

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, JULY 15, 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**

- Discussion for the Meeting for the Week of August 23, 2010

**COUNTY COMMISSION REPORTS**

**PRESENTATIONS:**

1. 10:00 a.m. Delegates Lawrence, Doyle and Walker - Legislative Update
2. 11:00 a.m. Quarterly Fiduciary Review
3. 11:05 a.m. Jennifer S. Maghan - County Clerk's Report
4. 11:15 a.m. Kit McGinnis - National Park Trust - Claymont Court Save America's Treasure Grant Funding Request - Discussion/Action
5. 11:30 a.m. Barbara Miller - Director of Jefferson County Homeland Security and Emergency Management - WV Emergency Management Planning Grant Proposal - Discussion/Action
6. 11:45 a.m. Legal Update and Report - (Stephanie Grove)
7. 12:00 p.m. Mark Schiavone, Director of Capital Planning and Management
  - Revision of Coal Severance Fund - Discussion/Action
  - Revision of General Fund - Discussion/Action

**NEW BUSINESS:**

8. Legislative Issues
9. Bill Polk - Maintenance Director - Review and Comment on Adopting an Energy Policy for the County Commission Buildings
10. Establish a Policy to Require that those Persons who are Appointed to the Planning Commission must Undergo Training Prior to their First Meeting and shall Attend One Continuing Education Class each year while a Member of the Planning Commission - Discussion/Action (PN)
11. Approval of Contract Agreement - Victims of Crime Act Grant Award - Discussion/Action
12. Old Charles Town Library and The Jefferson County Museum - Request for Use of County Meeting Room - Discussion/Action
13. Community Participation Grant Program - Camp Frame 4-H Association - Approval of Grant Contract and Resolution - Discussion/Action
14. Request to Approve Position Reclassification in GIS Office - Discuss/Action

**Break for Lunch**

**~~~~~ AFTERNOON SESSION ~~~~~**

15. 1:30 p.m. Kirk Davis - Roundtable Work Session - Shepherdstown Battlefield Grant
16. 2:00 p.m. Jack Berry, West Virginia State Auditor's Office - P-Card Discussion

**CORRESPONDENCE:**

Impact Fee Status Report received for June 2010.

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

Disbursement check received from the West Virginia Statewide Addressing and Mapping Board.

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

## **ANNOUNCEMENTS:**

### **Mountain Communities Watershed Plan Meetings:**

- Thursday, July 15, 2010 at 7:00 p.m. - Blue Ridge Mountain Fire Company
- Saturday, August 14<sup>th</sup>, 2010 at 2:00 p.m. - Blue Ridge Elementary Cafeteria
- Tuesday, September 21, 2010 at 7:00 p.m. - St. Andrew's Community Center

County Commission Work Session on Thursday, July, 22, 2010 at 1:30 p.m. - Distribution of FY2011 Funds to Support Fire and Ambulance Services.

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.*

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

**AGENDA REQUEST FORM**

Name: Kit McGinnis

Department or Entity: National Park Trust

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: July 8th

Date Requested – 2<sup>nd</sup> Choice: July 15th

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

Subject: **Funding request follow up for the Claymont Court Mansion's Save America's Treasures grant.**

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

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

Attachments: **Claymont Nonprofit Grant Request**

**3/4/2010 minutes**

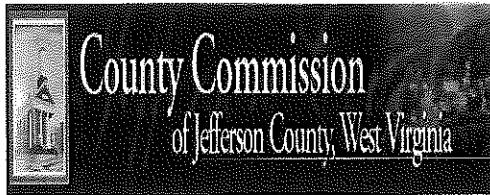
**In re: KIT MCGINNIS – CLAYMONT COURT SAVE AMERICA’S TREASURES GRANT**

**Kit McGinnis, National Park Trust member reported on the letter that was written by Shelly Moore Capito in regards to saving the Claymont Court Mansion.**

**Ms. McGinnis requested \$30,000 from the County Commission as a match for the Save America’s Treasure Grant.**

**Ms. McGinnis reported that the funds could be spaced out over a three year period if necessary.**

**Motion by Manuel, second by Noland to delay action on the allocation of \$30,000 as a cash match until mid July. Motion carried.**



**GRANT REQUEST APPLICATION**  
(For Request of \$3,000.00 and above)

**Application Submissions: January 1<sup>st</sup> – February 28<sup>th</sup>**  
**Awards: No Later than June 15<sup>th</sup>**  
**Reporting: By December 31<sup>st</sup>**

Date: February 17, 2010

**ORGANIZATIONAL INFORMATION**  
(Submit original and 6 copies)

Legal Name of Organization Claymont Society for Continuous Education

Address 667 Huyett Road, Charles Town WV 25414

Mailing Address (if different) \_\_\_\_\_

Executive Director, President or CEO (name and title) Amy Silver

Phone 304-725-4437 Fax \_\_\_\_\_ Email Address seminars@claymont.org

Contact Name and Phone Kit McGinnis 304-728-3506

Website www.claymont.org Year Organization was Founded 1974

Tax Exempt Number (EIN) 55-054-9994

Services Provided and/or Purposes of Organization (Mission Statement) The Claymont Society is a nonprofit 501c3 educational organization. Its mission is to provide education and a place of learning and to promote a way of life that is balanced, harmonious, and responsible toward nature.

Amount of this request \$30,000 to be used as a match for the federal Save America's Treasures grant of \$150,000 award to Claymont Court Mansion.

**DONATION INFORMATION**

(Applicant must submit a copy of most recent financial audit or the most recent financial state with application for request exceeding \$3,000.00)

Financial Representative Ellen Arrison, Acting Treasurer CSCE

Name of Project Claymont Court Mansion Restoration

Summary of Project The Claymont Society requests \$30,000 from the County Commission to be used as a match for the \$150,000 historic restoration grant received from the federal Save America's Treasures grant program.

Date or Dates of Project March 2010 – June 2013

**SPENDING REPORT**

Name of Organization \_\_\_\_\_ N/A as organization has not yet received funding

Total cost of Project/Activity \$ \_\_\_\_\_

Amount Granted \$ \_\_\_\_\_

This request as % of total cost \_\_\_\_\_%

This organization spent the awarded funds for (please check all that apply):

Acquisition	\$ _____	Ongoing Costs	\$ _____
Basic Needs	\$ _____	Project/Program Support	\$ _____
Capital	\$ _____	Renovation	\$ _____
Construction	\$ _____	Safety, Education/Training	\$ _____
Crisis Intervention	\$ _____	Start-up Costs	\$ _____
Equipment	\$ _____	Supplies	\$ _____
Families	\$ _____	Utilities	\$ _____
Fixed Assets	\$ _____	Other	\$ _____
		<b>TOTAL</b>	\$ _____

How has this donation helped your organization give back to your community? (Please be as specific as possible) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Submitted By: \_\_\_\_\_ N/A \_\_\_\_\_ Date: \_\_\_\_\_  
 Name and Title

<b>TOTAL DONATION REQUEST</b>
-------------------------------

Total cost of Project/Activity	\$	\$300,000	_____
Amount Request	\$	30,000	_____
This request as % of total cost			_____ 10 %

List any previous donations within the last five (5) years received from the County Commission of Jefferson County (year, purpose and amount): none

This organization is (will be) requested funds for (please check all that apply):

Acquisition	\$ _____	Ongoing Costs	\$ _____
Basic Needs	\$ _____	Project/Program Support	\$ _____
Capital	\$ _____	Renovation	\$ 30,000
Construction	\$ _____	Safety, Education/Training	\$ _____
Crisis Intervention	\$ _____	Start-up Costs	\$ _____
Equipment	\$ _____	Supplies	\$ _____
Families	\$ _____	Utilities	\$ _____
Fixed Assets	\$ _____	Other	\$ _____
		<b>TOTAL</b>	<b>\$ 30,000</b>

How will this donation help your organization give back to your community? (Please be as specific as possible) The SAT restoration project is expected to create a minimum 15 part and full time local jobs over the next 3 years as different engineers, architects and historic preservation construction workers complete the project. The restoration project will make much needed repairs on this Washington Family home, raise its historic profile to a national level and enable the Mansion to be better able to serve as an educational resource center. More than 1500 people visit the Mansion each year. It is a regular venue for tourism, historical, cultural, educational, and community events. Each visitor understands its historic significance and appreciates the privilege of staying in a Washington home – the only one open to the public other than Mount Vernon. Many visitors continue on to follow the Washington Heritage Trail, a national scenic byway, to learn about the young George Washington who spent much of his time in West Virginia's eastern panhandle. Because the Claymont Court Mansion and its surrounding viewsheds have been preserved to a greater extent than many comparable historic treasures, it has been used as a site for filming the Civil War epic movie "Gods and Generals" and was also the backdrop for the filming of a US Park Service video about the Civil War. It is also an educational resource for both the local and broader community, as it has been a retreat center hosting educational retreats for more than thirty years. Over those 30 years, the 345 acre Claymont property has been an organic farm, creating a farming incubator to help young people interested in organic farming learn their trade without having to purchase land. Salad greens grown on the property are sold at the Charles Town farmers market and to the local Dish restaurant. CSA shares are also sold, providing local residents with fresh, local and pesticide free produce and an opportunity for young farmers to generate income.

No later than December 31<sup>st</sup>, the awarded organizations will be required to submit to the County Commission of Jefferson County an accounting of how the donation monies were spent. If this accounting is not received, the organization may not be considered for any future donations from the County Commission of Jefferson County.

Submitted By: Kit McGinnis, Programs Director, National Park Trust Date: 2/23/10  
Name and Title

County Commission of Jefferson County  
124 East Washington Street  
P.O. Box 250  
Charles Town, WV 25414  
Phone: 304-728-3284  
Fax: 304-725-7916  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

Commission Office Use Only	
Date on Agenda:	
Appt Time or New Business:	11:30 AM

**AGENDA REQUEST FORM**

Name: Barbara Miller

Department or Entity: Homeland Security & Emergency Management

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: July 8, 2010

Date Requested – 2<sup>nd</sup> Choice: July 15, 2010

If a specific date is needed, please provide reason for specific date: **This grant request is due in Charleston no later than 07/30/2010**

Subject: **WV Emergency Management Planning Grant proposal (needs approval and signature)**

Please provide the County Commission with a description of your request or presentation, including any background information: **JCHSEM is planning to submit a grant proposal to WV Division of Homeland Security and Emergency Management for Calendar Year 2010. Project period, January 1, 2010-December 31, 2010. We are requesting ½ of staff salaries and ½ of planning contract with J.H. Harvey. The County Commission already has these funds budgeted at 100% in the FY-2011 budget. This proposal, if funded in whole, will provide 50% reimbursement to the commission. The total amount being requested is \$90,081.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **I move to approve the 2010 EMPG grant proposal, as submitted.**

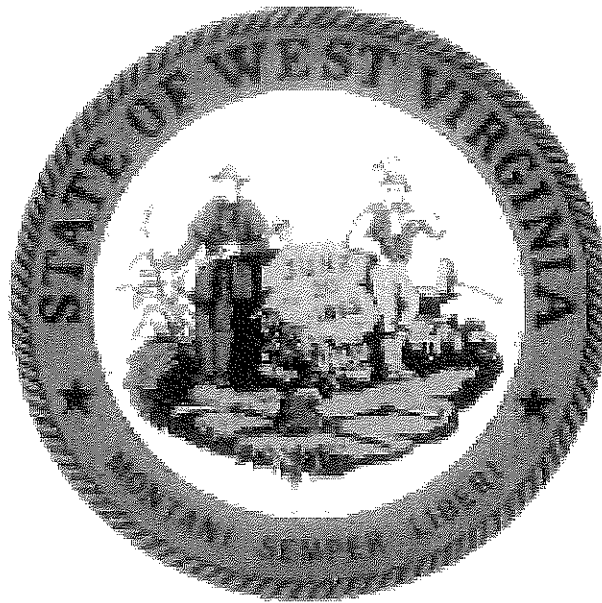
**Attachments: Copy of the 2010 EMPG Grant Proposal. Signature required in BLUE INK. I will have the original document for signature at the meeting with tags where signature of the President is required.**

# **WEST VIRGINIA**

## **EMPG PROGRAM**

**Sub-grant Application  
2010 Funds**

**Effective June 9, 2010  
Supersedes Previous Editions**



**Joe Manchin III  
Governor**

**Joseph C. Thornton, Cabinet Secretary  
West Virginia Department of Military Affairs and Public Safety**

**Jimmy Gianato, Director,  
Division of Homeland Security and Emergency Management (DHSEM)**

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**REQUEST FOR PROPOSALS**  
**2010 FUNDS**

The West Virginia Division of Homeland Security and Emergency Management is announcing the availability of 2010 Emergency Management Performance Grant (EMPG) funds. Program funds are available to units of state or local governments to be utilized in a manner which is consistent with and supportive of the overall implementation of the State's Homeland Security Strategy.

- Local jurisdictions (counties and the City of Charleston) are eligible and invited to apply for EMPG funds in amounts to be determined for the purpose of establishing, continuing and improving local emergency management functions.

The EMPG is administered by DHSEM with funding provided by the U.S. Department of Homeland Security, Office of State and Local Government Coordination and Preparedness, Office for Domestic Preparedness.

DHSEM must receive applications for this program **no later than 4:00pm on July 30, 2010**. Applications received after this date, or incomplete applications will not be considered for funding. Faxed applications will not be accepted. Enclosed is a EMPG Application and General Information and Requirements Guide, which identifies the program purpose areas and provides program and application guidelines.

Should you have any questions or need further assistance regarding this matter, please contact Tommy Dingess, Director of Administration, with the West Virginia Division of Homeland Security and Emergency Management at (304) 558-5380, or via email at: [tommy.l.dingess@wv.gov](mailto:tommy.l.dingess@wv.gov).

**Program Guidelines**

To assist with completing the application, the complete 2010 program guidelines can be obtained on the internet at the following link: [http://www.fema.gov/pdf/government/grant/2010/fy10\\_empg\\_kit.pdf](http://www.fema.gov/pdf/government/grant/2010/fy10_empg_kit.pdf).

**WEST VIRGINIA**  
Division of Homeland Security and  
Emergency Management (DHSEM)

2010 EMPG  
PROGRAM

**GRANT APPLICATION**  
**INSTRUCTIONS**

**COMPLETED APPLICATION MUST INCLUDE:**

- Applicant:** Name, address, phone and fax number of the agency applying for funds.
- Project Director:** Name, address, phone, fax and email of the individual charged with the implementation and day-to-day operations of the project. **This person cannot also be listed as the Authorized Official or the Fiscal Officer. This person is normally the local director of emergency services.**
- Fiscal Officer:** Name, address, phone, fax and email of the person responsible for the fiscal records/reports of the project. **This person cannot also be listed as the Authorized Official or the Project Director. This person is normally the local clerk or treasurer.**
- Authorized Official:** The President of the County Commission or the Mayor/City Manager, as appropriate. **This person cannot also be listed as the Project Director or Fiscal Officer.**
- Funds Requested:** Funds requested (DHSEM) by the applicant agency.
- Project Matching/  
Funds:** EMPG is a 50% matching grant. Local jurisdictions must commit the 50% match to be eligible.
- Project Period:** Projects cannot extend beyond **December 31, 2010**. (DHSEM may allow exceptions)
- Certification:** Entered by Authorized Official: Typed or printed name, title and original signature of the County Commission President or Mayor/City Manager. This is the individual who would be authorized to enter into a contractual agreement with the DHSEM.

If you should have any questions or need further assistance in the preparation of this application, please contact DHSEM at (304) 558-5380

The Authorized Official must sign where indicated on **page 1** of the grant application before submission.

**Program Guidelines**

To assist with completing the application, the complete 2010 program guidelines can be obtained on the internet at the following link: [http://www.fema.gov/pdf/government/grant/2010/fy10\\_empg\\_kit.pdf](http://www.fema.gov/pdf/government/grant/2010/fy10_empg_kit.pdf).

**RETURN COMPLETED ORIGINAL APPLICATION WITH ORIGINAL SIGNATURES IN BLUE INK TO:**

Division of Homeland Security and Emergency Management  
2010 EMPG Grant Application  
1900 Kanawha Blvd., East  
Building 1, Room EB-80  
Charleston, WV 25305

**WEST VIRGINIA**  
Division of Homeland Security and  
Emergency Management (DHSEM)

2010 EMPG  
PROGRAM

GRANT APPLICATION  
SUBMISSION CHECKLIST

Prior to submitting the application, indicate that the following tasks have been completed by checking the boxes below:

- The application has been completely filled out.
- Format of the project description (page 7) must follow the same outline shown on page 6 of the application and is as detailed as possible.
- Math has been double-checked, is accurate and rounded to the nearest whole dollar amount.
- Authorized Official has signed page 1 of the grant application. That page, with the ORIGINAL SIGNATURE IN BLUE INK, must be returned with the COMPLETE application, UNSTAPLED/UNBOUND, to this office. ORIGINAL ONLY – NO COPIES
- Applicant has been listed as the State Agency, County Commission, Municipality or Not-For-Profit Agency.
- Completed and signed in blue ink USDOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements.
- Completed and signed in blue ink Standard Form LLL.
- A copy of the jurisdiction's most recent Single Audit Report is attached to the application.

*Note: DHSEM reserves the right not to consider an application for funding if it is not complete.*

**WEST VIRGINIA**  
**Division of Homeland Security and Emergency**  
**Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**GRANT APPLICATION**

**PAGE 1**

1. Applicant: Jefferson County Commission  
  
Address: P.O. Box 250  
Charles Town, WV 25414  
  
Phone/Fax: 304-728-3284

5. Funds Requested: \$ 90,080  
  
Project Matching Funds  
(50%): \$ 90,080

2. Project Director: Barbara J. Miller  
  
Address: 28 Industrial Blvd., Suite 101  
Kearneysville, WV 25430  
  
Phone/Fax: 304-728-3290/304-728-3320  
  
Email: bmiller@jeffersoncountywv.org

6. Type of Agency:  
  
 County     Municipality

3. Fiscal Officer: Jennifer Maghan  
  
Address: P.O. Box 208  
Charles Town, WV 25414  
  
Phone/Fax: 304-728-3347  
  
Email: jmaghan@jeffersoncountywv.org

7. Project Period:  
  
Beginning Date: January 1, 2010  
  
Ending Date: December 31, 2010

4. Geographic Area Served: Jefferson County  
  
  
  
Pop. (2000 Census): 51,000

8. Type of Application:  
  
 Initial     Continuation     Revision

9. Project Title and *Brief* Description:  
  
The 2010 EMPG program will enhance the emergency management comprehensive program in Jefferson County, WV

10. Certification:  
  
To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by any governing body, and the applicant will comply with all of the attached Special Conditions and Assurances if the sub-grant is awarded.

Authorized Official: Lyn Widmyer Title: President  
TYPED OR PRINTED NAME OF AGENCY HEAD

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**BUDGET INSTRUCTIONS**

**PAGE 2**

Allowable costs are divided into the categories of (1) Planning; (2) Organization; (3) Equipment; (4) Training; (5) Exercises; and, (6) Management and Administrative.

**NOTE: CONSULT THE GENERAL INFORMATION AND REQUIREMENTS GUIDE REGARDING DETAILS OF ALLOWABLE COSTS WITHIN EACH CATEGORY LISTED BELOW.**

**Planning – Page 3-1 of Application**

EMPG funds may be used for a range of emergency management planning activities, including (1) developing and implementing emergency management support programs; (2) developing and enhancing emergency management plans and protocols; (3) developing or conducting homeland security assessments; and, (4) complying with DHS national initiatives (ie, NIMS). **See Page 3-1 of the Budget and Page 6, Project Description Instructions, for details of specific requirements for the 2010 program.**

**Organizational – Page 3-2 of Application**

EMPG funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management. Proposed staffing activities should still be linked to achieving goals outlined in the EMPG work plan. In accordance with W. Va. Code Chapter 15-5-15, all emergency services staff must have undergone criminal background checks.

**Equipment – Page 3-3 of Application**

EMPG funds may be used for equipment acquisitions. Approved equipment is on the Authorized Equipment Listing (AEL) which is located on the internet at: <http://www.rkb.mipt.org/>. NOTE: You must register to utilize the web-site. Only equipment noted as EMPG eligible on the AEL will be considered for funding. (Be sure to check the EMPG column of the AEL for eligibility.) With respect to communications initiatives and equipment, the sub-grantee agrees to the following:

In an effort to improve emergency preparedness and response interoperability, all new or upgraded radio systems and new radio equipment should be compatible with a suite of standards called ANSI/TIA/EIAA-102 Phase I (Project 25). These standards have been developed to allow for backward compatibility with existing digital and analog systems and provide for interoperability in future systems. The FCC has chosen the Project 25 suite of standards for voice and low-moderate speed data interoperability in the new nationwide 700 MHz frequency band. The Integrated Wireless Network (IWN) of the U.S. Justice and Treasury Departments has also chosen the Project 25 suite of standards for their new radio equipment. **In an effort to realize improved interoperability, all radios purchased under this grant should be APCO 25 compliant.** In addition, any State level guidelines and initiatives that were developed by the WV Interoperable Radio Executive Committee and its successor the WV Interoperable Radio Working Group regarding communications will be followed by the sub-grantee.

**Training – Page 3-4 of Application**

EMPG funds may be used to enhance the capabilities of state and local emergency preparedness and response personnel through development of state and local homeland security training programs which are consistent with and supportive of the overall implementation of the State Homeland Security Strategy Goals and Objectives.

- Conducting all-hazards emergency management training, including FY 2010 NIMS training requirements.
- Attending Emergency Management Institute (EMI) training or delivering EMI train-the-trainer courses as allowed previously under EMPG and not limited to terrorism-related courses.
- Other EMPG-related training activities.

**Budget Instructions**

**Page 2 (Continued)**

**Exercises – Page 3-5 of Application**

EMPG funds may be used to design, develop, conduct, and evaluate emergency management related exercises. Exercises must be consistent with the principles outlined in the Homeland Security Exercise and Evaluation Program (HSEEP), as well as applicable existing emergency management standards. Activities include the following:

- Conducting all-hazards exercises, based on the likely hazards/scenarios a jurisdiction may encounter.
- Conducting emergency management exercises, while incorporating FY 2010NIMS exercise requirements.
- Other EMPG-related exercise activities.

