

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, JUNE 10, 2010
10:15 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. 10:30 a.m. Barbara Miller, Director of Office Homeland Security and Emergency Management
- Christopher Strong, National Weather Service - Award of Re-certification of the StormReady Community Designation
2. 10:45 a.m. Roger Goodwin, Chief County Engineer
- Building Code Enforcement Ordinance - Staff Recommendation: Adopt new State building codes that become effective on July 1, 2010 - Discussion/Action
3. 11:00 a.m. Jennifer S. Maghan - County Clerk's Report
4. 11:15 a.m. Legal Update and Report - (Stephanie Grove)
5. 11:30 a.m. Mark Schiavone, Director of Capital Planning and Management
- Budget Revision 008: Final adjustment to the general fund budget for any department that requires intra-department transfers of funds

NEW BUSINESS:

6. Legislative Issues
7. Daniel Lutz - Request for use of Library Meeting Room for a read through of the stage play
A Comic Opera War - Discussion/Action

CORRESPONDENCE:

Correspondence received from the Division of Highways concerning the Statewide Transportation Improvement Program.

Copy of a newspaper article received from the Association of Counties concerning workers' compensation.

ANNOUNCEMENTS:

9th Annual Farm Day is scheduled for June 19, 2010.

Notice of Public Outreach Education Workshop regarding the proposed text amendments to the Subdivision Regulations on June 24th, 2010 at 6:00 p.m. For further information, please contact the Department of Planning and Zoning at 304-728-3228.

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.

Minutes
Jefferson County Commission
Thursday, June 3, 2010

DRAFT

A meeting of the Jefferson County Commission was held on Thursday, June 3, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Patsy Noland, Frances Morgan, Jim Surkamp and Dale Manuel, Tim Boyde, County Administrator and Debbie Stellato.

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

1. PLEDGE OF ALLEGIANCE. Following the Pledge of Allegiance, Commissioners, staff and public attendees observed a moment of silence for long-time Ranson City Councilman Howard Shade who passed away on Wednesday, June 2, 2010.

SUGGESTION BY MS. MORGAN to amend the previously revised wording for the Minutes of May 20, 2010, so revised in Item No. 2 of the May 27, 2010 minutes, to read: "Beginning at 1:30 p.m. the Commission, with non-profit and governmental organizations providing social services to Jefferson County citizens, participated in a roundtable discussion organized by Community Alternatives to Violence."

Ms. Widmyer called for a vote and the May 20, 2010 and May 27, 2010 minutes were unanimously approved as amended.

2. MOTION BY MR. MANUEL to approve Purchase Orders in the amount of \$93,554.96, being purchase order numbers: 48280, 48610, 48425, 48428, 48430, 48432, 48193, 48103, 48375, 48426, 48427, 48429, 48431, 48434, 48270, 48271, 48272, 48273, 48274, 48433, 48554, 47798, 47800, 48585, and 48586. Motion seconded by Ms. Morgan and unanimously approved.
3. MOTION BY MS. MORGAN to approve the accounts payable in the amount of \$52,226.83. Motion seconded by Mr. Manuel and unanimously approved.
4. PUBLIC COMMENT:

MS. WIDMYER MADE REFERENCE to a letter received by the County Commission from John Allen, Jr., Chairman of the Jefferson County Historic Landmarks Commission thanking the Maintenance Department, specifically Bill Polk, for organizing and supervising the community service day at Poor House Farm on Saturday, May 15, 2010. Ms. Widmyer recommended that staff send a copy of the letter to Mr. Polk at the Maintenance Department and that it be posted for all maintenance staff to read.

Ms. Widmyer suggested that June 23, 2010 would be a convenient date to schedule a round table discussion regarding impact fees and all Commissioners were in agreement. MARK SCHIAVONE, DIRECTOR OF CAPITAL PLANNING AND MANAGEMENT is preparing a power point presentation for the meeting.

5. MR. BOYDE advised the Commission ROGER GOODWIN, CHIEF COUNTY ENGINEER, would be discussing building codes at the next County Commission meeting.

Mr. Boyde reported that there would be no legal update at this meeting as the Assistant Prosecutors are away at a legal conference.

Mr. Boyde reported on some slight water damage to the Circuit Clerk's Office. He stated that people would be brought in to dry the ceiling and that part of the ceiling will have to be replaced. Mr. Boyde further advised that the County will be filing a claim for incurred expenses with the vendor who worked on the ceiling previously as this problem has occurred before.

6. MS. MORGAN REPORTED on the Stop PATH Intervener Meeting that she attended.
7. MR. SURKAMP COMMENTED that the County might have a court decision regarding PATH that would help the Stop PATH group with their endeavor.
8. REMINDER FROM MS. NOLAND to attend the event at Applebee's today, June 3, 2010, from 11:00 a.m. to 12:00 a.m. to benefit the Animal Welfare Society of Jefferson County.
9. MS. WIDMYER REPORTED that although she did not attend the Solid Waste Authority meeting, she watched a video which depicted what happens to the solid waste when it passes into Maryland from West Virginia.
10. MS. NOLAND REPORTED on Senate Bill 232 regarding Delinquent Land Sales.
11. MR. SURKAMP commented on broadband development.
12. MOTION BY MS. MORGAN to deny Dr. Ronald Flora's request for the use of the library meeting room for Stop Smoking Seminars and to send a letter to Dr. Flora denying his request and citing the language in the "County Meeting Room Policy" with regard to business organizations. Motion seconded by Ms. Noland and unanimously approved.

The Commission took a break at 9:55 a.m.

The Commission reconvened at 10:03 a.m.

13. KIRK DAVIS, CAPITAL PROJECTS MANAGER, presented a proposed Supplemental Agreement between The West Virginia Department of Transportation and the County Commission of Jefferson County, requesting that funds earmarked for the purchase of the Faraway Farm property for future development be used instead to acquire the Old Cement Mill property for the

development of a battlefield park. Discussion followed regarding the intention of the Parks & Recreation Board.

14. MOTION BY MR. MANUEL to table until paperwork is received from the Parks & Recreation Board stating their decision regarding the Old Cement Mill property. Motion seconded by Ms. Noland. Motion failed 3 – 2. Ms. Morgan and Mr. Surkamp voted no.

TONI MILBOURNE and BOBBY SHIRLEY OF THE PARKS AND RECREATION BOARD presented themselves before the Commission and stated that the Old Cement Mill property is not a “doable” property for the Board.

MOTION BY MS. MORGAN to place this matter in the hands of Kirk Davis, assisted by Tim Boyde, as necessary, to coordinate and schedule a round table work session with all stakeholders, including the Parks Commission, Historic Landmarks Commission and Shepherdstown Battlefield Preservation Association and prepare an agenda for planning purposes. Motion seconded by Ms. Widmyer and approved 4 – 1. Ms. Noland voted no.

15. JEFFREY POLCZYNSKI, DIRECTOR OF COMMUNICATIONS requested the Commission approve a contract in the amount of \$9,500.00 between the Jefferson County Commission, Emergency Communications and Global Data Consultants for IT services.

MOTION BY MR. SURKAMP to commit to the amount of \$9,500.00 and approve the contract between the Jefferson County Commission, Emergency Communications and Global Data Consultants for IT services. Motion seconded by Ms. Widmyer and unanimously approved.

16. JOHN MAXEY, JEFFERSON COUNTY PLANNING COMMISSION PRESIDENT, requested that the Commission make a decision as to whether the Planning Commission should expend \$1,000.00 to go forward with an appeal in the Far Away Farms Subdivision lawsuit, or if it should abstain from future legal action.

MOTION BY MS. NOLAND that the \$1,000.00 not be expended to appeal the decision of the Federal Court. Motion seconded by Mr. Manuel and approved 3 – 1. Mr. Surkamp voted no and Ms. Morgan abstained.

The Commission took a break at 11:40 a.m.

The Commission reconvened at 11:49 a.m.

