

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, JULY 8, 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. 9:45 a.m. Roger Goodwin - Chief County Engineer - Bonding
 - Complete Release of Construction Bond - Cambridge, LLC - Cambridge Manufactured Mobile Home Development, Lots D99 & D102 - Discussion/Action
 - Partial Release of Construction Bond - County Green LLC - The Woods at Wheatland Subdivision, Lots 1-7 & Residue - Discussion/Action
 - Expiring Letters of Credit - Request for Authorization for Letters of Credit to be Called that are not Renewed by Close of Business on Monday, July 12, 2010 - Discussion/Action

2. 10:00 a.m. Hearing for the Petition of James B. Packard to Resign as Administrator of the Estate of John J. Warfield, Deceased - Discussion/Action

3. 10:30 a.m. Jennie Brockman - Director of Planning and Zoning
 - Request for Waiver of CUP Fees for the Good Shepherd Interfaith Volunteer Caregivers - Discussion/Action
 - Approval of Employment - Steve Barney - Zoning Administrator - Discussion/Action

4. 10:45 a.m. Jennifer S. Maghan - County Clerk's Report
5. 11:00 a.m. Interviews and Appointments to the Eastern Panhandle Transportation Authority - Discussion/Action
6. 11:15 a.m. Legal Update and Report - (Stephanie Grove)
7. 11:30 a.m. Executive Session - Personnel Matters
8. 11:45 a.m. Executive Session - Development Authority

NEW BUSINESS:

9. Legislative Issues
10. Decision on County Seal as Voted on by County Residence through a Survey Completed 11/30/09 and - Discussion/Action
11. Proposed Amendments to the Subdivision Regulations Prior to Public Hearing - Discussion/Action (DM)
12. Response to Letter Regard Creating IT Development Committee - Discussion/Action (JS)

Break for Lunch

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

14. 1:30 p.m. Work Session - Todd Fagan, GIS Specialist - FY2011 GIS Staff Reorganization & Possible Departmental Reorganization
15. 7:00 p.m. Land Development Fees - Roundtable Discussion

CORRESPONDENCE:

Correspondence received from the Lewis County Commission concerning the County Commissioners' Association Annual Meeting.

Correspondence received from Earl L. Jackson, Jr. concerning traffic control at Summit Point Raceway.

Meeting minutes received from the Jefferson County Public Service District.

Community Bulletin received from the Harpers Ferry National Historical Park.

Information survey received from Potomac Headwaters RC&D.

Correspondence received from Matthew Harris concerning the Jefferson County Judicial Center.

Press Release received from Allegheny Energy concerning the West Virginia Rate Decision.

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

ANNOUNCEMENTS:

County Commissioners' Association Annual Training and In-Service Seminar is scheduled for August 1-3, 2010 and the Board of Director's meeting is July 31, 2010.

Notice received from the Charles Town Planning Commission of a public hearing on July 26, 2010, at 7:00 p.m. on the City's newly drafted 2010 Zoning Ordinance.

Notice of Public Hearing on the Proposed Jefferson County Bonding Policy on August 5, 2010, at 1:30 p.m.

Notice of Public Hearings on the proposed amendments to the Subdivision & Land Development Regulations to be held on August 4, 2010, at 7:00 p.m. at Blue Ridge Elementary School and on August 9, 2010, at 7:00 p.m. at the Charles Town Library.

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 24, 2010

A meeting of the Jefferson County Commission was held on Thursday, June 24, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Lyn Widmyer, Patsy Noland, Frances Morgan, Jim Surkamp and Dale Manuel, Tim Boyde, County Administrator, and Nichelle Hosby.

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

1. PLEDGE OF ALLEGIANCE
2. MOTION BY MS. NOLAND to approve the June 17, 2010 Minutes as presented. Motion seconded by Mr. Manuel and unanimously approved.
3. MOTION BY MS. MORGAN to approve Purchase Orders in the amount of \$18,380.97, for purchase order numbers: 48476, 48152, 47785, 48364, 48453, 48457, 48458, 47973, 48455. Motion seconded by Mr. Manuel and unanimously approved.
4. MOTION BY MS. MORGAN to approve the accounts payable in the amount of \$246,828.87. Motion seconded by Mr. Manuel and unanimously approved.
5. NO PUBLIC COMMENT was made.
6. MR. BOYDE ADVISED the Commission that an internal budget revision 00F was needed for the County Clerk's office.

Mr. Boyde requested that this item be held over until the afternoon session for further discussion.

Mr. Boyde requested that two applications for Leadership Jefferson be accepted in the names of Tim Boyde and Todd Fagan.

Unanimous consent was given to approve the applications for Leadership Jefferson.

Unanimous consent was given to accept an application for Sandy McDonald for the 2011 year.

Mr. Boyde reported that Lieutenant Hanson had submitted a grant that will allow the purchasing of equipment for the Sheriff's Department.

Mr. Boyde reported that he met with the Director of Communications and US Cellar. The Communication office will be testing out the service for two weeks in known dead zones for cell coverage.

Mr. Boyde reported on a meeting with Healthcare representatives.

7. MS. MORGAN REPORTED on the Planning Commission meeting she attended.
8. MS. NOLAND REPORTED on the grand openings of CT Carpet One and Benjamin Moore that she attended.
9. MR. MANUEL REPORTED on the grand openings of CT Carpet One and Benjamin Moore that he attended.

Mr. Manuel reported on Farm Day 2010 that he attended.

Mr. Manuel reported on the public meeting at the Summit Point Library that he attended.

Mr. Manuel reminded the Commission of the grand opening of the Jefferson Center on June 25, 2010 and the Business Volunteer Recognition at the Senior Center beginning at 10:00 a.m. on July 16, 2010.

10. MS. WIDMYER REPORTED on the West Virginia Department of Environmental Protection meeting she attended.

Ms. Widmyer reminded the Commission that the Department of Highways would be present to discuss the WV 9 Bikeways on Tuesday, June 29, 2010 at 7:00 p.m.

11. APPOINTMENT TO THE Solid Waste Authority was made for a four-year term ending June 30, 2014.

Appointed to the Solid Waste Authority for a four-year term is:

- Dr. Peter Villa

Appointment to the Board of Health was made for a five-year term ending June 30, 2015.

Appointed to the Board of Health for a five-year term is:

- Mark Shield

Appointment to the Bolivar/Harpers Ferry Public Library was made for a four-year term ending June 30, 2014.

Appointed to the Bolivar/Harpers Ferry Public Library for a four-year term is:

- Lisa Kay Reed Palmer

Appointment to the Summit Point Library was made for a five-year term ending June 30, 2015.

Appointed to the Summit Point Library for a five-year term is:

- Catherine Burke

Appointment to the Eastern Panhandle Regional Planning and Development Council was made for a one-year term ending June 30, 2011 by a 3-2 vote. Ms. Widmyer and Ms. Morgan voted no.

Appointed to the Eastern Panhandle Regional Planning and Development Council for a one-year term is:

- Thomas Bayuzik

Appointment to the Harpers Ferry Public Service District was made for a six-year term ending June 30, 2016.

Appointed to the Harpers Ferry Public Service District for a six-year term is:

- Mayor James Addy

Appointment to the Enhanced 911 Board was made for an unexpired term ending September 1, 2012.

Appointed to the Enhanced 911 Board for an unexpired term is:

- Matthew Harris

Appointments to the Parks and Recreation Commission were made for a four-year term ending June 30, 2014.

Appointed to the Parks and Recreation Commission for a four-year term are:

- Jimmy Pierson by unanimous approval.
- Heather Morgan by a 4-1 vote. Mr. Manuel voted no.
- Paul Marshall by unanimous approval.
- Gene Taylor by a 3-2 vote. Mr. Surkamp and Ms. Morgan voted no.

12. **BILL POLK INTRODUCED** Denise Lambiotte as the new Animal Control supervisor.

Mr. Polk reported that he would like to award the Janitorial bid to Daycon and the fire alarm bid to Winchester Securities.

Motion by Ms. Noland to approve the contract bids to Daycon and Winchester Securities. Motion seconded by Ms. Morgan and unanimously approved.

13. **ROGER ETHIER REPORTED** on an ARC Energy RFP that he would like to have permission to complete. Mr. Ethier reported that this grant would be useful in planning and implementation of Community based energy projects.

Roger Goodwin, Chief County Engineer was present and gave additional comments.

Ed Burns was present and gave comment.

The Commission requested that Roger Goodwin take the lead on completing a study of energy conservation on the County's properties with assistance from Mr. Ethier and Mr. Polk and bring a proposal back to the Commission with the Hunter House as a model.

The Commission took a five minute break at 11:05 a. m.

14. JENNIFER SIREN COMMENTED that her subdivision Chaplin View is in both Jefferson County and Berkeley County and the Bond Release Policy.

15. STEPHANIE GROVE DISTRIBUTED her "to do" list.

Ms. Grove reported on the Dodson appeal and the denied order for Shenandoah Sales and Services.

16. JENNIFER MAGHAN REQUESTED approval to hire Heather Day as an Assistant County Clerk in the recording department commencing July 1, 2010.

Motion by Mr. Surkamp to approve the hiring of Heather Day as Assistant County Clerk in the recording department commencing July 1, 2010. Motion seconded by Ms. Morgan and unanimously approved.

Ms. Maghan requested approval of Depository Bonds for United Bank, BB&T and Bank of Charles Town.

Motion by Mr. Manual to approve the Depository Bond and letter of credit with United Bank in the amount of \$200,000,500.00. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Morgan to approve the Depository Bond and letter of credit with BB&T in the amount of \$279,000.00 subject to signature of the Prosecuting Attorney. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the Depository Bond and letter of credit with the Bank of Charles Town in the amount of \$12,000,000.00. Motion seconded by Ms. Noland and unanimously approved.

17. WARREN MICKEY REPORTED an update on behalf of the Eastern Panhandle Conservation Group on the Elk Run Project.

Budge Blake was present and gave comment.

18. ROGER GOODWIN, CHIEF COUNTY ENGINEER appeared before the Commission to request the following bonding:

Motion by Mr. Manuel to approve the complete release of a letter of credit in the amount of \$106,333.00 for Home Hill Corporation – North Hills at Cress Creek Subdivision, Lots 1-20 & Lot 21- Residue. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Noland to approve the partial release of a letter of credit in the amount of \$141,069.00 for Michael R Shveda - Shepherdstown Estates Subdivision, Lots 1-9 & Residue. Motion seconded by Ms. Morgan and unanimously approved.

The Commission asked Mr. Goodwin to look into the matter of Chaplin View brought up by Jennifer Siren.

Motion by Ms. Morgan to table this discussion for three weeks until Mr. Goodwin can research the matter further and come back before the Commission. Motion seconded by Mr. Manuel and approved 4-1. Mr. Surkamp voted no.

19. NO LEGISLATIVE UPDATES were made.

20. TIM BOYDE REPORTED on the Risk Pool presentation made on Thursday, June 17, 2010.

Mr. Boyde stated that he will review the contract with legal counsel Stephanie Grove.

By unanimous consent, the Commission tabled this discussion until 1:30 p.m.

21. DALE MANUEL REPORTED on the motion that after next year's budget obligations (\$750,000 in the unencumbered Capital Outlay Expenditures line item and \$70,000 for volunteer fire departments) are met with unencumbered funds that 50 percent of those remaining dollars be placed in the Capital Building Fund.

Motion by Mr. Manuel to defer discussion until Mr. Boyde has a dollar amount of the unencumbered funds. Motion seconded by Ms. Noland and unanimously approved.

Ralph Lorenzetti, Prosecuting Attorney, Magistrate Gail Boober and Judge John Yoder were present and made comment.

The Commission directed Kirk Davis, Sr. to actively seek a solution to the Court space issue.

22. Motion by Mr. Surkamp to approve the following Grant Resolutions for the Community Participation Grant Program. Motion seconded by Mr. Manuel and unanimously approved.

- Literacy Volunteers of the Eastern Panhandle
- Jefferson County Memorial Park Pool
- Substance Abuse Coalition
- FOCUS Coalition
- Mountain Community Library

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

The Commission reconvened at 1:32 p.m.

23. MS. WIDMYER ANNOUNCED that this would be reporter, Naomi Smoot's last day covering the Commission. Ms. Smoot has reported on the Commission for the past two years.

Naomi Smoot was present and gave comment.

24. TIM BOYDE REPORTED on internal budget revision 00F as requested by the County Clerk.

Mark Schiavone was present and gave comment.

Motion by Ms. Morgan to approve budget revision 00F as recommended by Mark Schiavone. Motion seconded by Ms. Noland and unanimously approved.

Mr. Boyde updated the Commission on the recommendation from Stephanie Grove to join the WV Risk Pool.

Motion by Ms. Morgan to approve joining the WV Risk Pool Insurance. Motion seconded by Ms. Noland and unanimously approved.

25. TIM BOYDE PRESENTED an organizational chart which puts the Planning & Zoning, Capital Planning & Management and Engineering back under the supervision of the County Administrator.

Motion by Ms. Widmyer to restore the supervision of the Departments of Planning & Zoning, Capital Planning & Management and Engineering under the County Administrator. Motion seconded by Mr. Surkamp and unanimously approved.

Motion by Mr. Manuel to accept the recommendation by the County Administrator to complete staff evaluations with department liaisons where applicable. Motion seconded by Ms. Noland and approved 4-1. Ms. Morgan voted no.

Motion by Ms. Morgan to leave Capital Projects under Capital Planning & Management and to add the job of purchasing to Capital Projects. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to table the discussion of GIS becoming a separate department. Motion seconded by Mr. Manuel and unanimously approved.

The Commission took a ten minute break at 2:20 p.m.

Ms. Morgan did not return to session.

Mr. Boyde presented a list of job descriptions for the Commission staff for approval to include an Administrative, Executive Assistants, and Deputy Administrator.

Motion by Ms. Noland to accept the job descriptions as presented by Mr. Boyde. Motion seconded by Mr. Manuel and was unanimously approved.

By unanimous consent the Commission agreed to place an Executive Session on the Thursday, July 8, 2010 Agenda regarding personnel matters and approval to advertise for an Administrative Assistant.

The Commission recessed until 6:00 p.m.

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the Jefferson County Commission Meeting Room in the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia, on Thursday, June 24, 2010, beginning at 6:00 o'clock p.m.

PRESENT: Lyn Widmyer; Commission President
James Surkamp; Patsy Noland; Dale Manuel; Commissioners
Tim Boyde, County Administrator
Jennifer Brockman, Zoning Director
Jennifer Snyder, Zoning Administrator
Seth Rivard, Planner, Planning & Zoning Dept.
Julie Quodala, Office Manager, Planning & Zoning Dept.
Commissioner Frances Morgan was absent.

Present in the audience were members of the public, Ed Burns and Paul Taylor, Esquire, as well as John Maxey, President of the Jefferson County Planning Commission.

In re: AMENDMENTS TO THE SUBDIVISION REGULATIONS ADOPTED OCTOBER 9, 2008

Commissioner Widmyer opened the Special Session at 6:00 p.m.

Jennifer Brockman, Zoning Director, made a short opening statement.

Jennifer Snyder, Zoning Administrator, gave a detailed presentation of the proposed Amendments to the Subdivision Regulations Adopted October 9, 2008.

Following Ms. Snyder's presentation, Ms. Snyder, Ms. Brockman and other Planning & Zoning Department staff members answered questions from the Commissioners. John Maxey also offered comments and clarification of the proposed Amendments.

Ed Burns offered comments regarding the proposed Amendments.

The Commissioners asked more questions of the Planning & Zoning Department staff, and staff answered accordingly.

Ed Burns made additional comments and asked questions.

Paul Taylor, Esquire inquired if the Amendments would be put into more “user friendly” language in the future.

Mr. Manuel made a motion to advertise two public hearings on the proposed Amendments to the Subdivision Regulations Adopted October 9, 2008. Ms. Noland seconded the motion and the motion was unanimously approved.

The Special Session was adjourned at 8:30 p.m.

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

LYN WIDMYER, COMMISSION PRESIDENT

PUBLIC MEETING:

A Public Meeting was held on Tuesday, June 29, 2010 at 7:00 p.m. at the Jefferson County Commission Meeting Room in the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia. Representatives from the West Virginia Division of Highways were present to discuss and answer questions with regard to DOH's plans for existing and proposed public bike paths along Rt. 9.

PRESENT WERE:

Lyn Widmyer; Commission President
Patricia Noland, Commission Vice President
James Surkamp, Commissioner
Dale Manuel, Commission
Frances Morgan, Commissioner (Ms. Morgan left the meeting early)

Delegate John Doyle

Tim Boyde, County Administrator

Debbie Stellato, Administrative Assistant

DIVISION OF HIGHWAYS REPRESENTATIVES:

Martin Dougherty
Ken Clohan
Perry Keller
Dirar Ahmad
Bill Robinson
Richard Warner

A Sign-In Sheet was provided for members of the public.

