman, President of NAUMD. "The design included all the latest and most important safety elements as well as sharp and well conceived color and design looks. The contributions of all concerned made this unique program instantly a winner with the judges and the industry!"

ROBERT PASLEY SELECTED TO JOIN COUNTY LEADERS FROM ACROSS U.S. FOR INTENSIVE LEADERSHIP PROGRAM IN WASHINGTON, DC

(Washington, D.C. April 1, 2010) The National Association of Counties announced today the selection of Wayne County Commissioner Robert Pasley as one of twenty-five county leaders from across the United States to participate in the seventh annual County Leadership Institute, a rigorous four-day program offered in partnership with Cambridge Leadership Associates. Selected as an official with a commitment to developing collaborative and innovative solutions to local issues, Commissioner Pasley will meet at IBM's Institute for Electronic Government in Washington, DC, from June 1-5, 2010. Representatives from George Washington University/Trachtenberg School of Public Policy and Public Administration will participate as a university partner.

The Institute, now in its seventh year, has graduated 141 members from 42 states and 138 counties across the country. Known for enhancing the capacity of county officials to identify and implement innovative solutions to the complex challenges facing county government in the 21st century, this year's program will focus closely on the demands of personal leadership in a new era of government, one characterized as a "permanent crisis" by CLI Faculty Marty Linsky.

"The county officials who participate in the Institute get information, ideas, and perspectives they can't get anywhere else," said Larry Naake, executive director of NACo. These county leaders not only discuss the core principles of public service leadership with prominent experts, they also collaborate intensively with each other to develop new ways to attack real-life issues of importance to the citizens of their counties.

In addition to developing skills and cultivating new perspectives of leadership, the Institute builds a network of CLI alumni who continue to offer support, suggestions and feedback across years and county lines. Classes meet daily from 8:30 am to 5pm and in three evening meetings. Program costs are offset by corporate and non-profit sponsoring organizations. Sponsors for 2010 include IBM, ESRI, NACo's Financial Services Corporation (FSC), the National Council of County Association Executives (NCCAE) and the Arizona Association of Counties.

WVACO Dental / Vision Plan
WEST VIRGINIA ASSOCIATION OF COUNTIES

**May 2010
OPEN ENROLLMENT**

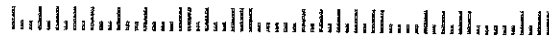
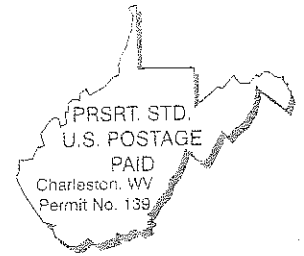
May is open enrollment for the WVACO Dental Vision Plan.

Any changes to a policy or any new enrollments will become effective July 1, 2010.

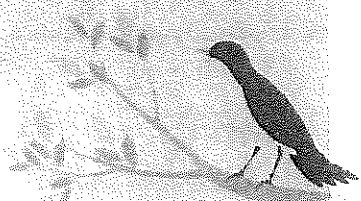
Contact Kathy Yates at 304-346-0591

years
WV

2211 Washington Street East
Charleston, WV 25311



6*****MIXED AADC 250
JEFFERSON COUNTY
PO BOX 250
CHARLES TOWN, WV 25414-0250



Direct to You

Of all the accomplishments by the West Virginia Association of Counties and its Board of Directors in my almost 14 years here, I am most proud of the creation and implementation of the Local Government Leadership Academy (LGLA). In 2011, we will celebrate the 10 year anniversary of this successful collaborative program that fosters learning and partnership. The partnership with WVU Institute for Public Affairs has truly been the catalyst behind the success of the program. The co-sponsors along with the WV Association of Counties are the WV Municipal League and the County Commissioners' Association. LGLA provides the only forum that brings county and city officials together for education and information on leadership, management, and timely issues of the day. I have enjoyed every class I've taken at LGLA and I'm proud to say that I (finally) achieved the Certificate of Highest Merit, as have many others before me. I purposely took my time so I'd always have a reason to attend! Although this is the highest recognition offered by LGLA, I plan to continue to attend and participate because I enjoy the atmosphere of education and camaraderie and want to see the program grow. I am also very proud that the WV Association of Counties has been able to provide a scholarship for participants from distressed and at-risk counties from the Appalachian Regional Commission's Flex-E-Grant program. Over the years, we have provided nearly 200 tuition scholarships and travel stipends to facilitate and encourage attendance. If you haven't been to one, look for the announcement of the fall session which will be held in Charleston, talk to other participants, and take the time to challenge your mind!

Patti

President's View

CONTINUED FROM PAGE 1

It is honorable that we remember these who worked hard to provide for the ones they loved and in so doing provided the power for over 90 % of West Virginia and for more than half of each and every American.

I leave this observation to the loved ones left behind:

In all your remaining years -as spring arrives and the roadsides and mountains begin to cascade with the purple and white of red bud and 'sarvice', as the mists gather around the warmed creeks and hollows condensed from still air chilled by the night, allow a pleasant thought of them to cross your mind, for they were men of these mountains and they will have seen, and smelled, and felt these moments... The mists begin to swirl and dance slowly at first; then they rush upward through the hollows and along the ridge to meet the sun at the summit. Take time to know these fleeting moments for these miners. Your husbands, sons, brothers, fathers, and friends will smile from heaven with you, as the mists of our mornings rise to greet the sun.

David "Bugs" Stover

Do you understand OPEB?
Do you want to understand OPEB?

It is a subject that is very grueling and difficult to understand. And all local governments are affected by it. Watch for the series OPEB 101 produced by the WVACO and delivered to you by your member list-serve email address. If you are not receiving it, and would like to, please let us know and we will provide you with a faxed copy or a copy via email.



United States Department of Agriculture
Rural Development
West Virginia State Office

Spring 2010

SUBJECT: Annual Progress Report
Quarterly Newsletter

Enclosed herewith please find our Fiscal Year 2009 Annual Progress Report and our latest quarterly newsletter.

Each year, it is our intention that all our partners, potential borrowers, friends, etc., receive a copy of our annual report, whether it is via mail or electronically.

In addition to our Annual Progress Report, we produce a quarterly newsletter. Normally, in order to save taxpayers' dollars, we send these out only to those that we have an e-mail address on file. Unfortunately, we do not have a current e-mail address for you and you could be missing out on some very important information and/or the opportunity to find out how Rural Development can be of service to you and/or your community!

Please contact Gail Bennett, our Public Affairs Specialist, and request she update our database with your current information. You may contact Gail at (304) 284-4875 or Gail.Bennett@wv.usda.gov.

We look forward to a lasting relationship with you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Bobby Lewis".

BOBBY LEWIS
State Director

RECEIVED

MAY - 7 2010

Enclosures

Jefferson County Commission

1550 Earl Core Road, Suite 101 • Morgantown, WV 26505
Phone: (304) 284-4860 OR (800) 295-8228 • Fax: (304) 284-4893 • TDD: (304) 284-4836 • Web: <http://www.rurdev.usda.gov/wv>

Committed to the future of rural communities.

"USDA is an equal opportunity provider, employer and lender."
To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).



Message From WV State Director Bobby Lewis



It is so hard to believe we are moving into the third quarter of Fiscal Year 2010. This newsletter will depict just how busy we have been during the second quarter. With that in mind, we expect an even busier third and fourth quarters as we continue to allocate not only our regular funding allotments, but also the funding made available through the American Recovery and Reinvestment Act (ARRA).

It is with great pleasure that we share this information with you and encourage you and/or your community to contact your local USDA Rural Development office to see what programs might be of benefit to you.

With over 40 loan, grant and combinations thereof, there could be some financial assistance we can offer you or someone you know. Help us spread the word!

Ellamore VFD Holds Grand Opening Celebration

Saturday, February 20, 2010. Ellamore Volunteer Fire Department, in Upshur County, celebrated a long-awaited grand opening/ribbon cutting as they finally have a new home.

The fire house had flooded with more than six feet of water during the flood of 1996. The new building, on Route 151, puts their flood worries behind them for good.

The VFD, established in 1977, originally was housed in an old school bus shed until leasing part of an abandoned saw-

mill located on a back road at the edge of the Middle Fork River.

There are presently 23 volunteers, but this much bigger facility will allow them to expand. In addition to the four bay garage, the new station has a large lounge, an office and a small kitchen.

In addition to USDA Rural Development State Director Bobby Lewis and Community Facilities Specialist Paula Moeller, several other local and state leaders attended the ribbon cutting.

"Community Facilities projects such as this one, made to first responders, are essential to the quality of life for rural residents," stated Lewis. "The Fire Department's rescue and response time to most all their service area will be cut, helping to save more lives."

The old fire station, which is approximately two miles from this new one, is being turned into a community center and will celebrate its own grand opening very soon.



Pictured above (l to r): Captain David Fletcher; Firefighter Jake Lantz; Founding Member Bob Grandusky; Founding Member Sharon Grandusky; Representative Bill Hamilton; Chaplain Ken Johnston; Former Fire Chief Mike Higham; USDA Rural Development Community Facilities Specialist Paula Moeller; Representative Mike Ross; Upshur County Commissioner Donnie Tenney; Randolph County Commissioner Julia Elbon; USDA Rural Development State Director Bobby Lewis; Upshur County Commissioner Eugene Suder; Upshur County Commissioner Creed Pletcher; Fire Chief Mark Howes; and Captain John Wilt.