**Management and Administration – Page 3-6 of Application**

EMPG sub-grantees may utilize up to 3% of their "total" award from the State of West Virginia for Management and Administrative (M&A) purposes. **97% of the total EMPG award for allowable planning, equipment, training and/or exercise costs + 3% of the total EMPG award for allowable M&A = 100% TOTAL PROJECT COST.**

**Match – Pages 3-6 and 4 of Application**

The EMPG Grant is a 50% Federal/50% Local 'hard' match (ie, direct cash funding). Federal funds obtained through EMPG **CANNOT** be matched with other Federal funds.

**FUNDING STRATEGY – (Page 4 of Application)**

**Funding Source (bottom of Page 4, first column):**

Separately list each source of funds that will be used in the program (i.e., county commission, municipality, etc.). These are shown on the application.

**Amount (bottom of Page 4, second column):**

Enter the amount received or anticipated for each source.

**Status (bottom of Page 4, last column):**

Indicate the status of each funding source as follows:

- A** = Application submitted and under review – typically, this refers to your request for federal budget.
- C** = Funds committed – typically, this category is appropriate for local match.
- R** = Funds received, appropriated or on hand – use this code if local matching funds have been included in local budget resolutions, etc..

**Federal Employer Identification Number (F.E.I.N.).**

F.E.I.N. of the agency. This number must be entered into the appropriate space. The number should be obtainable from the state or local agency's administrative office.

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**ITEMIZATION OF FUNDS BY CATEGORY**

**PAGE 3-1**  
**(PLANNING ONLY)**

Budget Category	Matching Funds	Federal EMPG Funds	Approved (DHSEM Use Only)
<p><b>Planning:</b></p> <p>Briefly describe how your jurisdiction will meet the following mandatory planning requirements.</p> <ul style="list-style-type: none"> <li>a. Resource Management – include the following in revision to the County Resource Management Annex – Prime Power Survey for facilities identified as Critical Infrastructure – Points of Distribution – full identification of Points of Distribution within the county, to include location, traffic plans, staffing plans, and any equipment required to establish the Points of Distribution.</li> <li>b. Continuity of Operations (COOP) – development/revision of the Continuity of Operations (COOP) Plan for the local emergency management agency. For FFY2010, this includes the following as minimum standards: List of Essential Functions; Orders of Succession for Essential Personnel; Delegations of Authority; Identification of a Continuity Facility; Employee Notification Procedures for COOP Activation; Identification of Vital Records; and, Training Plan/Schedule for COOP Operations. Further, this includes also the following items: a roster signed by all employees acknowledging receipt and understanding of the COOP Plan; an evacuation plan for the current EOC; travelling direction to the alternate site; a means of notifying employees and the public of the move to the alternate site (including any phone number changes); and, documentation of an exercise of the COOP Plan.</li> <li>c. Participation in the FFY2010 West Virginia Gap Analysis Process. This applies to all local jurisdictions for FFY2010 and there will be continued work to finalize the FFY2008 and FFY 2009 projects.</li> <li>d. Local jurisdiction evacuation plan development/revision, based on the 2010 or 2008 Gap Analysis Program scenario. If a jurisdiction is not involved in either the FFY2008 or FFY2010 Gap Analysis Programs, this fourth requirement is open for a locally-selected development/revision.</li> </ul>	5,000	5,000	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 3-6	↓	↓	↓

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*

**WEST VIRGINIA**

Division of Homeland Security and  
Emergency Management (DHSEM)

2010 EMPG  
PROGRAM

ITEMIZATION OF FUNDS BY CATEGORY

PAGE 3-2  
(ORGANIZATIONAL ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (DHSEM Use Only)
<u>Organizational:</u>			
<u>Salary and Benefits of JCHSEM Director</u>	<u>37,535</u>	<u>37,535</u>	
<u>Salary and Benefits of JCHSEM Deputy Director/Planner/Program Manager</u>	<u>25,307</u>	<u>25,306</u>	
<u>Salary and Benefits of JCHSEM Administrative Assistant/Public Information Officer/Volunteer Coordinator</u>	<u>22,239</u>	<u>22,239</u>	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 3-6	85,080 ↓	85,080 ↓	↓

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**ITEMIZATION OF FUNDS BY CATEGORY**

**PAGE 3-3**  
**(EQUIPMENT ONLY)**

Budget Category	Matching Funds	Federal EMPG Funds	Approved (DHSEM Use Only)
<p><b>Equipment:</b>                      (Please see Authorized Equipment List (AEL) at <a href="http://www.rkb.mipt.org/">http://www.rkb.mipt.org/</a> . With respect to communications initiatives and equipment, the sub-grantee agrees to the following:   <i>In an effort to improve emergency preparedness and response interoperability, all new or upgraded radio systems and new radio equipment should be compatible with a suite of standards called ANSI/TIA/EIAA-102 Phase I (Project 25). These standards have been developed to allow for backward compatibility with existing digital and analog systems and provide for interoperability in future systems. The FCC has chosen the Project 25 suite of standards for voice and low-moderate speed data interoperability in the new nationwide 700 MHZ frequency band. The Integrated Wireless Network (IWN) of the U.S. Justice and Treasury Departments has also chosen the Project 25 suite of standards for their new radio equipment. <b>In an effort to realize improved interoperability, all radios purchased under this grant should be APCO 25 compliant.</b> In addition, any State level guidelines and initiatives that are developed by the WV Interoperable Radio Executive Committee and its successor the West Virginia Interoperable Working Group regarding communications will be followed by the sub-grantee.)</i></p>	0	0	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 3-6	↓	↓	↓

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*

**WEST VIRGINIA**  
 Division of Homeland Security and  
 Emergency Management (DHSEM)

**2010 EMPG  
 PROGRAM**

**ITEMIZATION OF FUNDS BY CATEGORY**

**PAGE 3-4  
 (TRAINING ONLY)**

Budget Category	Matching Funds	Federal EMPG Funds	Approved (DHSEM Use Only)
<p><b>Training:</b></p> <hr/> <p>EMPG funds may be used to enhance the capabilities of state and local emergency preparedness and response personnel through development of state and local homeland security training programs which are consistent with and supportive of the overall implementation of the State Homeland Security Strategy Goals and Objectives.</p>	0	0	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 3-6	↓	↓	↓

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*

**WEST VIRGINIA**  
 Division of Homeland Security and  
 Emergency Management (DHSEM)

2010 EMPG  
 PROGRAM

ITEMIZATION OF FUNDS BY CATEGORY

PAGE 3-5  
 (EXERCISES ONLY)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (DHSEM Use Only)
<p><b>Exercises:</b></p> <hr/> <p>EMPG funds may be used to design, develop, conduct, and evaluate emergency management related exercises. Exercises must be consistent with the principles outlined in the Homeland Security Exercise and Evaluation Program (HSEEP), as well as applicable existing emergency management standards. Grant Sub-recipients must complete at least one exercise per year. Such exercise must be conducted at either Functional or Full Scale level of implementation.</p>	0	0	
PLEASE CARRY TOTALS TO THE BOTTOM OF PAGE 3-6	↓	↓	↓

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*

**WEST VIRGINIA**  
 Division of Homeland Security and  
 Emergency Management (DHSEM)  
 2010 EMPG  
 PROGRAM

ITEMIZATION OF FUNDS BY CATEGORY  
 PAGE 3-6  
 (MANAGEMENT AND ADMINISTRATIVE)

Budget Category	Matching Funds	Federal EMPG Funds	Approved (DHSEM Use Only)
<u>Management and Administrative:</u> (Maximum of 3% of request/award)	0	0	
<b>TOTAL MATCHING FUNDS:</b>		90,080	
<b>TOTAL FEDERAL EMPG FUNDS:</b>	90,080		
<b>TOTAL APPROVED PROJECT:</b>			

\* All funds must be rounded to the nearest whole dollar amount. Please make additional copies of this page as necessary.\*

<b>WEST VIRGINIA</b> Division of Homeland Security and Emergency Management (DHSEM)  2010 EMPG PROGRAM	<b>BUDGET SUMMARY</b>  PAGE 4
---	-------------------------------------

<b>Applicant:</b>  Jefferson County Commission	<b>Federal Employer Identification Number (FEIN):</b>  55-6000333
--	---

Category	EMPG Funds (A) *	Matching Funds (B) **	Total Funds (A + B)
Planning	5,000	5,000	
Organization	85,080	85,080	
Equipment			
Training			
Exercises			
Management and Admin (max 3%)			
<b>Total Budget</b>	<b>90,080</b>	<b>90,080</b>	<b>180,160</b>

**FUNDING STRATEGY**

Funding Source(s)	Amount	Status
EMPG Funds:	\$90,080	
Matching Funds (If Applicable):	\$90,080	
<b>Total:</b>	<b>\$180,160</b>	

\* Total of column A shall be placed in the space on page 1 – item number 5, for Funds Requested.

\*\* Total of column B shall be placed in the space on page 1 – item number 5, for Project Matching Funds.

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

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**BUDGET NARRATIVE**

**PAGE 5**

Provide here a justification and explanation of the budget items shown on pages 3 and 4 of this application. This should contain specific criteria and data used to arrive at estimates and/or costs for all items listed. In completing the project budget narrative, please identify data by the major budget category involved (i.e. Planning, Organizational, Equipment, Training, Exercises and Management and Administrative.

**Applications submitted which do not provide a sufficient narrative may be subject to exclusion. Use additional blank pages as necessary.**

**PLANNING:** (This category **MUST** include a brief statement about how the jurisdiction's planning efforts will assist the jurisdiction in becoming fully NIMS-compliant and to meet the mandatory planning requirements.)

Jefferson County is working with JH Harvey, LLC to update our resource manual, development a Flood Warning Plan, updating our Law Enforcement Annex, updating our COOP Annex, update the mass care annex and the public health and medical services annex of the County's EOP. Additionally, they will ensure that ESF#1, Transportation, elements are appropriately integrated into the county's EOP. We will also prepare 4 Prime Power Surveys during this project period, to include our EOC/911 Center and our Back-up location. We will also identify a POD and submit the required information. To date this county has not been selected for GAP Assessment and does not fall under those requirements.

**ORGANIZATIONAL:** (This category **MUST** describe the status of the local emergency services director (full- or part-time paid) and other staffing necessary to maintain a functional structure for local emergency management.) The Jefferson County Homeland Security and Emergency Management Department is staffed with three full-time personnel. This includes the Director, a Deputy Director who also serves as the planner and program manager, and a Public Information Officer that also serves as the administrative assistant and volunteer coordinator. The County's Bookkeeper submitted costs to the Director for expected expenses for JCHSEM staff and benefits. Cost reflected in the budget is per our contract with JH Harvey, LLC.

**EQUIPMENT:** (This category **MUST** include a brief statement regarding how each piece of equipment will be used to enhance the capabilities for emergency response and also include the AEL item number. This statement and AEL item number for each piece of equipment will be used to assist in determining whether the items are allowable under existing guidelines. With respect to communications initiatives and equipment, the sub-grantee agrees to the following:

In an effort to improve emergency preparedness and response interoperability, all new or upgraded radio systems and new radio equipment should be compatible with a suite of standards called ANSI/TIA/EIAA-102 Phase I (Project 25). These standards have been developed to allow for backward compatibility with existing digital and analog systems and provide for interoperability in future systems. The FCC has chosen the Project 25 suite of standards for voice and low-moderate speed data interoperability in the new nationwide 700 MHz frequency band. The Integrated Wireless Network (IWN) of the U.S. Justice and Treasury Departments has also chosen the Project 25 suite of standards for their new radio equipment. In an effort to realize improved interoperability, all radios purchased under this grant should be APCO 25 compliant. In addition, any State level guidelines and initiatives that are developed by the WV Interoperable Radio Executive Committee and its successor the West Virginia Interoperable Working Group regarding communications will be followed by the sub-grantee.) We have not requested any equipment purchases under this grant.

**TRAINING:** (This category **MUST** include a brief statement regarding how proposed training will help in terms of emergency management purposes and initiatives. This statement will be used to assist in determining whether the training(s) is allowable under existing guidelines. Also, include the official names of each training course with brief descriptions.) We have not requested any funding for training under this grant. The director's required training is met through EMI's "Executive Issues in Emergency Management," and "Emergency Management Accreditation/Assessment", National Weather Service EM Training in Leesburg (16), the TEEX EOC training, participation in the Emergency Management Council Conference (8), participation in the LEPC Conference, and by taking FEMA's online courses, IS-701, IS-702, IS-703 and IS-704.

**EXERCISES:** (This category **MUST** include a brief statement regarding how proposed exercises will help in terms of emergency management purposes and initiatives, to include NIMS implementation. Reminder: Exercise must be compliant with HSEEP, be conducted at either Functional or Full Scale level of involvement; and, be approved in advance by WVDHSEM.) We have not requested any funding for exercises under this grant. We had an actual event, DR-1903, which fulfills our requirement for an exercise. Additionally, we held a functional EOC exercise in January, 2010, a functional Volunteer Mobilization exercise in July, participated in the Regional Operation Improvise tabletop exercise in April, to be followed by a Regional functional exercise in August,

**MANAGEMENT AND ADMINISTRATIVE: 0**

**\*Use additional blank pages as necessary\***

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**PROJECT DESCRIPTION INSTRUCTIONS**

**PAGE 6**

On page 7 of this Application, please explain the project utilizing the following outline. State clearly and in concise detail the goals, objectives and intentions of the project; precisely what will be done; who will be involved; and the anticipated result. Add pages as necessary.

**PURPOSE:** The purpose of the EMPG is to enhance the local jurisdiction by assisting in the development and maintenance of an emergency management program.

**REQUIREMENTS:** Describe in some detail how your jurisdiction will implement the following requirements during the performance period of this grant. Include a prioritized list of all substantial and concrete goals in each performance area of this project that the jurisdiction will attempt to achieve and the reasons why each of these goals can be met. These goals may be both short and long range. Carefully communicate and relate the goal(s) back to the goals on the WV State Homeland Security Strategy Goals and Objectives. In other words, which Statewide Strategy goals are being addressed during this performance period. In order to continue to receive funds under this grant, all jurisdictions must meet the following criteria:

1. **Planning (minimum grant requirements must be met)** – You **must** develop/update/revise a minimum of four (4) different annexes to your County EOP during the year with at least one (1) being submitted and approved for each quarter reimbursement is being sought. The mandatory plan component developments/revisions for this year are:
  - a. Resource Management – include the following in revision to the County Resource Management Annex – Prime Power Survey for facilities identified as Critical Infrastructure (at least one (1) being submitted and approved for each quarter reimbursement is being sought) – Points of Distribution – full identification of Points of Distribution within the county, to include location, traffic plans, staffing plans, and any equipment required to establish the Points of Distribution.
  - b. Continuity of Government (COG)/Continuity of Operations (COOP) – development/revision of plans for the continuity of local representative government and its functions and development/revision of the Continuity of Operations (COOP) Plan for the local emergency management agency. This year's requirement lines up with the State Homeland Security Grant Program requirements for FFY2008 and are as follows:
    - List of Essential Functions
    - List of Essential Personnel
    - Orders of Succession for Essential Personnel
    - Lists Delegations of Authority
    - Identification of a Continuity Facility
    - Employee Notification Procedures for COOP Activation
    - Procedures for COOP Activation
    - Identification of Vital Records
    - Training Plan/Schedule for COOP Operations
  - c. Participation in the DHS/FEMA Gap Analysis Process. This applies to selected local jurisdictions for FFY2010 and there will be continued work to finalize the FFY2008 project. However, this will most likely expand to other jurisdictions in future years.
  - d. Local jurisdiction evacuation plan development/revision, based on the 2010 or 2008 Gap Analysis Program scenario. If a jurisdiction is not involved in either the FFY2008 or FFY2010 Gap Analysis Programs, this fourth requirement is open for a locally-selected development/revision.

**Project Description Instructions**

## Page 6 (Continued)

Revisions can be submitted in paper copy, or by electronic means (ie., floppy diskette or email to: [Bill.D.Kershner@wv.gov](mailto:Bill.D.Kershner@wv.gov) . **NOTE: Pen-and-ink corrections are no longer accepted.**

**2. Organizational** – The jurisdiction **must** employ either a full-time or part-time paid emergency services director. Substantial organizational costs relating to emergency management functions may be reimbursed under this portion of the grant. Each participating jurisdiction **must** have internet access and email support and **must** actively participate in the State's electronic emergency management system. Each participating jurisdiction **must** have a designated and equipped emergency operations center and **must** ensure that emergency management contact information is regularly updated and provided to WVDHSEM. At a minimum, weekly Situation Reports, or other designated reports, **must** be entered into E-Team and include a brief situation summary for the jurisdiction as of the report time. In addition, all emergency management incidents **must** be entered in a timely manner. Familiarity with E-Team is essential as it will be the primary means of making Requests for Assistance to the State.

**3. Equipment** – The jurisdiction **must** submit an itemized list of equipment to be purchased under this grant. All equipment purchase listings **must** include brief justification for the individual items or systems and describe how the equipment will assist the jurisdiction to meet specific goals and objectives contained in the West Virginia State Homeland Security Strategy Goals and Objectives. ALL equipment included **must** be on the AEL and purchases **must** be prior-approved by the DHSEM.

**4. Training** – All full-time or part-time directors **must** complete a total of 48 hours of emergency management training during the grant performance period. This training requirement includes 16 hours of classroom instruction at EMI or through State-approved courses, 8 hours for Directors' Meetings, and 24 hours of approved non-classroom courses. All online FEMA, NFA, or DHS courses that are emergency management related can be used to fulfill the non-classroom requirement. All other courses must be prior approved. Such approval will be based on written submission to WVDHSEM. These submissions must be presented at least 60 days prior to the start date before credit is granted. The request must include the course description, objectives, and list of instructors' names and, for conferences, the agenda and list of speakers. Copies of Completion Certificates must be included with the appropriate Quarterly Report for approved courses.

**5. Exercise** – Each participating jurisdiction **must** complete a fully developed functional or full-scale exercise designed to test some portion of the local emergency operations plan. All exercises **must** be NIMS compliant and **must** be designed, developed, conducted and evaluated in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). Further detailed information on HSEEP can be found at: <http://hseep.dhs.gov> . All exercises must have prior approval from WVDHSEM.

### **OBJECTIVE(S)**

Specific statements of desired achievement, which reflect project emphasis. Objectives should be clearly qualified, time-framed and measurable terms of planned levels of project performance to be achieved. The results of objectives must be specific, not general, and must be recognizable and understandable. **It is extremely important to realize that objectives must be achievable and feasible within the specific performance period of this grant. Carefully communicate and relate the objective(s) back to the objectives in the West Virginia State Homeland Security Strategy Goals and Objectives. In other words, which State Homeland Security Strategy objectives are being addressed.**

### **IMPLEMENTATION (Key Activities/Milestones)**

Describe the major activities necessary to implement the project including an operational schedule for the project. This should incorporate specific activities, services, and procedures to be followed, and how achievement will be documented. For extremely comprehensive projects, a milestone chart is recommended which provides a clear time-line estimating the time necessary for each phase of this project. This is a very important tool used to organize data into categories for follow-up purposes measuring the "What", "Where", "Who", "When" and "How" for each objective. The information placed in this chart can be used as a management tool to monitor progress.

### **PROJECT ASSESSMENT / EVALUATION**

Specify the indicators and measures to be used to assess the results of this project.

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**PROJECT DESCRIPTION**

**PAGE 7**

**PURPOSE:** The purpose of the EMPG is to enhance the local jurisdiction by assisting in the development and maintenance of an emergency management program.

**REQUIREMENTS:**

**Planning:**

Jefferson County Homeland Security and Emergency Management is working with JH Harvey, LLC to update our resource manual and enter resources into ETEAM.

The four annexes of our EOP that are being reviewed and updated this year are:

Law Enforcement Annex

COOP Annex

Mass Care Annex

Public Health and Medical Services Annex.

Additionally, they will ensure that ESF#1, Transportation, elements are appropriately integrated into the county's EOP.

We are working with J.H. Harvey to develop a Flood Warning Plan as our special project for planning since we were not selected for the GAP Assessment and do not fall under those requirements.

**Resource Management:**

We will prepare 4 Prime Power Surveys during this project period, to include our EOC/911 Center and our Back-up location.

We will also identify a POD and submit the required information.

**Organizational:**

The Jefferson County Homeland Security and Emergency Management Department is staffed with three full-time personnel. This includes the Director, a Deputy Director who also serves as the planner and program manager, and a Public Information Officer that also serves as the administrative assistant and volunteer coordinator. The budgeted amounts were arrived at as follows: The County's Bookkeeper submitted costs to the Director for expected expenses for JCHSEM staff and benefits. All personnel are trained to utilize ETEAM and can submit reports. Additionally, when the EOC is activated for either real events or exercises, we have additional volunteers that have also been trained in ETEAM.

We have not requested any funding for training under this grant. The director's required training is met through EMI's "Executive Issues in Emergency Management," and "Emergency Management Accreditation/Assessment", National Weather Service EM Training in Leesburg (16), the TEEX EOC training, participation in the Emergency Management Council Conference (8), and participation in the LEPC Conference, and by taking FEMA's online courses, IS-702 and IS-704.

We have not requested any funding for exercises under this grant. We had an actual event, DR-1903, which fulfills our requirement for an exercise. Additionally, we held a functional EOC exercise in January, 2010, a functional Volunteer Mobilization exercise in July, participated in the Regional Operation Improvise tabletop exercise in April, to be followed by a Regional functional exercise in August,

**Equipment:**

We have not requested any funding for training under this grant.

**Training:**

We have not requested any funding for training under this grant. The director's required training is met through EMI's "Executive Issues in Emergency Management," and "Emergency Management Accreditation/Assessment", National Weather Service EM Training in Leesburg (16), the TEEX EOC training, participation in the Emergency Management Council Conference (8), participation in the LEPC Conference, and by taking FEMA's online courses, IS-701, IS-702, IS-703 and IS-704.

**Exercise:**

We have not requested any funding for exercises under this grant. We had an actual event, DR-1903, the February snowstorm, which fulfills our requirement for an exercise. An After Action Report in HSEEP format will be submitted. Additionally, we held a functional EOC exercise in January, 2010, a functional Volunteer Mobilization exercise in July, participated in the Regional Operation Improvise tabletop exercise in April, to be followed by a Regional functional exercise in August.

**Objectives:**

Jefferson County has a comprehensive emergency management program that is a jurisdiction-wide system that provides for management and coordination of preparedness, response, recovery and mitigation activities for all hazards. The system encompasses all organizations, agencies, departments, entities and individuals responsible for emergency management and homeland security functions, including the County and all municipalities. The objectives of this grant are to enhance and sustain this program.