Before beginning the presentations, Commissioner President Lyn Widmyer called for a moment of silence to remember Senator Robert C. Byrd.

Then followed a presentation by Martin Dougherty of the West Virginia Division of Highways. Additional information was offered by DOH representatives Ken Clohan, Bill Robinson, Perry Keller, Dirar Ahmad and Richard Warner.

Following the presentations, public comment was made by:

Bill Chesley
Willis Nowell
Delegate John Doyle

The DOH representatives then answered questions posed by the public and the Commissioners, after which Martin Dougherty gave closing comments.

The meeting was adjourned at 8:30 p.m.

LYN WIDMYER, COMMISSION PRESIDENT

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the Old Charles Town meeting room thereof on Wednesday, June 30, 2010, beginning at 5:00 o'clock p.m.

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

In re: COUNCIL OF GOVERNMENTS ROUNDTABLE - IMPACT FEES FOR PARKS AND RECREATION DISCUSSION

Commissioner Widmyer opened the Governments roundtable meeting at 5:00 p.m.

Mark Schiavone, Director of Capital Planning and Management gave a PowerPoint presentation on Impact Fees.

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

Comments were made by the following:

Mayor David Hamill	Mayor Robert Hardy	C. Craig Simpson
Mayor James Addy	Robert Fletcher	Gary Kable
Mayor Peggy Smith	Toni Milbourne	Thomas Bayuzik

Commissioner Morgan left at 6:00 p. m.

The meeting was adjourned at 6:20 p.m.

No decisions were made.

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

LYN WIDMYER, COMMISSION PRESIDENT

<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: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: July 8, 2010

Date Requested – 2nd Choice: _____

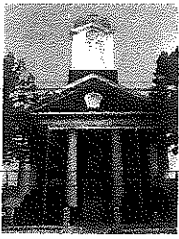
If a specific date is needed, please provide reason for specific date:

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 Cambridge, LLC – Cambridge Manufactured Mobile Home Development, Lots D99 & D102 (File #09-21) – Escrow Agreement with The Bank of Charles Town, Charles Town, West Virginia. The construction bond is being re-secured with Letter of Credit #S140293 from The Columbia Bank in Columbia, Maryland.

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 \$30,040.00 construction bond amount for Cambridge, LLC – Cambridge Manufactured Mobile Home Development, Lots D99 & D102 (File #09-21).

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

July 8, 2010

Mr. Joshua Householder
Commercial Loan Officer
Bank of Charles Town
P. O. Box 906
Charles Town, West Virginia 25414

RE: Cash in Escrow dated February 22, 2010, Construction Bond Surety for Cambridge LLC – Cambridge Manufactured Home Development, Section 4, Phase 4, Lots D99 & D102 (File #09-21).

Dear Mr. Householder:

The Jefferson County Commission authorizes a complete release of the remaining \$30,040.00 from the construction bond for Cambridge LLC – Cambridge Manufactured Home Development, Section 4, Phase 4, Lots D99 & D102 (File #09-21.) This project is located on the south side of Flowing Acres Road approximately 500 feet east of its intersection with Flowing Springs Road (Route 17). The construction bond is being re-secured with Letter of Credit #S140293 from The Columbia Bank in Columbia, Maryland.

In summary, you are hereby authorized to fully release the remaining amount for the above referenced Cash in Escrow agreement, originally issued in the amount of \$30,040.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

C. Dale Manuel, President
Jefferson County Commission

CDM:rfb

cc: Mr. Gary L. Patrick, President
Avalanche Services
13465 Harpers Ferry Road
Purcellville, Virginia 20132
Mr. Peter F. Kubic
Kubic Construction, Inc.
214 Edmond Road
Kearneysville, WV 25430
Department of Engineering

<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: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: July 8, 2010

Date Requested – 2nd Choice: _____

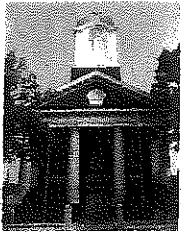
If a specific date is needed, please provide reason for specific date:

Subject: Bond reduction and/or release.

Please provide the County Commission with a description of your request or presentation, including any background information: Partial release of the Construction Bond security for County Green LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue (File #07-22) – Letter of Credit with Branch Banking & Trust, Martinsburg, West Virginia.

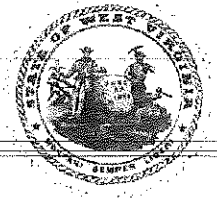
Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I authorize a partial release of \$10,500.00 from the construction bond amount for County Green LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue (File #07-22).

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

July 8, 2010

Mr. Brett L. Butler
Branch Banking & Trust
148 South Queen Street
Martinsburg, West Virginia 25401-3316

RE: Irrevocable Letter of Credit #9570254380 00004 dated October 20, 2008 Construction Bond Surety for County Green LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue (File #07-22).

Dear Mr. Butler:

The Jefferson County Commission authorizes a partial release of \$10,500.00 from the construction bond for County Green LLC – The Woods at Wheatland Subdivision, Lots 1-7 & Residue (File #07-22), for a new construction bond amount of \$68,411.00. This project is located on the west side of Berryville Pike (Route 340) just south of its intersection with Wheatland Road (Route 340/2). Work remaining includes but is not limited to the following:

1. Culverts
2. Property Corners
3. Final Stabilization

In summary, you are hereby authorized to reduce the amount of the above referenced Irrevocable Letter of Credit, originally issued in the amount of \$257,986.00 to \$68,411.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Lyn Widmyer, President
Jefferson County Commission

LW:rfb

cc: Mr. Louis B. Athey
County Green, LLC
925 East Washington Street
Suite 105
Charles Town, WV 25414
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: 6/22/2010 JPCPC File No 07-22

Consultant/Engineer/Firm Name: County Green

Mailing Address: 825 East Washington Street Suite 105

City: Charles Town State: WV Zip: 25414-

Contact Person: Louis B. Athey Phone: (304) 261-5442

Project/Subdivision Name The Woods at Wheatland

Section/Phase: Lots 1-7 & Residue

Review Comments:

The Bond **Reduction** 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 granting a bond reduction in the amount of \$10,500.00 from the Current Bond of \$78,911.00 to a retained bond of \$68,411.00.

**LAND DEVELOPMENT INSPECTION
APPROVED FOR:**

BOND REDUCTION \$68,411.00

PK

BY: Norma J. Kuroski 6/22/10

INSPECTOR

DATE

Original Bond Amount: \$224,335.00 Current Bond Amount: \$78,911.00

Cost of Work Remaining: \$34,761.00 + Contingency Amount: \$33,650.00

Approved for Revised Bond Amount: \$68,411.00

Reviewed By: Norma Kuroski

Title: Land Development Inspector

Signature: Norma J. Kuroski

Date: 6/22/2010

<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: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: July 8, 2010

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date: This is the last date the County Commission meets prior to the July 15, 2010 deadline that Letter of Credits must be renewed by.

Subject: Bond reduction and/or release.

Please provide the County Commission with a description of your request or presentation, including any background information: Present to the Commission any Letter of Credits that are due to expire on July 15, 2010 that have yet to be renewed.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I authorize the following Letter of Credits be called if they are not renewed by the close of business on Monday, July 12, 2010.

Attachments:

<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: Jennie Brockman

Department or Entity: Planning & Zoning

Estimation of amount of time needed for appointment: 15 min.

Date Requested – 1st Choice: July 8th

Date Requested – 2nd Choice: _____

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

Due to the sensitive nature of the applicant’s (Good Shepherd Interfaith Volunteer Caregivers) rezoning denial by the Planning Commission and in the essence of time, we request that this matter be heard on July 8th so that we may expedite the CUP process for the applicant.

Subject:

I request, on behalf of the Planning Commission and with their support, that the CUP Fee be waived for Good Shepherd Interfaith Volunteer Caregivers. The applicant has paid a rezoning fee of \$1,050.00, whereas a CUP fee is \$300.00.

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

Good Shepherd Interfaith Volunteer Caregivers applied for a zone change for a property just outside Shepherdstown. The Planning Commission denied their request stating that they should have followed the CUP process to gain approval to run their nonprofit work from their new prospective site. Due to the nature of their work and the service that Good Shepherd provides to the community, the Planning Commission requested that the applicant re-apply under the CUP process. Additionally, since the applicant has paid a rezoning fee and the PC believes the CUP process is a better option for them, we request for the CUP fees to be waived.

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

I move to waive the fees associated with the CUP process for Good Shepherd Interfaith Volunteer Caregivers, so that the Planning and Zoning Department may expedite their application.

Attachments:

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

AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: July 8, 2010

Date Requested – 2nd Choice: _____

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

The request is to approve a job offer with a start date of July 12, 2010, to minimize the transitions time required.

Subject: **Approval of Job Offer for Zoning Administrator Vacancy**

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

Attached please find a memo requesting the approval of Steve Barney to fill the vacant zoning administrator position.

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

I move approval of the recommendation of the Director of Planning and Zoning to hire Steve Barney in accordance with the terms attached.

Attachments:

Memo to County Commission from Jennifer Brockman dated June 25, 2010

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

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

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

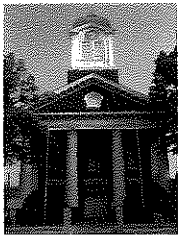
MEMORANDUM

To: County Commission
From: Jennifer M. Brockman, AICP, Director, Planning and Zoning
Date: June 25, 2010
Re: Zoning Administrator Job Offer

Please take action to approve the hiring of Steve Barney for the position of Zoning Administrator within the Department of Zoning with a starting salary of \$46,000 and a starting date of July 12, 2010. It is further recommended that after a six-month probation period, the salary be permitted to be adjusted upward to \$48,000 without further action of the County Commission, based upon a satisfactory review.

The Department received 67 applications for this position and invited the five top candidates to take part in our interview process. Steve has a Master of Science in Community and Regional Planning from the University of Texas at Austin. He has ten years of experience working with the City of Austin, Neighborhood Planning and Zoning Department and Neighborhood Housing and Community Development. Most recently he has worked for the City of Frederick, MD Planning Department. Steve has extensive experience with a wide variety of planning, zoning, and GIS tasks. Steve comes to us with excellent references and appears to be a very good fit with our existing staff.

We are pleased to offer this job to Steve and respectfully request your endorsement of this job offer.



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



The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, July 8, 2010, or as soon thereafter as the Commission may decide:

**West Virginia Eastern Panhandle Transportation Authority - Two
4-year terms ending July 1, 2014**

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

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

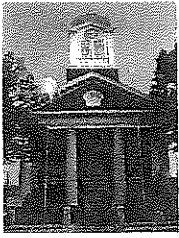
SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

June 17 & 24, 2010

July 1, 2010

THANKS - JEFFERSON COUNTY COMMISSION



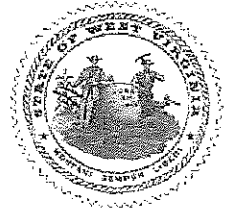
THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304/728-3284

www.jeffersoncountywv.org

Fax: 304/725-7916



June 10, 2010

Eugene D. Pearson
P.O. Box 1005
Charles Town, WV 25414

Dear Mr. Pearson:

Please be advised that your term on the West Virginia Eastern Panhandle Transportation Authority will expire on July 1, 2010. Until the County Commission has acted to appoint someone for another four year term ending July 1, 2014 term, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, July 8, 2010 or as soon thereafter as the Commission may decide.

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

For the Commission,

Nichelle Hosby
Administrative Assistant

June 21, 2010
P.O. Box 1005
Charles Town, WV 25414

The County Commission of Jefferson County
124 East Washington Street
Charles Town, WV 25414

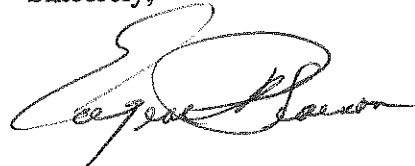
Gentlemen:

I received your letter of June 10, advising me that my term on the West Virginia Eastern Panhandle Transportation Authority will expire on July 1, 2010.

I am interested in serving another term on the West Virginia Eastern Panhandle Transportation Authority. At present I am serving as Secretary/Treasurer of the Authority.

Please advise me if it is necessary that I express to the Commission in person my desire to serve another term.

Sincerely,

A handwritten signature in black ink, appearing to read "Eugene D. Pearson". The signature is fluid and cursive, with a large initial "E" and "P".

Eugene D. Pearson

REC'D JUN 22 2010

H 7

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Nichelle Hosby

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 15-30 minutes

Date Requested – 1st Choice: 7/8/2010

Date Requested – 2nd Choice: _____

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

Subject: **Executive Session – Discuss personnel matters Discussion/Action**

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

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

Attachments:

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

AGENDA REQUEST FORM

Name: Nichelle Hosby

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5-10 minutes

Date Requested – 1st Choice: July 8, 2010

Date Requested – 2nd Choice: _____

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

Subject: **Decision on County Seal**

Please provide the County Commission with a description of your request or presentation, including any background information: **The County completed a survey 11/30/2009 on the choice of two seals. The vote came back favorably for Seal #2 which is the Coat of Arms used by Thomas Jefferson. The Historic Landmarks commission has expressed usage of that seal as well.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Move to approve and adopt the usage of the Jefferson Coat of Arms as the Jefferson County Seal.**

Attachments:

12/3/09 Minutes

In re: **DECISION ON COUNTY SEAL**

Motion by Manuel, second by Morgan to suspend the decision on a County Seal pending comment from Historical Landmark Society or Historical Society. Motion carried.

Commissioner Manuel recommends sending letters or email for opinion or any other ideas they may have or input.

AGENDA FOR THURSDAY, DECEMBER 3, 2009

Y/ N/ NA

APPOINTMENTS:

- 1. 9:30 a.m. - Pledge of Allegiance
Approval of Minutes
Approval of Purchase Orders
Approval of Accounts Payable
- 2. 9:40 a.m. - Public Comment
- 3. 9:45 a.m. - Jefferson County Emergency Services Agency - Additions to the
Operations Center Building - Discussion/Action
- 4. 10:00 a.m. - Ed Slonaker - Morgan Financial
- 5. 10:30 a.m. - Jonathan Slifer & Justin Bass - Communication Workers of
America Local 2105 - Presentation Concerning the Proposed Sale
of Verizon's Landline Business to Frontier Communications
- 6. 10:45 a.m. - Stephanie Grove - Legal Update and Report
Ralph Lorenzetti - Prosecutor's Office Salaries
- 7. 11:00 a.m. - Jennifer S. Maghan - County Clerk's Report
 - BB&T Funds Management
 - Request that Commission Grants the Employees of the Clerk's
Office the Same \$200 Per Year Salary Adjustment that was
Awarded to the Other Offices
- 8. 11:15 a.m. - Bonding and Activity Report
- 9. 1:30 p.m. - Senator Herb Snyder & Delegate Tiffany Lawrence - Legislative
Update

OLD BUSINESS:

- 10. Legislative Issues
- 11. Kirk Davis, Sr., Capital Projects Manager - Grant Updates
 - Courthouse Facilities Improvement Authority Funding Award - Discussion/Action

- 12. Mark Schiavone - Budget Updates

NEW BUSINESS:

- 13. Set Date for First Meeting of 2009 - Discussion/Action
- 14. Decision on County Seal - Discussion/Action
- 15. Bill Polk - Update the County Commission on Safety and Security - Discussion/Action
- 16. Decision on Giving County Employees the Full Day Off for Christmas Eve, As Provided by West Virginia State Code §2-2-1 - Discussion/Action
- 17. Approval of Resolution - Community Participation Grant Program - Star Lodge-Locke House
- 18. Approvals of Employment of Public Safety Dispatcher - Discussion/Action
 - Dale Hetherington
 - Sarah Lanning
 - Kathryn King
- 19. Review of Requests for Job Reclassifications - Discussion/Action (LW)
- 20. RFP for Hydro Geological Study: Needs to be Before a Public Service District Meeting the Following Week (JS)
- 21. Commission Approval of Poll Workers and Alternates List for the December 5, 2009 Referendum (JS)
- 22. County Administrator Reports
- 23. County Commission Reports

INFORMATION:

- 24. Memorandum received from the Engineering Department concerning an acceptance of bond in the amount of \$532,099 for Sheperdstowne Estates Subdivision.
- 25. Public Service Commission order received concerning PATH.
- 26. Copy of the Report on Applying Agreed-Upon Procedures of the Jefferson County Magistrate Court for the period ending December 31, 2008 received.