Inside this issue:

<i>Grand Opening Celebration Held For Community Connect Grant Awardee</i>	2
<i>Telemedicine Grant Awardee Holds Press Conference To Announce 'Connect to Care' Project</i>	3
<i>Business & Industry Loan Guarantee</i>	4
<i>Community Facilities Loans and Grants For Rural Libraries</i>	5
<i>'Know Your Farmer, Know Your Food' Initiative</i>	6
<i>Southwestern Water PSD Celebrates</i>	7
<i>Distance Learning & Telemedicine Funding Available</i>	7
<i>Gilmer Co. VFD Purchases Tanker Truck</i>	8
<i>Fellowsville VFD Receives Turnout Gear</i>	8
<i>Rural Business Opportunity Grants Available</i>	9
<i>Rural Development Participates in Regional Civil Rights Training</i>	9
<i>Rural Development Participates in Wyoming County Celebrations</i>	10
<i>"Stronger Economies Together" (SET)</i>	11
<i>Contact Information</i>	12

Grand Opening Celebration Held For Community Connect Grant Awardee

Community Connect Grants, one aspect of USDA Rural Development's Telecommunications Programs, provide financial assistance to eligible applicants that will provide currently unserved areas with broadband service that fosters economic growth and public safety services.

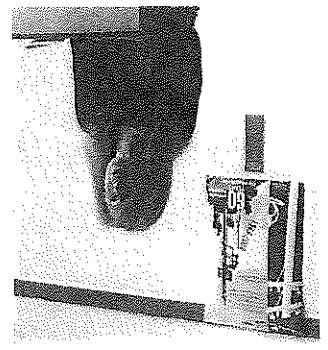
In celebration of being awarded a \$628,200 Community Connect Grant, and also in celebration of USDA Rural Development Telecommunications' 60th Anniversary, WV WISP, LLC, held a grand opening celebration on Thursday, January 28, 2010, at the Reedy Community Center.

WV WISP, LLC, is located in Reedy, Roane County, WV. WV WISP will provide wireless broadband services to the Reedy Volunteer Fire Department, Reedy Elementary School, and the Community Center (pictured below), in addition to the community's residents. The center's employees will provide users with free training on computer and internet usage.

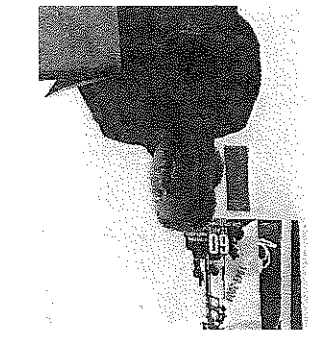
"You'll be surprised how many show up to these laptops hungry for knowledge," stated Pilato. "State Director Bobby Lewis works tirelessly to bring broadband infrastructure to rural areas."

Adding to those sentiments, Chuck Flannery (below), Field Representative for Honorable Shelley Moore Capito, Congresswoman, 2nd District, West Virginia, was on hand to say a few words and read a support letter from Ms. Capito. This support letter was then presented to WV WISP, LLC.

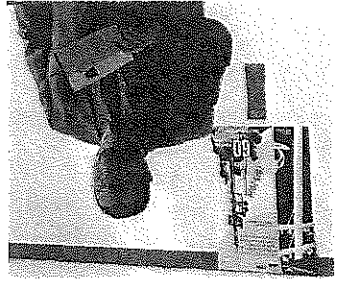
Also on hand to share in this momentous occasion was the Administrative Staff Assistant for Honorable John D. Rockefeller,



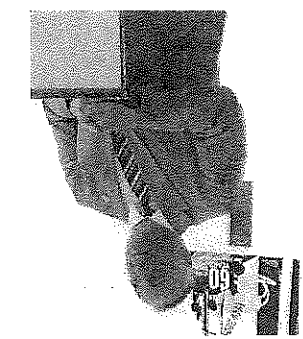
IV, State Senator, West Virginia. Jenna Jeffrey (below) provided some encouraging words to WV WISP, LLC, read aloud Senator Rockefeller's support letter, and then presented that letter to WV WISP, LLC.



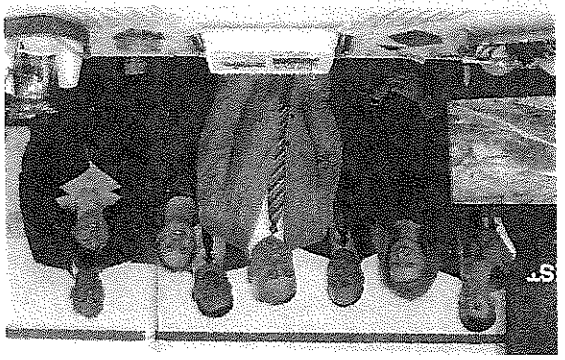
"With all the programs we do, we couldn't do it without you—the applicant," stated Bobby Lewis, West Virginia USDA Rural Development State Director (next column, top). "Also, if it wasn't for our Congressional delegations, we would not have the funds. These partnerships are appreciative for all the funds they get appropriated to our programs."



Winding up the program, Richard Jenkins (below), General Field Representative for USDA Rural Development in both Virginia and West Virginia, stated, "It makes me feel good to help the State."



Pictured (front row, l to r): Steve Pilato (Regional Representative for Honorable Joe Manchin, III, Governor of West Virginia); Kathy Salvucci (wife of Honorable Sam Salvucci, Mayor of Reedy); Bobby Lewis (USDA Rural Development State Director); Jenna Jeffrey (Administrative Staff Assistant for Honorable John D. Rockefeller, IV, Senator); and Maryann Rhodes (WV WISP Member). (second row, l to r): Chuck Flannery (Field Representative for Honorable Shelley Moore Capito, Congresswoman, 2nd District, West Virginia); Rod Parsons (WV WISP President); Richard Jenkins (General Field Representative, Telecommunications Programs, USDA Rural Development); and Frank Waybright (WV WISP Vice-President).



Telemedicine Grant Awardee Holds Press Conference To Announce 'Connect to Care' Project

Charleston Area Medical Center's (CAMC) Health Education and Research Institute joined the United States Department of Agriculture Rural Development and the West Virginia Perinatal Partnership on February 18, 2010, to announce more than \$1 Million in grants to provide equipment and training to connect patients at 15 rural health facilities with specialist at CAMC's Women and Children's Hospital, Cabell Huntington Hospital and West Virginia University's Children's Hospital.

Once in place, obstetricians and gynecologists will be able to use interactive video and audio teleconferencing technology to see patients and sonograms in real time.

Honorable Joe Manchin, III, West Virginia's Governor, was on hand to deliver a message to the press conference crowd (*pictured below*).



"The 'Connect to Care' program will be vital to improving the health care and wellness of high-risk mothers and their babies, helping to improve medical outcomes and reducing the State's infant mortality rate," stated Manchin.

The grants, totaling \$1,036,016 are coming from the West Virginia Perinatal Telehealth Project Rural Healthcare sites (\$504,407), the USDA Rural Development Distance Learning and Telemedicine Grant (\$371,609), the Claude Worthington Benedum Foundation (\$150,000), and Charleston Area Medical Center (\$10,000).

An additional \$50,000 has been requested from the West Virginia Health Care Authority for this project.

The West Virginia Perinatal Telehealth Project is being developed in response to needs identified through the "Key Informant Survey" conducted in 2006. 165 perinatal providers across West Virginia contributed their ideas on how to improve West Virginia's perinatal health system.

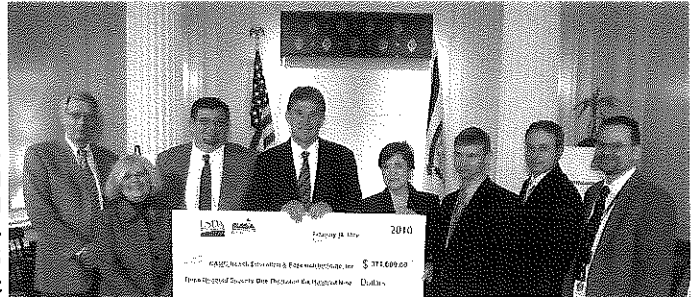
Many providers pointed out the problems posed for their patients who needed to travel to tertiary care facilities for medical consultation. The ability to have a more effective and efficient means for medical consultation will be just one of the advantages addressed with this project.

Women and babies needing the services of high-risk specialists often have to travel long distances

for those services. Many do not keep appointments because of the long distances on difficult West Virginia roads.


Telemedicine utilizes interactive video and audio teleconferencing technology that allows a physician at a specialty center to see the patient and/or sonogram in real time (almost at the same speed as in person). When needed, a specialized ultrasound equipment can digitally transfer a sonogram image to a specialty center.

In addition, telemedicine also gives health care providers access to continuing education lectures.