17. JENNIFER MAGHAN, JEFFERSON COUNTY CLERK, requested the Commission to approve a bond as follows:

“RESOLVED that Jefferson Security Bank does execute and deliver to the County Commission of Jefferson County, West Virginia, a bond in the penal sum of Seven Hundred and Fifty Thousand Dollars (\$750,000.00) as depository of public moneys pursuant to the provisions of Chapter 18, Article 9, Section 6, of the West Virginia Code,

and that said bond be secured by deposit with First Tennessee Bank of Memphis, Tennessee the following security:

<u>Type</u>	<u>Pledged Par Value</u>	<u>Cusip</u>
GNMA REMIC Ser 5 PF	\$750,000.00	38374FCZ5
Total Pledged	\$750,000.00”	

MOTION BY MR. MANUEL to approve the Jefferson Security Bank bond in the amount of \$750,000.00. Motion seconded by Ms. Morgan and unanimously approved.

18. SALLY GRAN OF THE FINANCE DEPARTMENT reported on the journal entries for the FY10 Financial Statement and requested approval of same.

MOTION BY MS. MORGAN to approve the entries as presented by Ms. Gran in her packet. Motion seconded by Mr. Surkamp and unanimously approved.

The Commission adjourned for lunch at 12:10 p.m.

The Commission reconvened at 1:30 p.m.

19. SENATORS JOHN UNGER AND HERB SNYDER, DELEGATE TERRY WALKER AND THE COMMISSIONERS engaged in a roundtable discussion of pending legislative issues. Senator Unger suggested it would be beneficial to have these discussions on a more regular basis. The Commissioners agreed.

Ms. Morgan and Mr. Boyde left the meeting at 2:40 p.m.

MS. WIDMYER ADJOURNED the meeting at 3:20 p.m.

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

LYN WIDMYER, COMMISSION PRESIDENT

6/10/10

#1

Laura Kuhn

From: "Nichelle Hosby" <nhosby@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Wednesday, May 12, 2010 9:21 AM
Subject: FW: agenda request

From: Tim Boyde [mailto:tboyde@jeffersoncountywv.org]
Sent: Wednesday, May 12, 2010 8:30 AM
To: 'Barbara Miller'
Cc: 'Sandy McDonald'; 'Nichelle Hosby'
Subject: RE: agenda request

Barb:

Congratulations on the re-cert. we will put this one the agenda per your request.

Tim

From: Barbara Miller [mailto:bmiller@jeffersoncountywv.org]
Sent: Tuesday, May 11, 2010 1:32 PM
To: 'Tim Boyde'
Subject: agenda request

Tim:

In speaking with Christopher Strong of the Sterling Office of the National Weather Service, he would like to come to the County Commission meeting on June 10, 2010 to award us with recertification of the StormReady Community designation. See attachment for further information. Please let me know if this date is okay and the time of the appointment. Thank you!



Barbara J. Miller, CEM, CFM
 Director,
 Jefferson County Homeland Security and Emergency Management
 28 Industrial Blvd., Suite 101
 Kearneysville, WV 25430
 (304) 728-3290 Phone
 (304) 728-3320 Fax
 (304) 283-4227 Blackberry
 bmiller@jeffersoncountywv.org

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

Name: Roger Goodwin

Department or Entity: Engineering

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: June 10, 2010

Date Requested – 2nd Choice: _____

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

Subject: **Building Code Enforcement Ordinance**

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

Under West Virginia State Code, Title 87, Legislative Rule, State Fire Commission, Series 4, State Building Code, the State Fire Commission established new standards for the State building code on April 26, 2010. The new standards become effective on July 1, 2010. Therefore, the Commission needs to amend the current Building Code Enforcement Ordinance to adopt the new standards.

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

I move approval of the Resolution and the new Jefferson County Building Code Enforcement Ordinance and Order adopting the new State building codes that become effective on July 1, 2010.

Attachments: Resolution to adopt the new standards
 Ordinance and Order adopting the new standards

RESOLUTION

WHEREAS, It is the desire of the County Commission of Jefferson County, West Virginia to protect the life and property of the citizens of Jefferson County; and

WHEREAS, The County Commission of Jefferson County, West Virginia duly passed an Ordinance adopting the State of West Virginia building code on March 29, 2001; and

WHEREAS, the County Commission of Jefferson County, West Virginia desires that all building permits issued before July 1, 2010, shall remain valid and regulated under the state building codes adopted and in effect prior to July 1, 2010; and

WHEREAS, The State of West Virginia has decreed that as of July 1, 2010, the State of West Virginia building code shall be revised to the following codes with local amendment as permitted by law:

2009 International Building Code, First Printing (with exceptions/amendments).

2009 International Plumbing Code, First Printing

2009 International Mechanical Code, First Printing

2009 International Fuel Gas Code, First Printing (with exception/amendment).

2009 International Property Maintenance Code, First Printing (at the option of Jefferson County, this ordinance is not adopted)

2003 International Energy Conservation Code, Fifth Printing

2009 International Residential Code for One & Two Family Dwellings, First Printing (with exceptions/amendments)

ICC/ANSI A117.1 American National Standards for Accessibility & Usable Buildings and Facilities/2003

2009 International Existing Building Code, First Printing
(with amendment adopting the NFPA 101, Life Safety Code 2009 Edition)

2008 Edition of the National Electric Code, NFPA 70; and
and;

WHEREAS, the County Commission of Jefferson County, West Virginia desires that all building permits issued on or after July 1, 2010, be regulated under the revised

State building code, as adopted by the County Commission of Jefferson County, West Virginia.

THEREFORE, BE IT RESOLVED that the County Commission of Jefferson County, West Virginia desires to adopt the revised State of West Virginia building code that shall become effective July 1, 2010, and HEREBY adopts the new Building Code Enforcement Ordinance, as attached.

BY: _____ DATE: _____
Lyn Widmyer, President
County Commission of Jefferson County

ATTEST:

Jennifer Maghan
CLERK OF JEFFERSON COUNTY

ORDINANCE AND ORDER

An ordinance and order to ADOPT the State of West Virginia building code relating to building construction and building inspection activities in Jefferson County, West Virginia, and enforcement of said codes.

WHEREAS, it is the desire of the County Commission of Jefferson County, West Virginia to adopt the state building code relating to minimum building and housing construction standards for the public safety, health, and well-being; and

WHEREAS, the adoption of this code is to facilitate proper permitting, inspection, and enforcement activities relating to the construction of buildings, structures, and additions within the jurisdiction of Jefferson County, West Virginia.

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY The County Commission of Jefferson County, by authority of the Code of West Virginia that the following state codes Section 3n, Article 1, Chapter 7, of the Code of West Virginia, One-thousand Nine-hundred Thirty-one and the State Building Code as provided for in Section 5b, Article 3, Chapter 29, of the Code of West Virginia, One-thousand Nine-hundred Thirty-one, are hereby adopted and made a part hereof, as if fully set out in this ordinance, with the amendments/additions/insertions/changes, if any, prescribed in the Jefferson County Building Code Enforcement Ordinance.

BE IT FURTHER ORDAINED AND ORDERED that this Ordinance and Order shall take effect and be in force from the 1st day of July, 2010, the public welfare requiring it.

PASSED AND APPROVED BY The County Commission of Jefferson County, West Virginia on the _____ day of June, 2010.

BY: _____
Lyn Widmyer, President
County Commission of Jefferson County

ATTEST:

Jennifer Maghan
CLERK OF JEFFERSON COUNTY

**JEFFERSON COUNTY
BUILDING CODE ENFORCEMENT ORDINANCE**

GENERAL AUTHORITY

By authority of the Code of West Virginia, Chapter 7, Article 1, Section 3n & Chapter 29, Article 3, Section 5b, to enforce minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, and use of all buildings and structures: providing for the issuance of permits, collection of fees, making of inspections, providing penalties for the violation thereof, to be known as the "Jefferson County Building Code Enforcement Ordinance".