- 27. Correspondence received from the Division of Highways concerning the Statewide Transportation Improvement Program.
- 28. Notice received of Census Boundary and Annexation Survey Workshops.
- 29. Letter of resignation received from Karen L. Crowl from the Jefferson County Health Department.
- 30. Invitation received from the Kiwanis Club to attend a refreshment hour for the contributors to Santa's Toy Shop on Thursday, December 10, 2009, at 6:00 p.m.
- 31. Correspondence received from Comcast concerning channel changes.
- 32. 2009 Membership Opinion Survey received from the Association of Counties.
- 33. Notice received of the Doug Perks History Presentation on Tuesday, December 8, 2009
- 34. Notice received of an Environmental Research Center Forum on December 15, 2009.
- 35. Notice received of the 25th Anniversary celebration for South Jefferson Library on December 5th & 6th, 2009.
- 36. Meeting agenda and minutes received from the Jefferson County Board of Health.
- 37. Harpers Ferry National Historical Park Community Bulletin received.
- 38. E911 fees received.
- 39. Weekly settlement reports for the Charles Town Races received from the West Virginia Lottery.
- 40. Miscellaneous

CORRESPONDENCE:

- 41. Correspondence received from Boy Scout Erik J. concerning table games.
- 42. Correspondence received from Gil N. Garcia concerning the Board of Zoning Appeals agenda.

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.



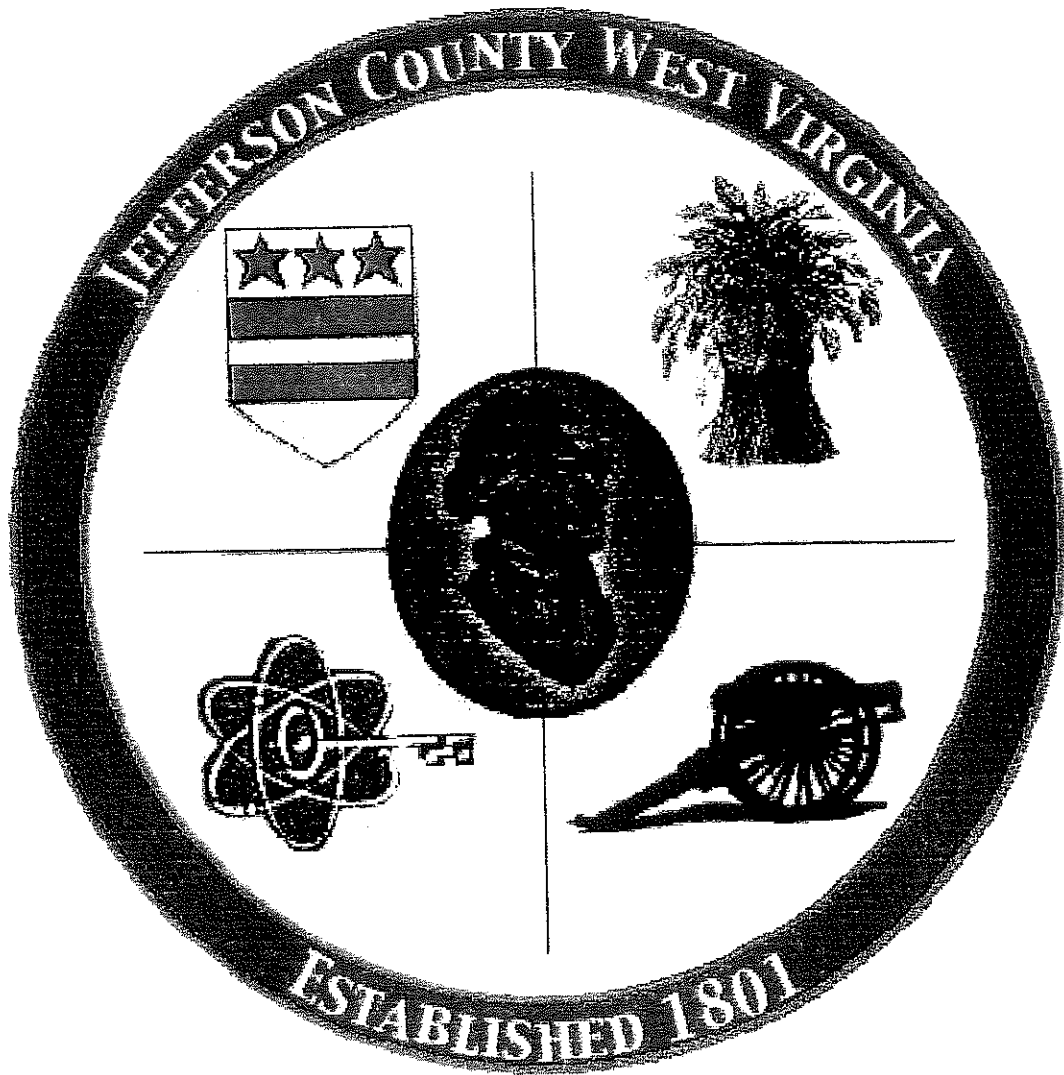
JEFFERSON COUNTY

WEST VIRGINIA

1801

A DUO SPIRITUS

AB EO LIBERTAS



County Seal Votes

as of 11/30/09

	Seal 1	Seal 2	Other including comments
1			
2		X	
3	X	X	
4		X	
5		X	
6		X	
7		X	
8		X	
9	X		
10		X	
11		X	
12		X	
13	X		
14	X		
15		X	
16		X	
17		X	
18		X	
19		X	
20		X	
21		X	
22		X	
23		X	
24		X	
25		X	
26		X	
27		X	
28	X		

needed
H. St. and notes
concern

opinion
on each

or any other
ideas

29					
30	X				
31			X		
32			X		
33			X		
34			X		
35			X		
36			X		
37			X		
38			X		
39			X		
40			X		
41			X		
42			X		
43			X		
44			X		
45			X		
46			X		
47			X		
48			X		
49			X		
50			X		
51			X		
52	X				
53			X		
54			X		
55			X		
56			X		
57			X		
58			X		
59			X		
60			X		
61			X		
62			X		
63			X		
64			X		
65			X		

66						
67	X					
68			X			I like the coat of arms. I like the coat of arms. I however, rather than a lion, I would put a suitable picture of Mr. Jefferson in its place. Something like the one's shown below: Am I to assume that there is not one now?--> Am I to assume that there is not one now? I would prefer to see what we have now to compare to either of these options -- so vote neither at this point
69						I definitely don't like #2 and am not real crazy about #1. WIDTH: 100%> I definitely don't like #2 and am not real crazy about #1. I think the Washington Family Coat of Arms should be the center Jefferson in the left upper corner. The color of the
70						I would like to suggest that run a competition via the Jefferson County Schools. FONT-FAMILY: Arial> I would like to suggest that run a competition via the Jefferson County Schools. I believe using T Jefferson's crest might ha
71						I would recommend a third choice which incorporates pictures of the three stooges to signify the citizen's respect for the current County Commission.
72						I prefer the content of the first, but I prefer the color of the second! Can you beef up the color in the top one, I think it is more representative of the history and future of Jefferson County!!
73						Do we really need a County Seal?
74						
75			X			
76			X			
77						
78			X			
79			X			
80	X					
81			X			

82				X		
83				X		
84				X		
85				X		
86		X				
87		X				
88		X				

Sandy McDonald

From: "Kirk Davis" <kdavis@jeffersoncountywv.org>
To: "'Sandy Slusher McDonald'" <sandy@jeffersoncountywv.org>; "'Nichelle Hosby'" <nhosby@jeffersoncountywv.org>; "'Tim Boyde'" <tboyde@jeffersoncountywv.org>
Sent: Thursday, June 10, 2010 2:04 PM
Subject: FW: county seals

John has selected the Jefferson family seal as the one for him.....

KIRK E. DAVIS, SR.
CAPITAL PROJECTS MANAGER
DEPARTMENT OF CAPITAL PLANNING AND MANAGEMENT
JEFFERSON COUNTY GOVERNMENT
114 EAST WASHINGTON STREET
CHARLES TOWN, WV 25414
PHONE: (304) 728-3331
FAX: (304) 724-2178
KDAVIS@JEFFERSONCOUNTYWV.ORG

From: John Allen Jr. [mailto:johnallenjr@earthlink.net]
Sent: Thursday, June 10, 2010 2:00 PM
To: Kirk Davis
Subject: Re: county seals

County seal 2 is much better in my humble opinion...

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

From: Kirk Davis
To: 'John Allen Jr.'
Sent: Thursday, June 10, 2010 9:54 AM
Subject: FW: county seals

John, Here they are ...please comment accordingly...again..the the seal with the Jefferson family seal on it.. Thank you

KIRK E. DAVIS, SR.
CAPITAL PROJECTS MANAGER
DEPARTMENT OF CAPITAL PLANNING AND MANAGEMENT
JEFFERSON COUNTY GOVERNMENT
114 EAST WASHINGTON STREET
CHARLES TOWN, WV 25414
PHONE: (304) 728-3331
FAX: (304) 724-2178
KDAVIS@JEFFERSONCOUNTYWV.ORG

From: Sandy McDonald [mailto:sandy@jeffersoncountywv.org]
Sent: Thursday, June 10, 2010 9:11 AM
To: Kirk Davis
Subject: county seals

Sandy Slusher McDonald
Deputy County Administrator

#111

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Wednesday, June 23, 2010 2:36 PM
Subject: Fw: Agenda item

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

From: Dale Manuel
To: 'Tim Boyde' ; sandy@jeffersoncountywv.org ; sgrove@jeffersoncountywv.org ; 'Nichelle Hosby'
Sent: Thursday, July 31, 2003 2:34 AM
Subject: Agenda item

Please place the following on next week's agenda:

Discussion and Action:
Proposed amendments to the Subdivision Regulations prior to public hearing

Thanks,
Dale Manuel

#12

Laura Kuhn

From: "Tim Boyde" <tboyde@jeffersoncountywv.org>
To: "Nichelle Hosby" <nhosby@jeffersoncountywv.org>; "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Tuesday, June 29, 2010 8:30 AM
Subject: FW: Agenda Item - IT Communications-Development Committee
FYI

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

From: Jim Surkamp [mailto:jim@jimsurkamp.net]
Sent: Monday, June 28, 2010 10:07 PM
To: Tim Boyde; Lyn Widmyer
Subject: Agenda Item - IT Communications-Development Committee

Tim I'd like to have this as an agenda item July 8th -

"Response to letter regards creating IT Development Committee -
Discussion/Action"

Jefferson County Emergency Communications
DEPARTMENTAL MEMORANDUM

TO: Tim Boyde, County Administrator
Jeff Polczynski, Director of Communications

FROM: Todd Fagan, GIS Specialist

DATE: May 20th, 2010

SUBJECT: FY2011 GIS Staff Reorganization & Possible Departmental Reorganization
Request for Comments on Workshop Strategy

1. Review of FY2011 GIS Work Plan

- a. Demonstrated diversity and increase in services and customers, decrease in staff and budget over last 3 years. Equates to savings exceeding \$130K over that period.
- b. Work Plan calls for staff reorganization
 - i. elimination of one part-time Addressing Assistant position (*vacated 6/29/10*)
 - ii. creation of full-time GIS Specialist or Office Administrator position (*needs vote*)
 - iii. separate department from ECC (*needs discussion*)

2. Change P/T Addressing Assistant position to F/T Administrative Manager (*separate issue from department reorg*)

- a. Mission of the office has changed from call taking and addressing project research to more diverse and technical GIS applications and service. Current staff structure and position descriptions are not appropriate. (show existing and proposed departmental organization charts and duties)
- b. Additional Funding Needed? NO
 - i. Assuming \$32,000 base salary, this adjustment can be accomplished within the approved FY2011 Budget by shifting available P/T funds (\$12,000) and Contract Services funds (\$42,000) to Salary and Benefits line items.
 - ii. Contract Services (Needs Assessment, Strategic Plan, Implementation Plan, etc) can be performed by GIS Manager in-house.
- c. Existing part-time position already vacated by the end of FY2010 (June 30, 2010)
- d. New position will require high level technical skills, policy writing, documentation, GIS, database management, etc. To be advertised as soon as possible in FY2011 (August 10, 2010)
- e. Job description available for vote on July 15th, 2010 Commission Meeting
- f. Hiring Process Timeline: Advertise mid August, receive applications until Labor Day, Review applications and conduct interviews by late September, hire in early October. (may only impact 3/4 of budget year)

3. Where does GIS fit? (*completely separate from staff restructuring issue*)

- a. The Urban and Regional Information Systems Association (URISA) conducted a national survey for IT/GIS professionals in July 2007. From over 2000 respondents, GIS was located most frequently within the following departments:
 - i. 30.1% - separate GIS Department
 - ii. 12.4% - Information Technology
 - iii. 9.3% - "Other"
 - iv. only 8% were in Planning, 6.3% in Engineering
- b. In order to provide balanced support to all County staff and County business partners, GIS should optimally be a standalone department, free of any single agenda or departmental dominance on Commission GIS projects and priorities.
- c. I would not recommend reorganization under any other existing departments. Our current director has given us a level of autonomy that allows the GIS department to succeed in serving many other customers while maintaining a balance with our principal goals of address and road data maintenance for E9-1-1 services. If it isn't broken, why fix it? If it's performing well, why not develop it independently?
- d. Mr. Manuel's concern regarding additional funding for staffing or salaries due to "promotion" to Director. (this is where I would be more comfortable in Executive Session because we can openly discuss matters of my performance, salary and expectations)
 - i. I would argue that a promotion and an increase in salary is expected regardless of any reorganization. I can demonstrate that I have been performing above my pay grade over the last two years in an effort to bring the GIS Department to its current level of performance and customer expectations.
 1. Compare position advertised duties with current position description.
 2. Compare these against URISA GIS position descriptions and salaries
 - ii. If the Commission is pleased or satisfied with our staff's performance, then I think it is only fair to consider a promotion based on performance evaluation.
 - iii. Keep in mind the savings we have realized over the past three years (reduced reliance on contracted data maintenance, State reimbursement for addressing, internships, overall budget reductions, elements in matching funding for grant applications, leveraging freely available data sources, reimbursement for snow storms sign damage, possible rebates, etc) Shouldn't these gains outweigh the argument against salary increases, which are modest by comparison?

4. Which is the stronger argument?

- a. The GIS Department is performing efficiently and in a fiscally responsible manner. Staff can realize greater potential with the restructuring of one P/T to F/T administrative staff, promotion of GIS Specialist to Department Manager and separation of office as a separate department.
- b. The GIS Department may have maximized its potential in service/customers, but is not functionally hindered as currently organized under E9-1-1 Communications. Creation of a separate department will only lead to expectation of increase (+\$10K to \$15K) in salary/benefits budget line items.

**NOTICE OF ROUNDTABLE DISCUSSION
COUNTY COMMISSION OF JEFFERSON COUNTY
LAND DEVELOPMENT FEES**

The County Commission of Jefferson County will hold a Roundtable Discussion with key stakeholders to discuss the proposed Land Development Fees. The meeting will be held on Thursday, July 8, 2010, at 7:00 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.

This meeting is open to the public but no public input will be received. 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**

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Jennie Brockman

Department or Entity: Planning & Zoning

Estimation of amount of time needed for appointment: 15 min.

Date Requested – 1st Choice: May 27th

Date Requested – 2nd Choice: June 17th

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

I would prefer May 27th as I will be out of town June 3rd and June 10th.

Subject: Land Development Fees Update

Please provide the County Commission with a description of your request or presentation, including any background information: At County Commissions request the Planning Department staff held a Fee Stakeholders Meeting on Wednesday, May 19th. Two people were in attendance. There were no comments that specifically impacted the drafted fees. Staff respectfully requests that the County Commission hold a public hearing regarding the Land Development Fees. (draft attached)

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I move to schedule a public hearing for the Land Development Fees on MM/DD/YYYY.

Attachments: Planning, Zoning, Engineering & Building Fees

**Planning & Zoning Department's
Proposed Land Development Fee Schedule**
(April 22, 2010)**

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

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

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

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

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

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

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

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

(Page 2 of 3)
 Additional Planning & Zoning Department Fees
 (April 22, 2010)

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

(Page 3 of 3)
Additional Planning & Zoning Department Fees
(April 22, 2010)

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

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

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

**Engineering Department's
Proposed Land Development Fee Schedule**

(April 22, 2010)

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

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

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

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

(Page 2 of 3)
Engineering Department's
Proposed Land Development Fee Schedule
 (April 22, 2010)

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

Engineering Department's
Proposed Land Development Fee Schedule
(April 22, 2010)

Jefferson County
Engineering Department
(March 18, 2010)

Proposed Miscellaneous Fees

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

Jefferson County, West Virginia
Department of Planning & Zoning
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414

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

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

May 5, 2010

Please be advised that you are cordially invited to attend a FEE STAKEHOLDERS MEETING that will be held by the Jefferson County Departments of Planning and Zoning on Wednesday, May 19, 2010 from 2:00 p.m. – 4:00 p.m. The intent of this meeting is to provide a proposed Fee Schedule to those who most frequently process through the office and afford the public the opportunity to express their opinion regarding this matter. All comments received will be presented to the County Commission for consideration. For your convenience, a copy of said proposed Fee Schedule has been included for review prior to your attendance.