Pictured above (l to r): Robert C. Nerhood, M.D. (Chair, Department of Obstetrics & Gynecology, Marshall University); Sharon Hall, President, CAMC Institute; Richard Jenkins, General Field Representative, USDA Rural Development; Honorable Joe Manchin, III, Governor of West Virginia; Nancy Tolliver, Project Director, West Virginia Perinatal Partnership; Michael Stitely, M.D. (Associate Professor and Vice-Chair of Clinical Services Department of Obstetrics & Gynecology, WVU School of Medicine); Jay Bringman, M.D. (Associate Professor Director of MFM Out-Patient Services, WVU Children's Hospital); and Luis Bracero, M.D. (Chair, CAMC Department of Pediatrics and Director, Maternal Fetal Medicine, CAMC, WVU School of Medicine).

We go the extra mile to bring opportunities to your community.



Through the resources of West Virginia, USDA Rural Development Community Facilities Specialist Paula Mosher raises awareness of the agency's many funding opportunities. She develops lasting relationships by personally interacting with residents of rural communities and listening to the needs of the community. Paula's sincere efforts secure grants such as USDA Rural Development Economic Impact Initiative and produce the most positive and far-reaching impact.

Learn more about how USDA Rural Development can make a big difference in your community. Contact your local office or visit www.usda.gov.



Commitment to the Rural Community
 USDA Rural Development is a part of the U.S. Department of Agriculture

The West Virginia Perinatal Partnership is a group of more than 100 health care provider organizations, agencies, associations, government entities and non-profits who believe that the health of West Virginia's babies has a tremendous impact on the

State's economy, workforce development and family well-being. Since 2006, the West Virginia Perinatal Partnership has studied and made policy recommendations to improve the State's perinatal health.

Community Facilities Loans and Grants For Rural Libraries

Public libraries are culturally and technologically critical to the rural communities they serve. They are important to bridging the digital divide, enhancing the economic vitality of and improving the quality of life in rural America.

The Secretary of Agriculture has designated \$100 Million in USDA Rural Development Community Facilities Program funding for public libraries.

The Community Facilities funds will give rural communities the opportunity to improve their library facilities, enhance educational opportunities, and improve economic conditions. Library construction or renovation projects will also create and save jobs in the construction and library service fields.

General Program Description

The Community Facilities Program provides loans and grants to assist in the development of essential community facilities in rural areas and towns of up to 20,000 in population. USDA Rural Development is committed through its Community Facilities Program in ensuring that essential facilities—such as health care clinics, police and fire stations, schools, libraries and child care centers—are readily available to all rural Americans.

Direct loans can be made to applicants who are unable to obtain commercial credit. Rural Development can guarantee loans made and serviced by lenders such as banks, savings and loans, and mortgage companies which are part of bank holding companies, or members of the Farm Credit System.

Community Facilities Grants are authorized on a graduated scale. Applicants located in smaller communities with low populations and low incomes will receive a higher percentage of grants. Grant funding limitations are based on population and income, economic feasibility and availability of funds.

Who May Apply?

Loans and grants are available to public entities such as municipalities, counties and special-purpose districts, as well as non-profit corporations and tribal governments. Applicants must have legal authority necessary for construction, operation and maintenance of the proposed facility. They must also be financially sound and able to organize and manage the facility effectively.

Repayment of the loan must be based on tax assessments, revenues, fees or other sources of money sufficient for operation and maintenance, reserves and sufficient debt retirement.

Rural Development is aware that libraries are not revenue-generating and depend heavily on local property taxes to maintain operations. Although there may be challenges in developing these projects, the agency will spur interest in library facilities by providing grant funding opportunities that are not typically available.

How May Funds Be Used?

Funds may be used to construct, enlarge or improve public libraries. This can include costs to acquire land needed for a facility, pay necessary professional fees,

and purchase equipment required for operation.

Funds can be used to purchase shelving, furniture, computers, audio-visual equipment, distance learning equipment and bookmobiles.

A loan may be made in combination with other Community Facilities assistance such as a grant, applicant contributions, or loans and grants from other sources.

What Are The Terms?

The maximum term for all loans is 40 years. However, the repayment period is limited to the useful life of the facility or any statutory limitation on the applicant's borrowing authority.

What Is The Interest Rate?

Interest rates for direct loans are based on current market yields for municipal obligations, although loans for facilities impacting prime or unique farmland may require a slightly higher rate. Certain other direct loans may qualify for a lower interest rate, depending upon the median household income of the residents of the community to be served.

The interest rates for guaranteed loans may be fixed or variable and are determined by the lender and borrower, subject to USDA review and approval.

What Security Is Required?

Bonds or notes pledging taxes or assessments will be accepted as security if they meet statutory requirements. Where State laws permit, a mortgage may be taken on real and personal property. Tax-exempt notes or bonds may

be issued to secure direct loans, but cannot be used for guaranteed loans.

What Is The Maximum Grant Assistance?

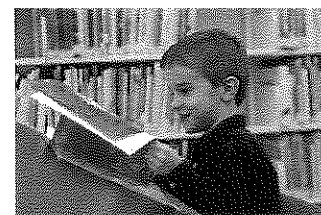
Depending on funding availability, USDA Rural Development will provide up to \$500,000 in additional dedicated grant funds to each of our State Offices for library projects.

How Are Applications Processed?

Applications are handled by USDA Rural Development field offices. Rural Development staff will be glad to discuss a community's needs and the services available from USDA. Field staff can provide application materials and current program information, and assist in the preparation of an application. You may also visit the website for additional assistance: <http://www.rurdev.usda.gov/rhs>.

Other Rural Development Opportunities For Rural Libraries

A Notice of Funding Availability (NOFA) was published to provide financial resources for deployment of broadband service in rural America. This notice includes a grant funds set-aside for bringing broadband connectivity to rural libraries. These funds can be used in combination with Community Facilities assistance. See <http://www.broadbandusa.gov>.





RD NEWS FLASH

United States Department of Agriculture - Rural Development
World Wide Web: <http://www.rurdev.usda.gov>

Committed to the future of rural communities.

March 2010

"LOCAL FOOD" FUNDING OPPORTUNITY

Know Your Farmer, Know Your Food

'Know Your Farmer, Know Your Food' is an USDA-wide effort to create new economic opportunities by better connecting consumers with local producers. It is also the start of a national conversation about the importance of understanding where your food comes from and how it gets to your plate.



The 'Know Your Farmer, Know Your Food' initiative includes supporting local farmers and community food groups; strengthening rural communities; enhancing direct marketing and farmers' promotion programs; promoting healthy eating; protecting natural resources; and helping schools connect with locally grown foods.

Do you see an opportunity where you live? Do you need \$ to move forward?

Consider the Community Facilities Program

- Offers direct and guaranteed loans and grants designed to finance the development of over 80 different types of essential community facilities serving rural areas.
- Facilities include, but are not limited to, hospitals, elderly care facilities, child care centers, fire and rescue stations, vocational and medical rehabilitation centers, schools, public transportation infrastructure, and projects that support local and regional food systems.
- Eligible applicants include rural communities and non-profit organizations.
- Loans are made at below-market, fixed interest rates.
- Grants are limited to projects with high financial need that serve low income communities.
- Eligible expenses include land acquisition, construction of facilities, necessary fees, and equipment.
- Community must be under 20,000 in population.
- Grants range from 15%-75% and require matching funds.

Consider Other Rural Development Programs

- Business & Industry (B&I) Guaranteed Loan Program
- Rural Business Enterprise Grant (RBEAG)
- Rural Business Opportunity Grant (RBOG)
- Value-Added Producer Grants (VAPG)
- Rural Cooperative Development Grant (RCDG)
- Rural Energy for America Program (REAP)
- Community Connect Grant



Eligible projects that support local and regional food systems include, but are not limited to:

- Food Banks/Shelves – purchase building and equipment, purchase vehicles for food delivery, renovations, and new construction
- School Cafeterias – purchase equipment, renovations, and central processing and distribution centers.
- Farmers Markets - purchase building, renovation, and new construction.
- Community Gardens – purchase real estate and infrastructure to connect to the water sources and/or provide irrigation.
- Community Kitchens – purchase equipment, renovations, or new construction.

Ineligible projects include:

- Purchase of small tools.
- Individual market stalls, tables, or signage for individual farmers.
- Flea markets.

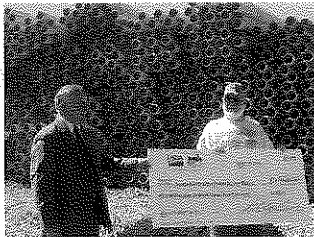
Contact Information:

Contact your local RD office for more information. Please visit <http://www.rurdev.usda.gov/wv> to find an office near you.

Southwestern Water PSD Celebrates Funding With Ground Breaking and Check Presentation Ceremony

March 19, 2010. Southwestern Water PSD announced that it has finalized its loan agreements with USDA Rural Development and Drinking Water Transfer Revolving Fund to begin its water system upgrade and extension project.

Folks gathered along the road, where the pipe has been delivered, on this beautiful sunny day to share in the celebration of funding.



USDA Rural Development State Director Bobby Lewis (*above, l*) was on hand to present a ceremonial check symbolizing the \$4,185,000 USDA Rural Development loan to Board Chairman Don Gull (*above, r*). Other funding for this project is a loan from the WV Bureau for Public Health.

The crowd listened as stories were told of how the communities' need for potable water began the search for this much needed funding.