**Implementation:**

Implementation of these objectives have already started and are on-going. During the first half of 2010, the focus is on planning, completing the required exercise and the majority of the training requirements. The last half of the year's focus will be in completing the POD information and the Prime Power Surveys. Additionally, I am attaching a copy of our department's yearly goals and objectives that is required by my County Commission for additional information on our departmental activities.

**Evaluation:**

Periodically throughout the year, the director will monitor the progress of the goals and objectives. In addition to our work plan, we have an internal project board that keeps staff and volunteers on track to fulfilling all requirements, goals and objectives.

***\* Use additional blank pages as necessary. \****

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 8**

This program is conditioned upon and subject to compliance with the following Special Conditions and Assurances. By attaching a signature to page one (1), item ten (10), of this grant application, the applicant certifies and assures that it will comply with the following Special Conditions and Assurances, Regulations, Policies, Guidelines and Requirements of the WVDHSEM, as further clarified in the Administrative Manual for this program; U.S. Department of Homeland Security; and all other relevant Federal/State Regulations, Policies and Guidelines. These Special Conditions and Assurances apply to all EMPG federal and matching funds expended for purposes associated with this project.

All correspondence to the WVDHSEM, which is required and/or occurs as a result or action of any of the following Special Conditions and Assurances, or as a result of the administration of any WVDHSEM grant program, should be addressed to:

WV Division of Homeland Security and Emergency Management  
ATTN: EMPG  
1900 Kanawha Blvd., East Capitol Complex  
Building 1, Room EB-80  
Charleston, WV 25305

**1. LAWS OF WEST VIRGINIA:**

This application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by the WVDHSEM.

**2. LEGAL AUTHORITY:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**3. RELATIONSHIP:**

The relationship of the sub-grantee to the WVDHSEM shall be that of an independent contractor, not that of a joint enterprise. The sub-grantee shall have no authority to bind the WVDHSEM for any obligation or expense without the express prior written approval from the WVDHSEM.

**4. OPERATIONAL WITHIN 90 DAYS:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a statement to WVDHSEM explaining the delay in implementation. Upon receipt of the 90-day letter, WVDHSEM may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

**5. WRITTEN APPROVAL OF CHANGES:**

The sub-grantee must obtain prior written approval from WVDHSEM for all project changes (programmatic, fiscal or otherwise).

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 9**

**6. CIVIL RIGHTS COMPLIANCE:**

Sub-Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, grantees will take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Sub-Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities.

**7. PRESS RELEASE:**

Release of information pertaining to this sub-grant must include the following information:

1. grant amount;
2. State involvement (WV Division of Homeland Security and Emergency Management, WVDHSEM); and,
3. Federal involvement (U.S. Dept. of Homeland Security).

**8. Compliance With Office of Mgt. and Budget Circulars:**

Sub-Grantee will comply with all applicable Federal OMB Circulars including: A-21, A-87, A-102, A-110, A-122, A-133

**9. ACCESS TO RECORDS and EQUIPMENT:**

WVDHSEM, through any authorized representative, shall have access to and the right to examine all records, books, papers, documents, and equipment related to the sub-grant and to relevant books and records of contractors.

**10. CONFLICT OF INTEREST:**

No public official or employee of the sub-grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can be expected to result in any benefit to that individual or that individual's immediate family.

**11. POLITICAL ACTIVITY:**

The restrictions of the Hatch Act, Pub. L. 93-433, 5 U.S.C. Chapter III, (as amended), concerning the political activity of government employees are applicable to state grantee staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns, except they may not be candidates for office.

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 10**

**12. RELEASE OF INFORMATION:**

All records, papers and other documents kept by recipients of grant funds are required to be made available to the WVDHSEM. These records and other documents submitted to the WVDHSEM and its grantees, including plans and application for funds, reports, etc., are subsequently required to be made available to the U.S. Department of Homeland Security under the terms and conditions of the Federal Freedom of Information Act, 5. U.S.C. §552.

The WVDHSEM recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under federal control is subject to requests made pursuant to the Freedom of Information Act, 5. U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the Federal Division of Homeland Security FOIA Office, and may likely fall within one or more of the available exemptions under the Act.

Sub-Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult the WVDHSEM regarding concerns or questions about the release of potentially sensitive information under state and local laws.

**13. NATIONAL AND STATE EVALUATION EFFORTS:**

The Sub-grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

**14. OBLIGATION OF PROJECT FUNDS:**

Funds may not, without prior written approval from the WVDHSEM, be obligated prior to the effective start date or subsequent to the termination date of the project period.

**15. USE OF FUNDS:**

Funds awarded through the WVDHSEM may be expended **ONLY** for the purposes and activities specifically covered by the sub-grantee's approved project description and budget.

**16. COMPLIANCE WITH FEDERAL PROCEDURES:**

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including but not limited to: [www.whitehouse.gov/OMB/grants/index.html](http://www.whitehouse.gov/OMB/grants/index.html)

- Part 11, Applicability of Office of Management and Budget Circulars;
- Part 18, Administrative Review Procedures;
- Part 20, Criminal Justice Information Systems;
- Part 22, Confidentiality of Identifiable Research and Statistical Information;
- Part 23, Criminal Intelligence Systems Operating Policies;
- Part 30, Intergovernmental Review of Department of Justice Programs and Activities; and,
- Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures
- Parts 66, 67, 69, 83

**17. ALLOWABLE AND UNALLOWABLE COSTS:**

Allowable and unallowable costs incurred under this grant shall be determined in accordance with the general principles and standards for selected cost items set forth in the pertinent Program Guidance or the Office of Grant Operations Financial Guide and OMB Circular A-87.

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 11**

**18. NON-SUPPLANTING:**

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) non-Federal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from Federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The sub-grantee hereby certifies that Federal funds made available under this grant will not be used to supplant state and local funds. Approved full-time positions must hire an additional individual to "backfill" the position.

**19. MATCHING CONTRIBUTION:**

If matching funds are allocated, the applicant assures that those funds shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Cash matching contributions are subject to the same expenditure guidelines established by the WVDHSEM and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all cash matching contributions. There is no waiver provision for any cash match requirements.

**20. PROJECT INCOME:**

All income earned by the sub-grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by the WVDHSEM and the U.S. Department of Homeland Security for this grant program. All sub-grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

**21. CONSULTANT FEES:**

Approval of this sub-grant does not necessarily indicate an approval of specific consultant rates. Please discuss rates with the WVDHSEM.

**22. SUSPENSION OF FUNDING:**

WVDHSEM may suspend, in whole or in part, terminate, or impose other sanctions on any sub-grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document; or,
- Other just cause.

**23. SANCTIONS FOR NONCOMPLIANCE:**

In the event of the sub-grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, the WVDHSEM shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the sub-grantee until the sub-grantee complies;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the sub-grantee until satisfactory assurance of future compliance has been received.

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 12**

**24. SUBMISSION/RELEASE OF PROPOSED PUBLICATIONS:**

The sub-grantee shall submit one copy of all reports and proposed publications resulting from this agreement to the WVDHSEM twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the United States Department of Homeland Security, and the WV State Homeland Security State Administrative Agency. Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security, nor the WV State Homeland Security State Administrative Agency."

**25. PROPERTY ACCOUNTABILITY:**

The sub-grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a sub-grant by the WVDHSEM. This obligation continues as long as the property is retained by the sub-grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from the WVDHSEM. Sub-Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program, with copies provided to the WVDHSEM. The WVDHSEM reserves the right to inspect and review any equipment purchased with this sub-grant.

**26. REPORTS:**

Each subgrantee shall submit such reports as the WVDHSEM shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

**Programmatic Reporting:** Sub-Grantees must complete and remit for PLANNING to WVDHSEM a minimum of four (4) different annexes to your County EOP during the year with at least one (1) being submitted each fiscal quarter. See PAGE 6. Sub-Grantees must complete and remit for TRAINING to WVDHSEM 48 hours of training as identified PAGE 6 CONTINUED. Sub-Grantees must complete and remit for Exercise to WVDHSEM, EXERCISE OBJECTIVES AS OUTLINED ON PAGE 6 CONTINUED.

**Financial Reporting:** Sub-Grantees MUST submit to WVDHSEM complete requests for reimbursements with all backup documentation. Sub-Grantees must include signed AEL equipment list, financial recap sheets, form 85-20, and all relevant documentation for your requests. Instructions will be provided separately.

**27. PURCHASING:**

When making purchases relevant to the sub-grant, the sub-grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government.

**28. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:**

Sub-Grantee acknowledges that the WVDHSEM, and subsequently the U.S. Department of Homeland Security, reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support. Sub-Grantee agrees to consult with the WVDHSEM regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 13**

**29. Environmental & Historic preservation (EHP)**

Subgrantee shall comply with all applicable Federal, State, and local EHP requirements and shall provide any information requested to ensure compliance with applicable laws.

**30. INFORMATION SYSTEMS & COMMUNICATIONS EQUIPMENT**

With respect to programs related to criminal justice information systems, the sub-grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software produced under this grant) will be made available to the WVDHSEM for transfer to authorized users in the criminal justice/homeland security community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- b. To provide a complete copy of the computer programs and documentation, upon requests, to the WVDHSEM. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- c. That whenever possible all application programs will be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.
- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

With respect to communications initiatives and equipment, the sub-grantee agrees to the following:

Communications equipment is required to be compatible with the SAFECOM P25 trunked radio hierarchy and the WV interoperable Radio Project. Per Executive Order 13-07 all communications equipment requests must be reviewed and approved by the State Interoperability Coordinator.

**31. TIME EXTENSIONS:**

In general, time extensions for this program are unallowable. Unexpended sub-grant funds remaining at the close of the sub-grant period shall be deobligated.

**32. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:**

Sub-Grantee understands and agrees that it cannot use any sub-grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

**33. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:**

- I.) Federal Office of Management and Budget (OMB) Circular A-133 sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. This grant shall adhere to the audit requirements set forth in OMB Circular A-133 at the time of award.

As of 10/1/04, the requirements set forth by OMB Circular A-133 are as follows: Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office.

- II.) OMB Circular A-110 sets forth standards for obtaining consistency and uniformity for the audit of institutions of higher education, hospitals, and other non-profit organizations expending Federal awards. This grant shall adhere to the audit requirements set forth in OMB Circular A-110.

As if 10/1/04, the requirements set forth by OMB Circular A-110 are as follows: Recipients and sub recipients that are institutions of higher education or other non-profit organizations (including hospitals) shall be subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 USC 7501-7507) and revised OMB Circular A-133.

- III.) If an audit must be conducted pursuant to OMB Circular A-133 and A-110, a copy of the audit shall be submitted to the WVDHSEM as well as to the Federal clearinghouse.

As of 10/1/04, the Federal clearing house is as follows:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 E. 10<sup>th</sup> Street  
Jeffersonville, IN 47132

**34. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:**

- I.) Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, sets forth the audit requirements of corporations, associations or other organizations which receive state funds or grants. These audit requirements do not apply to units of local and state government. If applicable, this grant shall adhere to the audit requirements set forth in §12-4-14 at the time of award. All funds disbursed by SAA are appropriated by the WV Legislature; therefore all funds disbursed by the WVDSHEM are considered state funds. The WVDSHEM will notify the Legislative Auditor when a sub-grant is awarded which falls under the requirements of the WV Code.

As of 9/13/05, the requirements set forth by §12-4-14 are as follows: Any corporation, partnership, association, individual or other legal entity (not to include a state spending unit or a local government as defined in § 6-9-1a of the West Virginia Code, as amended) which receives one or more state grants or sub grants in the amount of \$50,000 or more in the aggregate in a state fiscal year shall file with the WVDHSEM a Report of the disbursement of these state funds. An OMB A-133 Audit or an audit conducted by a certified public accountant may be substituted for the Report. The Report shall be filed within two years of the end of the fiscal year in which the grant or subgrant closes. The Report shall be made by an independent certified public accountant and the scope of the Report is limited to showing how the state grant or subgrant funds were spent. The Report does not have to be a full-scope audit or review of the entity receiving state funds. Any entity failing to file a required Report is barred from subsequently receiving state grant or subgrant funds until the Report is filed and is otherwise in compliance with the provisions of West Virginia Code. If a Report is not required under this section of the WV Code then the grantee or sub-grantee shall file with SAA a sworn statement of expenditures made under the grant or sub-grant.

The Sub-Grantee assures that it has read, understands and is in full compliance with all requirements as set forth in Chapter 12, Article 4, Section 14 of the West Virginia Code, as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with this section of the West Virginia Code, as amended.

**WEST VIRGINIA**  
**Division of Homeland Security and**  
**Emergency Management (DHSEM)**

**2010 EMPG**  
**PROGRAM**

**SPECIAL CONDITIONS AND ASSURANCES**

**PAGE 15**

**35. EQUAL EMPLOYMENT OPPORTUNITY PLAN:**

Each sub-grantee certifies that it has executed and has on file, an Equal Employment Opportunity Plan which conforms to the provisions of 28 CFR Section 42.301, et. seq., Subpart E, or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required.

**36. VETERANS PREFERENCE:**

This program includes a provision that grantees utilizing funds to hire additional personnel give suitable preference in employment to military veterans. WVDHSEM defines "suitable preference" as the requirement that a sub-grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

**37. IMMIGRATION AND NATURALIZATION VERIFICATION:**

The sub-grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of Federal funds to verify that employees are eligible to work in the United States.

**38. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:**

It is the sense of the Congress, as conveyed through the FY 1997 Appropriations Act that, as well as the desire of WVDHSEM, to the greatest extent practicable, all equipment and products purchased with Federal funds made available under this grant should be American-made.

**39. PERSONNEL TRAINING:**

For projects involving payment of personnel or overtime pay, the WVDHSEM reserves the right to require training as a condition of the sub-grant before or at any time during the project period. Proof of training/certification on grant funded equipment must be provided, if applicable.

**40. ACCOUNTING REQUIREMENTS:**

Sub-Grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the sub-grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, as defined in the pertinent Administrative Manual, must be retained and be available for audit purposes.

**41. OFFICE OF GRANT OPERATIONS FINANCIAL GUIDE:**

Sub-Grantee agrees to comply with all requirements as set forth in the current edition of the OGO Financial Guide.

**42. EQUIPMENT:**

Sub-Grantees purchasing equipment with grant funds are required to adhere to the established bidding procedures for their respective units of government and or agencies. All equipment must have a primary function of being used in support the EMPG program.

**43. MARKING OF EQUIPMENT AND PUBLICATIONS:**

Sub-Grantee will ensure that, when practicable, any equipment purchased and publications produced with grant funding shall be prominently marked as follows: "Supported with funds provided by the U.S. Department of Homeland Security and the WVDHSEM."



U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
OFFICE OF THE COMPTROLLER

## CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application

### 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace.

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

---

---

Check  if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check  if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE  
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date



## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLLA Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLLA Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

**Laura Kuhn**

---

**From:** "Sandy McDonald" <sandy@jeffersoncountywv.org>  
**To:** "Laura Kuhn" <laura@jeffersoncountywv.org>  
**Sent:** Thursday, July 08, 2010 10:01 AM  
**Subject:** agenda request  
**Mark Schiavone, Director of Capital Planning and Management - Request for 7/15 agenda**

I'll need to be on the agenda for next week under the heading of Revision of the Coal Severance Fund. That revision is due on Thursday 15 July at the Auditor's office and I haven't heard yet from Theresa as to when she expects to close that fund for 2010. I will get some paperwork in tomorrow afternoon or on Friday for that. We may want to add an additional topic on General Fund revision so they can discuss that issue or, if available, we can give them the unreserved fund balance.

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

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

## AGENDA REQUEST FORM

**Name:** F. Mark Schiavone

**Department or Entity:** DCPM

**Estimation of amount of time needed for appointment:** 10 min

**Date Requested – 1<sup>st</sup> Choice:** 15 July 2010

**Date Requested – 2<sup>nd</sup> Choice:** \_\_\_\_\_

**If a specific date is needed, please provide reason for specific date:** This is a statutory requirement that the Coal Severance Fund be revised no later than 15 July of each year.

**Subject:** Revision of Coal Severance Fund (Fund 002)

**Please provide the County Commission with a description of your request or presentation, including any background information:** The unreserved fund balance for Coal Severance Fund comes to \$275,295.90. This cash carryover must be re-budgeted. Traditionally the Commission has placed these excess monies in a capital outlay account within the Coal Severance Fund.

**Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):** Move to approve the resolution revising the Coal Severance Fund as revision number 1.

**Attachments:** SAO Request for Revision to Approved Budget, SAO Budget Revision Resolution, DCPM detail sheet.



Coal Severance Fund (002) Draft Budget

Account	Description	2009 Actual	2010 Budget	2010 Actual	2011 Request	REV001	
<b>Revenues</b>							
002-299-00-002	CS UNEMCUMB BAL BUDGETED	-	466,483	-		275,296	
002-305-TT-000	COAL SEVERANCE TAX	168,279	40,000	83,287	<u>150,000</u>	150,000	
002-365-II-000	CS INTEREST EARNED	11,499	-	3,529			
002-366-MM-000	MISCELLANEOUS REVENUE	-	-	-			
	<b>TOTAL REVENUE</b>		<b>506,483</b>	<b>86,816</b>	<b>150,000</b>	<b>425,296</b>	
<b>Expenditures</b>							
002-401-02-223-000-GG-000	CO COMM PROF SERVICES	-	-	-			
002-401-02-230-000-GG-000	CO COMM CONTRACTED SRVCS	-	80,000	29,000			
002-401-04-459-000-GG-000	CO COMM CAP/OUTLAY-EQUIP	-	-	-			
002-401-05-566-000-GG-000	CO COMM TRANS TO FUNDS	-	113,483	21,000			
	<b>TOTAL COUNTY COMM</b>		<b>193,483</b>	<b>50,000</b>			
002-424-02-215-000-GG-000	CT HSE MAIN/REPAIR-BLDG	-	-	-			
002-425-04-457-000-GG-000	OTHR BLDGS CAP/OUTLAY	-	-	-			
002-699-05-599-000-GG-000	CONTING ACTUARIAL RESERVE	-	-	-			
002-711-05-566-000-PS-000	EMG SVC TRANS TO FUNDS	-	-	-			
002-712-04-459-000-PS-000	COMM CTR CAP/OUTL EQUIP	-	-	-			
002-800-02-219-000-HS-000	HLTH DEPT BLDG RENTAL	29,660	30,000	19,774	<u>30,000</u>		
	<b>TOTAL HLTH DEPT</b>	<b>29,660</b>	<b>30,000</b>	<b>19,774</b>	<b>30,000</b>	-	
002-801-05-567-000-HS-000	MTL HLTH TRANS TO ENTITIE	-	8,000	-			
002-986-04-459-000-CP-000	CO COMM CAPITAL O/L	50,000	275,000	291,101	<u>120,000</u>	425,296	
	<b>TOTAL CO COMM C/O</b>	<b>50,000</b>	<b>275,000</b>	<b>291,101</b>	<b>120,000</b>	<b>425,296</b>	
002-992-04-459-000-CP-911	COMM CTR - CAPITAL OUTLAY	-	-	-			
					<b>Total Revenues</b>	150,000	425,296
					<b>Total Expenditures</b>	150,000	425,296
					<b>Rev/Exp</b>	-	-

RESOLUTION

At a regular session of the Jefferson County Commission, held 15th July, 2010, the following order was made and entered:

SUBJECT: The revision of the Coal Severance (Fund 002) Levy Estimate (Budget) for the County of Jefferson. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the county commission does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 001, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by \_\_\_\_\_, and duly seconded by \_\_\_\_\_, the vote thereon was as follows:

_____	Yes
_____	Yes
_____	Yes
_____	Yes
_____	Yes

WHEREUPON, Lyn Widmyer, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and F. Mark Schiavone is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

#9

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Bill Polk

Department or Entity: Maintenance Department

Estimation of amount of time needed for appointment: 15 Min

Date Requested – 1<sup>st</sup> Choice: July 8, 2010

Date Requested – 2<sup>nd</sup> Choice: July 15, 2010

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

Subject: **New Business**

Please provide the County Commission with a description of your request or presentation, including any background information: **Review and Comment on adopting an energy policy for the County Commission Buildings.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Adopt an energy policy for the County Buildings**

Attachments:

#10

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Patsy Noland

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: July 15, 2010

Date Requested – 2<sup>nd</sup> Choice: July 22, 2010

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

**Subject: Establish a policy to require that those person who are appointed to the Planning Commission must undergo training prior to their first meeting and shall attend one continuing education class each year while a member of the Planning Commission.**

Please provide the County Commission with a description of your request or presentation, including any background information: **As recommended by the American Planning Association, every Planning Commission Appointee shall be required to attend training to learn what the legal requirements are in regards to making decisions as Planning Commissioners. The training should include legal requirements as well as a class on ethics prior to taking office. Furthermore, the training shall be required annually and the cost for said training shall be budgeted and paid by the County. The training shall be provided by the American Planning Association. The Jefferson County Director of Planning and Zoning shall make arrangements for appointees to attend said training as recommended by the American Planning Association.**

**Recommended Motion: I move that every person appointed to the Jefferson County Planning Commission shall, prior to taking office, be required to attend training provided by the American Planning Association or training as recommended by the American Planning Association and shall participate in continuing education, which shall include a class on ethics, every year thereafter while serving as a Planning Commissioner and that the cost of the training shall be budgeted and paid by Jefferson County .**

7/11

Division of  
**CRIMINAL  
JUSTICE  
SERVICES**  
Department of Military Affairs  
& Public Safety

June 22, 2010

The Honorable Lyn Widmyer  
President  
Jefferson County Commission  
Post Office Box 250  
Charles Town, West Virginia 25414

**Re: Victims of Crime Act (VOCA)  
Approved Funding – \$59,381  
Project Number: 09-VA-046**

Dear Commissioner Widmyer:

Congratulations on your recent award for a Victims of Crime Act (VOCA) Grant Award. Enclosed you will find:

- Contract Agreement;
- Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements; and
- Resolution signed by Board Secretary or County Clerk;
- EEOC Certification
- Standard and Special conditions

To formalize your acceptance of this grant award, please sign the contract, certification and affect a resolution (if necessary) and return the **originals** to this office by July 30, 2010.

Also, enclosed you will find revised budget pages for the new grant. Please replace your original budget pages of the grant application with the enclosed revised budget pages. Do not send these revised pages back with the signed contract. These pages are for your grant records only.