In anticipation of a sizeable turnout, this meeting will be held in the Charles Town Library Conference Room which is located at 200 East Washington Street, at the side entrance on Samuel Street.

Should you have any questions, please contact the office. We are happy to assist.

Sincerely,

Jennifer M. Brockman, AICP
Director
Jefferson County Departments of Planning & Zoning

JMB/clc
Enclosure

**39 copies forwarded –
refer to attached list.**

Company/Person	St. Address/P.O. Box	City	State	Zip
Alpha Associates, Inc.	535 W. King St.	Martinsburg	WV	25401
Appalachian Surveys, PLLC	P.O. Box 342	Charles Town	WV	25414
Associated Engineering Sciences, Inc.	34 W. Franklin St.	Hagerstown	MD	21740
Berkeley Associates	651 Foxcroft Ave.	Martinsburg	WV	25401
Civil Planning & Design	10764 Buchanan Trail East	Waynesboro	PA	17268
Dewberry	1503 Edwards Ferry Road, Suite 200	Leesburg	VA	20176
Dunn Land Survey's Inc.	220 First Street	Berryville	VA	22611
Ed Johnson & Associates, Inc.	P.O. Box 1277	Charles Town	WV	25414
Gates Associated	288 Venice Way	Shepherdstown	WV	25443
Gordon & Associates (W.H.)	301 N. Mildred St., Ste. 1	Charles Town	WV	25414
Greenway Engineering	151 Windy Hill Ln.	Winchester	VA	22602
Harris Land Surveying, LLC	56 Coach Court	Harpers Ferry	WV	25425
Harris, Smariga & Associates, Inc.	125 S. Carroll St., Ste. 100	Frederick	MD	21701
Huron Consulting	20410 Century Boulevard, Ste. 230	Germantown	MD	20874
Keller Engineers, Inc.	115 West Washington Street	Hagerstown	MD	21740
Lavelle & Associates Inc.	5732 Industry Lane	Frederick	MD	21704
Loiderman, Soltész & Associates, Inc.	2 Research Place, Ste. 100	Rockville	MD	20850
P.C. DiMagno	61 Eagle School Rd.	Martinsburg	WV	25401
Painter-Lewis, P.L.C., Consult. Eng.	817 Cedar Creek Grade	Winchester	VA	22601
Patton, Harris, Rust & Associates, P.C.	208 Church St., S.E.	Leesburg	VA	20175
Peter H. Lorenzen	P.O. Box 316	Summit Point	WV	25446
Resource International Inc.	6350 Presidential Gateway	Columbus	OH	43231
Triad Engineering Inc.	1075 Sherman Ave., Ste. D	Hagerstown	MD	21740
Urban Engineering & Associates Inc.	210 Front Royal Pike	Winchester	VA	22602
Warren C. French, PS, LLC	2549 Cherry Run Road	Hedgesville	WV	25427
Wayne Stotler, Stotler & Associates	P.O. Box 519	Martinsburg	WV	25401
Western Maryland Associates	P.O. Box 178	Frostburg	MD	21532
Carla Coffey, Arcadia Building Company	P.O. Box 1150	Purcellville	VA	20134
Jane Tabb	2 Old Leetown Pike	Kearneysville	WV	25430
Michael Wiley, Wormald Company	5283 Corporate Dr, Suite 300	Frederick	MD	21703
Jim Dorsey, Dan Ryan Builders	60 Thomas Johnson Drive	Frederick	MD	21702
Paul Raco	P.O. Box 548	Charles Town	WV	25414
Mark Alexander Smith	352 Elk Run Estates Drive	Harpers Ferry	WV	25425
Tom Bayusik	P.O. Box 237	Charles Town	WV	25414
Bill Zalewski	48 Willshire Road, Suite 1	Kearneysville	WV	25430
B.C. Partners	24012 Frederick Road, Suite 200	Clarksburg	MD	20871
RAI Properties	179 East Burr Boulevard, Suite M	Kearneysville	WV	25430
Mark Schiavone, Coordinator	Department of Capital Planning & Management	Charles Town	WV	25414

Lewis County Commission

P O Box 466 18 Garton Plaza

Weston, West Virginia 26452

304-269-8200

Fax: 304-269-2416

TDD: 911/269-8241

Commissioners: *Agnes Queen, President*
Robert Rinehart
Patrick Boyle

Phyllis Corathers, Administrator
Lucinda A. Whetsell, Administrator

June 22, 2010

Dear Friends:

The County Commissioners Association of West Virginia Annual Meeting is just around the corner and we are very excited to be the host county for this event. We would like to take this opportunity to invite you to visit Lewis County and share in fellowship with commissioners and staff from across the State of West Virginia. Enclosed you will find information regarding some of the exciting attractions that await you in Lewis County. This may be helpful if you have a guest attending the meeting or a few extra days to visit.

We are anxiously awaiting your visit July 31-August 3, 2010 at Stonewall Resort State Park, Lewis County, WV for the 2010 County Commissioners Association of West Virginia Annual Meeting. This event will provide a very informative meeting and the enjoyment of natural serenity provided by one of West Virginia's premier destinations. We can't wait to share our home with you.

Sincerely,


Agnes G. Queen, President


Robert A. Rinehart, Commissioner


Patrick D. Boyle, Commissioner

RECEIVED

JUN 25 2010

Jefferson County Commission

402 South Mildred Street
Charles Town, WV 25414
21 June 2010

WVDOT/Commissioner of Highways
Paul A. Mattox, Jr., P.E.
Building 5
1900 Kanawha Blvd. E
Charleston, WV 25305

RE: Summit Point Raceway HyperFest 10 19 June 2010

Dear Sir:

About 9:30AM on Saturday 19 June 2010, I was driving from Charles Town to Winchester, VA. The mass of vehicles attempting to gain entrance to HyperFest 10 at the Summit Point Raceway completely blocked the two lane Summit Point and Hardesy roads Eastbound and Westbound. Those roads became parking lots.

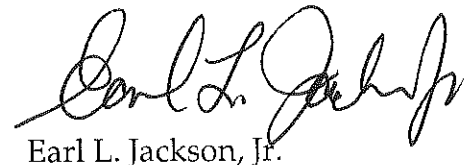
No form of traffic control was in evidence.

It took me 32 minutes to clear the entrance to the Summit Point Raceway. I spoke to others who gave up, turned around and sought another route.

The Summit Point Raceway should implement the necessary improvements to ensure that citizens are not denied the use of the public roads. The appropriate government agencies should monitor the effectiveness of those improvements.

Additionally, permission should be denied to stage HyperFest 11 or any similarly large event until the Summit Point Raceway demonstrates that they have implemented the improvements necessary to preclude any possibility of another such disaster.

Sincerely,



Earl L. Jackson, Jr.

cc:
Superintendent, West Virginia State Police
County Commission of Jefferson County
Jefferson County Sheriff
Summit Point Raceway

RECEIVED

JUN 29 2010

Jefferson County Commission

Jefferson County Public Service District

RECEIVED

JUN 28 2010

Jefferson County Public Service District Regular Board Meeting May 3, 2010

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, May 3, 2010 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Treasurer, Peter Appignani; General Manager, Susanne Lawton; Administrative Assistant, Ashley Wilt; Pentree Engineers, John Tuggle and Zane Summerfield; District Legal Counsel, Jim Kelsh, and Commission Liaison to the Public Service District, Commissioner Lyn Widmyer. Mr. Cummins was absent from the meeting.

Chairman Hankins called the meeting to order at 7:00PM.

Public Comments

Jacqueline Milliron, Breckenridge resident: Commented on a billing issue.
Melissa Blubaugh, Breckenridge resident: Commented on a billing issue.

OLD BUSINESS

Review Minutes of April 6, 2010 Regular Board Meeting

The minutes of the April 6, 2010 regular Board meeting were approved as presented.

Action: Motion made by Mr. Appignani and seconded by Mr. Hankins to accept the April 5, 2010 minutes as presented. Approved 2-0.

Update on Joint Applications to West Virginia Infrastructure and Jobs Development Council (IJDC) with Jefferson Utilities Incorporated for Mountain Water Project

Mr. John Tuggle from Pentree informed the Board he had received a call from Angela Chestnut at IJDC, who is preparing the letter/comments for the mountain water project. Mr. Tuggle stated the District should be receiving the letter any day now. The District is waiting for comments from the IJDC before making any further decisions.

Action: No action taken by the Board.

Discuss Status of Existing WV Bureau of Public Health Design Grant for Mountain Water Project

Last year Jefferson Utilities was approved for a \$200,000 design grant offered by the Bureau for Public Health. Pentree, the engineering company completing the design for the mountain water project, has recently invoiced Jefferson Utilities for some of the design work they have completed so far. Jefferson Utilities approached the District on how to handle paying the invoice. In the agreement between the District and Jefferson Utilities, it states that Jefferson Utilities is responsible for paying the first \$200,000 of the design work from the design grant. Jefferson Utilities should forward the invoice to the Bureau of Public Health for request of payment out of the design grant monies.

Commissioner Lyn Widmyer updated the Board regarding the test wells study on the mountain. The Commission recently allocated \$30,000 toward the drilling of test wells in Westridge Hills. They had put an RFQ in the newspaper and had 12 firms reply. Out of those 12 they have chosen 3 firms to prepare well digging proposals. The commission will meet on May 7th to review those proposals.

Action: No action taken by the Board.

Update on WV Funding Stakeholder Group Workshop

The group received a final draft of the compiled white papers and a spreadsheet that DEP used to evaluate the ideas and prioritize the options for the Legislature. Mr. Kelsh will follow up with DEP for their next steps.

Action: No action taken by the Board.

Update on the Purchase of Nutrient Offsets to Meet WV NPDES Permitting Requirements for Flowing Springs Project

Last month the Board directed staff to pursue a contract with Red Barn for nutrient offset credits to help fulfill the requirements of the NPDES Permit for the Flowing Springs plant. Mr. Kelsh sent the draft agreement to Red Barn and they had verbally accepted it. Mr. Summerfield suggested the contract be added as an appendix with the NPDES permit application.

Action: No action taken by the Board.

Update on Berkeley County Capital Improvement Fee Case

Mr. Kelsh updated the Board. The Berkeley County PSD's filed a petition for an appeal with the Supreme Court. Mr. Kelsh will be filing an amicus brief in support of the PSD's by the end of the week. He stated that amicus briefs will also be filed by the Public Service Commission, the Water Development Authority, and the West Virginia Rural Water Association in support of the PSD's.

Commissioner Lyn Widmyer suggested Mr. Kelsh brief the Jefferson County Commission's legal counsel about the Berkeley County CIF case and the difference between the capital improvement fee and the \$12 surcharge being charged by Jefferson Utilities.

Action: Motion made by Mr. Hankins and seconded by Mr. Appignani to direct Mr. Kelsh to contact the Jefferson County Commission attorney to discuss the Berkeley County CIF case. Approved 2-0.

Update on Memorandum of Understanding with the City of Ranson

Last month the Board approved the MOU with Ranson. The agreement is on Ranson's Council Meeting agenda for May 4th. Mr. Hankins spoke with Andy Blake, attorney for Ranson, and he doesn't anticipate any problems with Ranson approving the agreement.

Action: No action taken by the Board.

Discuss Status of S.1816 & H.R.3852: To Amend the Federal Water Pollution Control Act to Improve and Reauthorize the Chesapeake Bay Program

Mr. Hankins attended a meeting on April 13th with Senator Cardin, his staff, representatives of the National Association of Clean Water Agencies (NACWA,) and 2 other utilities to discuss the Cardin Bill and to express some of the Districts concerns. He stated that NACWA is still trying to formulate a response to the bill and will be taking part in a conference call on Friday sponsored by NACWA.

Action: No action taken by the Board.

Review Letter from Charles Town about Capacity at the Charles Town Wastewater Treatment Plant

The City of Charles Town's Utility Board recently wrote a follow up letter to the District regarding the ammonia limitation and future capacity at the Charles Town wastewater treatment plant. The treatment plant had not been operating at its optimal level, but after an evaluation by Charles Town's engineers, it has been found that there is more capacity available at the plant than previously believed. The Board would like District staff to prepare a response letter to the Charles Town Utility Board stating its appreciation for the communication and indicate the Board's understanding of the capacity the District has remaining at the plant.

Action: No action taken by the Board.

NEW BUSINESS

Discussion of any expenses over budget

There were no expenses over budget.

Disbursements

Action: Motion made by Mr. Appignani and seconded by Mr. Hankins to approve disbursements for Cavaland water expenses in the amount of \$912.63 and Glen Haven water expenses in the amount of \$1,799.65. Approved 2-0.

Action: Motion made by Mr. Appignani and seconded by Mr. Hankins to approve disbursements for the Public Service District expenses in the amount of \$144,832.90. Approved 2-0.

Approve Transfer of \$2,954.20 from Sewer Security Deposit Account into Sewer Operating for Security Deposit Refunds

Action: Motion made by Mr. Appignani and seconded by Mr. Hankins to approve the transfer of \$2,954.20 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Approved 2-0.

Consider Approval of FY2010 Budget Revision

Ms. Lawton discussed the FY2010 budget revisions. This budget shows 97% coverage.

Action: Motion made by Mr. Appignani and seconded by Mr. Hankins to adopt the FY2010 budget revisions as presented. Approved 2-0.

Consider Approval of FY2011 Budget

Ms. Lawton discussed the FY2011 annual budget. This budget shows 118% coverage.

Action: Motion made by Mr. Appignani and seconded by Mr. Hankins to adopt the FY2011 PSD budget as presented. Approved 2-0.

Consider Other Post Employment Benefit (OPEB) Issue

This item was tabled until next month.

Action: No action taken by the Board.

Consider a Blanket Ordering Agreement with GeoTech for Geological Services

Ms. Lawton updated the Board on a sinkhole issue at Glen Haven for which she contacted Bob Denton, the Geologist the District used on another sinkhole, to determine whether or not a leak in the District's water lines may have initiated or aggravated the sink hole. It was found the sinkhole was not caused by the District's water lines, but the District offered to pay for Mr. Denton's emergency visit and the HOA agreed to cover any future costs. Mr. Denton recommended the District enter into a "Blanket Ordering Agreement" with GeoTech, the company he works for, so the District can receive lower rates for any future services. Mr. Kelsh informed the Board that the District would need to go through the 5G process when entering into a contract with engineering firms. The Board would like to stick to its current process and call when there are emergencies rather than entering into a contract.

Action: No action taken by the Board.

Approve Agenda Topics and Schedule for Work-Session Meetings

Last month Mr. Hankins made the suggestion for the Board to consider holding regular Board Work Sessions supplement to the monthly Board meetings and to work with staff to draft a work session schedule and possible topics to discuss for this month's meeting. The Board will have the first work session on Friday, May 21st from 8:30AM – 12:00PM at the District office. Ms. Lawton will send out a draft agenda to the Board before the meeting for posting.

Action: No action taken by the Board.

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

Action: No action taken by the Board.

Correspondence

None discussed.

Public Comments

None.

- Action:** Motion made by Mr. Hankins and seconded by Mr. Appignani to convene in executive session for the purpose of discussing litigation and contract negotiations. Approved 2-0.
- Action:** Motion made by Mr. Hankins and seconded by Mr. Appignani to return to public session. Approved 2-0.
- Action:** Motion made by Mr. Appignani and seconded by Mr. Hankins for Mr. Hankins to have settlement authority to represent the District in a settlement agreement for Municipal Cases # 10-0070-S-MA and 09-1980-S-CN. Approved 2-0.
- Action:** Motion made by Mr. Appignani and seconded by Mr. Hankins to direct staff to meet with the US Customs and Border Protection to file comments on the US Customs and Border Protection NPDES permit by May 28th. Approved 2-0.
- Action:** Motion made by Mr. Appignani and seconded by Mr. Hankins to adjourn. Approved 2-0.

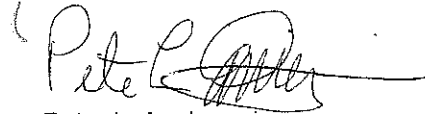
There being no further business at this time, the meeting was adjourned at 9:35PM

The next regular meeting is scheduled for June 7, 2010 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Joseph A. Hankins
Chairman



Peter L. Appignani
Treasurer

Jefferson County Public Service District

RECEIVED

JUN 23 2010

Jefferson County Public Service District Regular Board Meeting June 7, 2010

Jefferson County Commission

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, June 7, 2010 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Secretary, Jim Cummins; Treasurer, Peter Appignani; General Manager, Susanne Lawton; Administrative Assistant, Ashley Wilt; Pentree Engineer, Zane Summerfield; District Legal Counsel, Jim Kelsh (by speakerphone), and Commission Liaison to the Public Service District, Commissioner Lyn Widmyer. Mr. Hankins was absent from the meeting.