STANDARDS & CODES

In accordance with the provisions of the Code of West Virginia, Chapter 29, Article 3, Section 5b, the County Commission of Jefferson County, West Virginia does hereby adopt the State Building Code as set forth in Title 87, Legislative Rules, State Fire Commission, Series 4, State Building Code, which becomes effective on July 1, 2010. The standards and requirements as set out and published by the International Code Council (ICC) and the American National Standards Institute (ANSI), as listed below, shall have the same force and effect as if set out verbatim in this Section, except as modified and/or amended herein; any reference to the ICC Electrical Code shall mean NFPA 70, National Electrical Code 2008. Copies of all adopted Codes and Legislative Rules shall be on file in the Office of the Clerk of the County Commission.

The Property Maintenance Code is not adopted and shall not be enforced.

ADMINISTRATIVE PROCESS

The administration of the building code shall be in accordance with the Administration Chapter of the applicable building code.

AMENDMENTS, INSERTIONS, CHANGES & APPENDIX ADOPTION

Fee Schedule for all codes: "Attachment A – Schedule of Permit Fees," shall apply. The Schedule of Permit Fees may be amended from time to time, by the County Commission of Jefferson County.

1) International Residential Code 2009:

Section R101.1 Title, insert "*Jefferson County, West Virginia*" where "[NAME OF JURISDICTION]" appears.

Section R113.4 Violation Penalties, shall be amended to read as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes shall be guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia.”

Section R114.2 Unlawful Continuance, shall be amended to read as follows:

“Any person, firm, or corporation who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor and each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm, or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia.”

Table R301.2(1) insert the following design criteria:

Ground Snow Load	Wind	Seismic Design Category	Subject to Damage From				Winter Design Temp (Deg. F)	Ice Shield Under-layment Req'd.	Flood Hazard	Air Freezing Index	Mean Annual Temp. (Deg. F)
			Weathering	Frost Line Depth (24")	Termite	Decay					
(lbs per sq. ft.)	Speed (mph)										
30	90	B	Severe	Min. 30 inches to bottom of footer	Heavy to Moderate	Slight to Moderate	10	No	F.I.R.M. 1980, as amended	1000	52.6

IRC Section P2603.6.1 Sewer Depth, insert “28 (twenty eight) (710 mm)” where “[Number]” appears.

IRC Section G2415.10 Minimum Burial Depth, delete and replace with: “Underground piping systems shall be installed a minimum depth of 12 inches (305mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner”.

IRC Section R303.6.1 Light Activation – The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stairway without traversing any steps. The illumination of exterior stairways shall be controlled from inside the dwelling unit. Exceptions: 1. Lights that are continuously illuminated or automatically controlled. 2. Interior stairways consisting of less than three steps.

IRC Section R311.3.1 – Landings at Doors – Where a stairway or two or fewer risers is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door.

IRC Section R311.7.4 Stair Treads and Risers:

Section R311.7.4.1 Riser Heights – The maximum riser height shall be eight and one-quarter (8-1/4) inches.

Section R311.7.4.2 Tread Depth – The minimum tread depth shall be nine (9) inches.

IRC Section R313 Automatic Fire Sprinkler Systems, delete in its entirety, no replacement.

IRC Section R403.1.7.1 Building Clearances From Ascending Slopes, delete in its entirety, no replacement.

IRC Section R403.1.7.2 Footing Setbacks From Descending Slope Surfaces, delete in its entirety, no replacement.

IRC Section N1101-N1104 (Chapter 11) Energy Efficiency, delete in its entirety, no replacement.

International Residential Code 2009 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix A – Sizing And Capacities of Gas Piping.

Appendix B – Sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Category I Appliances, And Appliances Listed For Use With Type B Vents.

Appendix C - Exit Terminals Of Mechanical Draft And Direct-Vent Venting Systems.

Appendix E - Manufactured Housing Used As Dwellings.

- Appendix F - Radon Control Methods.
- Appendix G - Swimming Pools, Spas And Hot Tubs.
- Appendix J - Existing Buildings and Structures.
- Appendix M - Home Day Care – R3 Occupancy.

2) International Building Code 2009:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 101.4.5 Fire Prevention is deleted.

Section 113 Board of Appeals is deleted and replaced with the following:

“Section 113 Board of Appeals

113.3 Qualifications. The board of appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect, or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years experience, five of which shall be in responsible charge of work.”

Section 114.4 Violation Penalties shall be amended to read as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes shall be guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia.”

Section 115.3 Unlawful Continuance shall be amended to read as follows:

“Any person, firm, or corporation who shall continue any work in or about the structure after having been served with a stop work order, except such

work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor and each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction of any such violation such person, firm, or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”

Section 1608.2 Ground Snow Loads add the following sentence at the end of the paragraph:

“The ground snow load for Jefferson County, West Virginia shall be a minimum of 30 pounds per square foot.”

Section 1612.3 Establishment of Flood Hazard Areas insert “*Jefferson County, West Virginia*” where “[NAME OF JURISDICTION]” appears. Insert “1980” where “[INSERT DATE OF ISSUANCE]” appears in the first paragraph.

Section 1809.5 Frost Protection, method no. 1, extending below the frost line of the locality shall mean the depth to the bottom of the footing is a minimum of thirty (30) inches.

Section 3412.2 Applicability, insert “*March 29, 2001*” where “[DATE TO BE TO BE INSERTED BY THE JURISDICTION]” appears in the first paragraph.

International Building Code 2009 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix H – Signs

3) International Plumbing Code 2009:

Section 101.1 Title insert “*Jefferson County, West Virginia*” where “[NAME OF JURISDICTION]” appears.

Section 106.6.3 Fee Refunds insert “*zero percent (0%)*” in paragraph no. 2 where “[SPECIFY PERCENTAGE]” appears.

Section 106.6.3 Fee Refunds insert “*zero percent (0%)*” in paragraph no. 3 where “[SPECIFY PERCENTAGE]” appears.

Section 108.4 Violation Penalties shall be amended as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 108.5 Stop Work Orders insert “fifty (50)” for the not less than “[AMOUNT]” and “five-hundred (500)” for the not more than “[AMOUNT]”.

Section 305.6.1 Sewer Depth insert “28 (twenty eight) (710mm)” where “[NUMBER]” appears twice in the first paragraph.

Section 904.1 Roof Extension insert “12 (twelve) (300mm)” where “[NUMBER]” appears in the first paragraph.

International Plumbing Code 2009 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix B – Rates of Rainfall for Various Cities

Appendix D – Degree Day and Design Temperatures

Appendix E - Sizing of Water Piping System

4) International Mechanical Code 2009:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 106.5.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 2 where “[SPECIFY PERCENTAGE]” appears.

Section 106.5.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 3

where “[SPECIFY PERCENTAGE]” appears.

Section 108.4 Violation Penalties shall be amended as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia”.

Section 108.5 Stop Work Orders insert “fifty (50)” for the not less than “[AMOUNT]” and “five-hundred (500)” for the not more than “[AMOUNT]”.

International Mechanical Code 2009 – Appendix Adoption:

The following appendices are specifically adopted:

Appendix A – Combustion Air Openings And Chimney Connector Pass-Throughs

5) International Fuel Gas Code 2009:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 106.6.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 2 where “[SPECIFY PERCENTAGE]” appears.

Section 106.6.3 Fee Refunds insert “zero percent (0%)” in paragraph no. 3 where “[SPECIFY PERCENTAGE]” appears.

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a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia.”

Section 108.5 Stop Work Orders insert “fifty (50)” for the not less than “[AMOUNT]” and “five-hundred (500)” for the not more than “[AMOUNT]”.

International Fuel Gas Code 2009 – Appendix Adoption:

The following appendices are specifically adopted:

- Appendix A – Sizing And Capacities of Gas Piping (IFGS)
- Appendix B - Sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Category I Appliances, And Appliances Listed For Use With Type B Vents (IFGS)
- Appendix C - Exit Terminals Of Mechanical Draft And Direct-Vent Venting Systems (IFGS)

6) International Energy Conservation Code 2003:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

7) Existing Buildings Code 2009:

Section 101.1 Title insert “Jefferson County, West Virginia” where “[NAME OF JURISDICTION]” appears.