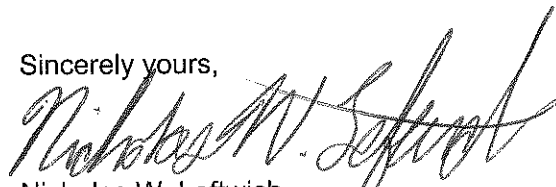
Additional information regarding the administrative procedures that govern this grant program will be sent directly to your designated Project Director in the near future. In the interim, should you have questions concerning the contract or other enclosures, please contact me at (304) 558-8814, extension 53334, or via email at Nicholas.W.Leftwich@wv.gov. I look forward to working with you on this project and feel confident that our efforts will prove tremendously beneficial to the State of West Virginia.

**RECEIVED**

JUN 28 2010

**Jefferson County Commission**

Sincerely yours,

  
Nicholas W. Leftwich  
Justice Programs Specialist

NWL/lmh

C: Mr. Ralph Lorenzetti (*all attachments*)  
Grant File (*all attachments*)

Enclosures

J. Norbert Federspiel, Director

1204 Kanawha Boulevard East  
Charleston, West Virginia 25301



Joe Manchin III, Governor

Phone: (304) 558-8814  
Fax: (304) 558-0391

<b>VOCA Grants Program</b>	<b>Budget Summary Page 3</b>
--------------------------------	----------------------------------

<b>Applicant:</b> Jefferson County Commission	<b>FEIN:55-6000333    DUNS #: 07-741-4548</b>
--	---

Category	VOCA Grant Funds (A)	Matching Funds (B)	Total Funds (A + B)
Personnel and Contractual	\$58,881	\$14,845	\$73,726
Travel and Training	\$500	\$0	\$500
Equipment	\$0	\$0	\$0
Space	\$0	\$0	\$0
Other	\$0	\$0	\$0
<b>Total Budget</b>	<b>\$59,381</b>	<b>\$14,845</b>	<b>\$74,226</b>

<b>FUNDING STRATEGY</b>
-------------------------

Funding Source(s)	Amount	Status
VOCA Grant Funds	\$59,381	(A)
Match	\$14,845	
<b>Total</b>	<b>\$74,226</b>	

\* TOTAL FOR COLUMN A SHALL BE PLACED IN THE SPACE PROVIDED ON PAGE ONE FOR GRANT FUNDS REQUESTED.

VOCA Grants Program	Itemization of Funds By Category Page 4		
Applicant: Jefferson County Commission	Local Matching Funds	Requested VOCA Grant Funds	Approved VOCA Funds (DCJS ONLY)
<u>Personnel and Contractual:</u> Full-Time Victim Advocate - Debra Young FICA @ 7.65% Retirement @ 11% MATCH - Other Benefits  Full-Time Victim Advocate - Jennifer May-Sanner FICA @ 7.65% Retirement @ 11% MATCH - Other Benefits  Volunteer Hours	\$6,923          \$6,922          \$1,000	\$25,680 \$1,965 \$2,824  \$23,946 \$1,832 \$2,634          \$500	\$25,680 \$1,965 \$2,824  \$23,946 \$1,832 \$2,634          \$500
<u>Travel and Training:</u> Direct Service mileage and Travel to be pre-approved by DCJS		\$500	\$500
<u>Equipment (\$5,000 or more "per unit"):</u>			
<u>Space (includes telephone):</u>  Office Space			
<u>Other:</u>			
Office Supplies		\$50	\$0
<b>Total Local Matching Funds</b>	<b>\$14,845</b>		<b>\$14,845</b>
<b>Total Federal Funds</b>		<b>\$59,431</b>	<b>\$59,381</b>
<b>Total Approved Project (DCJS ONLY)</b>			<b>\$74,226</b>

# **GRANT CONTRACT AGREEMENT**

**BETWEEN**

**DIVISION OF JUSTICE AND COMMUNITY SERVICES**

**AND**

**Jefferson County Commission**

**09-VA-046**

This **AGREEMENT**, entered into this May 14, 2010, by the Director of the Division of Justice and Community Services, hereinafter referred to as "DJCS", and the Jefferson County Commission, hereinafter referred to as "Grantee."

**WHEREAS**, DJCS is the recipient of a (VOCA) Victims of Crime Act Program Grant from the United States Department of Justice, and

**WHEREAS**, the Grantee is an eligible applicant who is desirous of receiving funds for **This grant provides for the salaries of two full-time Victim Advocates in the Jefferson County Prosecuting Attorney's Office to provide direct services to crime victims in Jefferson County.**

**NOW, THEREFORE**, the parties hereto mutually agree as follows:

1. The Grantee agrees to comply with all applicable federal and state laws and rules, regulations and policies promulgated thereunder.
2. DJCS agrees to assist the Grantee to perform such tasks and functions as set forth in the application which is attached hereto and made part hereof, hereinafter referred to as Attachment A.
3. The Grantee shall do, perform, and carry out in a satisfactory and proper manner as determined by DJCS all duties, tasks and functions necessary to implement the application which is hereto attached as Attachment A.
4. The Grantee will commence its duties under the Agreement on **July 1, 2010**, and shall continue those services/activities **June 30, 2010**. The terms of this Agreement may only be extended or modified by the mutual written agreement of the parties hereto.

5. In consideration of the services rendered by the Grantee, the sum of up to \$59,381 shall be obligated by DJCS and said amount shall be deemed to be the maximum compensation to be received for this Agreement unless a written modification is entered into between the parties amending this Agreement.
6. It is the understanding of all parties to this Agreement that DJCS by joining in the Agreement does not pledge, or promise to pledge, the credit of the State of West Virginia, nor does it promise to pay all of the compensation hereunder from monies of the Treasury of the State of West Virginia.
7. To be eligible for any and all payments of the grant amount, the Grantee shall submit a Request for Funds once per month to DJCS. Upon receipt of said request, DJCS shall review the same for reasonableness and appropriateness; and if approved, will cause a warrant to be requested on that sum considered reasonable and appropriate. It is expressly understood that the total compensation shall not exceed the amount set forth in Paragraph Five hereinbefore cited and said compensation will be expended only as outlined in the budget sections of Attachment A, unless written approval of modification of the budget is signed by the parties hereto. Grantee shall submit a fiscal report detailing expenditures to DJCS by the twentieth (20th) day of each month.
8. Grantee hereby represents that it possesses the legal authority to contract for this Agreement and that attached hereto and made a part hereof as Attachment B is a certified copy of the resolution, motion or similar action which was clearly adopted or passed by the Grantee's governing body; and further, that it has directed and authorized an official representative to act in connection with this Agreement. If the Grantee is a State agency, the completed application signed by the agency head is sufficient.
9. Grantee agrees to abide by the grant conditions, terms, assurances and certifications which are a part of Attachment A and such other special terms and conditions that DJCS has set forth in Attachment C which is incorporated herein and made part hereof, if said Special Conditions are appropriate to this Agreement.
10. If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner, obligations under this Agreement, the DJCS may withhold payments to the Grantee upon notice in writing, suspend, or cancel this Agreement and Attachments. The notice of withholding payments, suspension, or cancellation should set forth the DJCS reasons for taking said action.
11. DJCS and Grantee may from time to time require changes in the scope of services performed hereunder. Grantee agrees to submit a written request for modification prior to changing any budget line item. All such changes, including any increase or decrease in the amount of compensation hereunder or work to be performed, which are mutually agreed upon between the parties shall be in writing.
12. If for any reason funds received by DJCS are suspended or terminated, in whole or in part, funding for this Agreement shall cease.

13. Grantee shall within the time period prescribed by grant conditions upon the termination of the Agreement, submit to DJCS a final report on forms provided by DJCS. Said reports shall reflect actual costs incurred during the terms of this Agreement.
14. The parties hereto agree that notice shall be given by personal service or served when mailed certified U.S. Mail, postage prepaid, return receipt requested to the following addresses:
  - a. Division of Justice and Community Services  
1204 Kanawha Boulevard, East  
Charleston, West Virginia 25301
  - b. **Grantee Mailing Address:**  
  
Jefferson County Commission  
Post Office Box 250  
Charles Town, West Virginia 25414
15. The Grantee shall hold and save DJCS and its officers, agents and employees harmless from liability of any nature, including cost and expense, for or on account of any suits or damages of any character whatsoever resulting from injuries or damages sustained by any persons or property resulting in whole or in part from the negligent performance or omission of any employee, agent or representative of the Grantee.

**IN WITNESS WHEREOF**, the parties hereto attach their signatures representing that each is acting with full authority.

---

The Honorable Lyn Widmyer  
President  
Jefferson County Commission

---

**J. Norbert Federspiel, Director**  
**Division of Justice and Community Services**

**RESOLUTION**

The **Commission** of **Jefferson** met on \_\_\_\_\_ (date)  
with a quorum present and passed the following resolution.

Be it resolved that the **Commission** hereby authorizes **Lyn Widmyer**,  
**President of Jefferson County Commission** to act on its behalf to enter into a  
contractual agreement with the Division of Criminal Justice Services to receive  
and administer grant funds pursuant to provisions of the Victims of Crime Act  
(VOCA) grant program.

Signed: \_\_\_\_\_

County Clerk

# Assurance/Certification of Compliance With Regulations

## Office for Civil Rights, Office of Justice Programs U.S. Department of Justice Funds

For Subgrants Awarded Through the WV Division of Criminal Justice Services (DCJS)

Federal Grant Program Name: \_\_\_\_\_

Subgrantee Name: \_\_\_\_\_

Authorized Official's Name: \_\_\_\_\_

Subgrant Number: \_\_\_\_\_

### Assurance

As authorized official, I assure and certify, by my signature below, that I have read and am fully cognizant of our duties and responsibilities under this assurance and certification.

This entity will comply with the following statutes and regulations as mandated by law:

Section 3789d(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Title VI of the Civil Rights Act of 1964, as amended, and Department of Justice Regulation 28 C.F.R. Part 42, Subparts C, D, E; Section 504 of the Rehabilitation Act of 1973, as amended, and Department of Justice Regulation 28 C.F.R. Part 42, Subpart G; Title II of the Americans With Disabilities Act and Department of Justice Regulation 28 C.F.R. Part 35; Title IX of the Education Amendments of 1972 and Department of Justice Regulation 28 C.F.R. Part 54; and The Age Discrimination Act of 1975.

This entity will send all adverse findings of discrimination within the last three years to the Office for Civil Rights to the following address:

Office for Civil Rights  
Office of Justice Programs  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531

## Equal Employment Opportunity Plan Certification

Check only one certification that applies to the subgrantee during the project period outlined in the application.

### Certification "A" - No EEOP Required

This entity falls under one or more of the following categories (Check all that apply).

- is an educational, medical or non-profit institution or an Indian Tribe
- has less than 50 employees
- was awarded through this subgrant from DCJS less than \$25,000

### Certification "B" – Subgrantee Must Maintain EEOP On File

This entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this subgrant from DCJS, more than \$25,000, but less than \$500,000. Also, this entity has not been awarded more than \$1 million cumulatively from all programs administered by the U.S. Department of Justice over an 18-month period that includes this subgrant period. An EEOP has been developed and signed into effect and disseminated to all employees, and it is on file for review or audit by officials of the Division of Criminal Justice Services or the Office for Civil Rights, Office of Justice Programs.

### Certification "C" – Subgrantee Must Submit EEOP To Office for Civil Rights

This entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this subgrant from DCJS, more than \$500,000, or has been awarded more than \$1 million cumulatively from all program administered by the U.S. Department of Justice over an 18 month period that includes this subgrant period. Therefore, the funded entity will submit, within 45 days of the award, an EEOP or an EEOP Short Form (attached), that will include a section specifically analyzing the subgrantee to the following address:

Office for Civil Rights  
Office of Justice Programs  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531

As the Authorized Official for the above subgrantee, I certify, by my signature below, that I have read and am fully cognizant of our duties and responsibilities under this assurance and certification.

Typed Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Authorized Official's Signature: \_\_\_\_\_



U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
OFFICE OF THE COMPTROLLER

## CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check  if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 406177.

Check  if the State has elected to complete OJP Form 406177.

**DRUG-FREE WORKPLACE  
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

\_\_\_\_\_  
\_\_\_\_\_

# Certification Prohibiting Supplantation Of Federal Funds

## Requirement of Subgrantees of the U.S. Department of Justice Funds

### *Certification Statement:*

I, \_\_\_\_\_ (Authorized Official), certify that the \_\_\_\_\_  
(Grantee/Organization), will use awarded Federal grant funds to supplement existing funds for program activities and not replace those funds which have been appropriated for the same purpose. I also understand that any potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring and audit.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

.....

Supplanting means to deliberately reduce State or local funds because of the existence of Federal funds. An example would be: When County funds are appropriated for a stated purpose and Federal funds are awarded for that same purpose, the County replaces its County funds with Federal funds, thereby reducing the total amount available for the stated purpose.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

All correspondence to DJCS, which is required and/or occurs as a result or action of any of the following Special Conditions and Assurances, or as a result of the administration of any DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice & Community Services  
1204 Kanawha Boulevard, East  
Charleston, West Virginia 25301

**1. LAWS OF WEST VIRGINIA:**

This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by DJCS, regardless of the original funding source. This grant is on a "REIMBURSEMENT ONLY" mechanism.

**2. LEGAL AUTHORITY:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**3. RELATIONSHIP:**

The relationship of the grantee to DJCS shall be that of an independent contractor, not that of a joint enterprise. The grantee shall have no authority to bind DJCS for any obligation or expense without the express prior written approval from DJCS.

**4. COMMENCEMENT WITHIN 60 DAYS:**

This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to DJCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

**5. OPERATIONAL WITHIN 90 DAYS:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a second statement to DJCS explaining the delay in implementation. Upon receipt of the 90-day letter, DJCS may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

**6. WRITTEN APPROVAL OF CHANGES:**

The grantee must obtain prior written approval from DJCS for all project changes (programmatic, fiscal or otherwise).

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**7. CIVIL RIGHTS COMPLIANCE:**

Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, grantees will take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities.

**8. PRESS RELEASE:**

Pursuant to the Stevens Amendment, any release of information pertaining to this grant must include the following information:

1. grant amount;
2. State involvement (name of state entity responsible for administering the grant); and,
3. Federal involvement if applicable (name of federal entity responsible for administering the grant).

**9. LOBBYING:**

Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in OMB circular A-122, and/or relevant State laws.

**10. ACCESS TO RECORDS:**

DJCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.

**11. CONFLICT OF INTEREST:**

No public official or employee of the grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family.

**12. POLITICAL ACTIVITY:**

The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.)

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**13. RELEASE OF INFORMATION:**

All records, papers and other documents kept by recipients of grant funds are required to be made available to DJCS. These records and other documents submitted to DJCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code.

DJCS recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement, personnel or juvenile sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult DJCS regarding concerns or questions about the release of potentially sensitive information under state and local laws.

**14. NATIONAL AND STATE EVALUATION EFFORTS:**

The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

**15. OBLIGATION OF PROJECT FUNDS:**

Funds may not, without prior written approval from DJCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.

**16. USE OF FUNDS:**

Funds awarded through DJCS may be expended **ONLY** for the purposes and activities specifically covered by the grantee's approved project description and budget. By attaching their signature, the grantee recognizes that any deviations from the original grant budget are unallowable.

**17. ALLOWABLE AND UNALLOWABLE COSTS:**

Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards.

**18. PEER REVIEW SUB GRANTEE EVALUATION PROCESS:**

The applicant agrees to discharge if necessary - at the request of DJCS - knowledgeable, competent personnel (preferably a Project Director) to participate in a contemplated "peer review" process/advisory council. The purpose of this process would be to assist DJCS in making grant funding recommendations and furthered policy development regarding individual grant programs throughout the State. This would be no more than 2-3 days per annum.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**19. NON-SUPLANTING:**

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

**20. MATCHING CONTRIBUTION:**

The grantee will have available, and will expend as needed, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by the West Virginia Division of Justice & Community Services. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Matching contributions are subject to the same expenditure guidelines established by the West Virginia Division of Justice & Community Services for this program. All grantees must maintain records that clearly show the source, the amount and the timing of all matching contributions. Please be reminded that match is not "required"; however, if it is committed and indicated on the budget pages of this application, then this special condition is affected.

**21. PROJECT INCOME:**

All income earned by the grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by DJCS as are established for granted funds. All grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

**22. CONSULTANT FEES:**

Approval of this grant does not indicate an approval of consultant rates in excess of \$450 per day. Specific and detailed justification must be submitted to, and approved by DJCS prior to obligation or expenditure of such funds.

**23. SUSPENSION OF FUNDING:**

DJCS may suspend, in whole or in part, terminate, or impose other sanctions on any grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document; or,
- Other cause shown.

**24. SANCTIONS FOR NONCOMPLIANCE:**

In the event of the grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, DJCS shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the grantee until the grantee complies;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**25. SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASES:**

The grantee shall submit one copy of all reports and proposed publications resulting from this agreement to DJCS twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the West Virginia Division of Justice & Community Services (or simply "DJCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia or the Division of Justice & Community Services."

"This project supported by Grant No. \_\_\_\_\_ awarded by the West Virginia Division of Justice & Community Services and the U.S. Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also included the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United State Department of Justice."

**26. PROPERTY ACCOUNTABILITY:**

The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

**27. CRIMINAL PENALTIES:**

Whoever embezzles or endeavors to embezzle, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to the Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

**28. REPORTS:**

Each grantee shall submit such reports as DJCS shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

**29. PURCHASING:**

When making purchases relevant to the grant, the grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government or other agency.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**30. COLLABORATION W/OTHER FED. AND STATE GRANTS:**

Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment and any other resources deemed necessary by DJCS.

**31. INFORMATION SYSTEMS:**

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software produced under this grant) will be made available to DJCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- b. To provide a complete copy of the computer programs and documentation, upon requests, to DJCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- c. That whenever possible all application programs will be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.
- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

**32. INCIDENT BASED REPORTING COMPLIANCY:**

Grant applicants (cities & county commissions) will not be considered for funding if the applicant is not current with submitting Incident Based Reporting (IBR) information to the West Virginia State Police (if applicable). Grantees must remain current with submitting IBR information to the West Virginia State Police or grant funding will be withheld until such time as that grantee becomes IBR compliant.

**33. TIME EXTENSIONS:**

In general, time extensions for this program will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated.

**34. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:**

Grantee understands and agrees that it cannot use any grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

**35. LIMITED ENGLISH PROFICIENCY:**

Grantee must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency. For more information on the civil rights responsibilities that grantees have in providing language services to limited English proficiency individuals, please see the website [www.lep.gov](http://www.lep.gov).

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**36. COMPUTER EQUIPMENT:**

Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. The following are minimum hardware requirements, as well as software requirements, established by DJCS for this grant program, which must be recognized when purchasing computer equipment, in whole or in part, utilizing grant funds:

**Minimum Hardware Requirements:**

- Intel Pentium III 733 MHz Processor; 133MHz front side bus
- 512K L2 Cache
- 128 MB SDRAM 100 MHz expandable to at least 384 MB
- 10 Gig. EIDE Ultra ATA 7200RPM Hard Drive
- 3.5" 1.44 MB Floppy Diskette Drive
- 48X Max Internal CD-ROM drive or 8X DVD-ROM drive
- 3 PCI, 1 16-bit ISA slot, 1 PCI/ISA (shared), 1 AGP slot
- ATI 8 MB AGP 2X Rage Pro Video Card
- 1 Parallel, 2 Serial, 2 USB
- 101/104-Key Keyboard (PS/2)
- PS/2 Port Compatible Mouse

**Recommended Hardware Components:**

- Mid-tower case
- 16-Bit 3D Sound Blaster Compatible w/ 64 voice wavetable and speakers (may be integrated)
- 3Com 10/100 PCI Ethernet Network Card
- APC UPS Backup power protection (adequate size to handle power load)
- Iomega Internal Zip Disk Drive

**Software Requirements:**

Whenever possible, software should operate within open industry standards. For example, Windows 2000 Operating System, Microsoft Office 2000 Professional, etc.

**Warranty Requirements:**

3 Year on-site warranty

**37. PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:**

Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at [www.it.ojp.gov/gjxdm](http://www.it.ojp.gov/gjxdm).

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**38. PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:**

- I.) Federal Office of Management and Budget (OMB) Circular A-133 sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending Federal awards. If applicable, this grant shall adhere to the audit requirements set forth in OMB Circular A-133 at the time of award.

As of 10/1/04, the requirements set forth by OMB Circular A-133 are as follows: Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office.

- II.) OMB Circular A-110 sets forth standards for obtaining consistency and uniformity for the audit of institutions of higher education, hospitals, and other non-profit organizations expending Federal awards. This grant shall adhere to the audit requirements set forth in OMB Circular A-110.

As of 10/1/04, the requirements set forth by OMB Circular A-110 are as follows: Recipients and sub recipients that are institutions of higher education or other non-profit organizations (including hospitals) shall be subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 USC 7501-7507) and revised OMB Circular A-133.

- III.) If an audit must be conducted pursuant to OMB Circular A-133 and A-110, a copy of the audit shall be submitted to DCJS as well as to the Federal clearinghouse.

As of 10/1/04, the Federal clearing house is as follows:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 E. 10<sup>th</sup> Street  
Jeffersonville, IN 47132

**39. PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:**

- I.) Sub grantee assures that it has read, understands, and is in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, or as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14. Sub grantee further understands that if it is currently debarred or is not in compliance with §12-4-14., it is ineligible to receive funding from the West Virginia Division of Justice Community Services.

**40. CONFIDENTIALITY OF RESEARCH INFORMATION:**

Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

**41. LEASE AGREEMENTS:**

Grantee agrees to provide DJCS with a description of proposals to use grant funds to enter into lease arrangements with private entities for the purpose of fulfilling the goals and objectives of this project.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**42. EQUAL EMPLOYMENT OPPORTUNITY PLAN:**

Each grantee certifies, that it has executed and has on file, an Equal Employment Opportunity Plan which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E, or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required. All EEOP findings should be reported to Office for Civil Rights, Office of Justice Programs, US Department of Justice, 810 7<sup>th</sup> Street, N.W., Washington, D.C. 20531

**43. VETERANS PREFERENCE:**

This program includes a provision that grantees utilizing funds to hire additional personnel, to the extent possible, give suitable preference in employment to military veterans. DJCS defines "suitable preference" as the requirement that a grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

**44. IMMIGRATION AND NATURALIZATION VERIFICATION:**

The grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of state funds to verify that employees are eligible to work in the United States.

**45. PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:**

It is the sense of DJCS that to the greatest extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.

**46. PERSONNEL TRAINING:**

For projects involving payment of personnel or overtime pay, DJCS reserves the right to require training as a condition of the grant before or at any time during the project period.