Board Chairman Don Gull stated, "This project will improve water service to the district's current customers, expand service to outlying areas which currently rely on non-potable water, and is expected to reduce the district's current water loss which we believe is attributable to the age of the system."

Southwestern Water PSD has owned and operated a public

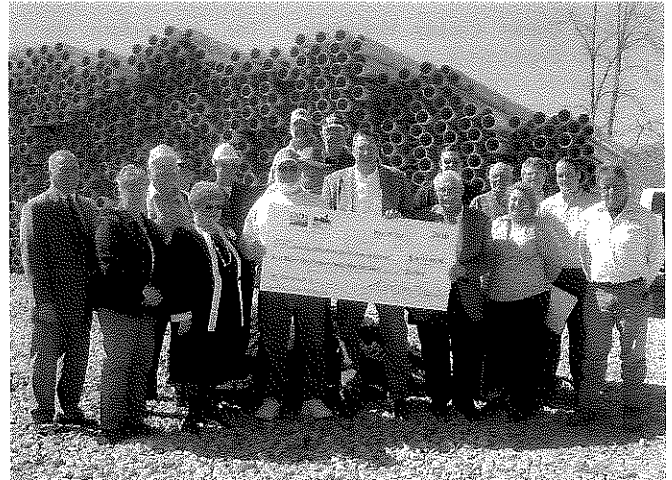
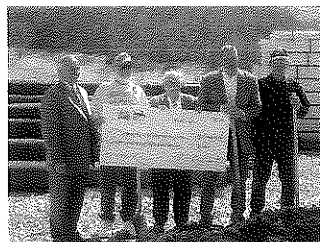
water system since 1968, and currently serves approximately 2,150 households, businesses and schools within Taylor, Harrison and Barbour Counties.

Due to aging waterlines, the District is currently experiencing a 44% water loss without the distribution system and is under extreme pressure from the WV Public Service Commission and the WV Bureau for Public Health to reduce the water loss to an acceptable level.

This project will alleviate these issues with replacement of approximately 117,000 feet of waterline, the upgrade of five booster pump stations, the construction of a new 100,000 gallon water storage tank, and new water meters. The project will also expand public water service to approximately 67 new households in Taylor, Barbour and Harrison Counties.



The District closed its loans with both funding agencies and contracts were awarded on March 10, 2010. Construction began immediately and will continue over the next several months.



Row 1 (l to r): USDA Rural Development State Director Bobby Lewis; Sheena Hunt, Region VI Planning and Development Council; Taylor County Clerk, Nancy Fowler; Southwestern Water PSD Board Chairman Don Gull; Taylor County Commissioner Dave Gobel; Taylor County Commissioner and retired Southwestern PSD Board Member, Tony Veltri; Southwestern PSD Board Member Misty Finch; and Southwestern Water Manager, Randy Payrie.

Row 2 (l to r): Retired Southwestern Board Member, Tom Marshall; USDA Rural Development Specialist Steve Collins; J. F. Allen Supervisor, Alan Shreve (hard hat); Retired Southwestern Water PSD Board Member, Dr. William Ridenour (cowboy hat); Southwestern Water PSD Local Council Shawn Nines; USDA Rural Development Engineer Harry Taylor; and Matt Fluharty, Thrasher Engineering.

Row 3 (l to r): Robert Brooks, Thrasher Engineering; and Southwestern PSD Board Member Donnis Barney.

Distance Learning & Telemedicine Funding Available

Agriculture Secretary Tom Vilsack announced that funding is available through USDA's Distance Learning and Telemedicine (DLT) Program to increase educational opportunities and expand access to health care services in rural areas.

The program helps provide state-of-the-art telecommunications equipment to link students with teachers and patients with medical professionals. Since its creation in 1993, the DLT program has invested \$306 million to fund more

than 920 projects in 48 states and four territories.

Information on how to apply can be found in the March 19, 2010 *Federal Register* and at <http://www.usda.gov/rus/telecom/dlt/dlt.htm>. Applications must be received by May 18, 2010.

The funding is from USDA Rural Development's annual budget and not the American Recovery and Reinvestment Act (ARRA).

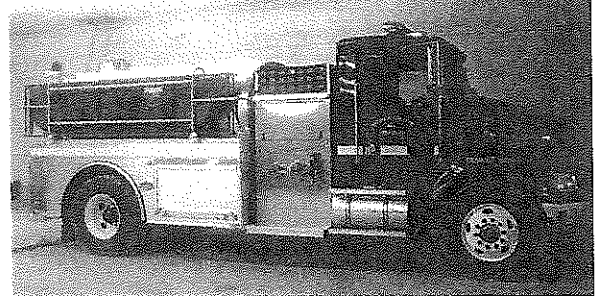
Gilmer County VFD Purchases Tanker Truck Through Community Facilities Program

The Gilmer County Volunteer Fire Department, Inc., was in need of a reliable tanker truck. The older unit was in frequent need of costly repairs and needed to be replaced.

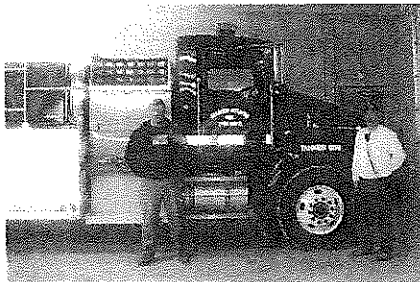
Rural Development provided affordable financing to this all volunteer fire department through the Community Facilities Direct Loan and Grant Program. The VFD was able to obtain a \$90,000 loan at 4.00% interest and a grant of \$50,000 to purchase a new tanker truck.

The day before the Gilmer County Volunteer Fire Department, Inc., took delivery of the new truck, the old tanker broke down one last time. On March 1, 2010, the fire department became a proud owner of a 2010 T300 Kenworth Chassis with a 2000 gallon stainless steel tank and body.

The county now has a dependable tanker to shuttle water in areas without hydrants and for situations that require decontamination of hazardous materials.



The truck will provide fire protection to all of the residents and businesses in Gilmer County which consists of 340 square miles.



Pictured above is the new 2010 tanker truck, which will assist the Gilmer County VFD in saving lives. *Pictured to the left (l to r):* Fire Chief Kevin Wyant and Chairman Martin Hess. In the *picture to the right*, Martin Hess is about to climb into the new tanker truck.



Fellowsville VFD Receives Turnout Gear

The awarding of a Community Facilities grant in the amount of \$35,600 was announced late January, 2010 by State Director Bobby Lewis.

The recipient of this grant was Fellowsville Volunteer Fire Department, Inc., Preston County, West Virginia.

"Rural Development funds will be used to purchase 20 sets of turnout gear and a thermal imaging camera," explained Lewis.

Well, part of that grant has become a reality. In mid-April 2010, the Fellowsville Volunteer Fire Department received their 20 sets of turnout gear.

WV Rural Development Community Champion Paula Moeller was in the area attending a meeting on behalf of Rural Development when she made an unexpected visit to the Fellowsville

Volunteer Fire Department, only to find the firefighters had just received their turnout gear and was excited to try them on.

What a photo opportunity! The firefighters were cooperative with Ms. Moeller and "modeled" their new gear.

The new turnout gear will replace gear which is over ten years old and no longer offers proper protection for the firefighters.

The thermal imaging camera will allow the firefighters to quickly find the seat of a fire or see the heat signature of visually obscured victims.

"Providing funds for first responders is essential for communities in order to provide adequate protection and services to the citizens," stated Lewis.



Through the Rural Development Community Facilities programs, assistance is provided to facilities such as libraries, schools, senior centers, and First Responders (e.g., ambulance services, hospitals), using a variety of programs (e.g., direct loans, direct grants, combination loans/grants, guaranteed loans, and technical assistance) that assist in funding construction, operating costs, repairs and equipment.



Rural Business Opportunity Grants Available Statewide

USDA Rural Development is accepting applications for business and community development grants to help rural communities create wealth, attract more residents and become economically self-sustaining.

The funding is being provided through USDA Rural Development's Rural Business Opportunity Grant (RBOG) program, which provides grants for technical assistance and planning activities to improve economic conditions in rural cities or towns of 50,000 people or fewer.

Funding under the RBOG program can be used to pay for economic planning, technical assistance, and training for rural communities, entrepreneurs or economic development officials.

Under this round of funding, priority consideration will be given to applications that best demonstrate strong regional or multi-jurisdictional collaboration, referred to as 'great regions,' leadership capacity, and those that represent varying demographics (including underserved and under-represented communities).

The amount of funding available is \$2.48 Million. Applications are due June 28, 2010.

To be eligible for funding, an applicant must be a public body, non-profit corporation, Indian Tribe or cooperative with members that are primarily rural residents. Applicants must also have significant expertise in the activities proposed and the financial strength to ensure the objectives of the proposed grant can be accomplished.

More information on how to apply for a USDA Rural Business

Opportunity Grant is available at <http://www.rurdev.usda.gov/rbs/coops/rbog.htm>.

For more information or assistance with applying for this grant, please contact our Business and Cooperative Area Specialist John M. Comerci, 481 Ragland Road, Beckley, WV 25801, (304) 253-9597 (extension 146), john.comerci@wv.usda.gov.