Section 101.4.2 Buildings Previously Occupied, omit reference to “International Fire Code” and substitute “NFPA Life Safety Code 2009 Edition.”

Section 113.4 Violation Penalties shall be amended as follows:

“Any person, firm or corporation violating any of the provisions of any of the adopted codes or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a

permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor; and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this code is committed, continued, or permitted, after notice has been served. Upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than \$50.00 or more than \$500.00. In addition to the criminal penalties provided herein, Jefferson County may, at its option, pursue injunctive relief in the Circuit Court of Jefferson County, West Virginia."

8) NFPA 70, National Electric Code, 2008 Edition: (no amendments).

Electrical inspections shall be conducted by an approved private (third-party) electrical inspector, using the National Electric Code approved by the West Virginia State Fire Commission. Fees for said electrical inspections shall be paid by the applicant directly to the private inspector or inspection service provider and shall not be included in the permit fees paid to the County.

9) ICC/ANSI A117.1 Standards for Accessibility and Useable Buildings and Facilities: (no amendments).

EXCEPTIONS:

A) The following structures are not subject to inspection by local jurisdictions:

Group U utility structures and storage sheds comprising an area not more than 150 sq.-ft. which have no plumbing or electrical connections and are used only for residential storage purposes. (Examples include sheds that are for the residential storage of lawnmowers, tools, bicycles or furniture).

Not included are those utility structures and storage sheds which have plumbing or electrical connections, are a non-residential use, or for the storage of explosives or other hazardous or explosive materials.

B) The intent and requirements for an appeals board in each of the separate codes may be met with the creation of a single appeals board for the entire State Building Code, in accordance with and as amended in this ordinance under the International Building Code 2009.

Attachment - A

Jefferson County, West Virginia Department of Planning, Zoning & Engineering SCHEDULE OF PERMIT FEES (As of July 1, 2010)		
RESIDENTIAL		
Type	Base Fee	Additional Square Foot Fee
Single Family Residence (Including Modular/Mobile Homes)	\$25 plus \$25 per deck	Finished \$0.18 Unfinished \$0.10
Additions	\$50	\$0.18
Internal Renovations to Existing Home	\$50 plus \$50 per required inspection	
Sheds, Decks, Detached Garages & Other Structures Ancillary to Residences	\$50	\$0.08
Attached Residential Structures (Duplexes & Town Homes less than 4 story)	\$25 per dwelling unit plus \$25 per deck	\$0.20
Swimming Pool	\$25	\$0.08/sq.-ft. of pool surface area
AGRICULTURAL		
Bona-fide Agricultural Structure (requires an affidavit)		\$50.00
COMMERCIAL		
Commercial/Industrial/Multi-Family Buildings	Value less than \$50,000	\$250 plus \$0.18 per sq.-ft. of building floor space.
	Value greater than \$50,000	\$500 plus \$0.18 per sq.-ft. of building floor space.
Signs	Value \$2500 or less	\$50.00/sign
	Value over \$2500	\$250.00/sign
Churches, church additions, pavilions, and other ancillary structures	Value less than \$25,000	\$50.00 per required inspection
	Value greater than \$25,000	\$250 plus \$0.18 per sq.-ft.
Demolition Permit - Commercial		\$200
Site Plan - Improvement Location Permit Only (No structures)		\$250.00 plus \$1.00 for every \$1,000 of value over \$50,000
Cell Towers & Electric Substation - Site Plan ILP		\$1,000.00/site
Cell Tower & Electric Substation Equipment - Building Permit		\$250
MISCELLANEOUS		
Chimney Additions		\$100/chimney
Temporary Construction Trailer		\$50
Reinspection of any component		\$50/reinspection
Permit Application Denied & resubmitted with 90 days for review.		\$75.00 reapplication fee only.
Plan Change After Permit is Issued		\$50 plus \$50 for each required inspection due to plan change
<p><u>Note:</u> The permit application fee for any application not specifically covered by this Fee Schedule shall be determined at the discretion of the Director of Planning, Zoning and Engineering.</p>		

ATTACHMENT – B

Legislative Rule, Title 87, Series 4, State Building Code

Effective July 1, 2010

Note: Title 87, Series 4, is available from the
Administrative Law Division of the Office of the West Virginia Secretary of State
Title 87, Series 4, may be viewed at the following link:

<http://apps.sos.wv.gov/csrdocs/pdffdocs/87-04.pdf>

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Do Not Mark In This Box

FILED

2010 APR 26 PM 2:40

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: West Virginia State Fire Commission TITLE NUMBER: 87

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4

TITLE OF RULE BEING AMENDED: State Building Code

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____


TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 4081

SECTION 64-6-2 PASSED ON March 11, 2010

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: July 1, 2010


Authorized Signature

87CSR4
TITLE 87
LEGISLATIVE RULE
STATE FIRE COMMISSION
SERIES 4
STATE BUILDING CODE

§87-4-1. General.

1.1. Scope -- This rule establishes the standards considered necessary by the State Fire Commission for the safeguarding of life and property and to ensure compliance with the minimum standards of safe construction of all structures erected or renovated throughout this state.

1.2. Authority. -- W. Va. Code 29-3-5b.

1.3. Filing Date. -- April 26, 2010

1.4. Effective Date. -- July 1, 2010

1.5. Incorporation of other Documents: This rule does not include a reprinting of all the requirements imposed by statute or by the incorporation of various nationally recognized standards and codes cited in Subsection 4.1 of this rule. For ascertaining these additional standards and requirements, it is necessary to make reference to the other documents.

§87-4-2. Definitions.

2.1. "ANSI" means "American National Standards Institute, 25 West 43rd St., Fourth Floor, New York, NY 10036.

2.2. "ASTM" means American Society of Testing and Materials.

2.3. "Fire Commission" - means the thirteen (13) appointed members of the West Virginia State Fire Commission.

2.4. "Fire marshal" - means the West Virginia State Fire Marshal and/or his or her designated representatives.

2.5. "Local jurisdiction" - means municipal or county level government.

2.6. "ICC" or "International" means "International Code Council", 5203 Leesburg Pike, Suite 600, Falls Church, Virginia 22041-3401.

2.7. "NFPA" means "National Fire Protection Association", 1 Batterymarch Park, P. O. Box 9101, Quincy, MA 02269-9101.

2.8. "State Building Code" - means the entire contents of this rule and the referenced national standards and codes.

2.9. "State Fire Code" means the entire contents of State Fire Commission, State Fire Code, 87CSRI, and the referenced standards and codes.

§87-4-3. Conflicts.

3.1. Whenever there is a conflict between the State Fire Code and the State Building Code, the State Fire Code takes precedence.

3.2. Whenever there is a conflict between the International Plumbing Code requirements of the State Building Code and the rules of the West Virginia State Department of Health and Human Resources, the rules of the Department of Health and Human Resources take precedence.

3.3. Whenever there is a conflict between the State Building Code and statutory laws of the State of West Virginia, the laws of the State of West Virginia take precedence.

§87-4-4. National Standards and Codes.

4.1 The standards and requirements as set out and as published by the International Code Council, and American National Standards Institute, and the National Fire Protection

Association as listed in this subsection, have the same force and effect as if set out verbatim in this rule.

4.1.1. The 2009 edition, International Building Code, First Printing, with the following exceptions:

4.1.1.A. Provided; that the section entitled "Fire Prevention" and identified as Section 10104.5 is deleted and not considered to be a part of this rule.

4.1.1.B. Further provided that the entire section entitled "Board of Appeals" and identified as Section 113 is deleted and replaced with the following:

Section 113 Board of Appeals

113.3 Qualifications. The board of appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years experience, five of which shall be in responsible charge of work.