**47. ACCOUNTING REQUIREMENTS:**

Grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, must be retained and be available for audit purposes.

**48. OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:**

Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the OJP Financial Guide.

**49. TRANSFER OF FUNDS PROHIBITION:**

The grantee is expressly prohibited from transferring funds between any DJCS programs.

**50. MARKING OF EQUIPMENT:**

Grantee will ensure that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the West Virginia Division of Justice & Community Services."

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**51. PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:**

Grantee acknowledges that DJCS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support.

Grantee agrees to consult with DJCS re the allocation of any patent rights that arise from, or are purchased with, this funding.

**52. CENTRAL CONTRACTOR REGISTRATION:**

Grantee agrees to register with the Central Contractor Registration (CCR), [www.ccr.gov](http://www.ccr.gov) and provide documentation to DJCS within 30 days of award notification that they have done so.

**53. DATA UNIVERSAL NUMBERING SYSTEM:**

Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, [www.dnb.com](http://www.dnb.com) and provide documentation to DJCS within 30 days of award notification that they have done so.

**54. JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:**

Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

This includes, but is not limited to, completing the annual the WV Certification of Non-Secure Facilities and submitting to DJCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

**55. BIDDING PROCEDURES:**

Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to \$100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.

**WEST VIRGINIA  
DIVISION OF JUSTICE & COMMUNITY  
SERVICES**

**STANDARD CONDITIONS AND ASSURANCES**

**56. COMPLIANCE WITH FEDERAL PROCEDURES:**

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including:

- a. Part 11, Applicability of Office of Management and Budget Circulars.
- b. Part 18, Administrative Review Procedures.
- c. Part 20, Criminal Justice Information Systems.
- d. Part 22, Confidentiality of Identifiable Research and Statistical Information.
- e. Part 23, Criminal Intelligence Systems Operating Policies.
- f. Part 30, Intergovernmental Review of Department of Justice Programs and Activities
- g. Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures

**57. ADDITIONAL REGULATIONS AND PROCEDURES:**

In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines.

- a. National Environmental Policy Act of 1969 (NEPA).
- b. National Historic Preservation Act of 1966.
- c. Flood Disaster Protection Act of 1973.
- d. Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
- e. Control Act Amendments of 1972.
- f. Safe Drinking Water Act.
- g. Endangered Species Act of 1973.
- h. Wild and Scenic Rivers Act.
- i. Fish and Wildlife Coordination Act.
- j. Historical and Archaeological Data Preservation.
- k. Coastal Zone Management Act of 1979.
- l. Animal Welfare Act of 1970.
- m. Impoundment Control Act of 1974.
- n. Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
- o. Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
- p. Death in Custody Act of 2000.

**WEST VIRGINIA  
DIVISION OF Justice and Community  
Services**

**VICTIM OF CRIME ACT (VOCA) GRANT  
SPECIAL CONDITIONS AND ASSURANCES**

**58. ADMINISTRATIVE CHANGES:**

The applicant must advise DJCS immediately in writing if there are any changes in the: (1) Project Director, (2) Fiscal Officer, (3) Authorized Official, or (4) VOCA Grant-funded staff position(s). Please also submit to DJCS a new membership list if there are any changes in the members of a governing board, such as County Commission or City Council, or changes in members of the Advisory Board/Committee.

**59. LATE REPORTING:**

Applicant understands that projects which become 60 days delinquent in the submission of reporting requirements will forfeit one month of reimbursable expenses for the entire project. Each additional 30 days past the initial 60-day delinquency period shall result in an additional forfeiture of a month's reimbursable expenses.

**60. CLIENT FILES:**

Applicant must maintain client files for all victims served to document type of crime and services provided throughout the grant period. Sub-grantee also agrees to collect and maintain Civil Rights information, where such information is voluntarily furnished by those receiving service, on race, sex, national origin, age and disability. These records are to be available at any time for review by DCJS.

**61. CLIENT SURVEYS/EVALUATIONS:**

The applicant is required to implement client surveys for evaluation purposes. DJCS may require a copy of these surveys/evaluations or request proof survey is being implemented. All surveys/evaluations must ensure client confidentiality. All surveys/evaluations will include the two following outcome measures: (1) Victim safety, (2) Public awareness, results will be required on the VOCA Annual Performance Report.

**62. CLIENT CONFIDENTIALITY:**

Applicant must maintain a written confidentiality policy that prohibits the disclosure of victim's name, address, phone number, any contact information, or any other personally identifying information without prior voluntary written consent of the victim (or legal guardian). Client information should only be accessible to authorized direct service staff of the funded program. All programs who also receive funds under the STOP Violence Against Women Act (VAWA) must adhere to all confidentiality requirements under the Violence Against Women Reorganization Act of 2005.

**63. NOTIFICATION OF VICTIM COMPENSATION PROGRAM:**

Applicant is required to assist crime victims in seeking available and eligible crime victim compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of the victim compensation fund, assisting with the application forms and procedures, obtaining necessary documents, and/or checking on claim status.

**64. GRANT FILE:**

Applicant must maintain a grant file containing all grant-related documents, such as the grant agreement, monthly financial reports, monthly progress reports, and any grant-related correspondence. In some situations, the project site maybe at a different location than the official sub-grantee. Therefore, an official grant file should be maintained by both the official sub-grantee and the project site. These records are to be available at any time for review by DJCS.

**WEST VIRGINIA  
DIVISION OF Justice and Community  
Services**

**VICTIM OF CRIME ACT (VOCA) GRANT  
SPECIAL CONDITIONS AND ASSURANCES**

**65. ADMINISTRATIVE MANUAL:**

All pertinent information in regard to the Victim of Crime Act and amendments and all applicable federal and state laws, orders, circulars and regulations are updated and maintained in the appropriate administrative manual by sub-grantees

**66. TRAVEL/TRAINING:**

Any applicant receiving VOCA Grant funding for training must submit in writing to DJCS a training plan, and must also request in writing any adjustments to a training plan. Also, any VOCA grant-funded staff position who attends any training workshop or conference must submit a written narrative identifying the training, its purpose, what specific workshops were attended, and the useful information obtained that will assist in implementing the VOCA grant project. All training must be approved in advance by DJCS by submitting a written request (from project director) identifying the staff person who will be attending, the name of the conference and purpose, and attaching a brochure outlining the costs and the agenda.

**Please note** – sub-grantee representatives (project director and VOCA-funded staff positions/volunteers) may be required to attend training workshops deemed critical by DJCS.

**67. VOCA FUNDED TRAINING EVENTS:**

All agenda topics and trainers must be pre-approved by DJCS for any training events (conferences, workshops, symposiums, etc.) paid for with VOCA funds. A written request must be submitted to DJCS prior to entering into any agreements for agenda topics, speakers, and/or trainers. The request must include workshop descriptions and speaker biographies.

**Please note** – all VOCA funded training events must include an evaluation component and the results of the evaluations must be submitted to DJCS with the corresponding monthly report.

**68. INTERAGENCY AGREEMENTS:**

Where applicable, sub-grantee must develop a formal referral and inter agency agreements in a Memorandum of Understanding (MOU); copies of interagency agreements and referral Memorandum of Understanding are to be submitted with the application.

**69. HIRING PROCEDURES:**

Hiring procedures outlined in the grant application should be followed in hiring VOCA grant-funded staff positions. Staff hired must meet the qualifications outlined in the job description for the position. DJCS is to be advised in writing if there are any difficulties in filling VOCA grant-funded staff positions.

**70. EQUAL TREATMENT FOR FAITH-BASED ORGANIZATIONS:**

Such organizations receiving VOCA funds must ensure that services are offered to all victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event. Furthermore, all religious activities must be separate in time or place from the VAWA funded project. Further, participation in such activities by individuals receiving services must be voluntary.

**71. VOLUNTEERS:**

The applicant must utilize at least one volunteer during the grant period, as well as VOCA-funded staff to implement the grant project

**72. ACTIVITIES THAT MAY COMPROMISE VICTIM SERVICES:**

Applicants are strongly discouraged from proposing projects or supporting programs that include any activities that may compromise victim safety as outlined in the Victim of Crime Act.

**WEST VIRGINIA  
DIVISION OF Justice and Community  
Services**

**VICTIM OF CRIME ACT (VOCA) GRANT  
SPECIAL CONDITIONS AND ASSURANCES**

**73. AUDITS:**

All programs will submit a copy of an audit to DJCS each fiscal year. Additionally, programs who are not required to submit an audit under §12-4-14 are still required to submit a copy of an audit or an annual internal financial review to the Program Administrator at DJCS, showing the total budget expenditures and revenues from all sources for the prior year, along with a systematic method for timely and appropriate resolution of findings and/or recommendations

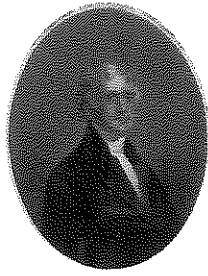
**74. BOARD OF DIRECTORS:**

Non-profit agencies are required to maintain a Board of Directors that will meet at least quarterly to review the status of grant objectives, to develop strategies for resolving any problems or barriers, and to perform periodic evaluations. Board Meeting minutes must be submitted with corresponding monthly reports. All state and local government agencies must submit any county commission minutes (which discuss the sub-grant or VOCA staff) or advisory board meeting minutes with the corresponding monthly reports

**I certify that I have read the entire Standard and Special Conditions and Assurances of this grant program and agree to comply with these requirements.**

---

**Authorized Official Signature (Original)**



# The Jefferson County Museum

The Washington Family • The Raid on Harpers Ferry • The Civil War • History of West Virginia

July 1, 2010

Jefferson County Commission  
Charles Town  
West Virginia 25414

The Old Charles Town Library, Inc. (Old Charles Town Library and The Jefferson County Museum) requests the Board's permission to reserve the Commission Meeting Room at 200 East Washington Street, from 2 p.m. until 5 p.m. on Friday, October 8, 2010, and from 9 a.m. until 5 p.m. on Saturday, October 9, 2010. Christine has made tentative reservations for the days and times stated.

The facility will be used for our Annual Appraisal Fair, to benefit the Library and the Museum.

*Susan M. Collins*  
Susan M. Collins, curator.

**RECEIVED**

JUL 01 2010

Jefferson County Commission

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

---

---

## RESOLUTION

The Jefferson County Commission met on the 15<sup>th</sup> day of July, 2010 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Lyn Widmyer, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and to act as the administrator of grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$5,000. The funds from this project will be used to replace all cloth mattresses for the Camp Frame 4-H Association.

Dated: \_\_\_\_\_

\_\_\_\_\_  
LYN WIDMYER  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

**COMMUNITY PARTICIPATION  
GRANT PROGRAM**

**State Regulation Checklist for Nonprofit Organizations**

**Must Be Submitted With Application for Funding for Nonprofit Organizations**

1. Local Government Agency: Jefferson County Commission Date of Application: June 21, 2010  
 Project Title: Camp Frame Chief Elected Official: Lyn Widmeyer  
 Form Completed By: Dennis L. Barron Amount of Grant: \$ 5,000.00  
 Phone: (304) 876-9026 Fax: (304) 876-0671
2. Nonprofit Organization: Camp Frame 4-H Association Executive Director: Dennis L. Barron, Director  
 Street Address, City, Zip: 1329 Shepherd Grade Rd. Shepherdstown WV 25443 Phone: (304) 876-9026 Fax: (304) 876-0671
- Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.  
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

**CERTIFICATIONS AND ASSURANCES**

**CHECK ITEMS 3-11 BELOW** to certify compliance with the following laws, regulations and requirements:

3.  **Competitive bids are required for purchases exceeding \$2,500 in cost.**  
 Competitive bidding requirements, at a minimum, are as follows:
- |                          |  |
|--------------------------|--|
| • \$2,500 or less        | • No bids required; however, competition is encouraged |
| • \$2,500.01 to \$5,000  | • Three verbal bids documented on a verbal bid summary |
| • \$5,000.01 to \$25,000 | • Three written bids required                          |
| • \$25,000 or more       | • Class II Legal Ads required                          |
4.  **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**  
 Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.
5.  **State prevailing wages will be paid for all construction associated with this project, regardless of the cost.**  
 West Virginia prevailing wages must be paid for all construction projects using state grant funds. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
6.  **The following documents will be required for the release of grant funds.**
- |  |
|--|
| • Copies of bids, quotes or verbal bid summary                           |
| • Copy of legal ad, which must require prevailing wages for construction |
| • Copies of certified payroll records for construction                   |
| • Copies of Invoices.  |
7.  **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**  
 The county or municipality must act as the administrator of grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
8.  **State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**  
 Funds provided to counties and municipalities for grants to nonprofit organizations are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
9.  **Professional services shall be obtained through a request for proposals.**  
 Architectural or engineering services shall be obtained in accordance with West Virginia Code §5G.
10.  **No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
11.  **The use of grant funds at/for private property or private gain is prohibited.**  
 Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Signature: \_\_\_\_\_

Dennis L. Barron  
 Executive Director, Nonprofit Organization  
**ORIGINAL SIGNATURE REQUIRED-USE BLUE INK**

Date: \_\_\_\_\_

6/21/2010

**SECTION 1. GRANTEE**

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Camp Frame  
 Street Address: PO Box 250 City: Chaulestown Zip: 25414  
 Chief Elected Official: Lyn Widmyer Email: sandi@jeffersoncountywv.org  
 Phone: (304) 728-3282 Fax: (304) 725-7916 Form Completed By: Dennis L. Barron  
 Brief Description of Project: Health department is requiring that all cloth mattresses be replaced with plastic mattresses

**SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)**

Are funds requested for a nonprofit organization?  Yes  No  
 Nonprofit Organization: Camp Frame 4-H Association Executive Director: Dennis L. Barron, Director  
 Street Address: 1329 Shepherd Grade Road City: Shepherdstown State/Zip: WV 25443  
 Phone: (304) 876-9026 Fax: (304) 876-0671 Email: dbarron@jeffersonsecuritybank.com  
 Website: www. IRS Cert. (Ex: 501(c) 3, etc.): 501(c)3 Yr. Cert: 1980

- Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.
- State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.
- Brochure or web pages explaining mission of the nonprofit organization and services it provides are attached.

**SECTION 3. ELIGIBLE PROJECTS**

**ELIGIBLE activities include, but are not limited to, permanent public improvements related to the following:**

<input type="checkbox"/> Business and Industrial Parks	<input type="checkbox"/> Land and Property Acquisition
<input type="checkbox"/> City Hall and Courthouse Facilities	<input type="checkbox"/> Libraries
<input type="checkbox"/> Construction and Renovation	<input type="checkbox"/> Parks and Recreation
<input type="checkbox"/> Demolition	<input type="checkbox"/> Parking Facilities
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Preservation and Beautification
<input type="checkbox"/> Emergency Services	<input type="checkbox"/> Public Safety
<input type="checkbox"/> Flood and Storm Drainage	<input type="checkbox"/> Street and Sidewalk Repair
<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Technology
<input type="checkbox"/> Law Enforcement	<input type="checkbox"/> Water, Wastewater Facilities

**INELIGIBLE activities include, but are not limited to, expendable items related to the following:**

<input type="checkbox"/> Administrative costs	<input type="checkbox"/> Private Property
<input type="checkbox"/> Food	<input type="checkbox"/> Rent
<input type="checkbox"/> Clothing	<input type="checkbox"/> Maintenance
<input type="checkbox"/> Homeowners Associations	<input type="checkbox"/> Salaries
<input type="checkbox"/> Insurance Premiums	<input type="checkbox"/> Scholarships
<input type="checkbox"/> Maintenance	<input type="checkbox"/> Sports Uniforms
<input type="checkbox"/> Medical Programs	<input type="checkbox"/> Training and Speakers' Fees
<input type="checkbox"/> National Dues	<input type="checkbox"/> Travel Expenses
<input type="checkbox"/> Postage	<input type="checkbox"/> Utility Costs

**SECTION 3. PROJECT OWNER AND LOCATION**

The use of grant funds at/for private property or private gain or use is prohibited. Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Owner of project site, property or building: Camp Frame 4-H Association Vicinity/site plan attached?  Yes  No  
 Location and address where grant funds will be used (sufficient to drive to site): Camp Frame Road, Hedgesville WV  
(Camp Frame is the 4-H camp serving Jefferson, Berkeley, and Morgan counties since 1927)

Upon completion, what government agency will own, operate, or be responsible for the project?

- Yes  No Project site(s) or building(s) are owned by a government agency.
- Yes  No Project site(s) or building(s) are owned by a nonprofit organization. (If yes, attach copy of property deed).

**SECTION 4. FUNDING SUMMARY**

A minimum of 10 percent is required for a local match. Attach commitment letters for each funding source listed below.

	Amount	Source Grant Program, Bank Loan, Fundraising, Fees, etc.	Status Pending, Approved, Ongoing, etc.	Documentation Letter, Resolution, etc.
a. Grant Funds Requested	\$5,000			
b. Local Funds (10% of grant funds)	\$ 5,000.00	Fund raising & cash on hand		Printout of Ⓞ
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$ 10,000.00 (Estimated)			

**SECTION 5. CERTIFICATION OF STATE REGULATIONS**

**CHECK ITEMS 1-9 BELOW** to certify compliance with the following laws, regulations and requirements:

1.  **Competitive bids are required for purchases exceeding \$2,500 in cost.**  
Competitive bidding requirements, at a minimum, are as follows:

▪ \$2,500 or less	▪ No bids required; however, competition is encouraged.
▪ \$2,500.01 to \$5,000	▪ Three verbal bids documented on a verbal bid summary.
▪ \$5,000.01 to \$25,000	▪ Three written bids required.
▪ \$25,000 or more	▪ Class II Legal Ads required.

2.  **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**  
Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code 559-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.

3.  **State prevailing wages will be paid for all construction associated with this project, regardless of the cost.**  
Wage rates may be obtained from the West Virginia Secretary of State at 304-558-6000, or [www.wvsos.com](http://www.wvsos.com). If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All contractors must have a West Virginia contractor's license. All construction must comply with **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A**. These regulations apply to the employment of any contractor or subcontractor for this project, including the following trades and activities:

▪ Construction	▪ Painting
▪ Reconstruction	▪ Decoration
▪ Demolition	▪ Alteration
▪ Enlargement	▪ Repair
▪ Remodeling	▪ Expansion

4.  **The following documents will be required for the release of grant funds.**

▪ Copies of bids, quotes or bid summary
▪ Copy of legal ad, which must require prevailing wages for construction
▪ Copies of certified payroll records
▪ Copies of invoices

5.  **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**  
The county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
6.  **State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**  
Funds provided to counties and municipalities for grants to nonprofit organization are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A**.
7.  **Professional services shall be obtained through a request for proposals. Architectural or engineering services shall be pursued in accordance with of the West Virginia Code §5G.**
8.  **No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
9.  **The use of grant funds at/for private property or private gain is prohibited. Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.**



## **SECTION 7. ASSURANCES**

The applicant hereby assures and certifies that it shall comply with the following regulations, policies, and requirements:

- A. The applicant assures the State that it will perform the work for which the grant was made as determined by the State.
- B. The applicant assures the State that it has or will secure qualified personnel to administer a grant, and that the costs to administer the grant will be paid for by the applicant.
- C. The applicant assures the State that it will have started work on the project before the end of the fiscal year in which the grant award is made.
- D. The applicant assures the State that it understands that the amount of the grant award cannot be increased without the written consent of the Governor.
- E. The applicant assures the State that payment for work performed will be requested in writing with copies of invoices attached that document the costs of each work segment making up the total amount of funds requested.
- F. The applicant assures the State that it understands that ten percent of the grant award will be held by the State as retainage, pending receipt of a written certificate of substantial completion attached to any final invoices for work not already paid.
- G. The applicant assures the State that it understands that by letter the State can terminate for cause an applicant's grant agreement with the amount of funds recovered equal to the percentage of incomplete work. The applicant further assures the State that it understands that it can be terminated by letter any grant agreement with the State before costs are incurred on the project.
- H. The applicant assures the State that any changes in the scope of work specified in a grant agreement will first be submitted in writing to the State for approval by change order.
- I. The applicant assures the State that in its hiring practices for work to be performed it will comply with the equal employment provisions of Titles VI and VII of the 1964 Civil Rights Act, and Presidential Executive Orders 11246 and 11375, as amended.
- J. **The applicant assures the State that competitive bids will be solicited on any major work element exceeding \$2,500 in cost.** Competitive bidding shall be pursued in all instances.
- K. **Competitive bidding requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids; however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.**
- L. **The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of more than \$25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination.** The receipt and utilization of funds procured through this program mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.
- M. **Bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3.** This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks prior to the final bid date.
- N. The applicant assures the State that **State prevailing wage rates will be paid on contract construction unless federal funds are included in the project, in which case, the higher of the State's or Davis-Bacon wage rates will be paid on all contract construction.**
- O. Every contract involving **construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work** which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost. The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.**
- P. The applicant assures the State that any part of the project to be occupied by the general public will be made accessible to the handicapped.
- Q. The applicant assures the State that any permits, licenses, or other requirements of particular State or Federal agencies necessary for the project's design, construction, or operation will be secured.
- R. The applicant assures the State that it will not subgrant any of the grant funds received to any of its officials or employees or the members of their families or to employees of the WVDO or members of the State Legislature in any contracts awarded for work to be performed.
- S. The applicant assures the State that it will maintain and have available for inspection on written request by the State all records kept on the project including bid documents, copies of all contracts, contractors' payrolls, time sheets, and invoices. The applicant further assures the State that it will schedule an audit of any grant funds to be included in its annual audit as performed by the State Tax Department.
- T. The applicant assures the State, by evidence of attaching a resolution, motion, or similar action passed by its governing body, that it has the legal authority to apply for this grant, commit any local matching shares, authorize the person signing the grant to act as an agent for the applicant to answer any questions by the State about the application, and to abide by the understandings and assurances described in this section.
- U. As the grantee, the county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with sub-grantees so that property and/or assets acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

**SECTION 8. SIGNATURE AND RESOLUTION**

**This application must contain the following:**

- Application with Original Signature**
- Resolution by Unit of Local Government**
- Nonprofit Application Checklist with Original Signature – Required for Nonprofit Organizations**
- IRS 501(c) Determination Letter - Required for Nonprofit Organizations**

To the best of my knowledge, the information contained in this application is true and correct; the submission thereof has been duly authorized by the governing body; and the applicant will comply with the regulations, policies, guidelines and requirements outlined by the State of West Virginia. If the recipient is a nonprofit organization, the county or municipality certifies that this nonprofit organization is legally authorized to receive public funds.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Mayor or County Commission President**  
**ORIGINAL SIGNATURE REQUIRED-USE BLUE INK**

**West Virginia Development Office**  
**Community Development Division**  
**Community Participation Grant Program**  
1900 Kanawha Boulevard, East Building 6, Room 553  
Charleston, West Virginia 25305  
Phone: 304-558-4010 Fax: 304-558-2246  
[www.wvcommerce.org](http://www.wvcommerce.org)



**PRINT FORM** | **PRINT SERIES FORM** | **VIEW MESSAGES**

Time Deposit Inquiry For # 3210103 - 3 MO CD  
CAMP FRAME 4-H ASSOCIATION INC



**PREVIOUS** < | **SUBMIT** > | **EXIT**

HENRY PAISE 1 of 3

SPECIAL MESSAGES. >

**PAGE FUNCTIONS**

Page 1 | Page 2 | Page 3

- > HISTORY VIEW 1
- > HISTORY VIEW 2
- > MESSAGES
- > MAINTENANCE
- > RELATIONSHIPS
- > MEMO POST
- > TEMP STATEMENT
- > IMAGE
- > ADDRESSES
- > MORE FUNCTIONS

**CUSTOMER INFORMATION**

1329 SHEPHERD GARDE RD  
SHEPHERDSTOWN WV 25443

CIF number 0000073 0  
 Tax ID number 55-0393631  
 Type 03 3 MO CD  
 Birth Date 07/00/00  
 Home phone (304) 876-6686  
 Business phone (000) 000-0000

**INTEREST INFORMATION**

Last interest amount 21.16  
 Accrued interest 10.27400  
 Anticipated int 15.41000  
 Interest term 1 M  
 Interest method Simple  
 Interest rate .750

**ACCOUNT INFORMATION**

Current balance 25,000.00  
 Original amount 75,000.00

---

Issue date 3/01/07  
 Last renewal date 6/01/10  
 Last pay date 6/01/10  
 Next pay date 7/01/10  
 Maturity date 9/01/10  
 Redemption date 07/00/00  
 Date of last maintenance 3/05/07

---

Group code 52  
 Class ORGANIZATI  
 Officer LAS  
 Day of month to pay interest 0  
 Deposit to account / type 10340214 D  
 Hold amount .00  
 Sales associate VD

---

C.D. term 3 M  
 Renew to type

Parameter Help

# COX, ALLEMONG & COMPANY

CERTIFIED PUBLIC ACCOUNTANTS

116 EAST WASHINGTON STREET

MASON BUILDING

CHARLES TOWN, WEST VIRGINIA 25414

304-725-6525

PHILIP P. COX, CPA  
DOUGLAS L. ALLEMONG, CPA  
HOWARD J. MANN, CPA  
ARTHUR L. GLEASON, JR., CPA  
RESIDENT PARTNER

MEMBERS  
AMERICAN INSTITUTE OF  
CERTIFIED PUBLIC ACCOUNTANTS  
OFFICES ALSO IN  
MARTINSBURG, WEST VIRGINIA

June 18, 1980

Mr. Dennis L. Barron, President  
Jefferson County 4-H Foundation  
Route 1, Box 4  
Shepherdstown, WV 25443

Dear Dennie:

As discussed with you, I am enclosing a copy of the letter the Berkeley County 4-H Club Foundation, Inc. received from the IRS on March 11, 1980. Howard Mann, a partner in our firm, is the treasurer for that organization and gave me a copy of their exemption letter.