Rural Development Participates in Regional Civil Rights Training

Civil Rights and Compliance Review training was recently provided to USDA Rural Development employees in Martinsburg, West Virginia.

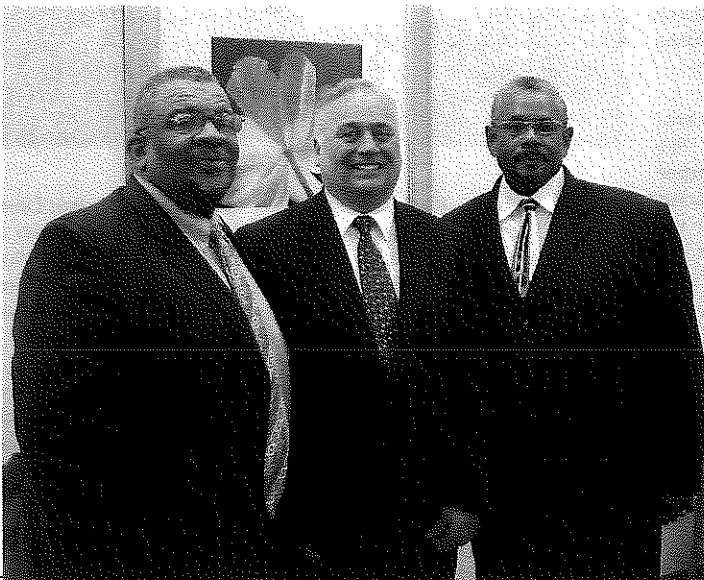
The training was conducted by the National Office Civil Rights staff. **Pictured below (l to r)** is Willie Williams (Senior Equal Opportunity Specialist, Washington, DC), Bobby Lewis (West Virginia State Director) and Carlton Lewis (Program Compliance Branch Manager).

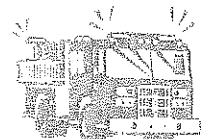
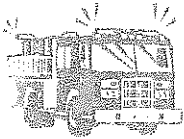
Rural Development employees from West Virginia, Pennsylvania and Maryland attended the regional training meeting. The two-day training was a mixture of classroom training and two project visit reviews in the area.

Classroom training allowed for a sharing of ideas, best practices and the opportunity to ask questions of the experts from the National Office.



Pictured above (l to r) is two West Virginia USDA Rural Development employees, Audrey Gwinn and Jennifer Bruce, attending Civil Rights and Compliance Review training for the first time.

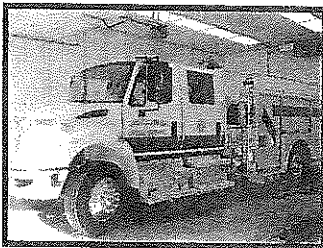




Rural Development Participates in Wyoming County Celebrations

March 31, 2010. A beautiful, sunny day. Joy abounds in Wyoming County as folks gathered in the City of Mullens at the local fire department for not one, but two, celebrations combined.

The City of Mullens was awarded a \$30,000 Community Facilities Grant to assist them in the purchase of a new pumper truck (pictured below) for the Mullens Fire Department.



Integrated Resources, Inc. (IRI), was awarded a Community Facilities loan in the amount of \$190,500 and a Community Facilities grant in the amount of \$9,500. That funding will be used to purchase real estate near the Westside High School. The facility will provide Early Head Start services.

Federal, State and local Governmental officials, stakeholders, funds recipients and members of the community joined in the celebration.

Ronnie Bailey, Mullens Fire Department Vice-President, (pictured below) opened the ceremonies by leading everyone with the Pledge of Allegiance and introducing the guest speakers and distinguished guests.



Guest speakers included the Honorable Nick J. Rahall (Congressman, 3rd District); Eddie Belcher (Regional Representative for Honorable Joe Manchin, III, Governor of WV); and Phil Lewis (Southern Area Coordinator for Honorable John D. Rockefeller, IV).

Among the distinguished guests, of which some addressed the crowd also, were: Delegate Linda Phillips, Senator Richard Browning; Mayor Jon M. McKinney; County Commissioner Jason Mullins; and City Commissioner Earl Mongeni.

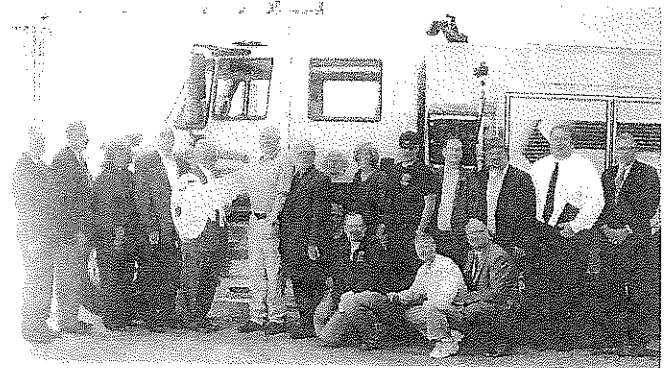


A check presentation ceremony was held with each entity as Rural Development State Director Bobby Lewis (pictured above) presented each with a mock check.

Also on hand from Rural Development was Area Specialist Kitty Saddler, Area Technicians Yvonna Hatcher and Wanda Martin, Area Specialist Nancy Shoemaker-Dingess, and Public Affairs Specialist Gail Bennett.

In a heartfelt speech as the ceremonies ended, honorary fire department member Rick Carper thanked the government officials and all others responsible for the much needed funds for the fire department.

"It is community facilities projects such as this one, and others to First Responders, that play a vital role in our mission to improve the quality of life for all rural Americans," Lewis added.



Kneeling (l to r) - front row: David Paul Lane (Mullens Fire Department Captain); Rick Carper (honorary fire department member); and Eddie Belcher (Regional Representative for Honorable Joe Manchin, III, Governor of WV). **Standing (l to r):** Bobby Lewis (USDA Rural Development State Director); Senator Richard Browning; Kitty Saddler (USDA Rural Development Specialist); Ronnie Bailey (Mullens Fire Department Vice-President); Honorable Nick J. Rahall, II (Congressman, 3rd District); Chad Cox (Mullens Fire Department Chief); Jon M. McKinney (Mayor, City of Mullens); **kneeling**—Greg Johnson (Mullens Fire Department Fireman); Delegate Linda Phillips; Brandon Shields (Mullens Fire Department Fireman); Earl Mongeni (City Commissioner); Jason Mullins (County Commissioner); Phil Lewis (Southern Area Coordinator for Honorable John D. Rockefeller, IV); and Ron Bowling (CEO/President, First Peoples Bank).



Row 1 (l to r): Kitty Saddler (USDA Rural Development); Delegate Linda Phillips; Lesa Morgan (IRI); Executive Director Earl Smith (IRI); LeeAnn Weaver (IRI); Lina Tilley (IRI); Honorable Nick J. Rahall, II (Congressman, 3rd District); Charissa Cook (Mountain Heart Community Services); Medena Lester (Mountain Heart Community Services); and Margaret Younce (Mountain Heart Community Services).

Row 2 (l to r): Eddie Belcher (Regional Representative for Honorable Joe Manchin, III, Governor of WV); Janet Halsey (IRI); Opal Dickens (IRI); Donnie Simmons (IRI); Edward Maynard (IRI); Steven Simmons (IRI); Ed Walker (IRI); Senator Richard Browning; and Bobby Lewis (USDA Rural Development State Director).

FACT SHEET

“Stronger Economies Together” (SET) Program ~~Provides Economic Development Assistance for Multi-County Regions in Rural West Virginia~~

Deadline for Application May 3, 2010

USDA Rural Development, in conjunction with West Virginia State University, The Northeast Regional Center for Rural Development and other state and local partners, has released details of a program called “Stronger Economies Together” (SET), a new initiative to provide regional strategic planning assistance to multi-county areas in rural West Virginia. The SET program will provide intensive training and technical assistance to entities encompassing two or more counties to facilitate collaborative regional development. The goal is to assist counties that wish to work together to capitalize on the strengths of their region and develop ways to enhance the quality of life in their region.

SET Eligibility Requirements:

- Applicants must be multi-county regions (two or more counties) in West Virginia (or in conjunction with counties in neighboring states) where the average rural population is 51% or more of the region’s total population based on Census data or other sufficient data or documentation OR Applicants must be Multi-county regions (two or more counties) in West Virginia (or in conjunction with counties in neighboring states) where 75% of the region’s land area is located in rural areas of that region based on Census data or other sufficient data or documentation. Further details about eligibility are included at the end of the application form.
- Applications are available at Rural Development’s web site at www.rurdev.usda.gov/wv or by emailing Richard.Satterfield@wv.usda.gov
- A complete application must be received electronically by May 3, 2010 (11:59 pm Eastern). Submit completed applications to: Richard.Satterfield@wv.usda.gov. You will receive an acknowledgment of receipt of your application within 36 hours. The final decision will be announced by June 8, 2010.
- There is no application fee, but chosen applicants should be prepared to supply some minor logistical support.