4.1.2. The 2009 edition of the International Plumbing Code, First Printing.

4.1.3. The 2009 edition of the International Mechanical Code, First Printing.

4.1.4. The 2009 edition of the International Fuel Gas Code, First Printing, with the following exception:

Section 404.10 Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

4.1.5. The 2009 edition of the International Property Maintenance Code, First Printing. This Code may be rejected at the option of the local jurisdiction.

4.1.5.A. This code may be adopted by the local jurisdiction without requiring adoption of the other national codes and standards listed in this section.

4.1.6. The 2003. edition of the International Energy Conservation Code, Fifth Printing.

4.1.7. The 2009 edition of the International Residential Code for One and Two Family Dwellings, First Printing, with the following exceptions:

Section G2415.10 (404.10) Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

Section R303.6.1 Light Activation - The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stairway without traversing any steps. The illumination of exterior stairways shall be controlled from inside the dwelling unit. Exceptions: 1. Lights that are continuously illuminated or automatically controlled. 2. Interior stairways consisting of less than three steps.

Section R 311.3.1 Landings at doors Where a stairway of two or fewer risers is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door.

Section R311.7.4 Stair Treads and Risers

311.704.1 Riser Heights - The maximum riser height shall be eight and one-quarter (8-1/4) inches.

311.7.4.2 Tread Depth - The minimum tread depth shall be nine (9) inches.

Section R313: Automatic Fire Sprinkler Systems, in its entirety, is specifically excluded from the scope of this rule series.

Section R403 .1.7.1: Building Clearances From Ascending Slopes is not applicable to this rule.

Section R403.1.7.2: Footings Setbacks From Descending Slope Surfaces is not applicable to this rule.

4.1.8. The 2003 ICC/ANSI A117.1 American National Standards for Accessibility & Usable Buildings & Facilities, First Printing.

4.1.9. The 2009 International Existing Building Code, First Printing, with the following exception:

4.1.9.A. Omit reference to International Fire Code and substitute NFPA Life Safety Code 2009 Edition.

4.1.10 The 2008 edition of the National Electric Code, NFPA 70.

§87-4-5. Exceptions.

The following structures are not subject to inspection by local jurisdictions:

Group U utility structures and storage sheds comprising an area not more than 150 sq. ft. which have no plumbing or electrical connections and are used only for residential storage purposes. (Examples include sheds that are for the residential storage of lawnmowers, tools, bicycles or furniture.) Not included are those utility structures and storage sheds which have plumbing or electrical connections are a non-residential use or for the storage of explosives or other hazardous or explosive materials.

§87-4-6. Availability of Code Books.

A copy of the codes listed in Subsection 4.1 of this rule have been filed with the Secretary of State. These code books,

4.1.7.A. Chapter 11 of the 2009 edition of the International Residential Code for One and Two Family Dwellings, Seventh Printing, entitled "Energy Efficiency", is deleted and not considered to be a part of this rule.

collectively or separately, may be obtained by contacting the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, 1-888-422-7233, or the ICC Store, 1-800-786-4452.

§87-4-7. Adoption by Local Jurisdiction.

7.1. Each local jurisdiction adopting the State Building Code shall notify the State Fire Commission in writing. The local jurisdiction shall send a copy of the ordinance or order to the State Fire Marshal, West Virginia State Fire Commission, 1207 Quarrier Street, 2nd floor, Charleston, West Virginia 25301, within thirty (30) days of adoption.

7.2. Each local jurisdiction which adopts the State Building Code is responsible for the enforcement of the building code as provided in West Virginia Code 7-1-3n and 8-12-13.

7.3. Throughout the national codes, adopted in subsection 4.1 of this rule, there are discretionary provisions or amendments which require further action by the adopting local jurisdiction in order to adapt these codes to various local conditions. The appendices are not a part of the code and must also be adopted by the local jurisdiction to be enforceable. It is therefore the intent of this rule to further authorize each local jurisdiction to further complete, by order or ordinance, those respective areas which are indicated to be completed by the adopting "jurisdiction" and any of the appendices the local jurisdiction wishes to adopt.

87CSR4

7.4. Within the penalty sections of each of the national codes, adopted in Section 4.1 of this rule, there is a penalty for imprisonment. The provision of imprisonment for any violation of this rule is optional with each adopting local jurisdiction.

7.5. Each of the national codes adopted in subsection 4.1 of this rule provides for a separate appeals board. However, the intent and requirements for an appeal board may be met with the creation by the local jurisdiction of a single appeals board for the entire "State Building Code."

§87-4-8. Existing Building Codes.

8.1. All building codes which have been adopted by local jurisdictions prior to the passage of West Virginia Code 29-3-5b, in 1988, are null and void.

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

AGENDA REQUEST FORM

Name: F. Mark Schiavone

Department or Entity: DCPM

Estimation of amount of time needed for appointment: 10 min

Date Requested – 1st Choice: 10 June 2010

Date Requested – 2nd Choice: _____


If a specific date is needed, please provide reason for specific date: This is the last Regular Session before the SAO deadline of 15 June for any budget revisions requiring their approval.

Subject: Revision 008 to the General Fund

Please provide the County Commission with a description of your request or presentation, including any background information: This revision is expected to be the final adjustment to the general fund budget for any department that requires intra-department transfers of funds.


Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Move to approve the resolution to accept budget revision 008 to the General Fund.

Attachments: Supplementary materials to be delivered as soon as possible.

To: Jefferson County Commissioner
 From: Daniel P Lutz Jr. 
 Date: 27 May 2010
 Subject: Request for use of County Commissioner Room

We, Daniel Lutz, Robert Willgers, Joyce Webb and David Sanders wish to use the County Commissioner Room on N. Samuel St on **10th** June 2010 for a read through of the stage play A COMIC OPERA WAR. If the room is available. The hours we request are from 6:30 P.M. (1830 hours) to 9:00 P.M. (2100) hours.

Thank you in advance.


 DANIEL LUTZ



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

RECEIVED

Joe Manchin III
Governor

JUN 01 2010

May 28, 2010

Jefferson County Commission

To Whom It May Concern:

The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for federal fiscal years 2010-2015. One of the requirements to funding any projects with FHWA or FTA funds is that each proposed project undergo a public "review and comment period". Therefore, additions or deletions to the STIP and certain changes to projects currently in the STIP must meet this requirement before federal funds can be obtained. Accordingly, I am again requesting your assistance in making available (to anyone who wishes to review them) the attached listing of proposed amendments to the approved 2010-2015 STIP.

All written comments are to be received no later than June 11, 2010, and should be addressed to:

Mr. Robert L. Pennington, Director
Program Planning and Administration Division
West Virginia Division of Highways
Building 5, Room A-816
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0430

Should you need additional information, please call (304) 558-3113. Thank you for your assistance in this matter; your efforts are indeed appreciated.

Very truly yours,

Robert L. Pennington, Director
Program Planning and Administration Division

RLP:Cb

Attachment

cc: Mr. Tony Tarone, Federal Transit Administration – w/ attachment
Mr. Jeff Blanton, Federal Highway Administration – w/ attachment
Mr. Kevin Burgess, Federal Highway Administration – w/ attachment
Ms. Susan O'Connell, Division of Public Transit – w/ attachment

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2010-2015
PROGRAM AMENDMENT FOR 2010