Secretary Cummins called the meeting to order at 7:00PM.

Public Comments

Ellen May, John Rissler Road: Commented on Highland Farm Permit Transfer item.
Katherine Smith, John Rissler Road: Commented on Highland Farm Permit Transfer item.
Kelly Betty, Kabletown Road: Commented on Highland Farm Permit Transfer item. (gave written comments)
Jacqueline Milliron, Breckenridge: Commented on Highland Farm Permit Transfer item.
Jennifer Miller, Avon Bend: Commented on Highland Farm Permit Transfer item.
Richard Latterell, Molers Crossroads: Commented on Highland Farm Permit Transfer item.
Jim Surkamp, Jefferson County Commission: Commented on Highland Farm Permit Transfer item.
Roy Fry, John Rissler Road area: Commented on Highland Farm Permit Transfer item.
Beth Haney, Harpers Ferry: Commented on Highland Farm Permit Transfer item.

OLD BUSINESS

Review Minutes of May 3, 2010 Regular Board Meeting

The minutes of the May 3, 2010 regular Board meeting were approved as presented.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to accept the May 3, 2010 minutes as presented. Approved 2-0.

Update on Joint Applications to West Virginia Infrastructure and Jobs Development Council (IJDC) with Jefferson Utilities Incorporated for Mountain Water Project

On May 21st, the IJDC returned the application and issued its letter of explanation with comments to the District. The Board decided that before they take any action they would like to wait for the results of the County Commission's Westridge Hills test wells study. Ms. Widmyer reported to the Board that the County Engineer gave a presentation at last weeks County Commission meeting on the status of the project. Two firms remain in the running to complete the study using the approved \$30,000. Ms. Widmyer will know more on the status within the next two weeks.

Action: No action taken by the Board.

Approval of the Memorandum of Understanding with Jefferson Utilities with Additional Language from the May 26th PSC Order in PSC Case # 09-2030-PWD-W-PC

At this point in the meeting, the Board called Mr. Kelsh to join the meeting by speakerphone.

The District received a Recommended Decision on May 24th approving the agreement between the District and Jefferson Utilities for the Mountain Water Project. Mr. Kelsh informed the Board that in that decision the Public Service Commission (PSC) indicated that they would like additional language added to the agreement clarifying one of the terms. Mr. Kelsh recommended that the Board sign the agreement with the additional language. Mr. Appignani clarified that the Recommended Decision was given by the Administrative Law Judge not the Public Service Commission. Mr. Cummins questioned if additional language could be added to the agreement other

than what the PSC had requested. Mr. Kelsh stated if additional language was added, the agreement would have to go through the approval process again, which could take months. The Board decided to table approving the agreement until next month, after the 15 day period that parties have to file written exceptions. If no exceptions are filed, the Recommended Decision will become the order of the PSC.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to table this item until next month. Approved 2-0.

Consider Approval of Contract with Engineering Firm for Inspection Services

Mr. Appignani updated the Board. After interviewing 3 engineering firms last month, the interview committee (Mr. Appignani, Ms. Lawton, and Mr. Castaldo) decided to move forward with Specialized Engineering and met with them to negotiate a contract. Members of the committee and Specialized have agreed on terms of a contract and would like to get Board approval. Mr. Kelsh added language to the contract regarding conflict of interest issues.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the contract as presented with Specialized Engineering. Approved 2-0.

Update on WV Funding Stakeholder Group Workshop

Mr. Cummins gave a brief overview on the status. DEP chose 3 of the 7 white papers, the Table Games Contribution, Toilet Paper Tax, and Flush Fee, which were prepared by the Stakeholders Group as most promising. They presented them to the Legislature on June 1st.

Action: No action taken by the Board.

Update on Berkeley County Capital Improvement Fee Case

Mr. Kelsh updated the Board. The WV Supreme Court will hear the petition for appeal in September after the summer break. Mr. Kelsh hasn't filed an amicus brief in support of the PSD's yet, but will do so by the end of June. The Public Service Commission has filed a motion to intervene in the case.

Last month the Board directed Mr. Kelsh to contact the attorney from the Jefferson County Commission to discuss the Capital Improvement Fee case. Mr. Kelsh stated he will make this contact soon and Ms. Widmyer suggested setting up a work session with the County Commission and PSD Board and staff to discuss this.

Action: No action taken by the Board.

Discuss Status of S.1816 & H.R.3852: To Amend the Federal Water Pollution Control Act to Improve and Reauthorize the Chesapeake Bay Program

Mr. Hankins was absent from the meeting to give an update on the progress of this issue. Mr. Cummins stated that NACWA submitted a letter of support to Mr. Cardin on the Chesapeake Bay bill. The Board commended the letter.

Action: No action taken by the Board.

NEW BUSINESS

Consider Transfer of Highland Farms NPDES Permit to Jefferson County Public Service District

Highland Farms LLC approached the District for consideration of transferring the NPDES permit for a MBR 50,000 gpd wastewater treatment plant, which could be expanded to a 225,000 gpd plant. The developer has chosen not to renew the permit, which is set to expire June 15, 2010. The District currently owns a 5 acre piece of ground on Rt. 9 near the Shenandoah River where the plant is planned to be built. Mr. Jonkers, Managing Member of Highland Farms LLC, was present in the audience for comments. He stated the current PSC approved agreements the District has with Highland Farms are set to expire in November 2010. Mr. Jonkers stated the permit can be transferred to the District for about \$400.00. He will also give the District complete use of all plans, and allow us to retain ownership of the land that he previously gave to us. Mr. Jonkers stated that in 2006, an appeal of the Highland Farms permit caused the design of the plant to provide for treatment at 3 mg/l total nitrogen and 0.1 mg/l total phosphorous, which will exceed very stringent Chesapeake Bay requirements. Currently there are only 179 lots recorded and bonded out of the 600 total for the Thornhill development which is

one of the developments the plant is planned to serve, but nothing is yet constructed so flows would have to go to the Charles Town Plant if the Highland Farms plant isn't constructed.

Public comments included:

Marty Freemon, John Rissler Road

Jacqueline Milliron, Breckenridge

David Hammer, Legal Counsel for many residents in John Rissler Road area

Jim Surkamp, Jefferson County Commission

Alegra Wright, Avon Bend

Lyn Widmyer, Jefferson County Commission Liaison to PSD

Mr. Appignani stated he was not in favor of this permit transfer or any further projects given the Districts current financial hardships. He stated this was more than just a transfer of a permit and he will not support. Mr. Cummins agreed with Mr. Appignani, also stated that it would have been better if the transfer offer was made with more advance notice, that additional information and time was needed to fully consider the offer. Mr. Cummins expressed thanks to the public for their comments, which were valuable to his consideration.

Action: Motion made by Mr. Cummins to not accept the transfer at this time. The motion died due to a lack of a second. No action taken by the Board.

Consider Approval of Estimate Billing Policy

Mr. Appignani updated the Board. At last months Board meeting, 2 customers had concerns with the District's estimate billing policy. District staff further investigated and corrected all customer bills that had been billed incorrectly. Staff has prepared a policy clarifying how estimates are handled in the future.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the Estimate Billing Policy as presented. Approved 2-0.

Consider Approval to Advertise for Bids for Tank Flushing, Inspection, Cleaning, and Recommendations for the 17,800 gal Clearwell at Glen Haven

The District received the results of the Sanitary Survey for Glen Haven completed by the WV Department of Health and Human Resources last month. One of the items the survey recommended to maintain compliance with the primary drinking water regulations was to drain, clean, and inspect the 17,800 gallon clearwell tank. The District would like the Boards approval to advertise for bids for this tank work.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve staff to advertise a request for bids for the draining, cleaning and inspection of the clearwell tank. Approved 2-0.

Discuss DEP Compliance Report

On May 10th, a DEP inspector showed up at the Districts office to do a surprise inspection. The inspector found 3 items out of compliance with the Districts current NPDES permit. Ms. Lawton responded to the noncompliance letter with actions the District will take to resolve each noncompliant item. The Board commended Ms. Lawton's resolutions and felt they seemed appropriate.

Action: No action taken by the Board.

Consider Payment of \$29,100 for Railroad Crossing Easement for Flowing Springs Wastewater Treatment Plant

The District had received the contract for the Norfolk Railroad Crossing easement that is needed for the 36 inch line for the proposed Flowing Springs plant, which will cost \$29,100. Mr. Kelsh recommended that the Board get a Title Search done by Mr. Crawford. Mr. Appignani had concerns with a clause in the contract stating "the railway can terminate the license if its superintendent determines that the District's facilities interfere with the operations of the railway". He was curious of what the Districts options are if this should happen. Mr. Summerfield and Mr. Kelsh assured Mr. Appignani that this is standard language in the contract and if it should happen, the District would need to find another route. Mr. Appignani would like to table the approval of this item so he can think about this clause in the contract.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to direct staff to get a title search completed by Mr. Jim Crawford for the railroad crossing for the Flowing Springs wastewater treatment plant. Approved 2-0.

Public Comments

Jacqueline Milliron, Breckenridge: Commented on several items on the agenda.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to convene in executive session for the purpose of discussing litigation and contract negotiations. Approved 2-0.

Action: Motion made by Mr. Cummins and seconded by Mr. Appignani to return to public session. Approved 2-0.

Action: Motion made by Mr. Cummins and seconded by Mr. Appignani to designate Peter Appignani as the Acting Chairman for the purpose of signing Bond documents. Approved 2-0.

Consider Authorization by Board to Pay the Jefferson County Public Service District Sewer Bill When Printed to Avoid Late Fees

Ms. Lawton informed the Board of a billing issue the District staff has been having concerning the Districts own sewer bill. District staff would like the Board to authorize staff to pay the sewer bill when the bills are printed each month instead of waiting until after approval at the monthly Board meetings to avoid late fees on the Districts account.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve authorization to allow the staff to pay the District's sewer bill when received. Approved 2-0.

Discussion of any expenses over budget

There were no expenses over budget.

Disbursements

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve disbursements for Cavaland water expenses in the amount of \$1,716.06. Approved 2-0.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve disbursements for Glen Haven water expenses in the amount of \$2,843.67. Approved 2-0.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve disbursements for the Public Service District expenses in the amount of \$251,780.67. Approved 2-0.

Approve Transfer of \$46,710.00 from Renewal & Replacement into Sewer Operating for New Godwin Diesel Pumpset for Pump Station 4-5

Approve Transfer of \$10,215.00 from Renewal & Replacement into Sewer Operating for 2 New Pumps at Pump Station 4-3

Approve Transfer of \$5,150.00 from Renewal & Replacement into Sewer Operating for New Pump at Pump Station 2-13

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$46,710.00 from Renewal & Replacement Account into Sewer Operating Account for a new Godwin Diesel Pumpset for pump station 4-5; to approve transfer of \$10,215.00 from Renewal & Replacement into Sewer Operation for 2 new pumps at pump station 4-3; and to approve transfer of \$5,150.00 from Renewal & Replacement into Sewer Operation for new pump at pump station 2-13. Approved 2-0.

Approve Transfer of \$3,605.47 from Sewer Security Deposit Account to Sewer Operating for Security Deposit Refunds

Refunds

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$3,605.47 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Approved 2-0.

Approve Transfer of \$64.42 from Glen Haven Security Deposit Account to Glen Haven Operating for Security Deposit Refunds

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$64.42 from Glen Haven Security Deposit Account into Glen Haven Operating Account for Security Deposit Refunds. Approved 2-0.

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

Action: No action taken by the Board.

Correspondence

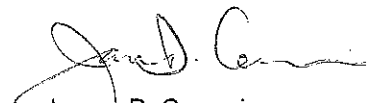
None discussed.


Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to adjourn. Approved 2-0.

There being no further business at this time, the meeting was adjourned at 9:57PM

The next regular meeting is scheduled for July 6, 2010 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

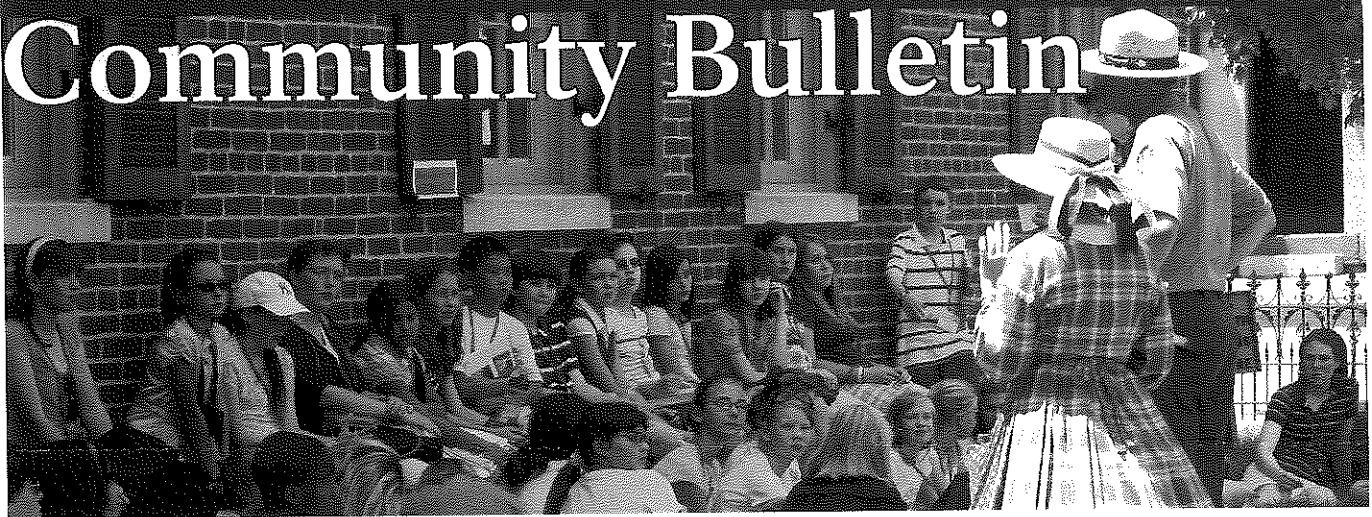
Respectfully Submitted,


James D. Cummins
Secretary


Peter L. Appignani
Treasurer



Community Bulletin



Let's Move Outside! Harpers Ferry NHP Kicks Off White House Initiative

This summer, a new initiative, Let's Move Outside, gives an extra reward to Junior Rangers for experiencing the great outdoors and getting some good healthy exercise! Harpers Ferry National Historical Park invites you to become a Junior Ranger and join in a wide variety of fun and active programs.

Harpers Ferry National Historical Park is one of 20 national parks kicking off Let's Move Outside Junior Ranger. Let's Move Outside, led by the Department of the Interior and the Department of Agriculture, provides tools and information to parents to make it easy to enjoy the outdoors and be active and healthy. It is part of First Lady Michelle Obama's nationwide campaign to end childhood obesity within a generation.

"Young people inspire us; we want to help them be healthy and curious for life. It starts with family fun. We want to help parents learn the skills they need to enjoy the outdoors with their kids," National Park Service Director Jon Jarvis said.



Junior Ranger Explore, Learn, Protect!



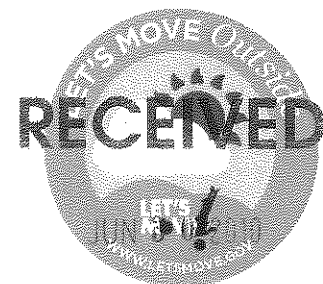
Young people who complete at least one physical activity in pursuit of their Junior Ranger badge receive a special sticker that designates them as a Let's Move Outside Junior Ranger. The activities range from adventures like hiking with a ranger to body surfing and canoeing.

Harpers Ferry NHP's Let's Move Outside Junior Ranger program offers

kids and parents the chance to explore trails through woods, lost industrial sites, battlefields, a historic town, an old college campus, cemeteries, and along rivers and bluffs.

By summer's end, 50 national parks will offer Let's Move Outside Junior Ranger programs. Young people can become Junior Rangers at more than 200 national parks nationwide.

Before heading out, families can look at www.letsmove.gov/outside for more information about activities and participating parks. This website hub will link families to the great outdoors and give tips and ideas on how to best plan and enjoy an active adventure. The National Park Service provides 84 million acres to explore, so there are many places and ways to move outside!