Benefits of SET Program:

Two applicants will be chosen to participate in the SET program and receive the following:

- Valuable intensive strategic planning training for your regional team, including the newly developed “Stronger Economies Together” program, a program designed to help your regional team develop new approaches to strengthen and enhance your regional economic development activities.
- Database tools specifically designed to help your regional team examine the critical drivers of your region and identify emerging growth sectors and regional competitive advantages.
- Technical assistance and educational support for your regional team from the Northeast Regional Rural Development Center, Rural Development staff, and West Virginia State University Extension staff.
- Other educational and information-sharing opportunities with other SET program participants around the country.

The SET program is an opportunity for your current or newly formed multi-county team to receive the latest tools, training, and technical assistance to help your region move forward and take advantage of positive growth and quality of life opportunities in your region. If you have questions, please contact the following:

Bobby Lewis, State Director, WV USDA Rural Development, (800) 295-8228, Bobby.Lewis@wv.usda.gov

Richard Satterfield, WV USDA Rural Development, (800) 295-8228, Richard.Satterfield@wv.usda.gov

Bruce Martin, WV USDA Rural Development, (304) 697-6033, Bruce.Martin@wv.usda.gov

William Woodrum, Associate Director, West Virginia State University Extension, (304) 204-4305, woodrumw@wvstateu.edu

Jenny Fertig, Program Leader, CED West Virginia State University Extension, (304) 766-4289, fertigan@wvstateu.edu

Stephan Goetz, Director, The Northeast Regional Center for Rural Development, (814) 863-4656, sgoetz@psu.edu

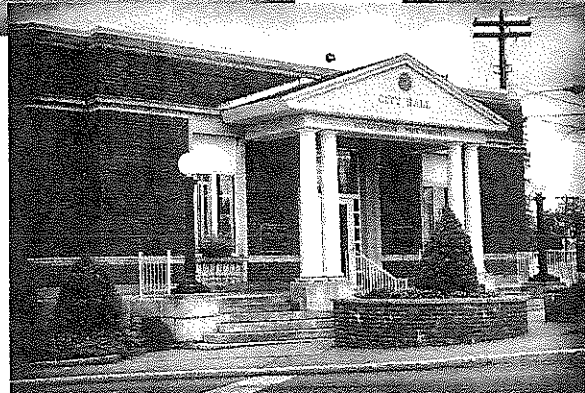
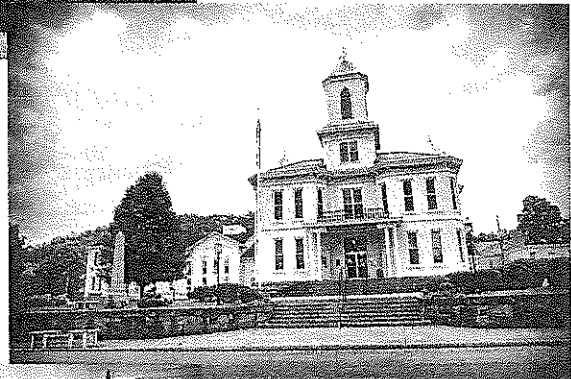
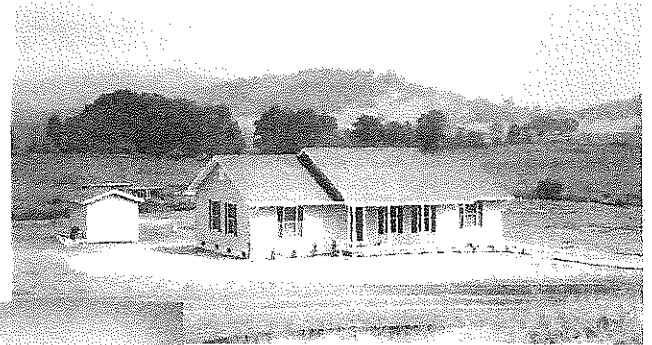
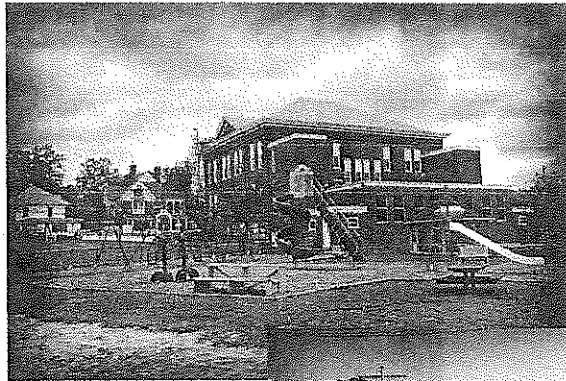
USDA Rural Development’s Mission: To Increase Economic Opportunity & Improve The Quality of Life for All Rural Americans.

USDA Rural Development’s Vision: A Rural America That Is A Healthy, Safe & Prosperous Place To Live and Work.



Committed to the future of rural communities.

West Virginia Fiscal Year 2009 Annual Progress Report





USDA is the “Every Day, Every Way” Department because it touches the lives of every American. So while the entire Department is engaged in the important work of creating prosperity in communities so that they are self-sustaining, repopulating, and economically thriving, Rural Development is at the center of our efforts.

One of the most significant ways that we have been able to make a difference in rural America is through President Obama’s American Recovery and Reinvestment Act of 2009. The Recovery Act has enabled USDA to invest well over \$25 Billion in rural communities to fund thousands of projects, from rural broadband, local water systems and business incubators to hospitals and police stations. In addition to meeting the needs and improving the lives of people in local communities, these projects are also creating or saving thousands of rural jobs.

THOMAS J. VILSACK
Secretary of Agriculture



Today, rural America is home to about 50 million people, and about three quarters of the geography of the United States is still rural in nature. While agriculture is still a significant driver in rural America, only 6.5 percent of the rural workforce is directly employed in farm production. This means that USDA must support not only the farms, but also the communities that surround and support them. USDA Rural Development is central to this community-building effort.

DALLAS TONSAGER
Under Secretary for Rural Development



It is an honor to be back serving as the USDA Rural Development West Virginia State Director. I came on board September 14, 2009 and must give credit for the achievements highlighted within this report to the dedicated staff and Rural Development partners.

This fiscal year proved to be beyond phenomenal in regards to funds access and utilization. In addition to the regular loan and grant allocations, additional funds were available this year due to the American Recovery and Reinvestment Act (ARRA) of 2009 and the Presidential Disaster Declaration of 2008 for 18 of our 55 counties.

I am looking forward to a very productive Fiscal Year 2010. Please feel free to contact our offices and employees at anytime to find out how we can benefit you and/or your community!

ROBERT D. “BOBBY” LEWIS
State Director



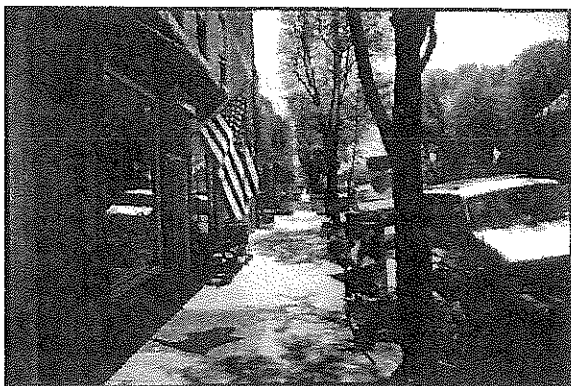
What a privilege to have been chosen to serve as the West Virginia USDA Rural Development Community Champion. I strive everyday to live up to the title and provide communities throughout rural West Virginia with knowledge and technical assistance to apply for funding through our over forty loan and grant programs.

Rural Development offers loans, grants and technical assistance for the following: housing (single- and multi-family); business and cooperative; utilities (water/waste, infrastructure, health-care and telecommunications); and community facilities. And, with ARRA funds at our fingertips again this coming fiscal year in addition to our regular allocations, I envision much more needed financial assistance being infused into rural West Virginia through our programs. We hope to hear from you during Fiscal Year 2010!

PAULA MOELLER
Rural Development Community Champion

Fiscal Year 2009 Investment

Housing Programs:	
502 Direct Loans (196)	\$ 21,813,480
502 Leveraged Loans (11)	\$ 794,200
502 Guaranteed Loans (1566)	\$ 186,121,243
504 Loans and Grants (287)	\$ 1,356,335
Preservation Grants (4)	\$ 237,913
Mutual Self-Help Grants (1)	\$ 107,568
Rental Assistance	\$ 10,428,264
TOTAL HOUSING (2,065)	\$ 220,859,003
Utilities Programs:	
Water & Waste Loans (12)	\$ 17,763,500
Water & Waste Grants (12)	\$ 7,717,000
Solid Waste Mgmt. Grant (1)	\$ 180,000
ARRA Water & Waste Loans (22)	\$ 52,772,000
ARRA Water & Waste Grants (24)	\$ 22,358,800
Distance Learning and Telemedicine Grants (3)	\$ 1,186,107
Technical Assistance and Training Grant (1)	\$ 1,207,828
TOTAL UTILITIES (75)	\$ 103,185,235
Users Assisted	37,001
Community Facilities (CF):	
Direct Loans (8)	\$ 5,104,000
Grants (10)	\$ 297,300
CF Guarantee (1)	\$ 250,000
EII Grant (5)	\$ 183,530
ARRA Loans (5)	\$ 5,394,000
ARRA Grants (5)	\$ 252,200
Disaster Grants (6)	\$ 213,350
TOTAL CF (40)	\$ 11,694,380
Business & Cooperative Programs:	
Guaranteed B&I (10)	\$ 16,689,000
Intermediary Relending (1)	\$ 750,000
1890 Land-Grant (1)	\$ 100,000
Rural Empowerment Zone Grant (1)	\$ 124,963
Rural Energy for America (4)	\$ 650,900
Rural Business Enterprise Grants (10)	\$ 1,338,630
TOTAL BUSINESS & COOPERATIVE (27)	\$ 19,653,493
Jobs Created	178
Jobs Saved	700
Businesses Assisted	160
TOTAL DOLLARS INVESTED IN WV DURING FY 2009 (2,207 LOANS/GRANTS)	<u>\$355,392,111</u>



Rural Development Programs

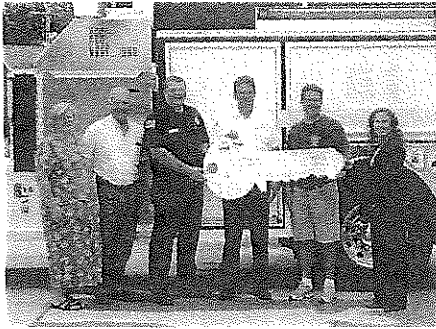
- **HOUSING PROGRAMS** - Rural Development offers both Single- and Multi-Family Housing options to rural West Virginians, meeting a variety of housing needs.