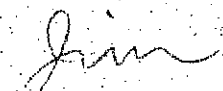
In my opinion, it will not be necessary for you to file Form 1023 and that this letter clearly states that all affiliated 4-H organizations authorized to use the 4-H emblem by the Department of Agriculture are exempt under Code Section 501(C)(3) and all donations are tax deductible.

Enclosed are the copies of your Constitution and Articles of Incorporation which you left with me.

If you have any questions, please feel free to call.

Sincerely,

COX, ALLEMONG & COMPANY



L. James Nichols, CPA

LJN:ik  
Enclosures

Internal Revenue Service

Department of the Treasury

District  
Director

P.O. Box 99187, Cleveland, OH 44199

Berkeley County 4-H Club  
Foundation, Inc.  
117 West King Street  
Martinsburg, West Virginia 25401

Person to Contact:  
Mrs. Selepena CSB:SUII  
Telephone Number:  
(216) 522-3376 Not Toll Free

Refer Reply to:  
EP/EO:T:RPS

Date: MAR 11 1980

Gentlemen:

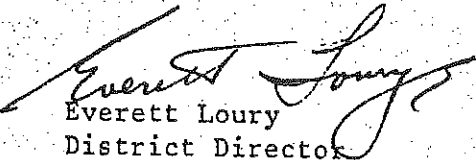
We have received Form 1023, application for recognition of exemption, for Berkeley County 4-H Club Foundation, Incorporated.

Our records indicate that on April 24, 1946, a ruling letter was issued to the United States Department of Agriculture, Extension Service, Washington, D. C., recognizing that 4-H clubs were exempt from Federal income tax under section 101(6) of the Internal Revenue Code of 1939, which corresponds to section 501(c)(3) of the 1954 Code. A subsequent ruling letter was issued February 9, 1973, holding all affiliated 4-H organizations, authorized to use the 4-H emblem by the Department of Agriculture, to be exempt from Federal income tax as described in section 501(c)(3) of the Code. It was further determined that organizations of this type are not private foundations within the meaning of section 509(a)(1) of the Code, because they are not organizations described in section 170(b)(1)(A)(vi) of the Code.

Donors may deduct contributions to 4-H clubs and affiliated 4-H organizations as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to them or for their use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Form 1023 is therefore being returned to you, since it appears your organization is included in this ruling.

Very truly yours,

  
Everett Loury  
District Director

Enclosure

# CAMP FRAME 4-H ASSOCIATION, INC.



1329 Shepherd Grade Road  
Shepherdstown WV 25443

June 21, 2010

Sandy Slusher McDonald  
The County Commission of Jefferson County  
P.O. Box 250  
Charles Town WV 25414

Dear Ms. McDonald:

This is in response to your letter to Judy Matlick dated April 5, 2010. I am sorry for the delay in providing the answers and information for the Governor's Community Participation Grant Program. The following information is enclosed for consideration:

- 1- A copy of your letter dated April 5, 2010
- 2- The "Community Participation Grant Application" Camp Frame does not have an Executive Director so I have signed it as a Director. I represent 4-H from Jefferson County on the Camp Frame Board. We decided to apply for funding to replace our current mattresses with plastic mattresses as we are being requested by the Health Department to do. I estimated the cost to be \$10,000.00.
- 3- A copy of a CD account screen at Jefferson Security Bank to show that Camp Frame does have the 10% matching requirement.
- 4- A copy of a letter from Cox, Allemong & Company dated June 18, 1980 stating that all organizations affiliated with 4-H are exempt under Code Section 501(C)(3).

Please contact me if you should need any additional information. My work number is 304-876-9026 and my home number is 304-876-6686. Thank you very much for your help.

Sincerely yours,

A handwritten signature in black ink that reads "Dennis Barron".

Dennis L. Barron  
Director Representing 4-H  
Jefferson County

DLB

Enclosures

*"The self development of boys and girls from even a single week at a Four-H camp is in many cases most remarkable."* NAT T. FRAME 1927

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

AGENDA REQUEST FORM

Name: Todd Fagan

Department or Entity: GIS Office

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested - 1<sup>st</sup> Choice: 7/15/10

Date Requested - 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: Request to approve position reclassification in GIS Office

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):

Move to approve the reclassification in the GIS Office of one, existing, vacant P/T Addressing Assistant into a F/T, grade level III, office Administrative Assistant position with permission to advertise within one month.

Attachments:

1. Request memo
2. Position Description

# Jefferson County Emergency Communications DEPARTMENTAL MEMORANDUM

---

**TO:** Jefferson County Commission  
Tim Boyde, County Administrator

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

**DATE:** May 20<sup>th</sup>, 2010

**SUBJECT:** Request to approve position reclassification in GIS Office

---

Please take action to approve the reclassification of our vacant Part Time Addressing Assistant position into a Full Time Office Administrative Assistant position (Grade Level III).

The merits of this reclassification were discussed in our GIS workshop at the Commission's last regular meeting, most notably no increase to our approved FY2011 budget. Should the body approve this motion, our office intends to advertise the new position by August 10, 2010, at the minimum grade level III salary of \$30,000 per year.

The motion as recommended by staff:

Move to approve the reclassification in the GIS Office of one existing, vacant part-time Addressing Assistant position into a full-time, grade level III, Office Administrative Assistant position with permission to advertise within one month.

**Jefferson County, West Virginia  
Job Description**

<b>Position Title:</b>	GIS Office Administrative Assistant	<b>Grade Level:</b>	III
<b>Department</b>	E9-1-1 Communications/GIS Office	<b>Date:</b>	July 15, 2010
<b>Reports to:</b>	GIS Specialist	<b>FLSA Status</b>	NE

**Statement of Duties:** The employee is the executive administrative support to the GIS Specialist and Office Manager of the GIS/Addressing Office. The employee performs administrative, clerical, database management, records maintenance and customer services and all similar or related duties in support of the operation of the department.

**Supervision Required:** Works under general supervision of the GIS Specialist/GIS Office Manager. Employee plans and carries out the regular work in accordance with standard practices and previous training, with substantial responsibility for determining the sequence and timing of action and substantial independence in planning and organizing work activities, including determining work methods. The employee is expected to solve through experienced judgment most problems of detail or unusual situations by adapting methods or interpreting instructions to resolve the particular problem. Instructions for new assignments or special projects usually consist of statements of desired objectives, deadlines and priorities. Technical and policy problems or changes in procedures are discussed with supervisor, but ordinarily the employee plans the work, lays it out and carries it through to completion independently. Work is generally reviewed only for technical adequacy, appropriateness of actions or decisions, and conformance with policy or other requirements; the methods used in arriving at the end result are not usually reviewed in detail.

**Supervisory Responsibility:** Employee as a regular and continuing part of the job does not supervise other employees.

**Confidentiality:** Employee has access to confidential information of the Department.

**Accountability:** Consequences of errors, missed deadlines or poor judgment may include time loss, adverse public relations, monetary loss, labor/material loss, legal repercussions and jeopardize programs.

**Judgment:** Numerous standardized practices, procedures, or general instructions govern the work and in some cases, may require additional interpretation. Judgment is needed to locate, select, and apply the most pertinent practice, procedure, regulation or guideline. Often creative judgment is required to determine how best to secure results to satisfy the objectives established by the Office Manager.

**Complexity:** The work consists of a variety of duties which generally follow standardized practices, procedures, regulations or guidelines. Interpretation of the regulation and guidelines with minimal supervision is required. The sequence of work and/or the procedures followed vary according to the nature of the transaction and/or the information involved, or sought, in a particular situation.

**Work Environment:** The work environment involves everyday discomforts typical of indoor environments such as office settings, with infrequent exposure to outside elements. Noise or physical surroundings may be distracting, but conditions are generally not unpleasant. Employee rarely may be required to work beyond normal business hours to attend evening meetings.

GIS/Addressing Office  
GIS Administrative Assistant

7/15/10

## Jefferson County, West Virginia Job Description

**Nature and Purpose of Public Contact:** Relationships with co-workers and the public involving frequent explanation, discussion or interpretation of practices, procedures, regulations or guidelines in order to render service, plan or coordinate work efforts, or resolve operating problems. Other regular contacts are with service recipients and employees of outside organizations such as municipalities, federal/state governments, vendors, developers, banks, real estate agents, attorneys, appraisers, credit companies, private investigators, postal employees, police, fire & rescue personnel. More than ordinary courtesy, tact, and diplomacy may be required to resolve complaints or deal with uncooperative or uninformed persons.

**Occupational Risk:** Duties of the job present little potential for injury. Risk exposure is similar to that found in typical office settings.

**Essential Functions:**

*The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

1. Tracks all customer service requests (phone, walk-in, e-mail, etc) according to office priorities and ensures they are met within a timely manner;
2. Conducts staff reviews of land development applications for elements in compliance with E9-1-1 Addressing Ordinance and pertaining to addressing, road naming, subdivision naming. Corresponds findings of staff reviews with applicant and necessary agencies;
3. Reviews and approves new road names and subdivision names per submitted applications;
4. Interprets E9-1-1 Addressing Ordinance as potential duly assigned officer. Tracks Address Enforcement Program;
5. Maintains GIS Office Policies, Procedures, Guidelines, annual reports, etc;
6. Assists the Office Manager with management of GIS projects, including research, database management, file organization, data gathering, PowerPoint presentations, and the organizing, editing, copying, and distribution of draft documents.
7. Creates purchase orders, tracks invoicing, tracks annual budget, reconciles receipts and statements;
8. Coordinates routine street sign maintenance and contract billing;
9. Conducts digital data and map sales;
10. Maintains staff timesheets for approval by Office Manager;
11. Coordinates office calendar, staff meetings and handles communication;
12. Keeps copier paper full, coordinate maintenance of office equipment, and maintain a full stock of office supplies;
13. Completes professional development training to improve and maintain skills;
14. Performs other administrative and office management duties as needed;

## Jefferson County, West Virginia Job Description

### **Recommended Minimum Qualifications:**

**Education and Experience:** 4-year college degree with one to three (1-3) years related work experience desirable; High school diploma with 3 years office management experience, or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to perform the essential functions of the job.

**Special Requirements:** Drivers license required.

### **Knowledge, Abilities and Skill**

**Knowledge:** Common policies, practices and procedures of the department and office operations; laws and regulations pertinent to position functions. Proficiency in a range of software programs, e-mail and the Internet in support of department operations.

**Abilities:** Use good judgment and decision making abilities, to work independently with minimum supervision, and follow established office policies. Ability to communicate professionally with people of diverse backgrounds and levels of education is required. Ability to conceptualize ideas, analyze technical documents and compile complex information in concise writing.

**Skills:** Good typing, advanced computer, written and verbal communication, record keeping, and time management skills are required. Effective customer service skills are also required.

### **Physical and Mental Requirements**

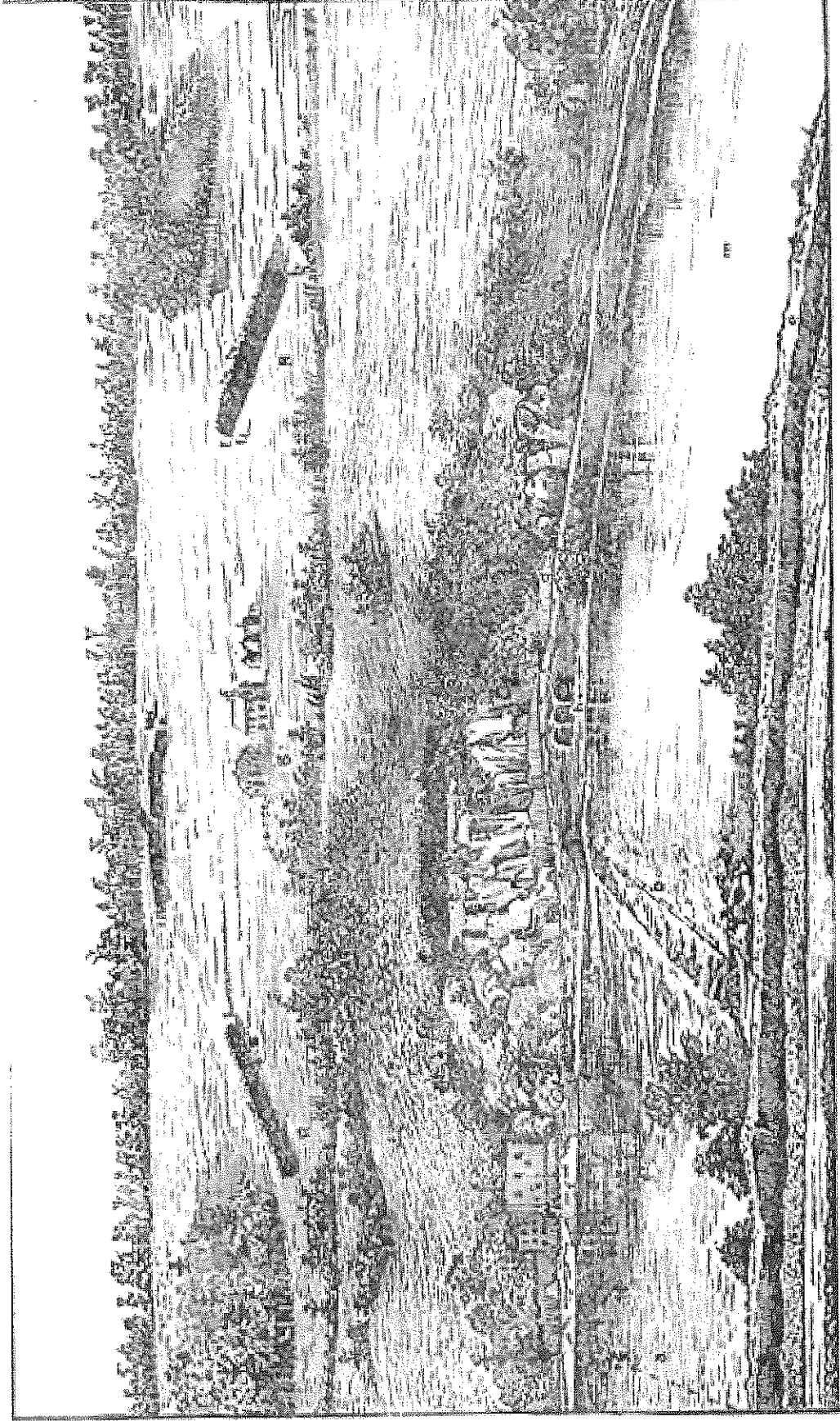
*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.*

**Physical Demands:** Little or no physical demands are required to perform the work. Work effort principally involves sitting to perform work tasks, with intermittent periods of stooping, walking, and standing. There may also be some occasional lifting of objects such as books, office equipment and computer paper.

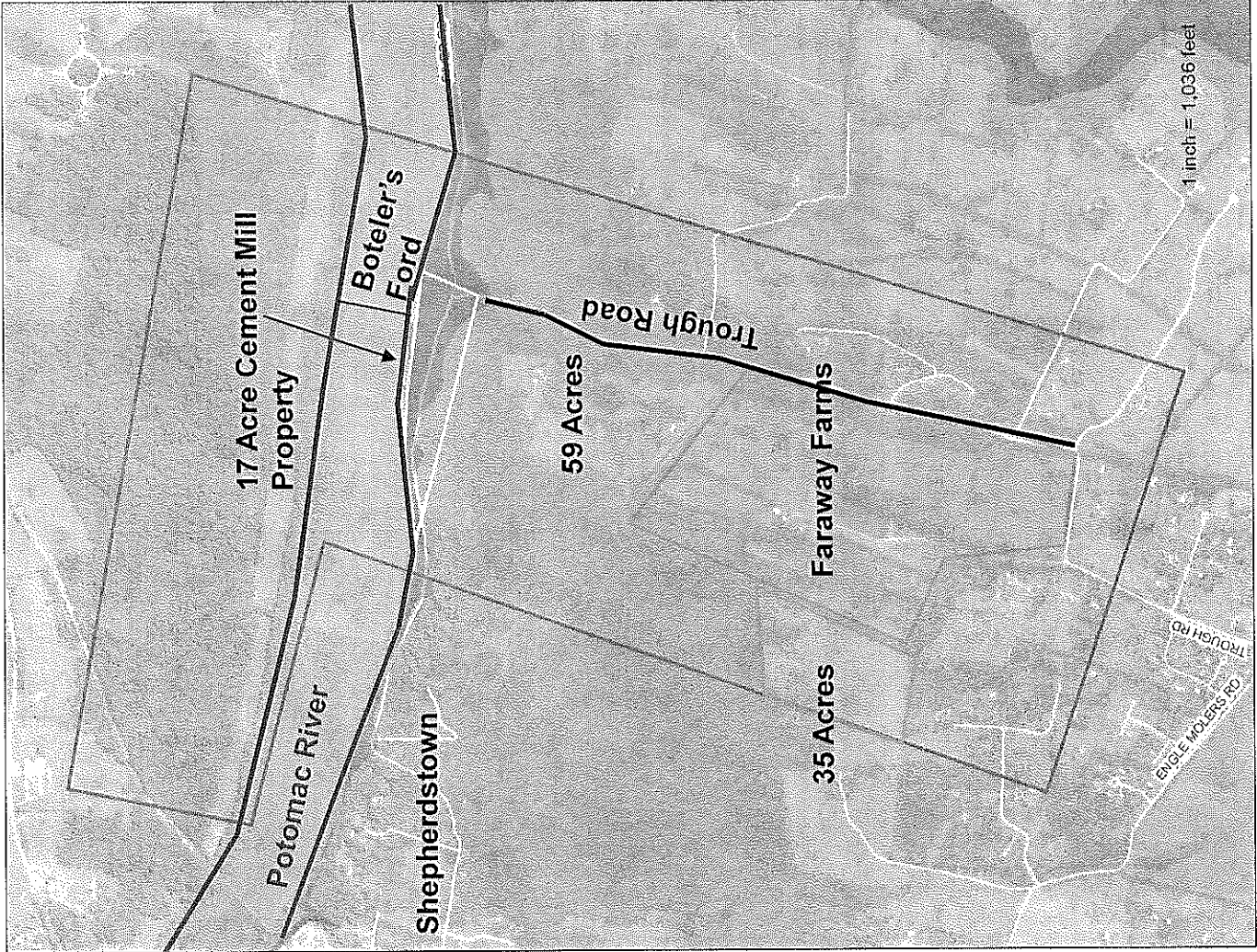
**Motor Skills:** Duties are largely mental rather than physical, but the job may occasionally require minimal motor skills for activities such as moving objects, operating a telephone system, computer and/or most other office equipment, typing and/or word processing, filing, and sorting.