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

Charles Town
 1009 Net Terminal Revenue \$ 45,603,174
 Benchmark Goal @ 2% \$ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RANSON 36.08%	SHEPHERDS TOWN 14.29%
4 days ending: 7/1/09- 7/4/09	\$ 128,262.42	\$ 128,262.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/11/09	\$ 188,815.08	\$ 188,815.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/18/09	\$ 160,652.98	\$ 160,652.98	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 155,846.74	\$ 159,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,026.55	\$ 636.49	\$ 6,117.24	\$ 2,481.89
08/15/09	\$ 162,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.79	\$ 26,070.37	\$ 2,984.81	\$ 28,492.73	\$ 11,606.84
08/22/09	\$ 152,520.62	\$ 76,260.31	\$ 76,260.31	\$ 9,471.53	\$ 26,355.56	\$ 2,783.50	\$ 26,762.12	\$ 10,887.60
08/29/09	\$ 160,845.84	\$ 80,472.62	\$ 80,472.62	\$ 9,994.74	\$ 27,811.44	\$ 2,937.26	\$ 26,228.90	\$ 11,499.68
09/05/09	\$ 161,596.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,949.13	\$ 28,343.90	\$ 11,546.06
09/12/09	\$ 172,573.84	\$ 86,286.92	\$ 86,286.92	\$ 10,716.84	\$ 29,820.76	\$ 3,149.47	\$ 30,268.45	\$ 12,930.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,895.28	\$ 24,195.81	\$ 2,655.37	\$ 24,559.56	\$ 10,004.45
09/26/09	\$ 138,833.74	\$ 69,316.87	\$ 69,316.87	\$ 6,809.16	\$ 23,955.91	\$ 2,530.07	\$ 24,316.35	\$ 8,905.38
10/03/09	\$ 144,572.08	\$ 72,286.04	\$ 72,286.04	\$ 6,977.93	\$ 24,982.08	\$ 2,636.44	\$ 25,357.93	\$ 10,328.68
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 6,950.61	\$ 24,071.25	\$ 2,542.29	\$ 24,433.44	\$ 8,953.08
10/17/09	\$ 147,120.42	\$ 73,560.21	\$ 73,560.21	\$ 9,136.18	\$ 25,422.41	\$ 2,884.95	\$ 26,804.92	\$ 10,511.75
10/24/09	\$ 135,163.32	\$ 67,581.66	\$ 67,581.66	\$ 8,393.64	\$ 23,356.22	\$ 2,486.73	\$ 23,707.65	\$ 9,657.42
10/31/09	\$ 129,056.60	\$ 64,528.30	\$ 64,528.30	\$ 8,014.41	\$ 22,300.88	\$ 2,355.28	\$ 22,636.64	\$ 9,221.08
11/07/09	\$ 127,483.18	\$ 63,741.59	\$ 63,741.59	\$ 7,816.71	\$ 22,029.09	\$ 2,326.57	\$ 22,360.55	\$ 9,108.87
11/14/09	\$ 131,919.28	\$ 65,959.64	\$ 65,959.64	\$ 8,192.19	\$ 22,795.65	\$ 2,407.53	\$ 23,138.64	\$ 9,425.83
11/21/09	\$ 119,094.10	\$ 59,547.05	\$ 59,547.05	\$ 7,396.74	\$ 20,679.48	\$ 2,173.47	\$ 20,888.11	\$ 8,509.27
11/28/09	\$ 144,789.96	\$ 72,399.98	\$ 72,399.98	\$ 8,992.08	\$ 25,021.43	\$ 2,842.60	\$ 25,387.91	\$ 10,345.96
12/05/09	\$ 102,013.02	\$ 51,008.51	\$ 51,008.51	\$ 6,395.01	\$ 17,627.95	\$ 1,861.74	\$ 17,893.08	\$ 7,288.83
12/12/09	\$ 104,821.16	\$ 52,460.58	\$ 52,460.58	\$ 6,515.60	\$ 18,130.38	\$ 1,914.61	\$ 18,403.17	\$ 7,486.62
12/19/09	\$ 65,668.78	\$ 32,834.39	\$ 32,834.39	\$ 4,078.03	\$ 11,347.57	\$ 1,198.48	\$ 11,618.30	\$ 4,892.03
12/26/09	\$ 106,812.68	\$ 53,406.34	\$ 53,406.34	\$ 6,633.07	\$ 18,457.23	\$ 1,948.33	\$ 18,734.94	\$ 7,631.77
01/02/10	\$ 185,980.80	\$ 92,980.40	\$ 92,980.40	\$ 11,548.17	\$ 32,134.03	\$ 3,393.78	\$ 32,617.52	\$ 13,286.90
01/09/10	\$ 110,040.82	\$ 55,020.48	\$ 55,020.48	\$ 6,833.54	\$ 19,015.07	\$ 2,008.25	\$ 19,301.18	\$ 7,862.42
01/16/10	\$ 121,102.56	\$ 60,551.28	\$ 60,551.28	\$ 7,520.47	\$ 20,926.52	\$ 2,210.12	\$ 21,241.39	\$ 8,652.78
01/23/10	\$ 139,887.06	\$ 69,843.53	\$ 69,843.53	\$ 8,688.99	\$ 24,172.46	\$ 2,562.94	\$ 24,538.19	\$ 9,894.93
01/30/10	\$ 97,055.50	\$ 48,527.75	\$ 48,527.75	\$ 6,027.15	\$ 16,771.10	\$ 1,771.28	\$ 17,023.53	\$ 6,834.62
02/06/10	\$ 74,310.28	\$ 37,155.14	\$ 37,155.14	\$ 4,614.67	\$ 12,840.82	\$ 1,358.16	\$ 13,034.02	\$ 5,308.47
02/13/10	\$ 88,888.00	\$ 44,334.00	\$ 44,334.00	\$ 5,506.28	\$ 15,321.83	\$ 1,618.18	\$ 15,552.37	\$ 6,335.33
02/20/10	\$ 163,892.24	\$ 76,946.12	\$ 76,946.12	\$ 9,558.71	\$ 26,592.56	\$ 2,808.53	\$ 28,992.70	\$ 10,995.60
02/27/10	\$ 144,048.80	\$ 72,024.40	\$ 72,024.40	\$ 8,945.43	\$ 24,891.63	\$ 2,628.89	\$ 25,266.16	\$ 10,292.29
03/06/10	\$ 153,873.70	\$ 76,936.85	\$ 76,936.85	\$ 9,556.56	\$ 26,689.37	\$ 2,808.20	\$ 28,886.44	\$ 10,994.26
03/13/10	\$ 142,014.74	\$ 71,007.37	\$ 71,007.37	\$ 8,819.12	\$ 24,640.16	\$ 2,591.77	\$ 24,808.38	\$ 10,146.95
03/20/10	\$ 148,670.76	\$ 74,335.38	\$ 74,335.38	\$ 8,232.46	\$ 25,690.31	\$ 2,713.24	\$ 26,076.85	\$ 10,622.53
03/27/10	\$ 139,883.76	\$ 69,841.88	\$ 69,841.88	\$ 8,688.78	\$ 24,171.91	\$ 2,562.86	\$ 24,535.82	\$ 9,894.69
04/03/10	\$ 141,272.56	\$ 70,638.28	\$ 70,638.28	\$ 8,773.63	\$ 24,411.80	\$ 2,576.22	\$ 24,779.21	\$ 10,093.92
04/10/10	\$ 139,385.58	\$ 69,692.79	\$ 69,692.79	\$ 8,655.84	\$ 24,085.83	\$ 2,543.79	\$ 24,448.23	\$ 9,959.10
04/17/10	\$ 189,671.84	\$ 69,335.92	\$ 69,335.92	\$ 8,811.52	\$ 23,962.60	\$ 2,530.76	\$ 24,328.04	\$ 9,808.10
04/24/10	\$ 137,428.22	\$ 68,714.11	\$ 68,714.11	\$ 8,534.29	\$ 23,747.60	\$ 2,608.06	\$ 24,104.81	\$ 8,818.25
05/01/10	\$ 137,598.12	\$ 68,798.06	\$ 68,798.06	\$ 8,544.84	\$ 23,776.95	\$ 2,511.17	\$ 24,134.71	\$ 9,831.38
05/08/10	\$ 134,607.08	\$ 67,403.54	\$ 67,403.54	\$ 8,371.52	\$ 23,294.66	\$ 2,460.23	\$ 23,945.16	\$ 9,631.97
05/15/10	\$ 140,372.64	\$ 70,188.32	\$ 70,188.32	\$ 8,717.14	\$ 24,256.39	\$ 2,581.80	\$ 24,621.36	\$ 10,029.63
05/22/10	\$ 129,391.42	\$ 64,896.71	\$ 64,896.71	\$ 8,035.21	\$ 22,368.04	\$ 2,361.38	\$ 22,895.25	\$ 9,245.02
05/29/10	\$ 134,314.80	\$ 67,167.40	\$ 67,167.40	\$ 8,340.95	\$ 23,209.80	\$ 2,451.24	\$ 23,558.82	\$ 9,596.79
06/05/10	\$ 154,743.60	\$ 77,371.80	\$ 77,371.80	\$ 9,609.58	\$ 26,739.89	\$ 2,824.07	\$ 27,142.03	\$ 11,056.43
06/12/10	\$ 132,212.58	\$ 66,108.29	\$ 66,108.29	\$ 8,210.40	\$ 22,846.33	\$ 2,412.86	\$ 23,190.09	\$ 9,446.59
06/19/10	\$ 129,776.98	\$ 64,888.48	\$ 64,888.48	\$ 8,059.16	\$ 22,425.48	\$ 2,368.43	\$ 22,762.68	\$ 9,272.56
Subtotal	\$ 5,852,864.66	\$ 3,947,524.06	\$ 3,935,460.58	\$ 377,004.23	\$ 1,049,055.18	\$ 110,794.30	\$ 1,064,839.56	\$ 433,787.33

Benchmark Goal @ 2% \$ 912,063.48

Rembinder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending	
	June 19, 2010	✓
	FY10	
To be Deposited on:	June 28, 2010	✓
Amount Played	78,447,286.86	✓
Amount Won	70,629,423.39	✓
Amount Promo	270,391.00	✓
MWAP Contribution	37,232.08	✓
Adjusted Gross Terminal Revenue	<u>7,510,240.41</u>	✓
Administrative Costs @ 4%	0.00	
Excess Lottery Fund @ 4%	<u>300,409.61</u>	✓
Net Terminal Revenue	<u>7,209,830.80</u>	✓
Surcharge @ 10%	720,983.10	✓
State Share Excess @ 58%	418,170.20	
Track Share of Capital Reinvestment @ 42%	302,812.90	
<i>Track Share of Capital Reinvestment @ 42% - 96%</i>	\$ 290,700.38	
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	\$ 12,112.52	
Adjusted Net Terminal Revenue	<u>6,488,847.70</u>	✓
Racetrack @ 46.50% / 42%	2,725,316.03	✓
Lottery Fund @ 30% / 0%	0.00	
Excess Lottery Fund @ 0% / 41%	2,880,427.53	
Race Track Purses @ 7% / 14% / 8%	519,107.82	✓
Workers' Compensation Debt Reduction @ 7%	0.00	
Employee Pension Fund @ 1% / .5%	32,444.24	
Greyhound Development @ .75%	48,666.36	✓
Thoroughbred Development @ .75%	48,666.36	✓
Racing Commission @ 1%	64,888.48	✓
County/Municipality @ 2%	129,776.86	✓
3% Funds:		
Tourism Promotion Fund @ 1.375%	69,221.66	
Development Office Promotion Fund @ .375%	24,333.18	✓
Research Challenge Fund @ .6%	32,444.24	✓
Capitol Renovation and Improvement Fund @ .6875%	44,610.83	✓
2004 Capitol Complex Parking Garage Fund @ .0625%	4,055.53	
1% Funds:		
State Capitol Complex Parking Garage @ 1%	0.00	
Cultural Facilities and Capitol Resources @ .5%	0.00	
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>64,888.48</u>	✓
	<u>6,488,847.70</u>	✓

P.O. Box 2067
Charleston, WV 25327



Phone: (304) 558-0500
Fax: (304) 558-3321
www.wvlottery.com

John C. Musgrave
Director

To: Controller

Location: Jefferson County Commission

Fax #: (304) 725-7916

Phone #: (304) 728-3284

From: Stacy Acree ext. 352

Comments:

VIDEO LOTTERY WEEKLY SETTLEMENT REPORT

WEST VIRGINIA LOTTERY

First Benchmark
Charles Town
County / City Split
Fiscal Year 2009

Charles Town
1999 Net Terminal Revenue \$ 45,603,174
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Week ending:								
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07/25/09	\$ 158,869.08	\$ 158,869.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/01/09	\$ 174,493.08	\$ 174,493.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/08/09	\$ 155,846.74	\$ 138,408.80	\$ 17,437.94	\$ 2,165.79	\$ 6,026.55	\$ 838.40	\$ 6,117.24	\$ 2,491.88
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08/29/09	\$ 160,845.84	\$ 80,472.92	\$ 80,472.92	\$ 8,894.74	\$ 27,811.44	\$ 2,937.26	\$ 28,229.80	\$ 11,499.58
09/05/09	\$ 161,598.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,923.84	\$ 2,949.13	\$ 28,343.99	\$ 11,546.06
09/12/09	\$ 172,573.84	\$ 86,286.92	\$ 86,286.92	\$ 10,710.84	\$ 29,820.78	\$ 3,149.47	\$ 30,269.45	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,895.26	\$ 24,195.51	\$ 2,555.37	\$ 24,559.58	\$ 10,004.45
09/26/09	\$ 138,633.74	\$ 69,318.87	\$ 69,318.87	\$ 8,609.16	\$ 23,955.91	\$ 2,530.07	\$ 24,318.35	\$ 9,805.38
10/03/09	\$ 144,572.08	\$ 72,288.04	\$ 72,288.04	\$ 8,977.93	\$ 24,982.08	\$ 2,639.44	\$ 25,357.93	\$ 10,328.68
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10/24/09	\$ 135,183.32	\$ 67,581.66	\$ 67,581.66	\$ 8,383.84	\$ 23,356.22	\$ 2,466.73	\$ 23,707.65	\$ 9,657.42
10/31/09	\$ 128,056.80	\$ 64,528.30	\$ 64,528.30	\$ 8,014.41	\$ 22,300.98	\$ 2,355.28	\$ 22,636.54	\$ 9,221.08
11/07/09	\$ 127,483.18	\$ 63,741.59	\$ 63,741.59	\$ 7,916.71	\$ 22,029.09	\$ 2,328.57	\$ 22,360.55	\$ 9,108.87
11/14/09	\$ 131,919.28	\$ 65,959.84	\$ 65,959.84	\$ 8,192.19	\$ 22,785.65	\$ 2,407.53	\$ 23,138.64	\$ 9,425.63
11/21/09	\$ 119,094.10	\$ 59,547.05	\$ 59,547.05	\$ 7,395.74	\$ 20,578.48	\$ 2,173.47	\$ 20,889.11	\$ 8,509.27
11/28/09	\$ 144,799.96	\$ 72,399.98	\$ 72,399.98	\$ 8,992.08	\$ 25,021.43	\$ 2,842.80	\$ 25,387.91	\$ 10,345.86
12/05/09	\$ 102,013.02	\$ 51,006.51	\$ 51,006.51	\$ 6,335.01	\$ 17,627.85	\$ 1,861.74	\$ 17,893.08	\$ 7,268.83
12/12/09	\$ 104,921.16	\$ 52,480.58	\$ 52,480.58	\$ 6,515.60	\$ 18,130.38	\$ 1,914.61	\$ 18,403.17	\$ 7,498.62
12/19/09	\$ 65,868.76	\$ 32,834.39	\$ 32,834.39	\$ 4,078.03	\$ 11,347.57	\$ 1,198.48	\$ 11,518.30	\$ 4,892.03
12/26/09	\$ 108,812.88	\$ 53,406.34	\$ 53,406.34	\$ 6,633.07	\$ 18,457.23	\$ 1,949.33	\$ 18,734.84	\$ 7,831.77
01/02/10	\$ 185,960.80	\$ 92,980.40	\$ 92,980.40	\$ 11,548.17	\$ 32,134.03	\$ 3,393.78	\$ 32,617.52	\$ 13,286.90
01/09/10	\$ 110,040.92	\$ 55,020.46	\$ 55,020.46	\$ 6,833.54	\$ 19,015.07	\$ 2,008.25	\$ 19,301.18	\$ 7,862.42
01/16/10	\$ 121,102.56	\$ 60,551.28	\$ 60,551.28	\$ 7,520.47	\$ 20,928.52	\$ 2,210.12	\$ 21,241.39	\$ 8,652.78
01/23/10	\$ 139,887.06	\$ 69,943.53	\$ 69,943.53	\$ 8,866.99	\$ 24,172.48	\$ 2,552.94	\$ 24,538.19	\$ 9,994.93
01/30/10	\$ 97,055.50	\$ 48,527.75	\$ 48,527.75	\$ 6,027.15	\$ 16,771.19	\$ 1,771.26	\$ 17,023.53	\$ 6,934.62
02/06/10	\$ 74,310.28	\$ 37,155.14	\$ 37,155.14	\$ 4,614.67	\$ 12,840.82	\$ 1,356.16	\$ 13,034.02	\$ 5,309.47
02/13/10	\$ 88,888.00	\$ 44,334.00	\$ 44,334.00	\$ 5,506.28	\$ 15,321.83	\$ 1,618.19	\$ 15,652.37	\$ 6,335.33
02/20/10	\$ 153,892.24	\$ 76,846.12	\$ 76,846.12	\$ 9,556.71	\$ 26,592.58	\$ 2,808.53	\$ 26,992.70	\$ 10,995.60
02/27/10	\$ 144,048.80	\$ 72,024.40	\$ 72,024.40	\$ 8,945.43	\$ 24,891.63	\$ 2,628.89	\$ 25,288.16	\$ 10,292.28
03/06/10	\$ 153,873.70	\$ 76,936.85	\$ 76,936.85	\$ 9,555.58	\$ 26,589.37	\$ 2,808.20	\$ 28,989.44	\$ 10,994.28
03/13/10	\$ 142,014.74	\$ 71,007.37	\$ 71,007.37	\$ 8,819.12	\$ 24,540.15	\$ 2,591.77	\$ 24,909.38	\$ 10,146.85
03/20/10	\$ 148,670.76	\$ 74,335.38	\$ 74,335.38	\$ 9,232.45	\$ 25,800.31	\$ 2,713.24	\$ 26,076.85	\$ 10,622.53
03/27/10	\$ 139,893.76	\$ 69,941.88	\$ 69,941.88	\$ 8,888.78	\$ 24,171.81	\$ 2,552.88	\$ 24,535.62	\$ 9,984.89
04/03/10	\$ 141,272.56	\$ 70,636.28	\$ 70,636.28	\$ 8,773.03	\$ 24,411.80	\$ 2,578.22	\$ 24,779.21	\$ 10,083.92
04/10/10	\$ 139,385.88	\$ 69,692.79	\$ 69,692.79	\$ 8,855.84	\$ 24,085.83	\$ 2,543.79	\$ 24,448.23	\$ 9,959.10
04/17/10	\$ 138,671.84	\$ 69,335.92	\$ 69,335.92	\$ 8,811.52	\$ 23,962.50	\$ 2,530.76	\$ 24,323.04	\$ 9,808.10
04/24/10	\$ 137,428.22	\$ 68,714.11	\$ 68,714.11	\$ 8,534.29	\$ 23,747.60	\$ 2,508.08	\$ 24,104.91	\$ 9,819.25
05/01/10	\$ 137,599.12	\$ 68,799.06	\$ 68,799.06	\$ 8,544.84	\$ 23,776.95	\$ 2,511.17	\$ 24,134.71	\$ 9,831.39
05/08/10	\$ 134,807.08	\$ 67,403.54	\$ 67,403.54	\$ 8,371.52	\$ 23,284.88	\$ 2,460.23	\$ 23,645.16	\$ 9,631.97
05/15/10	\$ 140,372.64	\$ 70,186.32	\$ 70,186.32	\$ 8,717.14	\$ 24,256.39	\$ 2,561.80	\$ 24,621.38	\$ 10,028.83
05/22/10	\$ 129,391.42	\$ 64,695.71	\$ 64,695.71	\$ 8,035.21	\$ 22,358.84	\$ 2,361.39	\$ 22,695.25	\$ 9,245.02
05/29/10	\$ 134,314.80	\$ 67,157.40	\$ 67,157.40	\$ 8,340.95	\$ 23,209.60	\$ 2,451.24	\$ 23,558.82	\$ 9,588.79
06/05/10	\$ 154,743.60	\$ 77,371.80	\$ 77,371.80	\$ 8,609.58	\$ 26,739.69	\$ 2,824.07	\$ 27,142.03	\$ 11,058.43
06/12/10	\$ 132,212.58	\$ 66,108.29	\$ 66,108.29	\$ 8,210.40	\$ 22,846.33	\$ 2,412.88	\$ 23,190.09	\$ 9,446.59
Subtotal	\$ 6,853,207.70	\$ 3,882,835.50	\$ 2,970,572.10	\$ 368,945.08	\$ 1,026,629.70	\$ 108,425.87	\$ 1,042,078.68	\$ 424,484.77