Through the Single-Family Housing programs, low- and very-low income families can obtain homeownership, repair and rehabilitate their homes, or even build a new home.

The Multi-Family Housing Program partners with private and non-profit developers to provide affordable rental housing, as well as subsidized rental options for low- and very-low income families and the elderly.

- **BUSINESS AND COOPERATIVE PROGRAMS**—These programs offer economic and community development opportunities to West Virginia entrepreneurs and small businesses. Programs are available to: start up, acquire or expand a business; purchase land or construct buildings; establish community development projects; develop rural cooperatives; advance value-added opportunities; establish economic development plans and feasibility studies; fund renewable energy projects; and much more.
- **COMMUNITY PROGRAMS**—These projects assist community facilities and utilities in rural areas. Through the Community Facilities programs, assistance is provided to facilities such as libraries, schools and First Responders (e.g., ambulance, hospitals), using a variety of programs that assist in funding construction, operating costs, repairs and equipment.
- **UTILITIES PROGRAMS**—Provide assistance such as building, repairing or improving rural water and wastewater systems, and provide technical assistance and training to solid waste facilities. Programs also exist for telecommunications, healthcare facilities and broadband.

Success Stories/Events...

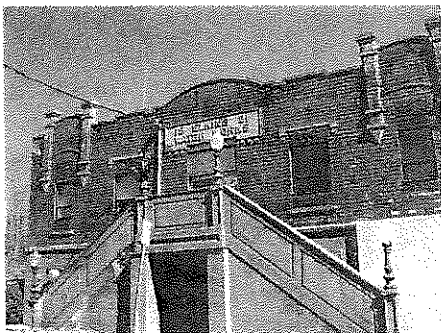
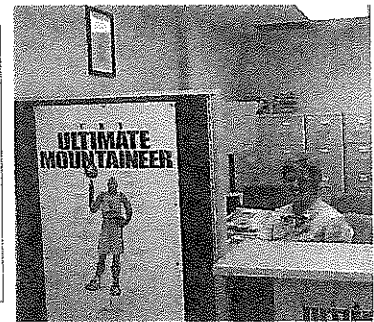


The Buckhannon Fire Department, located in Upshur County, was in desperate need of a new pumper truck. Fire Chief Mitch Tacy worked diligently with Rural Development Community Facilities Specialist Paula Moeller, providing the necessary documents to process an application. Rural Development was able to offer them a \$60,000 Community Facilities Grant.

Pictured at the check presentation ceremony are (l to r) Buckhannon City Council Member Elizabeth Lee; Buckhannon Mayor Kenneth Davidson; Fireman Joey Baxa; Fire Chief Mitch Tacy; Volunteer Fire Department President Steve Long; and WV USDA Rural Development Acting State Director Dianne Goff Crysler.

A Marine veteran from Iraq contacted Helen Lewis (pictured to the right), USDA Rural Development Area Technician in the Cross Lanes, WV, office expressing the need for finding a home and a loan to allow him to finance the purchase.

With Mr. Ryan Robinson just recently starting a new job, Ms. Lewis was very accommodating to his schedule from the application stage through closing of a loan. The agency was able to complete the entire process in eight weeks, which is comparable to industry standard with the private sector.

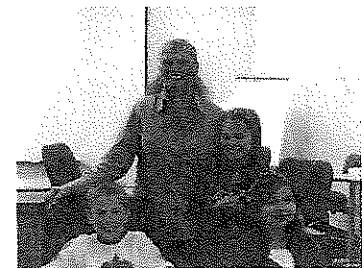


USDA Rural Development's Community Programs staff has been working diligently to utilize the American Recovery and Reinvestment Act (ARRA) funds that has been made available for water and wastewater projects.

The ARRA is designed to jumpstart the nation's economy, create or save millions of jobs, and put a down payment on addressing long-neglected challenges so our country can thrive in the 21st century.

Pictured is the existing facility that houses the water treatment plant in Elkins, Randolph County, WV, which was built in 1921. The City is receiving \$29,075,000 in ARRA funding to construct a new six million gallon-per-day water treatment plant.

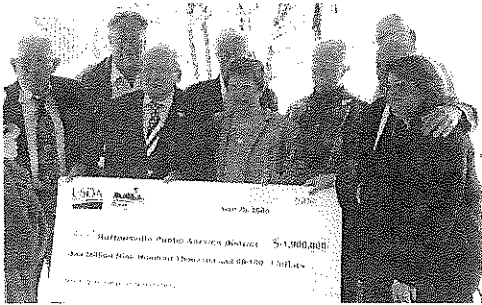
Annually, Rural Development employees participate in the "Take Our Daughters and Sons to Work®" Program. Participants for this fiscal year, themed "Building Partnerships to Educate and Empower," are pictured with Rural Development Single-Family Housing Specialist Georgette Bilotta (l to r): Peyton Missimer (son of Chris & Shelley Missimer); Mikhaila Missimer (daughter of Chris & Shelley Missimer); and Jessica Gillespie (daughter of Mark & Roni Gillespie).



Informational and instructional workshops have been held in conjunction with the WV Poultry Association and WVU Cooperative Extension Service to assist applicants with their funding requests from the Section 9007, Rural Energy for America Program (REAP).

Pictured (l to r): Rural Development Civil Engineer Harry Taylor and Business & Cooperative Specialist Richard Satterfield assisting a potential borrower/applicant.

Success Stories/Events...



USDA officials were on hand at Huttonsville Public Service District's Earth Day 2009 festivities in Randolph County, WV, to award \$1,050,000 in loan funds and \$850,000 in grant funds to the Phase II-A sewer system improvement project.

Pictured at the ceremony (front row, l to r): Lynn Channell, Huttonsville PSD Chairman; Loy McAtee and Maxine Pingley, Huttonsville PSD Board Members; Delegate Mike Ross; Jacki Ponti-Lazaruk, Assistant Administrator for Water and Environmental Programs. (back row, l to r): Chris Swecker, Randolph County Commission; Delegate Bill Hartman; Bonnie Serrett, Huttonsville PSD manager; and Mike Taylor, Randolph County Commission President.

Sharon Ward (on the right) contacted USDA Rural Development to seek assistance for making much needed improvements to her home located at Delbarton, Mingo County, WV. The roof was leaking and the home was in need of other repairs to make it "warm, safe and dry" per Connie Adams (on the left), Rural Development Area Technician located in our Loan office.



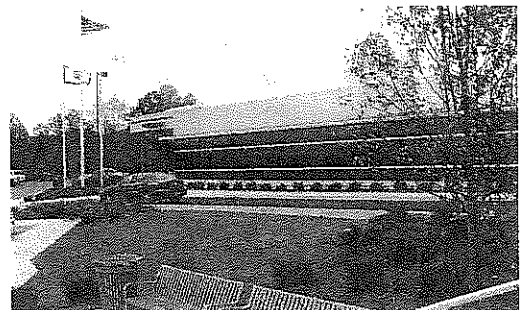
Connie worked diligently with two contractors, one to install a new heating & cooling system and the other to install a new roof, siding and windows, making the home more safe and energy efficient. Funds from the Section 504 Home Repair & Rehabilitation Program were utilized.



Members of the Jefferson County Emergency Services Agency (JCESA), county and local government officials, USDA Rural Development Area Specialist/Civil Rights Coordinator Howard Page (pictured second from left), as well as other contributors to the planning of JCESA's future operations center, broke ground at the site of the new facility in Ranson, WV.

The center is a one-story building with 6,750 square feet of floor space that includes crew quarters, a training room, administrative areas and three equipment bays that will house up to six vehicles. Financing was made available through Rural Development's Community Facilities Direct Loan program.

Summersville Memorial Hospital (recently renamed Summersville Regional Medical Center) had outgrown its existing facility. Due to the growth in the area and the closure of a local hospital, the demand was ever increasing and they were having to turn away patients due to lack of space.