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	TOTAL PHASE COST	FEDERAL DOLLAR COST	FEDERAL COST CHANGE
PROJECT COMMENTS														
BOONE	2010			6/28/2010	STP	CON	WV085	VAN-LANTA RD	RESURF (1.75")	S303 85 2222 00	STP0085069D	\$1,550,000	\$1,240,000	
AMD 5 - ADD NEW PROJECT														
BOONE	2010			6/28/2010	STP	CON	WV085	CAZY-VAN	RESURF (1.75")	S303 85 1886 00	STP0085070D	\$1,900,000	\$1,520,000	
AMD 5 - CHANGE TERMINI; ADJ 1 - OTHER FED PAVING ALLOCATION DEFINED														
FAYETTE	2010			6/28/2010	RR	CON	NA000	APPALACHIAN REGION SHORT LINE RR (TIGER)	SAFETY IMPROVEMENTS	U310 ASL 100		\$2,207,660	\$1,766,128	
AMD 5 - ADD NEW PROJECT														
GRANT	2010			6/28/2010	HSIP	CON	US220	US 220 CHAIN LINK SAFETY FENCE	INSTALL SAFETY FENCE	S312 220 01235 00	HSIP0220191D	\$150,000	\$150,000	
AMD 5 - ADD NEW PROJECT														
GREENBRIE	2011			8/28/2011	STP	CON	US219	I-64 EB RAMP'S SIGNAL	INST TRAF SIG	US13 219 01274 00	NH0219311D	\$135,000	\$108,000	
AMD 5 - ADD NEW PROJECT														
HARRISON	2010			8/28/2010	IM	CON	I 079	ANMOORE I/C-BRIDGEPORT I/C	UPGR TO 6 LNS, GR, DR, PAVE, SIGNING	X317 79 11700 00	IMNH0793226	\$9,800,000	\$8,493,332	
AMD 5 - ADD NEW PROJECT														
JACKSON	2010			6/28/2010	NHS	CON	US033	FROZENCAMP-MARSHALL (WARRANTY)	RESURF (WARRANTY)	S318 33 02297 00	NH0033339D	\$420,000	\$336,000	
AMD 5 - ADD NEW PROJECT														
JACKSON	2010			6/28/2010	NHS	CON	US033	RIPLEY-HEREFORD (WARRANTY)	RESURF (WARRANTY)	S318 33 01781 00	NH0033337D	\$400,000	\$320,000	
AMD 5 - ADD NEW PROJECT														
JACKSON	2010			6/28/2010	NHS	CON	US033	HEREFORD-FROZENCAMP	RESURF (WARRANTY)	S318 33 01991 00	NH0033338D	\$400,000	\$320,000	
AMD 5 - ADD NEW PROJECT														
KANAWHA	2010			6/28/2010	IM	ENG	I 064	BIGLEY AVENUE I/C REHABILITATION	C&P, MISC. CONC REPAIRS ON BR3 2574, 2575, 2576, & 2564	S320 6477 12 00	IM6477026	\$40,000	\$36,000	
AMD 5 - ADD NEW PROJECT														
KANAWHA	2010			6/28/2010	OAF	CON	HARP901/6	BLACK PINE RD BR	REPL(15X38 SCBB)	S320 90160 001 00	BR6016001D	\$500,000	\$400,000	
AMD 5 - ADD NEW PROJECT - ADDITIONAL BRIDGE OBLIGATION AUTHORITY CANDIDATE														
KANAWHA	2010			7/28/2010	BR	ENG		COONSKIN PARK ACCESS	CONST BR & ACCESS ROAD	X320 21932 000 00		\$550,000	\$440,000	
AMD 5 - ADD NEW PROJECT														
KANAWHA	2011			10/28/2010	BR	ROW		COONSKIN PARK ACCESS	CONST BR & ACCESS ROAD	X320 21932 000 00		\$1,700,000	\$1,360,000	
AMD 5 - ADD NEW PROJECT														

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2010-2015
PROGRAM AMENDMENT FOR 2010

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	TOTAL PHASE COST	FEDERAL DOLLAR COST	FEDERAL COST CHANGE
PROJECT COMMENTS														
KANAWHA	2012			10/28/2011	BR	CON		COONSKIN PARK ACCESS	CONST BR & ACCESS ROAD	X320 21932 000 00		\$9,400,000	\$7,520,000	
AMD 5 - ADD NEW PROJECT														
KANAWHA	2012			6/28/2012	EB	CON	1064	BIGLEY AVENUE I/C REHABILITATION	C&P MISC. CONC REPAIRS ON BRS 2574, 2575, 2576, & 2564	S320 6477 12 00	IM6477027	\$17,500,000	\$15,760,000	
AMD 5 - ADD NEW PROJECT														
LEWIS	2010			6/28/2010	STP	CON	US033	EAST THIRD STREET- WESTON	RESURF (1.5')	S321 33 01738 00	STP0033340D	\$800,000	\$640,000	
AMD 5 - ADD NEW PROJECT														
LINCOLN	2010			3/11/2010	STP	CON	CO001	MUD RIVER RD	RESURF (1.5')	S322 1 00003 00	ACST0001237D	\$157,000	\$0	
ADM 5 - DE-AUTHORIZE (TERMINATED);ADJ 1 - OTHER FED PAVING ALLOCATION DEFINED, COST INCREASE														
LOGAN	2010			6/28/2010	OAF	CON	CO007	GARRETT FORK BR	REPL(27X41.5 SCBB)	S323 7 143 00	BR0007222D	\$600,000	\$480,000	
AMD 5 - ADD NEW PROJECT - ADDITIONAL BRIDGE OBLIGATION AUTHORITY CANDIDATE														
LOGAN	2010			7/28/2010	BR	CON	CO016	LAST BRIDGE OF BUFFALO CREEK	REPL	S323 16 01438 00	BR0016216D	\$750,000	\$600,000	
AMD 5 - ADD NEW PROJECT														
MCDOWELL	2010			6/28/2010	RR	CON	WW103	JARRETT HOLLOW CROSSING	UPGR TO FLASHERS & GATES	U324 103 00904 00	STP0103001D	\$225,000	\$225,000	
AMD 5 - ADD NEW PROJECT														
MCDOWELL	2010			6/28/2010	RR	CON	WW103	THORPE CROSSING	UPGR TO FLASHERS & GATES	U324 103 787 00	STP0103002D	\$225,000	\$225,000	
AMD 5 - ADD NEW PROJECT														
MCDOWELL	2010			6/28/2010	RR	CON	CO103/05	VENUS CROSSING	INST FLASHING SIGNALS	U324 103005 010 00	STP1035001D	\$125,000	\$125,000	
AMD 5 - ADD NEW PROJECT														
MINERAL	2010	5		7/28/2010	NHS	CON	US220	KEYSER SIGNING	REN SIGNING	U329 220 147300	NHG0220180D	\$0	\$0	(\$166,860)
AMD 5 - WITHDRAWN, WORK INCLUDED W/ S329-220-14.83														
POCAHONT	2010			6/28/2010	OAF	CON	WW028	BUFFALO RUN BR	REPL(36X32)	S338 28 2478 00	BR0028086D	\$678,500	\$542,800	
AMD 5 - ADD NEW PROJECT - ADDITIONAL BRIDGE OBLIGATION AUTHORITY CANDIDATE														
ROANE	2010			6/28/2010	OAF	CON	CO05207	LOONEYVILLE ARCH BR	REPL(20X70 SCBB)	S344 5207 121 00	BR0527004D	\$420,000	\$336,000	
AMD 5 - ADD NEW PROJECT - ADDITIONAL BRIDGE OBLIGATION AUTHORITY CANDIDATE														
ROANE	2010			6/28/2010	STP	CON	WW014	BARRS-BILLINGS RD- RESURF	RESURF	S344 14 00220 00	STP0014137D	\$1,427,000	\$1,427,000	
AMD 5 - ADD NEW PROJECT														

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2010-2015
PROGRAM AMENDMENT FOR 2010