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending June 12, 2010 FY10 June 10, 2010
To be Deposited on:	
Amount Played	77,653,925.83
Amount Won	89,737,987.03
Amount Promo	223,409.00
MWAP Contribution	<u>41,338.41</u>
Adjusted Gross Terminal Revenue	<u>7,651,181.19</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>306,047.65</u>
Net Terminal Revenue	<u>7,345,143.54</u>
Surcharge @ 10%	734,514.35
State Share Excess @ 50%	426,018.32
Track Share of Capital Reinvestment @ 42%	308,496.03
Track Share of Capital Reinvestment @ 42% - 96%	\$ 296,156.19
Track Share of Capital Reinvestment @ 42% - 4%	\$ 12,339.84
Adjusted Net Terminal Revenue	<u>6,610,629.19</u>
Racetrack @ 46.50% / 42%	2,776,464.28
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,710,357.96
Race Track Purses @ 7% / 14% / 8%	528,850.34
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	33,053.15
Greyhound Development @ .75%	49,579.72
Thoroughbred Development @ .75%	49,579.72
Racing Commission @ 1%	66,106.29
County/Municipality @ 2%	132,212.58
3% Funds:	
Tourism Promotion Fund @ 1.375%	90,896.15
Development Office Promotion Fund @ .375%	24,789.88
Research Challenge Fund @ .5%	33,053.15
Capitol Renovation and Improvement Fund @ .6875%	45,448.08
2004 Capitol Complex Parking Garage Fund @ .0625%	4,131.64
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	0.00
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>66,106.29</u>
	<u>6,610,629.19</u>

P.O. Box 2067
Charleston, WV 25327



Phone: (304) 558-0500
Fax: (304) 558-3321
www.wvlottery.com

John C. Musgrave
Director

To: Controller

Location: Jefferson County Commission

Fax #: (304) 725-7916

Phone #: (304) 728-3284

From: Stacy Acree ext. 352

Comments:

VIDEO LOTTERY WEEKLY SETTLEMENT REPORT

HP Officejet 6310
Personal Printer/Fax/Copier/Scanner

Log for

Jun 15 2010 2:00PM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Jun 15	1:59PM	Fax Sent	913042929836	1:41	4	OK



POTOMAC HEADWATERS RC&D, INC.
151 Aikens Center, Suite 6
Martinsburg, WV 25404
304-267-8953 ext. 5 phrcd.6003@verizon.net

July 1, 2010

Dear Colleague:

Potomac Headwaters RC&D needs your advice. Can you take a few minutes to tell us what is of future importance to you and the organization you represent in the area of natural resources and community development?

Potomac Headwaters RC&D has been helping the eight counties of WV's Eastern Panhandle for 40 years by providing small grants to organizations that can be used to complete specific projects or as matching money for larger grants. But, by far its greatest impact has been the administrative and fiduciary support, technical assistance, and project coordination it has provided to small groups and community organizations throughout the region.

It is time for us to plan our organization's goals and objectives for the next five years. Your ideas on high priority needs in natural resource conservation and development are important to us. Will you help us establish our priorities by completing and returning the accompanying survey in the enclosed, stamped envelope by July 16? Feel free to add additional comments to the survey form, or contact us if you have questions.

We look forward from hearing from you. Thanks for your consideration.

Yours sincerely,

Gary Heichel
Chair

RECEIVED

JUL 01 2010

Jefferson County Commission

30 June 2010

W. Matthew Harris
P.O. Box 1135
Ranson, WV 25438

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

Dear Jefferson County Commissioners;

I am writing in response to the 25 June 2010 article concerning Dale Manuel's comment about the Jefferson County Judicial Center.

I feel Commissioner Manuel is 100 percent correct in postponing funding the center until the end of the year. We have to keep ourselves in the mind set of saving funds. Reasoning; If I'm persistent on wanting to purchase something for my family, I just cannot use another person's money or use money I do not have, I have to save for that project. Money is very hard to come by these days and we are already taxed enough. Using Jefferson County funds productively would potentially ensure saved funds at the end of the fiscal year. If we don't have the funds, wait and save until we do. Use our County funds wisely and work towards the project you want to complete will create more pride in your project and potentially have your citizen behind you all the way. There are many projects the County has already spent money on needlessly. The last thing we want to do is go into debt to anyone or anything.

I second the motion to table anything to do with the Jefferson County Judicial Center until we are better economically prepared. The County Commission should first draw the attention of Jefferson County citizens and ask them to stand behind Jefferson County Commission on this project.

I sincerely believe if we follow Commissioner Manuel's idea with the Jefferson County Judicial Center and what I have written above, we will succeed. There is nothing to lose in this proposal. Think about it. The Jefferson County Judicial Center is going to be built regardless, we just need to wait until the right time.

Matthew Harris
Ranson
304-283-3276

RECEIVED

JUL 01 2010

Jefferson County Commission



NEWS RELEASE

800 Cabin Hill Drive, Greensburg, PA 15601-1689

Media contact:

Mark Nitowski
Manager, External Communications
Phone: (724) 838-6718
Media Hotline: (888) 233-3583
E-mail: mnitows@alleghenyenergy.com

Investor contact:

Max Kuniansky
Executive Director, Investor Relations
and Corporate Communications
Phone: (724) 838-6895
E-mail: mkunian@alleghenyenergy.com

FOR IMMEDIATE RELEASE

Allegheny Power Announces West Virginia Rate Decision *Public Service Commission Approves Settlement Agreement*

GREENSBURG, Pa., June 25, 2010 – Allegheny Energy, Inc. (NYSE: AYE), today announced that the Public Service Commission of West Virginia issued an order granting the company's request for a base rate increase. The increase applies to Monongahela Power and The Potomac Edison Company, the company's two electric distribution utilities in the state, which do business as Allegheny Power.

Today's order approved a settlement agreement between Allegheny Power, Staff of the Public Service Commission, the Consumer Advocate Division and other parties. Key terms and provisions of the agreement were detailed in Allegheny's April 5, 2010 news release.

As a result of the Commission order, the monthly bill for a residential customer using 1,000 kilowatt-hours will increase by \$4.10, or 4.5 percent, on June 29, 2010. Even with the increase, Allegheny Power's rates in West Virginia will remain significantly below the national average price for residential customers.

Allegheny Power has not had a base rate increase in West Virginia since 1994. Base rates reflect the utilities' cost of operations and capital investment. Fuel costs are recovered through a separate mechanism. Since the company's last base rate increase, the Consumer Price Index has risen by more than 45 percent.

To help customers manage their bills, Allegheny Power offers a budget plan, special payment plans and access to energy assistance programs. Allegheny's Watt Watchers programs also provide information and programs to help its customers manage their electricity bills and use energy more efficiently. For more information and tips on energy efficiency and conservation, visit www.alleghenypower.com and click on the Watt Watchers section, or call the company's Customer Service Center at 1-800-Allegheny (1-800-255-3443).

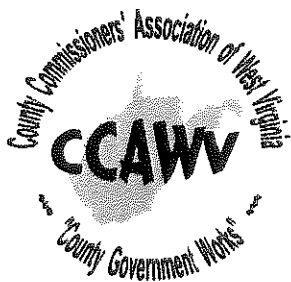
Allegheny Energy

Headquartered in Greensburg, Pa., Allegheny Energy is an investor-owned electric utility with total annual revenues of over \$3 billion and more than 4,000 employees. The company owns and operates generating facilities and delivers low-cost, reliable electric service to 1.5 million customers in Pennsylvania, West Virginia and Maryland. For more information, visit our Web site at www.alleghenyenergy.com.

Forward-Looking Statements

In addition to historical information, this release may contain a number of "forward-looking statements" as defined in the Private Securities Litigation Reform Act of 1995. Words such as anticipate, expect, project, intend, plan, believe, and words and terms of similar substance used in connection with any discussion of future plans, actions, or events identify forward-looking statements. These include statements with respect to: rate regulation and the status of retail generation service supply competition in states served by Allegheny Energy's distribution business, Allegheny Power; financing plans; demand for energy and the cost and availability of raw materials, including coal; provider-of-last-resort and power supply contracts; results of litigation; results of operations; internal controls and procedures; capital expenditures; status and condition of plants and equipment; capacity purchase commitments; and regulatory matters. Forward-looking statements involve estimates, expectations and projections and, as a result, are subject to risks and uncertainties. There can be no assurance that actual results will not materially differ from expectations. Actual results have varied materially and unpredictably from past expectations. Factors that could cause actual results to differ materially include, among others, the following: plant performance and unplanned outages; changes in the price of power and fuel for electric generation; general economic and business conditions; changes in access to capital markets and actions of rating agencies; complications or other factors that render it difficult or impossible to obtain necessary lender consents or regulatory authorizations on a timely basis; environmental regulations; the results of regulatory proceedings, including proceedings related to rates; changes in industry capacity, development and other activities by Allegheny Energy's competitors; changes in the weather and other natural phenomena; changes in customer switching behavior and their resulting effects on existing and future load requirements; changes in the underlying inputs and assumptions, including market conditions used to estimate the fair values of commodity contracts; changes in laws and regulations applicable to Allegheny Energy, its markets or its activities; the loss of any significant customers or suppliers; dependence on other electric transmission and gas transportation systems and their constraints or availability; inflationary and interest rate trends changes in market rules, including changes to PJM participant rules and tariffs; the likelihood and timing of the completion of the proposed merger with FirstEnergy, the terms and conditions of any required regulatory approvals of the proposed merger, the impact of the proposed merger on Allegheny's employees and the potential diversion of management's time and attention from ongoing business during this time period; general economic conditions; the effect of accounting pronouncements issued periodically by accounting standard-setting bodies and accounting issues facing our organization; and other risks, including the continuing effects of global instability, terrorism and war. Additional risks and uncertainties are identified and discussed in Allegheny Energy's reports filed with the Securities and Exchange Commission.

###-



County Commissioners' Association of West Virginia
2309 Washington Street, East
Charleston, WV 25311
(304) 345-4639 fax (304) 346-3512

JUN 22 2010

June 15, 2010 Jefferson County Commission

To: All County Commissioners & Assistants
From: Vivian Parsons & Jennifer Webb
Re: Annual Meeting Registration

Included in this package are forms for county attendee registration and guest registration for the County Commissioners' **"Get in the Game,"** Annual Meeting. Also included in this mailing is a tentative agenda. Please note registration deadline dates. Registration forms received after **July 23, 2010**, are considered late registrations and will be charged a higher fee. Cancellations, in writing, are accepted through **July 23, 2010**. After that date all no-shows will be charged the full registration amount. (See form).

Room reservations should be made by calling **Stonewall Jackson Resort @ 1-304-269-7400**. Check out their website at www.stonewallresort.com. Check-in is 4:00 PM, check out is 11:00 a.m. The cut-off date for the reserved block of rooms is **June 30, 2010**. The room rate for the conference is \$109.00 per night. A resort fee of \$ 14.00 per room, per night will be added to each guest folio. This fee includes admission to the park, parking, local telephone calls, high speed internet access in guestrooms, wireless internet in public spaces, use of fitness equipment, indoor/outdoor pool, sauna, steam room, paddle boats, canoes, kayaks, mountain bikes, excursion boat, and basic fishing equipment. **Be sure to tell the reservations department that you are with the county commissioner's conference. A major credit card will be required upon reservation of rooms and at check -in. A 72 hour cancellation policy is in effect.**

Don't forget your county door prizes!!! As usual we are asking each county to bring a door prize, something representative of your county, to the meeting. We'll distribute the prizes at the **"Get in the Game"** Tailgate Party/Door prize Dinner on Monday evening. Don't forget to put your county's name on the package so that the winner of that prize will know where it came from! This has been such a fun and interesting process — the ideas are always great! **Don't' forget to wear your favorite team jersey and join the fun!**

County Commissioners & Administrators should remember to bring your permanent name tags with you to the meeting. If you don't have one, give us a call and we'll get you one. If you have questions or need further information, please feel free to call. You may reach me at 345-4639. We are looking forward to a great meeting.

"Come and Get in the Game!"

Also enclosed is a **"CCA Legislative Issues Nomination form"**. This form will aid the association in our legislative endeavors. Please return completed forms, with your registration. You may also bring them with you to the August meeting!