Rural Development was contacted and the application process began for a Community Facilities Loan. The project was estimated at over \$12 million so other funding was secured, loans closed and renovation began.



A Community Facilities Grant in the amount of \$6,700 was made to the Town of Moorefield, Hardy County, WV, to help purchase a new police cruiser, two surveillance cameras for the police department and a utility truck for the Town of Moorefield.

Pictured (l to r) at the check presentation: Rural Development Area Specialist Wendell Alt, Mayor Gary Stalnaker, Rural Development State Director Rick Rice, and Police Officer Thorne.

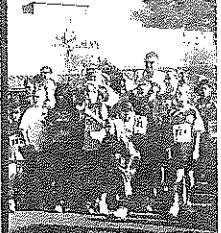


PRESENT

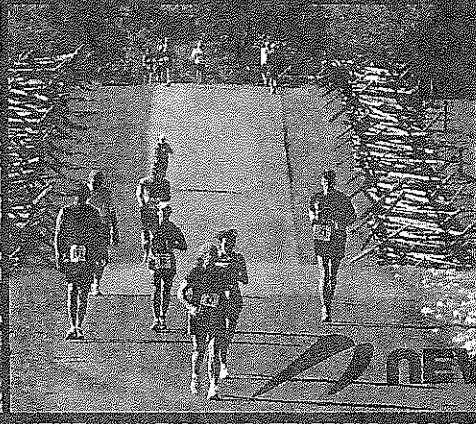
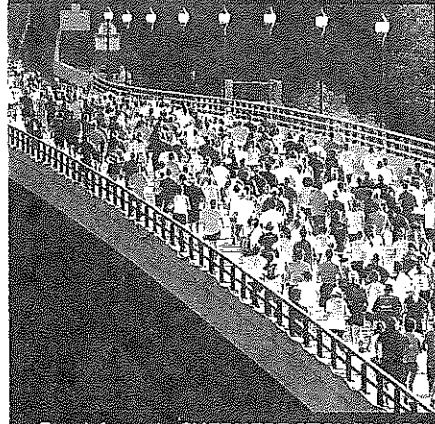
FREEDOM'S RUN

AN EVENT FOR HEALTH & HERITAGE ★ ★ ★ ★ ★

OCTOBER 2ND 2010



Marathon • Half Marathon • 10k • 5k • Kids Fun Run



From left to right: SHEPHERDSTOWN, WV • ANTIETAM NATIONAL BATTLEFIELD • C & O CANAL



2211 WASHINGTON STREET EAST
CHARLESTON, WV 25311
PHONE (304)346-0591
FAX (304)346-0592
EMAIL: WVACO@WVACO.ORG
WEBSITE: WWW.WVCOUNTIES.ORG

TO: _____

FAX #: _____

FROM: *PATTI*

OF PAGES: *3* (INCLUDING COVER)

DATE: *5/10/10*

We Want To See You in Clarksburg

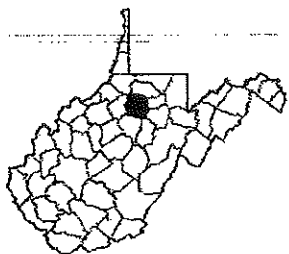
Please Return Your Registration

Soon As Possible

June 14-15-2010



2010
SPRING BOARD
MEETING
Harrison County
Clarksburg



PLEASE JOIN US!
REGISTRATION

Name _____

County _____ Title _____

Address _____

GUEST _____

Registration Fee for Guests: \$40.00 Non-Board Member: \$75.00
No registration fee for Board Members.

____ I will be attending the meeting but do not need a room.

ACCOMMODATIONS: the HILTON GARDEN INN Check In: 3:00 am Check Out: 12:00 pm

ROOM RATE \$99 All Rooms Non-Smoking Room Preference: _____ King _____ Queens

PAYMENT: _____ Direct Bill Credit Card: TYPE _____ Card # _____ Exp. _____

PLEASE INCLUDE LETTER OF CREDIT if applicable
and TAX EXEMPT FORM WITH REGISTRATION

**WVACO will make
all room reservations.**

PHONE: 304-346-0591 FAX: 304-346-0592

WVACo Board of Directors
Spring Board Meeting Draft Agenda
Hilton Garden Inn, Clarksburg, Harrison County
June 14 - 15, 2010

Monday, June 14th

4:00 - 6:00 p.m. Registration
 5:00 p.m. Annual Meeting / Reception Committee Meeting
 6:00 p.m. Hospitality Suite Open for the Evening
 7:00 p.m. Dinner "Family Style" at Minard's Restaurant

Tuesday, June 15th

8:30 - 9:00 Breakfast
 9:00 a.m. General Session - WVACo Business Meeting
 Pledge of Allegiance
 Roll Call/ Establish Quorum/Approval of Minutes
 Self-Introductions
 Welcome from Harrison County Officials
 Remarks from Outgoing President - *Circuit Clerk David "Bugs" Stover, Wyoming County*
 Welcome from the President - *Gerry Hough, Prosecuting Attorney, Gilmer County*
 Report & Brief Board Orientation from Executive Director - *Patti Hamilton*
 Update on Dental/Vision Benefit Plan - *Kathy Hughes Yates*
 Update on WV Counties Risk Pool - *Patti Hamilton*
 ⇒ Follow-Up Action Items from Strategic Planning Session - Assignments

10:15 a.m. *Take a Break!*

10:30 a.m. ⇒ Committee Appointments for 2010-2011
 ⇒ Budget Committee Report / Adopt Budget for Fiscal Year 2011 - *Committee Chair*
 ⇒ Report from Annual Meeting/Reception Committee / Approve Preliminary Plans - *Committee Chair*
 ⇒ Report from Compensation Committee / Accept Report
 ⇒ Approve Renewal of Contract for Knight Consulting Services for FY 2011

11:30 a.m. It's Real! The Courthouse Video Documentary Project - *Deb Keddie, The Walkabout Company, Producer and Michael Gioulis, Consultant*

Noon - Luncheon - Area Legislators Invited

1:00 - 3:00 Continuation of Morning Agenda, if needed
 Power Point Presentation - Review of Legislative Session
 Legislative Interim Topics
 Begin Planning for 2011 Legislative Session
 Old Business
 New Business

⇒ Action Items

Free Time After Business Meeting - Enjoy the Area or Head Home!

JOIN US FOR THE WVACo FALL BOARD MEETING 2010 October 3 - 5 Cabell County



RECEIVED

1000 Park Worke Ave. SE, Suite 200
Charleston, WV 25314
(304) 345-8000
(800) 827-8116
(304) 345-8014
ciswv.com

MAY - 7 2010

Jefferson County Commission Morgantown

OPEB Questions?

We've got answers!

Please join Commercial Insurance for an informative seminar about OPEB mitigation strategies. We will have a special guest speaker who is a national expert on OPEB mitigation strategies available to answer your questions. This seminar will review such topics as:

- What is the real problem?
- What options do we have?
- How do we go about getting things done?
- Who can help?

Morgantown – Waterfront Hotel

May 10, 2010 11:00 – 1:00 pm *

Charleston – Commercial Insurance Office

May 11, 2010 11:00 – 1:00 pm *

*Lunch will be provided and there are no fees for attending the seminar.
RSVP by May 7, 2010

Questions please call Janet Buckley or Kathryn Simmons (304) 345-8000 or 800-827-8116

Fax or E-mail Registration form to (304) 345-8014 or info@ciswv.com

Name _____

Title _____

Entity _____

E-mail _____

Phone _____

Morgantown

Charleston



From: anncoulter@comcast.net

To: Ann Coulter <anncoulter@comcast.net>

Subject: League Co-sponsors Health Law Forum

Date: Mon, May 10, 2010 9:37 am

Attachments: Press_release_Health_Forum_Rev[1]_Co_sponsors.doc (30K)

Hi League Members!

You may be interested in attending the "New Health Legislation Forum" at Shepherd University that is being co-sponsored by the League. Press release is attached, but quick info is displayed below as well.

Ann Coulter, Membership Chair

Public Forum: The New Health Legislation *The Law's Highlights & Shortcomings*

Wednesday, May 26 7:00 PM

Robert C. Byrd Center for Legislative Studies
Shepherd University, Shepherdstown WV

Panelists: David Baltierra, M.D., Harpers Ferry, Physicians for a National Health Program
Perry Bryant, Exec. Director, West Virginians for Affordable Health Care

Additional community presentations by Perry Bryant – All sessions are free and open to the public:

Wed May 26 @ 11am

Focusing on seniors & Medicare

Jefferson Co. Senior Center
Center

103 W. 5th Ave, Ranson WV

Thurs May 27 @ 9am

Focusing on service providers

Eastern Panhandle Free Clinic

1212 N. Mildred St, Ranson WV

Thurs May 27 @ 11am

Focusing on seniors & Medicare

The Berkeley Co. Senior

217 N. High St, Martinsburg WV

Events sponsored by the Eastern Panhandle Central Labor Council, Eastern Panhandle Free Clinic, Eastern Panhandle Single-Payer Action Network, Jefferson County Chapter of the NAACP, League of Women Voters of Jefferson County, and the National Association of Social Workers WV Chapter. For more information: 304.876.3158, epspace@gmail.com