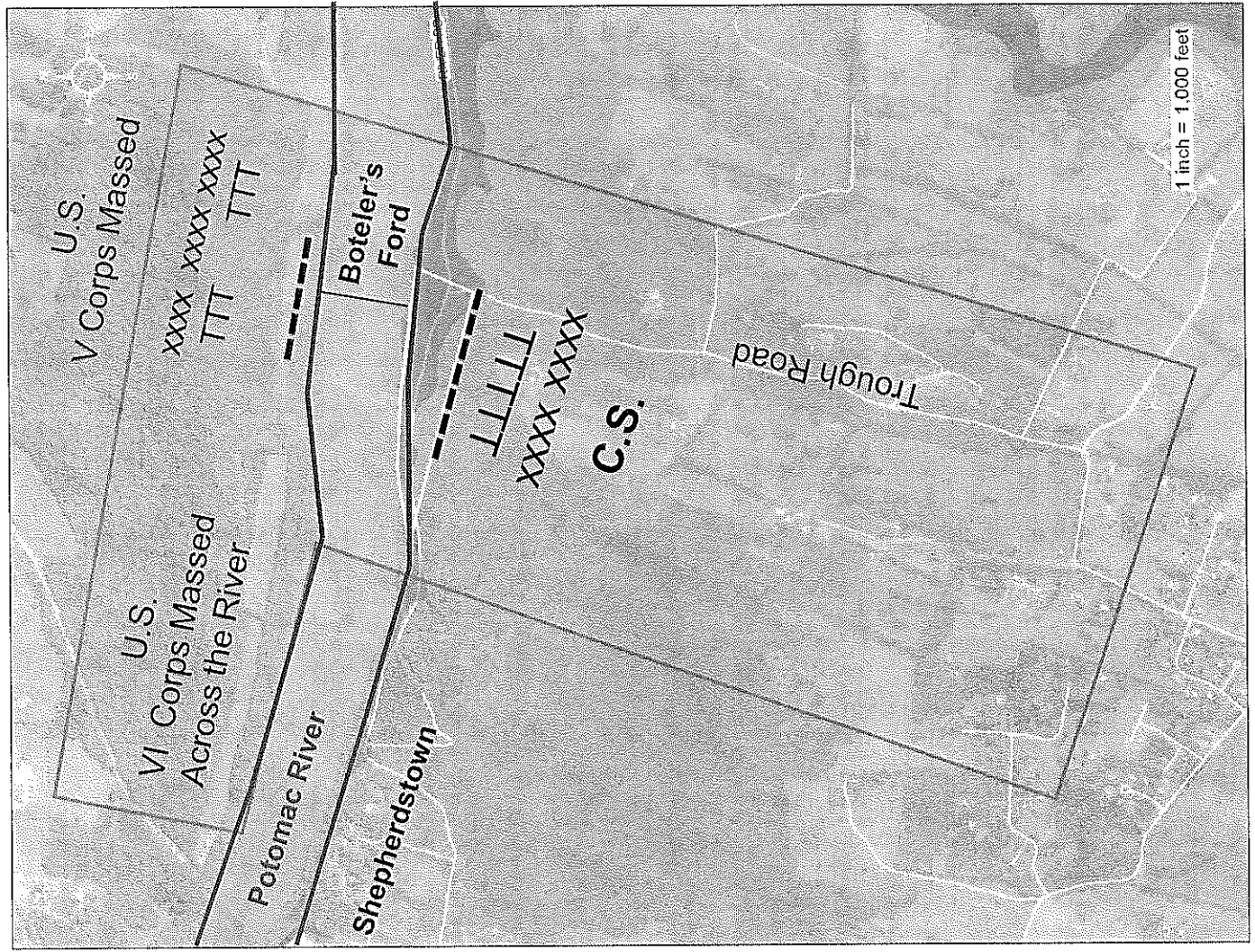
**Visual Demands:** Visual demands require the employee to constantly read documents for general understanding, accuracy and for analytical purposes. Sustained exposure to personal computer monitors also occurs.

# Action on the Shepherdstown Battlefield



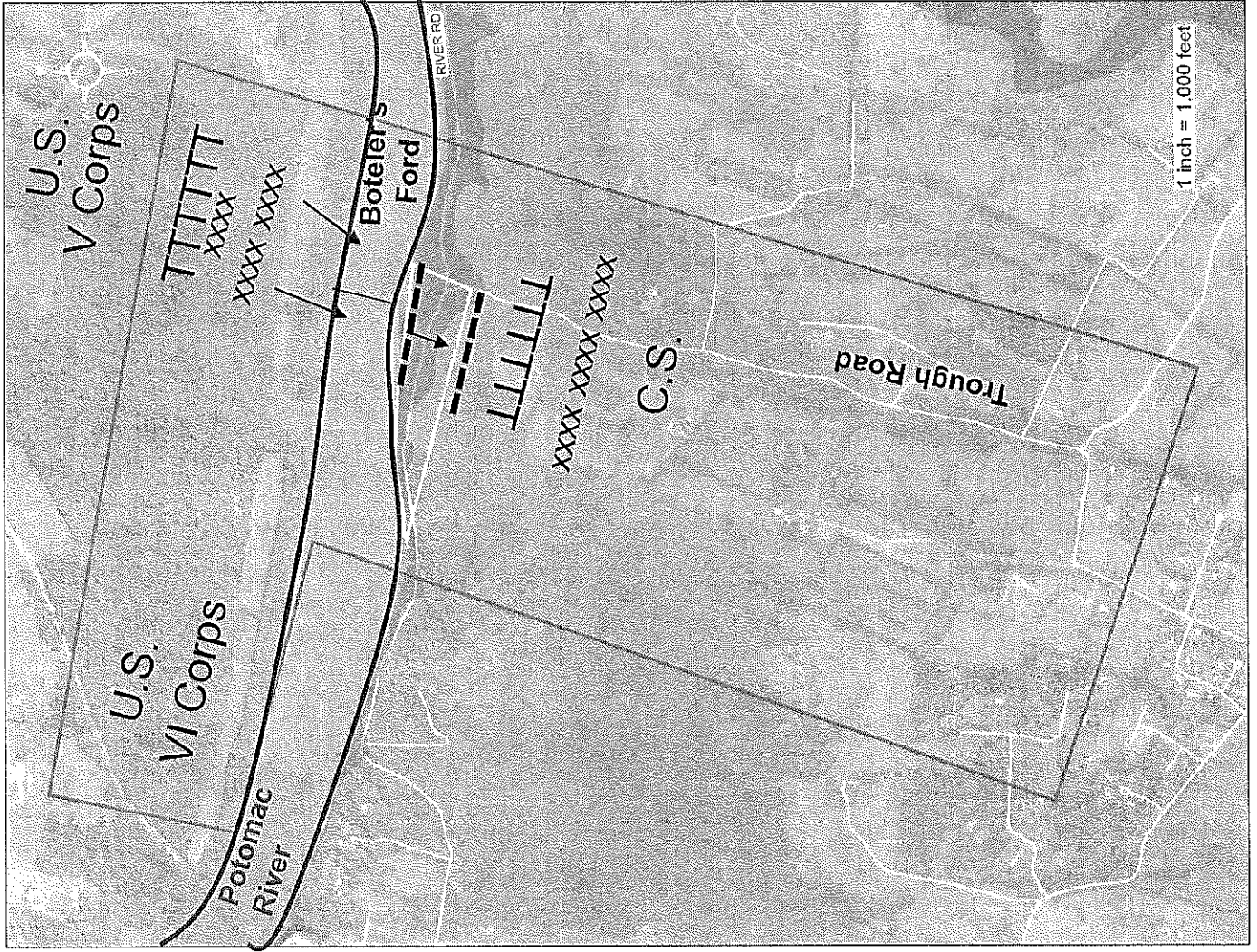
BATTLE-FIELD OF SHEPHERDSTOWN.