“Tentative Agenda”
County Commissioners’ Annual Training & In-Service Seminar
“Get in the Game!”
Stonewall Jackson Resort, Roanoke, WV



Saturday, July 31, 2010

- 11:00 AM CCAWV Annual Golf Tournament
- 4:00 PM County Commissioners’ Board of Director’s Meeting
**(Board will need to include Saturday night
July 31, 2010, in their room reservations)**

Sunday, August 1, 2010

- 10:00-11:00 AM Vendor Set-up time
- 11:00-5:00 PM Registration for Series Training Session And
State Auditor’s In-Service Training
- 1:00 - 5:00 PM **“Get in the Game!”**
Commissioners’ Educational Training Series
Roundtable sessions on the following topics — you pick 3 to attend:

“Punt, Pass, or Kick” Sharing the OPEB Experience

“Monday morning quarterback” - Construction Projects/Design Build...do you know the process?

“Push it over the goal line” - See what NACo can do for you!!

“Move the goal posts” – County Commissioners and their CVBs...Accreditation is it a good thing??

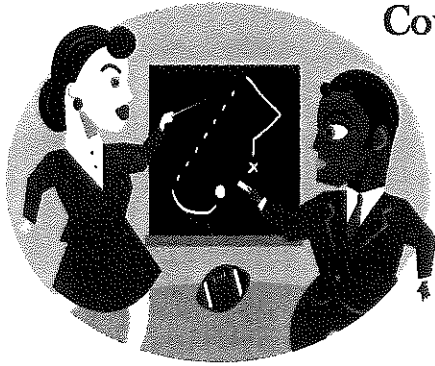
“First down” - Running an effective Campaign....Here comes November!

“Controlling the game clock” - Budgeting woes—what can we do?....Sharing the pain!

“Run Interference” - How administrative staff make Commissioners’ jobs easier!
*This roundtable is especially intended for administrative staff to network,
share ideas and trade phone numbers,
all in an effort to make their County Commissioners’ look good!*

- 5:30 PM **Board Buses for Tour of Trans Allegheny Lunatic Asylum
& Dinner at Lamberts’ Winery**

(See other Side)



County Commissioners' Association of West Virginia

2309 Washington Street, East
 Charleston, WV 25311
 (304) 345-4639 Fax (304) 346-3512

Guest Registration Form

**WV State Auditor's Office Annual In-Service Training Seminar
 for County Commissioners' & Assistants**

(as mandated by WV Code §7-7-2)

Stonewall Jackson Resort, Roanoke, WV - August 1-3, 2010

*****Please Mail or Fax this completed form*****

County Attendee: _____ County: _____

Title: _____ Guest(s) Name: _____

In order to guarantee these events, we must know how many guests to expect. Please register your guests in advance. You may send a check with this registration or purchase tickets at the door.

# Guest tickets Needed	Event	Ticket Price
_____	Sunday Asylum Tour , Wine Tasting and Dinner at Lamberts Winery August 1, 2010 - 5:30 p.m.	\$35.00 each
_____	Monday Luncheon - Thelma J. Stone Memorial Achievement Award Banquet August 2, 2010 - 12:30 p.m.	\$20.00 each
_____	Monday Boat Excursion and County Door Prize Dinner/Tailgate Party & Dance, August 2, 2010 - 7:00 p.m. <i>(Door prizes will be distributed)</i>	\$45.00 each

CCAWV Annual Meeting Social Events

A little update on the social events planned for the CCAWV Annual meeting - "Get in the Game" - (August 1-3) Stonewall Resort, Lewis County West Virginia.....

On Sunday evening (August 1st) our group will board buses at 5:30 PM to tour the "Trans-Allegheny Lunatic Asylum" followed by dinner at "The Vintage Room at Lambert's Winery."

Touring the old Weston State Hospital...

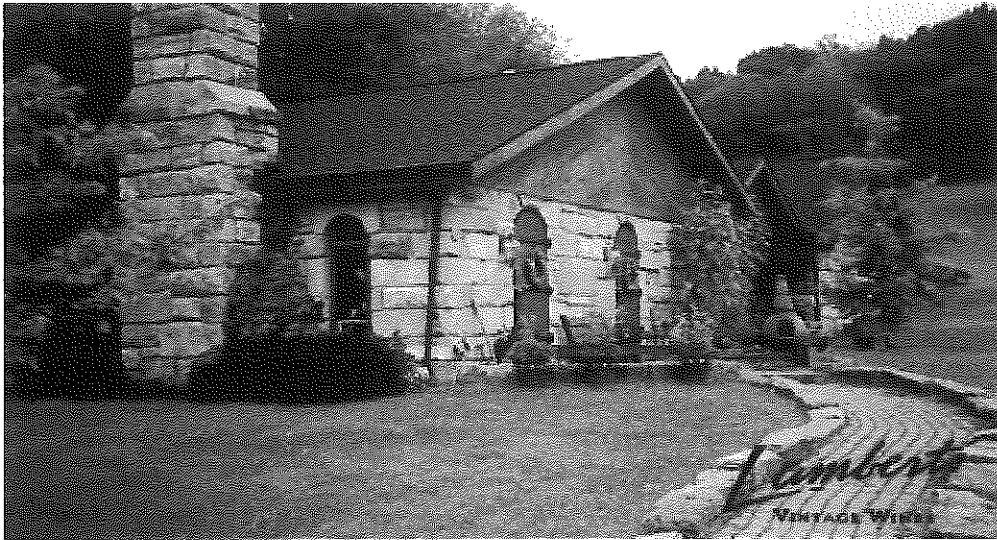


Formerly known as the Weston State Hospital, the "Trans-Allegheny Lunatic Asylum" served as a sanctuary for the mentally ill in the mid 1800's. The history of the building holds fascinating stories of Civil War raids, a gold robbery, the "curative" effects of architecture, and the efforts of determined individuals to help better the lives of the mentally ill.

The Asylum has had apparition sightings, unexplainable voices and sounds, and other paranormal activity reported in the past by guests and staff. *"Step back in time and see how the mentally insane lived, and died, within these walls."* Decide for yourself if they're still occupying the historic wards and treatment rooms.

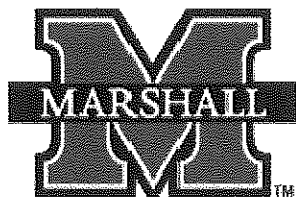
<http://www.Trans-alleghenylunaticasylum.com/>

Sunday evening's dinner is at Lambert's Winery located in a beautiful setting of Lewis County...



Lambert's Winery is located in Weston, West Virginia

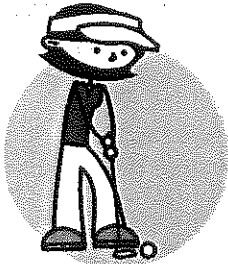
"It stands as a diminutive, Gothic looking structure on a hillside surrounded by a vineyard." The winery is constructed from hand cut stones gathered from various parts of West Virginia. Some weighing as much as 3,000 pounds. The doors are designed of solid two by fours on edge, with a rounded top. A comfortably furnished tasting room welcomes visitors as they enter. A fireplace is surrounded by three rocking chairs and shelves containing West Virginia pottery that is for sale. Behind the tasting room is a racking room, storage area, and a cooling room. Jim & Debbie Lambert are the owners.
http://www.lambertsvintagewine.com/virtual_tour.HTML



WE ARE...
MARSHALL.

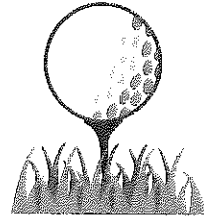


Our Monday evening door-prize dinner-dance will take on the atmosphere of a gigantic tail-gate party called *Get in the Game!!!* Put on your favorite team jersey and join the fun. How about a little competitive fun between the "Marshall Thundering Herd" and the "WVU Mountaineers! Or maybe your favorite team is your local high school! Whatever the mascot or colors... Come "Get in the Game" and help move the CCAWV on to VICTORY!!!!!!!!!!



CCAWV Annual Golf Tournament
Saturday, July 31, 2010
Stonewall Jackson Resort
Lewis County, WV

- FORMAT:** Scramble-Best Ball
- TIME:** 11:00 AM
- COST:** \$70.00 per person (includes green fee, cart and box lunch)
- PRIZES:** Winners will be announced at the "Get in the Game!"
Dinner Celebration on Monday Night



**REGISTRATION FORM AND ENTRY FEE MUST BE RECEIVED BY
JULY 9, 2010.**

You may enter as a team or as an individual. If registering as an individual, we will place you on a team.

Name: _____	Name: _____
Company: _____	Company: _____
Address: _____	Address: _____
City: _____ State: _____	City: _____ State: _____
Zip: _____ Phone: _____	Zip: _____ Phone: _____
Name: _____	Name: _____
Company: _____	Company: _____
Address: _____	Address: _____
City: _____ State: _____	City: _____ State: _____
Zip: _____ Phone: _____	Zip: _____ Phone: _____

Make Check Payable to: **County Commissioners' Association of West Virginia**

Mail to: **CCAWV**
2309 Washington Street, East
Charleston, WV 25311

Amount Enclosed: \$ _____



STONEWALL R E S O R T

DRIVING DIRECTIONS

From Pittsburgh, PA

Take I-79 south to Washington. Take the left fork to I-79 South at Washington and merge onto I-79 S. Take the exit onto I-70 E/ I-79 toward New Stanton/Morgantown. Merge onto I-79 S via exit 21 to Morgantown. Follow I-79 south to exit 91 US-19 to Roanoke. Turn right on US-19 South and follow the signs to Stonewall Resort State Park. Our entrance will be on your left approximately 2.5 miles from the interstate.

From Cleveland, OH

Take I-77 South toward Akron. Take the I-80/OH-21 exit 146 to Ohio Tpke/Toledo/Youngstown. Take the fork to I-80 E/Youngstown and merge onto I-80 E, Continue on I-76 E. Take the I-79/US-19 exit 28 to Cranberry/Pittsburgh/Erie. Take the right fork to I-79 S/Pittsburgh and merge onto I-79 S. Take the exit onto I-70 E/I-79 S toward New Stanton/Morgantown. Merge onto I-79 S via exit 21 to Morgantown. Follow I-79 south to US-19 exit 91 to Roanoke. Turn right on US-19 South follow the signs to Stonewall Resort State Park. Our entrance will be on your left approximately 2.5 miles from the interstate.

From Columbus, OH

Take US-33 E via exit 105A to Lancaster. Merge onto US-50 E via the US-50 E/OH-32 E ramp to Belpre. Take the ramp onto US-50 E, Continue straight to stay on US-50 E. Turn left at OH-32/OH-618/US-50. Turn right at Memorial Bridge. Slight right at WV-14 S/WV-68 S. Slight left at 4th St. Turn right at US-50. Take the ramp onto I-79 S toward Charleston. Take the US-19 exit 91 to Roanoke. Turn right on US-19 South follow the signs to Stonewall Resort State Park. Our entrance will be on your left approximately 2.5 miles from the interstate.

From Washington, DC

Take the I-70 exit 32 to Hagerstown/Baltimore. Take the left fork to I-70 W/Hagerstown and merge onto I-70 W. Merge onto I-68 W via the I-68 W/US-40 W exit 1A to Cumberland. Take the exit onto I-79 S toward Fairmont. Take the US-19 exit 91 to Roanoke. Turn right on US-19 South and follow the signs to Stonewall Resort State Park. Our entrance will be on your left approximately 2.5 miles from the interstate.

From Charleston, WV

Take I-79 N toward Clarksburg. Take the US-19 exit 91 to Roanoke. Left on US-19 South and follow the signs to Stonewall Resort State Park. Our entrance will be on your left approximately 2.5 miles from the interstate.

County Commissioners' Association of West Virginia

Legislative Issue Nomination

submitted for CCA Legislative Committee consideration

Submitted by: _____ Date: _____
(County) (Commissioner)

Topic: _____

1. Is this primarily an authority/responsibility issue? _____ or a funding issue? _____

2. To your knowledge, has this issue been introduced before? (*yes or no*): _____

a. If yes, provide year and House and/or Senate bill numbers: _____

b. If yes, what happened, and why? (*e.g. passed House; died in Senate Finance*): _____

3. What this proposed legislation would do: _____

4. Reason(s) this initiative is needed: _____

5. Does this initiative have the support of your County Commission? (*yes or no*): _____

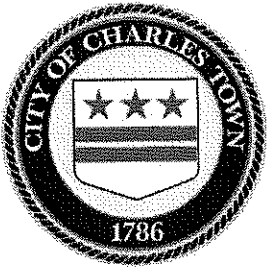
6. Does your county have the resources to "draft" a bill on this issue? (*yes or no*): _____

7. Does this initiative have the support of your Legislators? (*yes or no*): _____

a. If yes, please identify sponsor/co-sponsors: _____

8. WV Code citation(s) for this issue: _____

Signature of Submitting Commissioner



City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Fax: (304) 725-1014 ♦ Web: www.charlestownwv.com

RECEIVED

JUN 22 2010

**PLANNING
COMMISSION**

*MaryLois Gannon-
Miller, President*

Dan De Jong

Kevin Long

Mark Reinhart

Mark Roper

STAFF

*Katie See,
City Planner*

June 18, 2010

Jefferson County Commission

COUNTY COMMISSION OF JEFFERSON COUNTY
PO BOX 250
CHARLES TOWN, WV 25414

RE: City of Charles Town Zoning Ordinance Amendment Notification

Dear Property Owner:

On July 26, 2010, the Charles Town Planning Commission will hold a public hearing on the City's newly drafted 2010 Zoning Ordinance, which is the first update to the City's 1991 Zoning Ordinance. The public hearing will be held at City Hall at 7:00 p.m. and your attendance and participation are encouraged.

Background

As a result of the City of Charles Town's 2006 Comprehensive Plan adoption, in January 2007 City Council and the Planning Commission initiated the first update to the City's 1991 Zoning Ordinance. The update process was spearheaded by the City's Planning Commission, Community Development Department, and an ad hoc Steering Committee.

Since 1991, the City's Zoning Ordinance has undergone a number of text and zoning map amendments to reflect changes in land use, annexations, economic conditions, land development practices, and other similar land use planning and regulatory factors. Such amendments, however, occurred in a piecemeal fashion, which has resulted in a patchwork of zoning regulations and rezoning approvals. As a result of this fragmented amendment process, the 1991 Zoning Ordinance has placed an increasingly greater burden on the City's ordinance administration responsibilities, and has made it increasingly difficult for residents and developers to accurately interpret and apply the ordinance's zoning regulations to their particular land use situations.

Education Sessions

The City Planning Commission will host two (2) education sessions for the general public, to be held on Monday, July 12, 2010, and Wednesday, July 21, 2010. Both sessions will be held from 7:00 p.m. to 8:30 p.m. at the Charles Town City Hall. The education sessions will provide the opportunity for the public to learn about the proposed 2010 Zoning Ordinance prior to the scheduled public hearing on July 26, 2010.

More information regarding the City Planning Commission's draft 2010 Zoning Ordinance may be obtained by contacting the City Planner, Katie See, at the Charles Town Community Development Office. Katie may be reached by calling (304) 725-2311, ext. 244, or by e-mailing her at katie@charlestownwv.us. The proposed draft 2010 Zoning Ordinance may be previewed at City Hall, the Charles Town Public Library, or online at www.charlestownwv.us.

Your interest and input are invaluable to establishing an effective Zoning Ordinance for Charles Town. We look forward to seeing you at one or both of the education sessions and at the public hearing.

Thank you.

Sincerely,



MaryLois Gannon-Miller, President
City of Charles Town Planning Commission

NOTICE OF PUBLIC HEARING
Site Improvements Bonding & Bond Surety Policy

The County Commission of Jefferson County will hold a Public Hearing on Thursday, August 5, 2010, at 1:30 p.m. The meeting will be held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, Charles Town, West Virginia 25414. The purpose of the public hearing is to receive comments on the proposed Site Improvements Bonding & Bonding Policy.

THE COUNTY COMMISSION OF JEFFERSON COUNTY
PUBLIC HEARING NOTICE

The County Commission of Jefferson County has scheduled two public hearings on amendments to the Jefferson County Subdivision & Land Development Regulations. The first meeting will be held August 4, 2010 at Blue Ridge Elementary School, 29 Keyes Ferry Road, Charles Town. There will be a brief presentation from 7:00 PM to 7:30 PM and then public comment will be taken from 7:30 PM until 9:30 PM. The second hearing will be held August 9, 2010 in the meeting room of the Charles Town Library, 200 East Washington Street, side entrance. There will be a brief presentation from 7:00 PM to 7:30 PM and then public comment will be taken from 7:30 PM until 9:30 PM. Oral and written comments may be presented at the hearing.

Copies of these amendments can be found at the Department of Planning office located at 116 East Washington Street in Charles Town, in any County library, the County Courthouse and on the County's website at <http://www.jeffersoncountywv.org/government/departments/planning-and-zoning/documents.html>.

If you have any questions, please call the Department of Planning office at (304) 728-3228.

By Order of the County Commission of Jefferson County

Lyn Widmyer, President