COUNTY	FFY	DISTRICT	GROUP	FUNDING OBLIGATION DATE	FUND TYPE	PHASE	ROUTE	PROJECT NAME	TYPE OF WORK	STATE PROJ. NUMBER	FEDERAL PROJECT NUMBER	TOTAL PHASE COST	FEDERAL DOLLAR COST	FEDERAL COST CHANGE
PROJECT COMMENTS														
SUMMERS	2010		G	6/28/2010	BR	ENG	WW107	AVIS OVERHEAD BR	REPAIR APPROACH SLAB SETTLEMENT	S345 107 00132 02	BR0107016D	\$25,000	\$20,000	
AMD 5 - ADD NEW PROJECT														
SUMMERS	2010		G	7/28/2010	BR	CON	WW107	AVIS OVERHEAD BR	REPAIR APPROACH SLAB SETTLEMENT	S345 107 00132 02	BR0107017D	\$50,000	\$40,000	
AMD 5 - ADD NEW PROJECT														
UPSHUR	2011		G	10/28/2010	HSIP	ROW	WW020	SOUTH KANAWHA STREET	ADD LT LN. STORM IMPROVEMENTS	U349 20 02470 00		\$100,000	\$80,000	
AMD 5 - ADD NEW PROJECT														
UPSHUR	2011		G	5/28/2011	HSIP	CON	WW020	SOUTH KANAWHA STREET	ADD LT LN. STORM IMPROVEMENTS	U349 20 02470 00		\$850,000	\$680,000	
AMD 5 - ADD NEW PROJECT														
WOOD	2010		G	6/28/2010	STP	ENG	WW014	MINERAL WELLS- PETTYVILLE	ENVIR ASSESSMENT	U354 14 86900	STP0014136D	\$400,000	\$320,000	
AMD 5 - ADD NEW PROJECT														
WOOD	2010	3	G	7/28/2010	STP	CON	WW014	S MINERAL WELLS J/C	UPGR TO 4 LNS	U354 14 74700	ACST0014126D	\$9,939,800	\$9,681,800	\$1,001,800
AMD 5 - REVISED FEDERAL FISCAL YEAR & 22% FEDERAL COST INCREASE; ADJ 1 - UPDATE FEDERAL NUMBER, COST INCREASE PER PTS														
STATEWIDE	2010		G	6/28/2010	CMAQ	CON	NA000	EMERGENCY FIRE SIGNAL PREEMPTION	REPLACE AND MAINTAIN EMERGENCY FIRE PREEMPTION	T699 FIRE 00100	CMAQ2010D41D	\$400,000	\$320,000	
AMD 5 - ADD NEW PROJECT														

TO: ALL COUNTY COMMISSIONS
 ARTICLE OF INTEREST
 FROM: WVACO

Insurance commissioner defends VFD workers' comp premiums

By Phil Kabler
 Staff writer

State Insurance Commissioner Jane Cline defended a recent change in the way workers' compensation premiums for volunteer fire departments will be calculated, saying that, without the change, no private insurers would write coverage for VFDs.

Under the 2005 law that has gradually privatized the state workers' compensation program, BrickStreet Mutual is obligated to offer coverage to VFDs and other governmental agencies through July 1.

However, Cline said Wednesday, the insurer has paid out seven times as much in workers' compensation claims for VFDs than it has collected in premiums.

"The reality is, there is significantly more being paid out in losses for volunteer firemen than is being taken in," she told the legislative Joint Com-

mittee on Government and Finance.

One issue, she said, is that volunteer firefighters injured on duty are compensated based on the wages of their "day" jobs. She said those figures are "all over the board," but frequently are higher than salaries for professional firefighters.

She cited the example of a coal miner making \$65,000 a year, who would be compensated based on that salary if injured while serving as a volunteer firefighter.

Currently, she said, premiums for VFDs are calculated using minimum wage, but beginning July 1, will be calculated based on comparable salaries for professional firefighters.

Cline said she recognizes that sizable premium increases will be a hardship for some VFDs, but said that without the adjustment, private insurers simply would not give them workers' compensation

coverage.

"Either county commissions will have to come up with a revenue stream, or the Legislature will have to make a public policy decision," she said.

House Majority Leader Brent Boggs, D-Braxton, requested a breakdown of the professions of volunteer firefighters in the state.

Boggs said the VFDs he is familiar with are staffed primarily with younger people, whose incomes are likely to be lower and with retirees.

House Minority Leader Tim Armstead, R-Kanawha, requested an analysis of how other states handle workers' compensation premiums for VFDs.

Armstead said he also plans to ask that the issue become a topic of study for future legislative interim meetings.

Reach Phil Kabler at
 philk@wvgazette.com
 or 304-348-1220

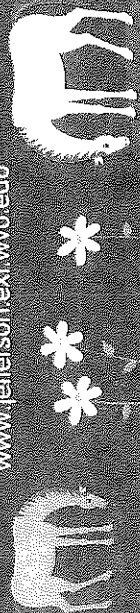
Cradled by the Potomac and Shenandoah Rivers and nestled between North Mountain and the Blue Ridge, Jefferson County is the garden of West Virginia. Over 300 farms operate in this valley of fertile soil and produce a diversity of items ... fruit, vegetables, horses, dairy, beef, hogs, chickens, sheep, grain, hay, straw and an ever broadening array of specialty items (trout, llamas, peacocks, etc). Bring the family and spend the day visiting a sampling of our "working" farms. The sights, sounds and smells will delight both young and old.

Farm Day is a self-guided tour showcasing local, active farms. The purpose is to educate the public about farms, farmers and farmland. It is sponsored by the Jefferson County Farm Bureau, Potomac Headwaters R, C & D Council, the Jefferson County Development Office, the Jefferson County Ag Task Force and the WVU Jefferson County Extension Service.

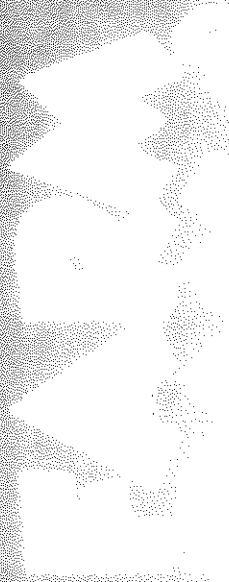
Experience the sights, sounds and smells of the local farms, farmers and farmland. A FREE SELF-GUIDED TOUR OF LOCAL ACTIVE FARMS. ONLY \$25 FEE DUE AT THE TOUR.

For More Info, Contact:

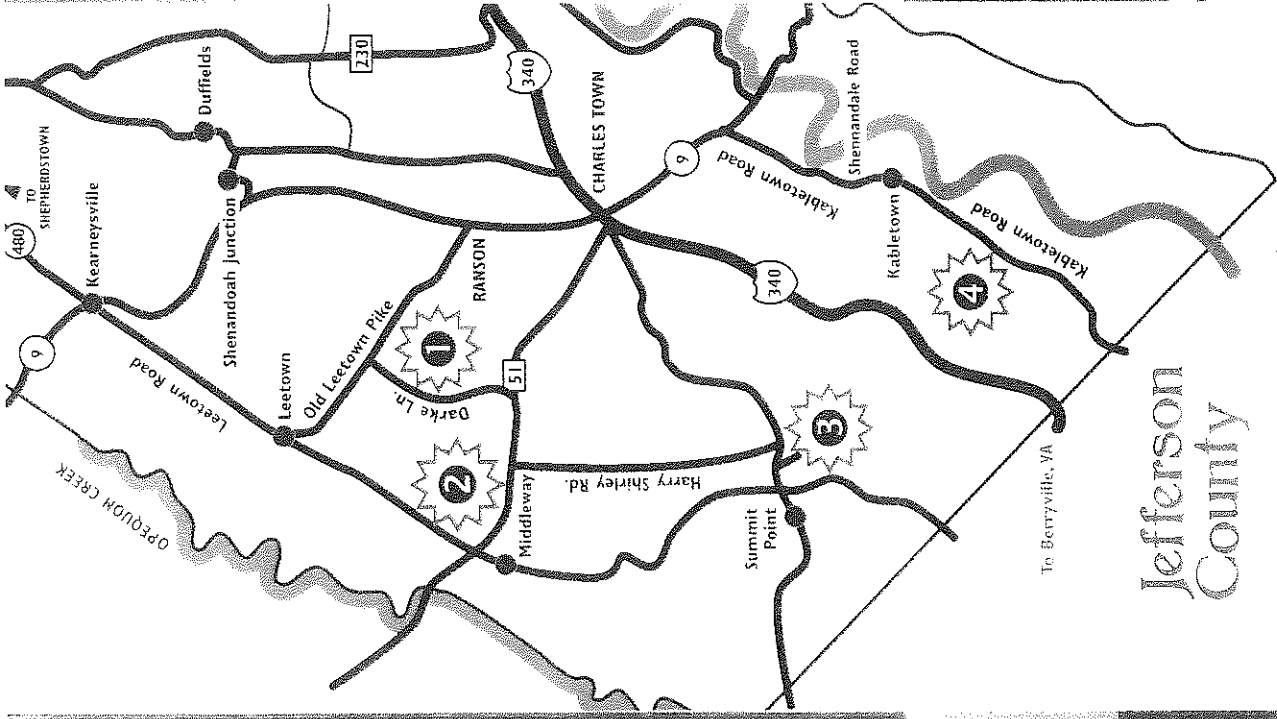
Jane Tabb
 304-728-7413, Ext. 7 • Jane.Tabb@mail.wvu.edu
 304-725-4325 • vinemont@frontiernet.net
 Kellie Boles
 304-728-3255 • kellie@jcca.net
 www.jeffersonfarms.org
 www.jefferson.ext.wvu.edu



9th Annual Jefferson County



Saturday, June 19th 10am-5pm
A Free Self Guided Tour of Local Active Farms



Jefferson County

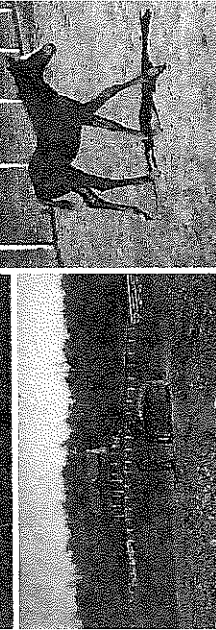
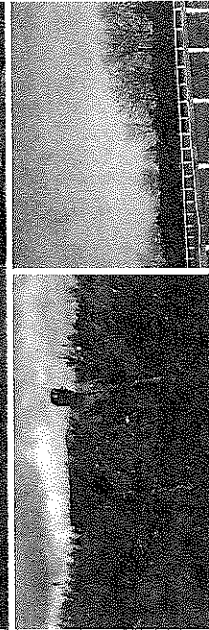
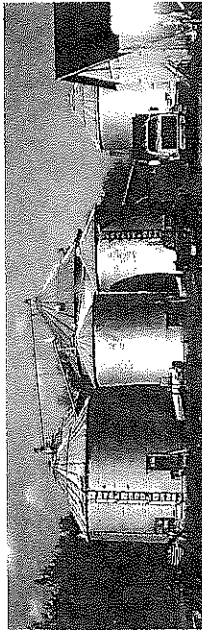
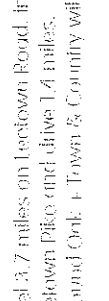
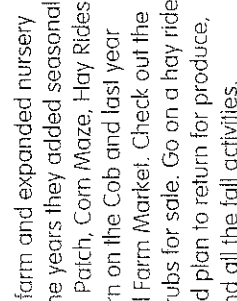
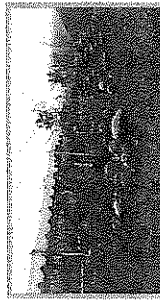
- 1 Darke Ln
- 2 Middleway
- 3 Summit Point
- 4 Kabletown

1 Round Oak Farm + Town & Country Nursery

Bob and Nancy Tabb established Town & Country Nursery in 1981. In 1999 they expanded with the purchase of 100 acres across the road. At Round Oak, a Christmas tree farm and expanded nursery area was established. Over the years they added seasonal activities including a Pumpkin Patch, Corn Maze, Hay Rides, Peeling Zoo, Signature Popcorn on the Cob and last year a Pick Your Own Produce and Farm Market. Check out the bedding plants, trees and shrubs for sale. Go on a hay ride and see the planted fields and plan to return for produce, pumpkins, Christmas trees and all the fall activities.

From Rt. 9 of Kearneysville, travel 3.7 miles on Leetown Road in Leetown, turn LEFT onto Old Leetown Pike and drive 1.4 miles. Turn RIGHT onto Darke Lane. Round Oak + Town & Country will be 0.4 mile ahead on the LEFT.

1885 DARKE LANE, KEARNEYSVILLE, WV
www.greenhorizonsturf.com



3 Dubble R Farm

Home to PonyXpress Pony Rides & Playdates

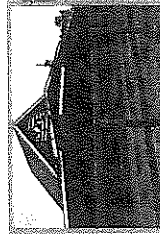
Suzie Binns loves horses of all sizes and shapes. Her farm is populated by donkeys, miniature horses and Racking horses. Suzie competes with her Racking horses and offers pony rides for kids and events.

PonyXpress Pony Rides will come to your event and provide pony rides. Pony Playdates allows kids to come to the farm for pony rides and more interaction with the critters. Suzie trains her ponies to be kid friendly and the result is lots of fun plus big smiles. A cozy barn, paddocks and lighted outdoor arena support the enterprise. Bring the family to enjoy the farm plus free pony rides and face painting.

From Charles Town, drive West on Rt. 51 for 5.5 miles. Turn LEFT onto Shirley Rd. Travel to the end of Shirley Rd. - about 3 miles. Turn RIGHT and then an immediate LEFT onto Stephanie Rd. The farm lane is on the LEFT

482 STEPTOE RD., SUMMIT POINT, WV

WWW.DUBBLERFARM.COM • WWW.PONYXRESSRIPIN.COM



2 Beau Ridge

Obtaining a trainer's license in 1969, John McKee has made horse racing his life and invested heavily in the local thoroughbred racing industry. Cindy and John moved Beau Ridge to Jefferson County just two years ago. Four barns, a 3/8 mile training track, round pen, paddocks and more are spread over almost 40 acres. There are two 23 stall horse barns with horse exerciser; one for 2 year olds and one for mares & foals. A foaling barn and a stallion barn complete the horse breeding side of the business and a hay barn is being built. Watch mares and foals grazing, visit stallions, tour the barns and see the farm side of horse racing.

From Rt. 9 of Kearneysville, travel 7 miles on Leetown Road. Turn LEFT on Tel Farm Lane. The farm will be 0.2 mile ahead on the RIGHT. OR From Rt. 51 of Middletown, travel 0.4 mile on Leetown Road. Turn RIGHT onto Tel Farm Lane. The farm will be 0.2 mile ahead on the RIGHT.

244 TEL FARM LANE, KEARNEYSVILLE, WV

4 Riggs & Stiles, Inc.

Stanley and Barbara Stiles, son Steve and daughter Joy, farm almost 1400 acres in two states (WV & VA). The home farm in WV was purchased in 1963. The Stiles relocated from Montgomery County, MD to Jefferson County, WV in 1986. Since then, an additional farm was bought in VA for the dairy operation. The home farm raises feed for the dairy cows and cash crops (corn, soybeans, alfalfa, triticale and hay). The 1843 Greek Revival house and a 19th century barn grace the farmstead as well as additional buildings and grain bins. 4-H livestock projects (lamb, pig and dairy heifer) will be on display for up close inspection. Tour the barn and enjoy the magnificent view of the Blue Ridge, crop fields and lush pastures.

From Rt. 9 East of Charles Town (Charles Town Rd.), turn RIGHT onto Kabletown Road. Travel 5.2 miles and turn RIGHT onto Goshen Arrabon Lane.

118 GOSHEN ARRABON LANE, CHARLES TOWN, WV



**NOTICE OF PUBLIC OUTREACH EDUCATION WORKSHOP
COUNTY COMMISSION OF JEFFERSON COUNTY
SUBDIVISION REGULATION AMENDMENTS**

The County Commission of Jefferson County will hold a Public Outreach Education Workshop to give staff an opportunity to brief the County Commission and the public regarding the proposed text amendments to the Subdivision Regulations. The workshop will be held on Thursday, June 24, 2010, at 6:00 p.m. in the Old Charles Town Library Meeting Room on the ground floor of the Library, 200 East Washington Street, Charles Town, WV 25414.

No public input will be received at this workshop. A follow up public hearing for the purpose of receiving public comment will be scheduled at a later date.

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