**Legend**

- Skirmishes
- TTTT Artillery
- XXXX Infantry

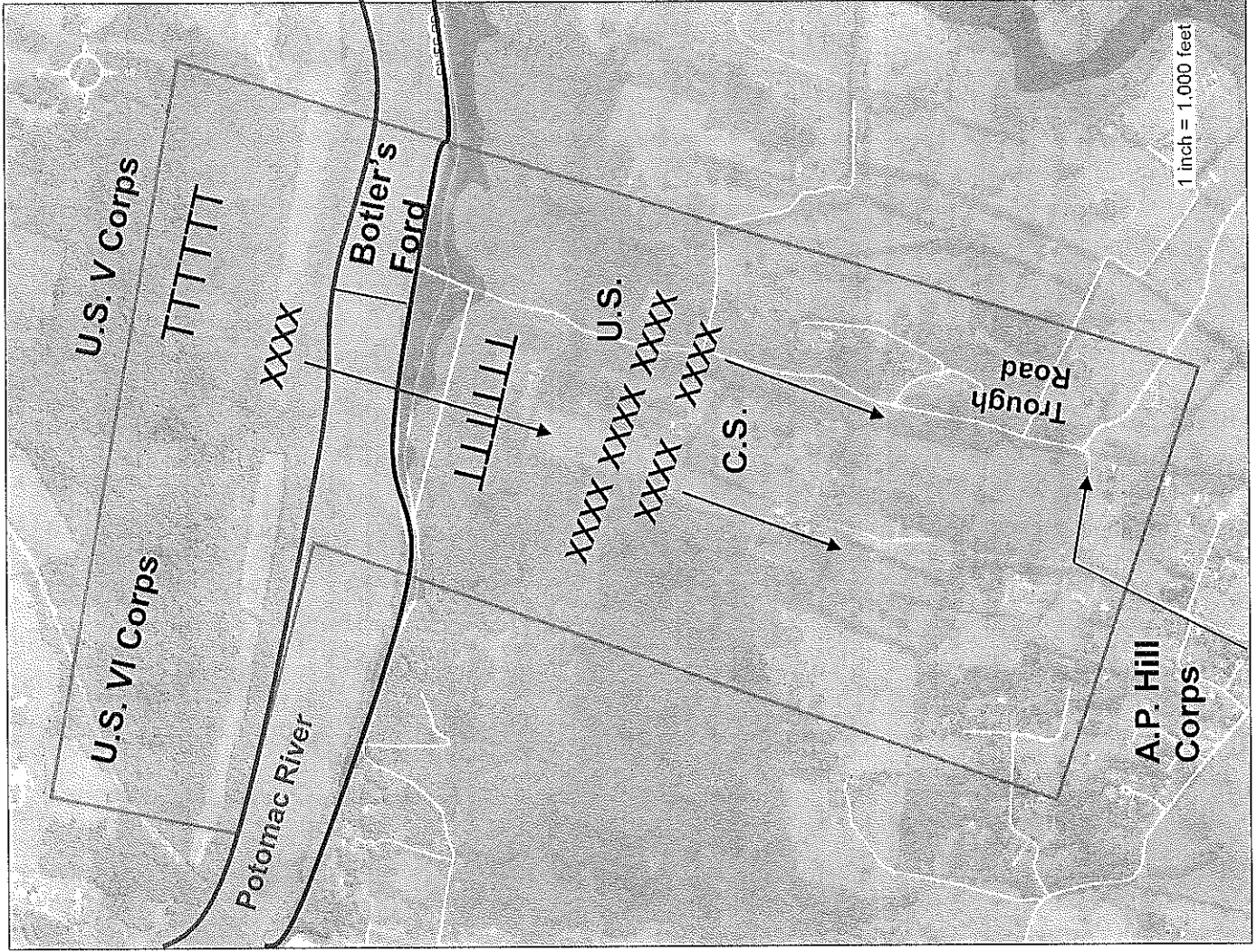


**Legend**

----- Skirmishes

TTTT Artillery

XXXX Infantry

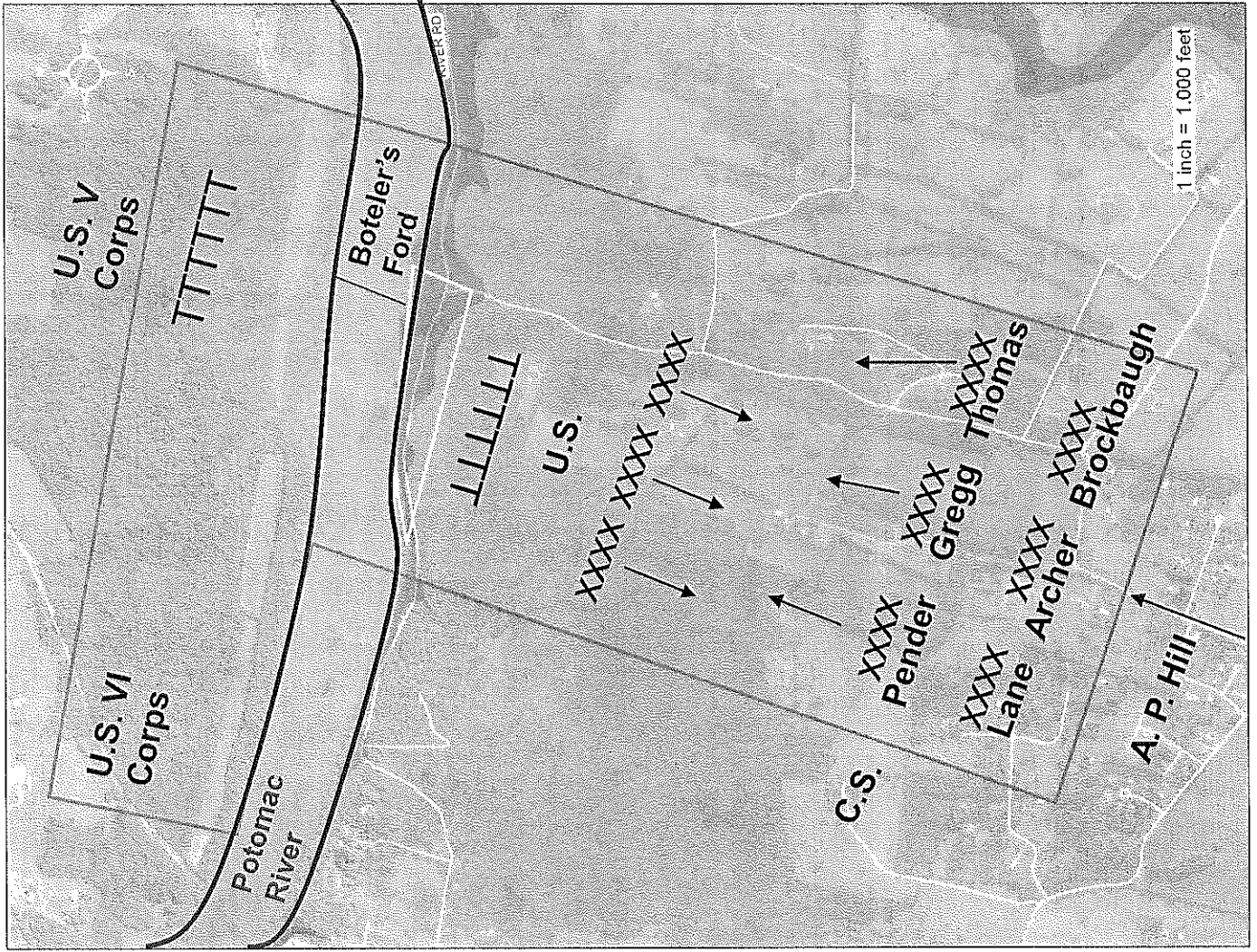


**Legend**

----- Skirmishes

TTTT Artillery

XXXX Infantry

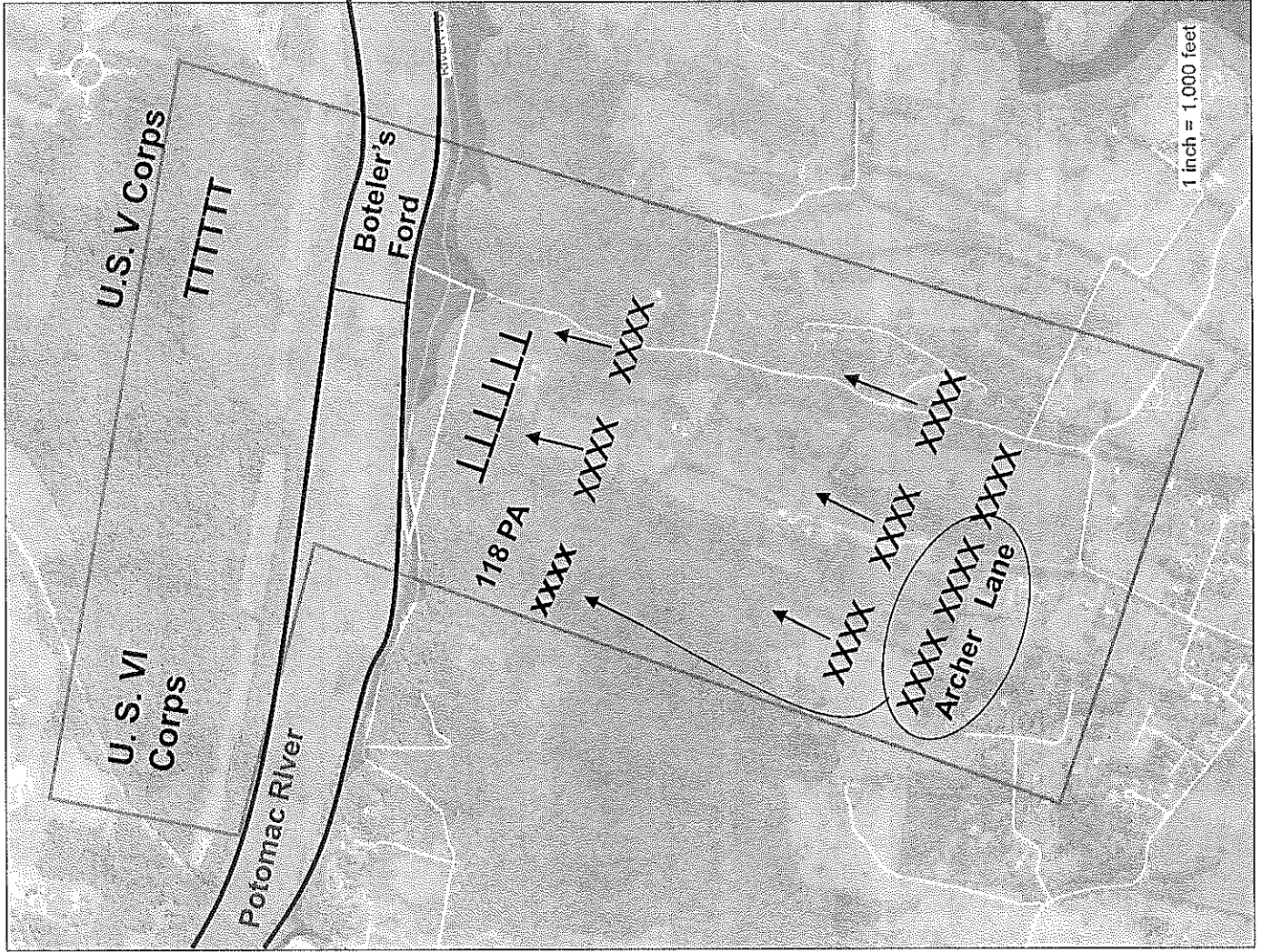


**Legend**

----- Skirmishes

TTTT Artillery

XXXX Infantry

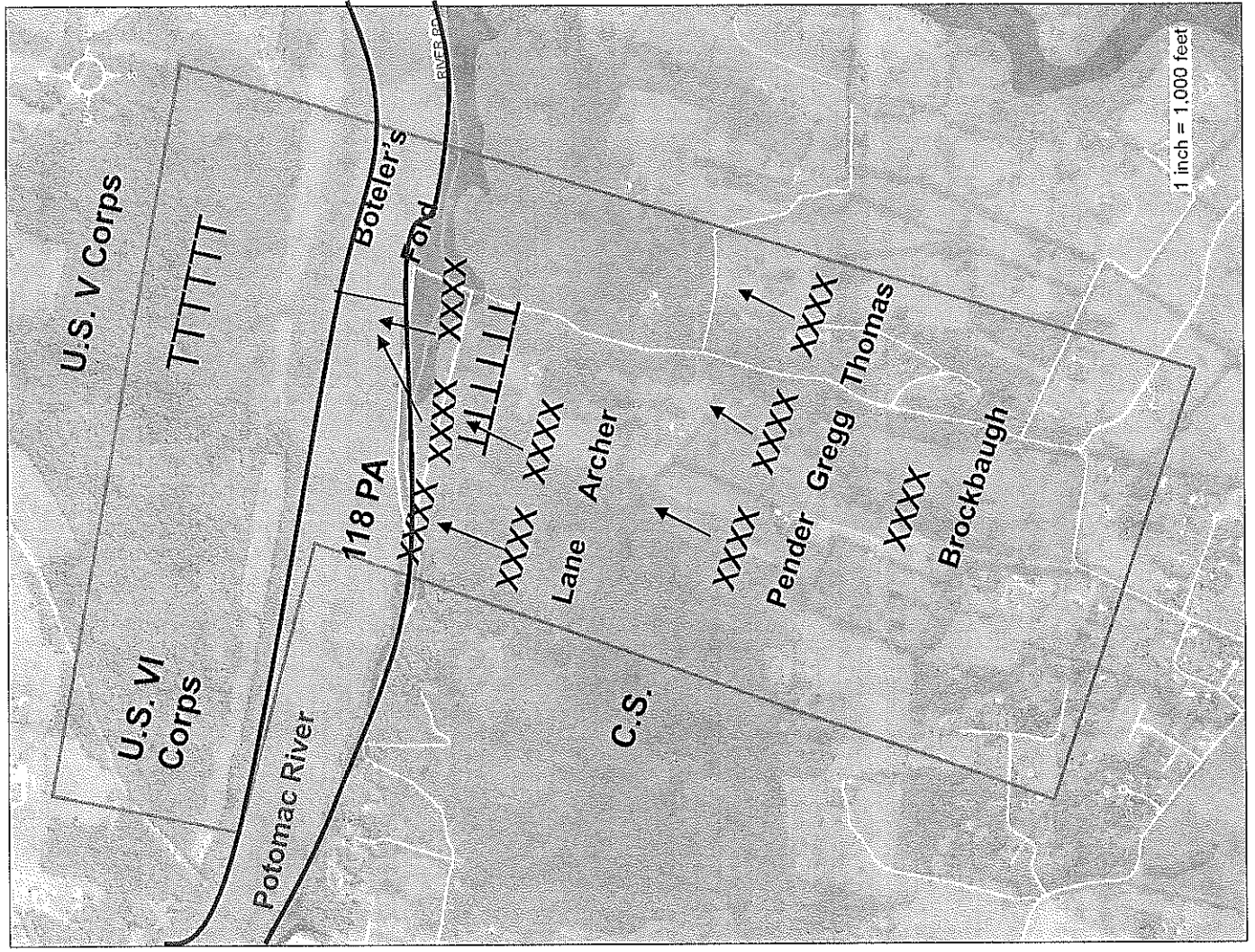


**Legend**

----- Skirmishes

TTTT Artillery

XXXX Infantry

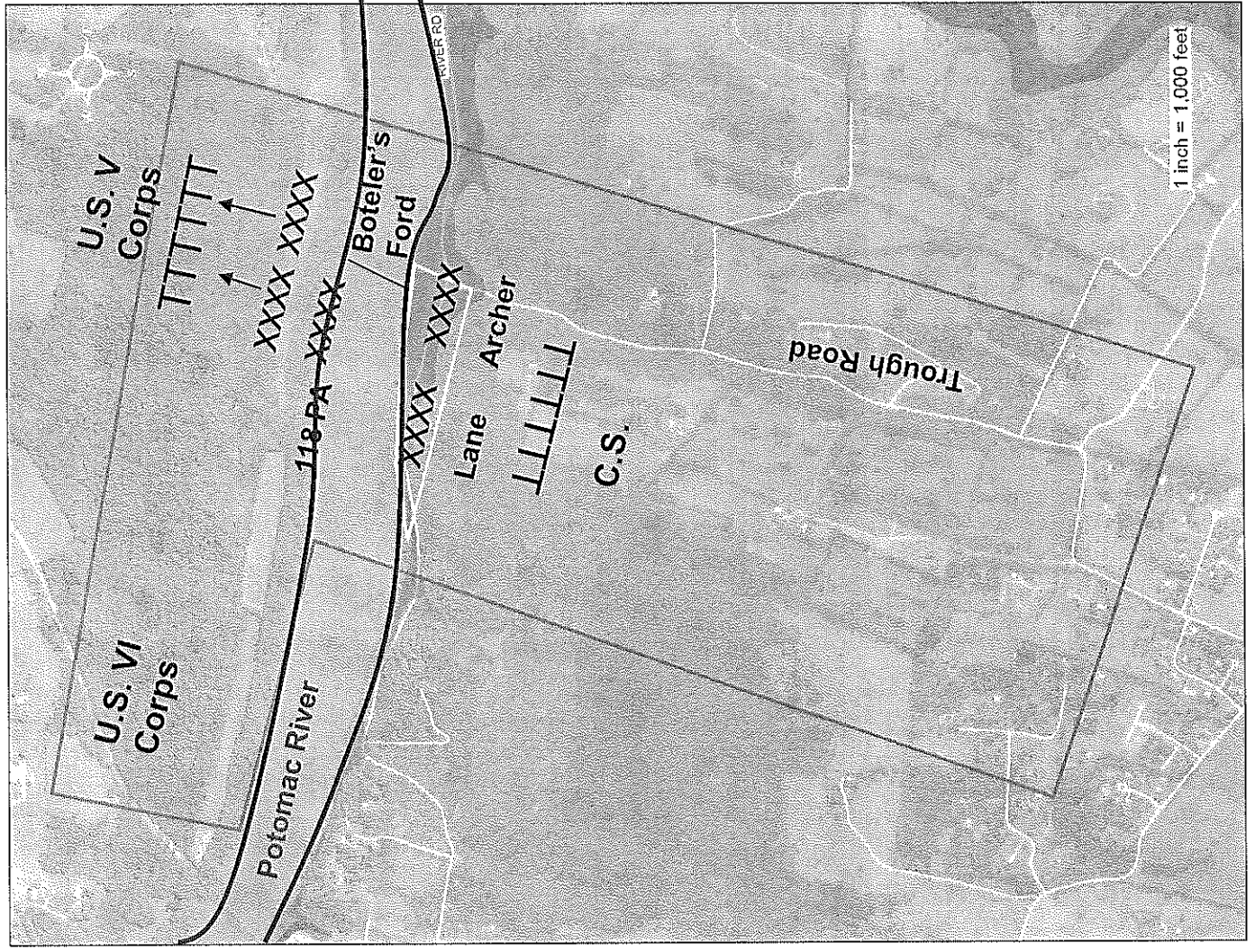


**Legend**

----- Skirmishes

TTTT Artillery

XXXX Infantry

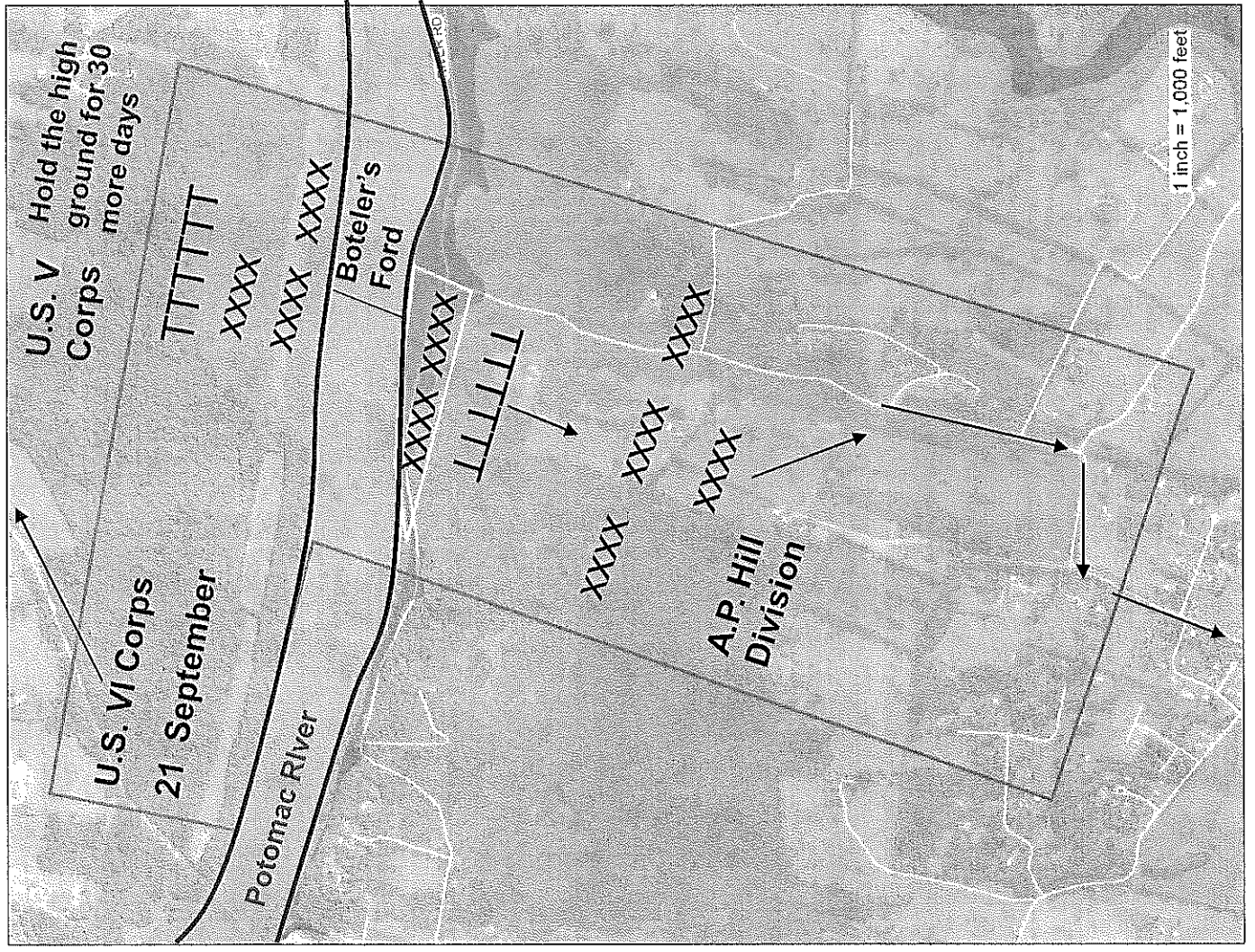


**Legend**

----- Skirmishes

TTTT Artillery

XXXX Infantry

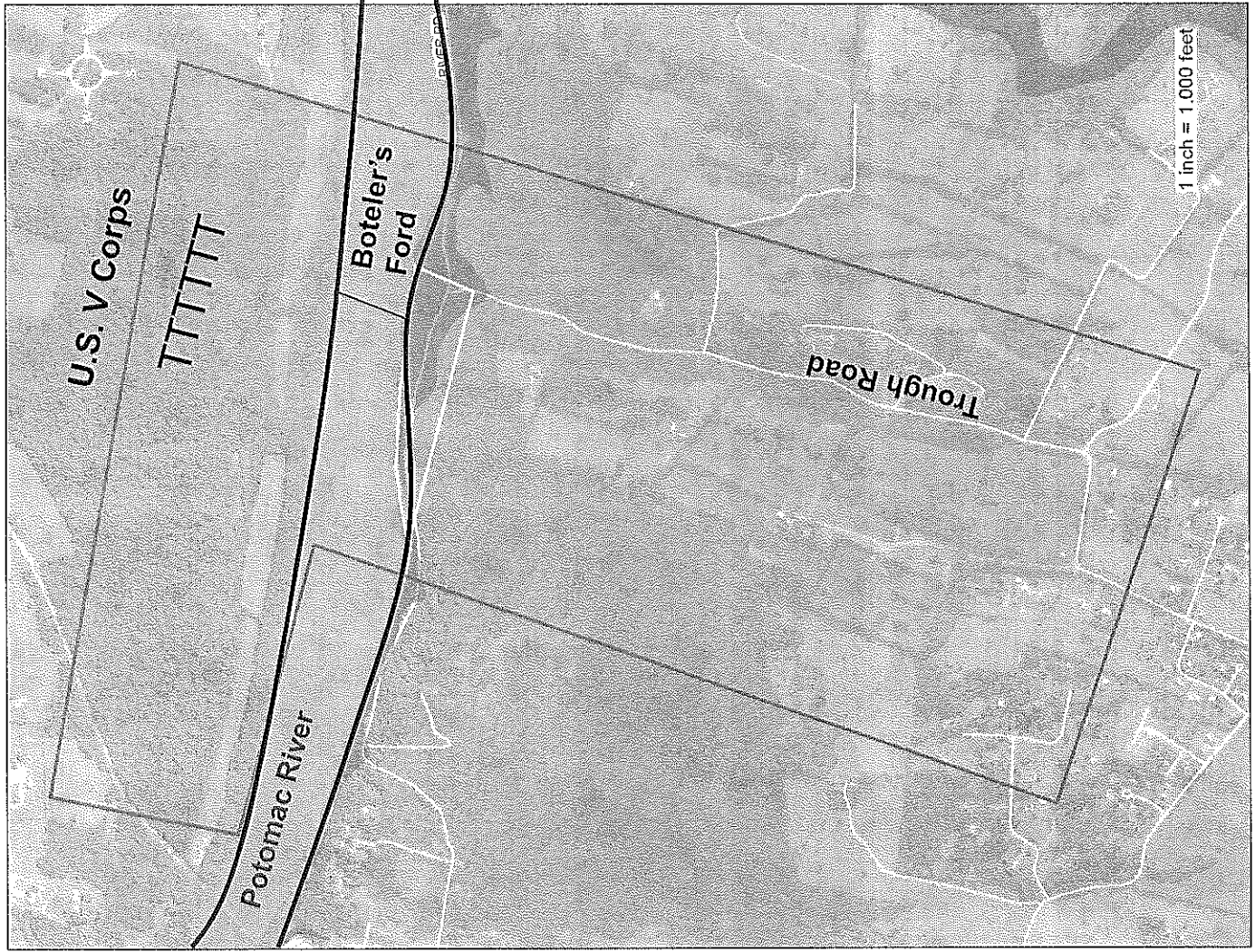


**Legend**

----- Skirmishes

TTT Artillery

XXXX Infantry

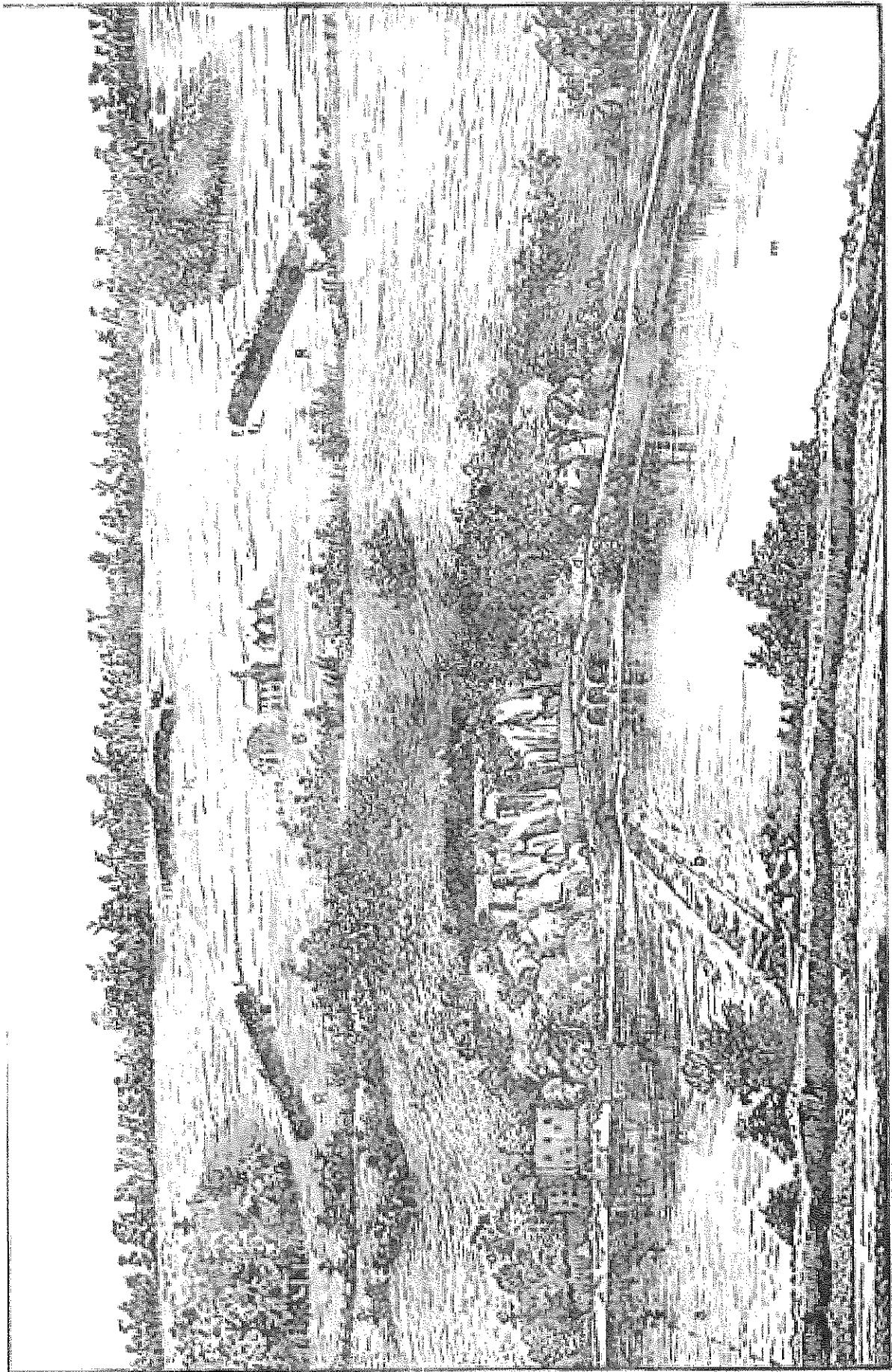


**Legend**

----- Skirmishes

TTT Artillery

XXXX Infantry



BATTLE-FIELD OF SHEPHERDSTOWN.



NEW YORK CITY

# Impact Fee Status Report

## June 2010

Department of Capital Planning and Management/Office of Impact Fees

### Summary

Date Range: Tuesday 1 through Wednesday 30 June 2010

Report Date: 01 July 2010.

Process Number Range: 1000084 - 1000106

Total Applications: 23

Total Non-Exempt: 22

*Of which:*

Commercial: 0

Residential: 22

*Of which:*

County: 22

Municipal: 0

Total Exempt: 1

*Of which:*

Commercial: 0

Residential: 1

*Of which:*

County: 1

Municipal: 0

Tables 1 through 7 summarize impact fee processing for the month of June 2010:

**Table 1. Form 100 Tallies**

	Exempt	Residential Applications	Commercial Applications	Total
1-30 June 2010	1	22	0	
Fees collected		\$230,020.00		\$230,020.00
<i>Of which</i>				
School Impact Fee		\$199,713.00		\$199,713.00
Law Enforcement Fee		\$4,893.00		\$4,893.00
Parks & Recreation Fee		\$13,053.00		\$13,053.00
Fire & EMS Fee		\$12,361.00		\$12,361.00

**Table 2. Financial Data – Department of Impact Fees General Account (3111776)**

Description	Amount
Opening Statement Balance (1 May 10)	\$160,635.70
May Deposits (1 – 30 June 2010)	\$230,020.00
Interest Earned (30 June 10)	\$189.84
School Apr Transactions (withdraws via transfer on 04 June 2010)	(\$102,405.48)
Law Apr Transactions (withdraws via transfer on 04 June 2010)	(\$6,252.47)
Parks & Rec Apr Transactions (withdraws via transfer on 04 June 2010)	(\$6,779.47)
Fire & EMS Apr Transactions (withdraws via transfer on 04 June 2010)	(\$45,198.28)
Ending Statement Balance 30 June 2010)	\$230,209.84
<i>Outstanding Credits (deposits through 01 July 2010)</i>	<i>0.00</i>

**Table 3. Financial Data – School Impact Fee Account (3107582)**

Description	Amount
Opening Balance (1 June 2010)	\$520,292.99
Interest Earned (30 June 2010)	\$956.44
May Transactions (deposits via transfer on 04 June 2010)	\$102,405.48
Ending Balance (30 June 2010)	\$623,654.91

**Table 4. Financial Data – Law Enforcement Impact Fee Account (3120120)**

Description	Amount
Opening Balance (1 June 2010)	\$33,972.44
Interest Earned (30 June 2010)	\$61.84
May Transactions (deposits via transfer on 04 June 2010)	\$6,252.47
Ending Balance 30 June 2010)	\$40,286.75

**Table 5. Financial Data – Parks & Recreation Impact Fee Account (3122808)**

Description	Amount
Opening Balance (1 June 2010)	\$143,160.45
Interest Earned (30 June 2010)	\$233.10
May Transactions (deposits via transfer on 04 June 2010)	\$6,779.47
Ending balance 30 June 2010	\$150,173.02

**Table 6. Financial Data – Fire & EMS Impact Fee Account (3122816)**

Description	Amount
Opening Balance (1 June 2010)	\$382,838.29
Interest Earned (30 June 2010)	\$661.38
May Transactions (deposits via transfer on 04 June 2010)	\$45,198.28
Ending Balance (30 June 2010)	\$428,697.95

**Table 7. Total Impact Fees as of 01 July 2010/1**

Description	Amount
Department of Impact Fees General Account	\$230,209.84
School Impact Fee Account	\$623,654.91
Law Enforcement Fee Account	\$40,286.75
Parks & Recreation Impact Fee Account	\$150,173.02
Fire & EMS Impact Fee Account	\$428,697.95
<b>Total</b>	<b>\$1,473,022.47</b>

Notes:

/1 These values represent both impact fees collected and interest earned. The general account includes the outstanding credits listed in table 2 and outstanding debits, if any, listed in tables 3-6.

## Form 100 Transaction Summary

Jefferson County Government – Department of Impact Fees

Applications with IFC Signature Dates/Form 190 Processing Dates between Tuesday, June 01, 2010 and Wednesday, June 30, 2010

Process Application Number	Date	Last Name	First Name	Tax District	Deed	Page	Tax	Parcel	Impact Fee	Agreement Date	Exemption Reason
1000097	06/22/2010	Simons	Howard	02 Charles Town	540	18	10B	90	\$0.00	06/22/2010	Replacement of habitable DU with another DU

**Category Count: 1**

**Category Total**

**\$0.00**

### Non-Exempt Applications

1000084	06/02/2010		Sheridan, LLC	04 Harpers Ferry	960	208	9D	82	\$13,070.00	06/02/2010	N/A
1000085	06/02/2010		Sheridan, LLC	04 Harpers Ferry	960	208	9D	83	\$13,070.00	06/02/2010	N/A
1000086	06/02/2010		Sheridan, LLC	04 Harpers Ferry	960	208	9D	84	\$13,070.00	06/02/2010	N/A
1000087	06/02/2010		Sheridan, LLC	04 Harpers Ferry	960	208	9D	104	\$13,070.00	06/02/2010	N/A
1000088	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	134	\$9,868.00	06/15/2010	N/A
1000089	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	135	\$9,868.00	06/15/2010	N/A
1000090	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	136	\$9,868.00	06/15/2010	N/A
1000091	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	137	\$9,868.00	06/15/2010	N/A
1000092	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	138	\$9,868.00	06/15/2010	N/A
1000093	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	139	\$9,868.00	06/15/2010	N/A
1000094	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	140	\$9,868.00	06/15/2010	N/A
1000095	06/15/2010		Ryan Homes	02 Charles Town	1023	459	9C	141	\$9,868.00	06/15/2010	N/A
1000096	06/16/2010	Ehrich	Everett	06 Kabletown	1068	98	23B	11	\$13,070.00	06/16/2010	N/A
1000098	06/23/2010		Ryan Homes	02 Charles Town	1001	16	9	25	\$13,070.00	06/23/2010	N/A
1000099	06/23/2010		Ryan Homes	02 Charles Town	1001	16	9	52	\$13,070.00	06/23/2010	N/A
1000100	06/25/2010		Ryan Homes	02 Charles Town	1001	16	9	28	\$13,070.00	06/25/2010	N/A
1000101	06/25/2010		Ryan Homes	02 Charles Town	1001	16	9	31	\$13,070.00	06/25/2010	N/A
1000102	06/25/2010		THZ Enterprises	09 Shepherdstown	975	69	8C	340	\$13,070.00	06/25/2010	N/A

1000103	06/28/2010	Wohleber	Timothy	09 Shepherdstown1071	445	3	3.7	\$13,070.00	06/28/2010	N/A
1000104	06/29/2010	Wormald, Jr.	Robert	04 Harpers Ferry 975	635	10A	24	\$926.00	06/29/2010	N/A
1000105	06/29/2010	Wormald, Jr.	Robert	04 Harpers Ferry 975	635	10A	28	\$3,190.00	06/29/2010	N/A
1000106	06/29/2010	Wormald, Jr.	Robert	04 Harpers Ferry 975	635	10A	29	\$3,190.00	06/29/2010	N/A

**Category Count: 22**

**Category Total**  
**Grand Total**  
**Grand Total**

**\$230,020.00**  
**\$230,020.00**  
**\$160,349.00**

JEFFERSON COUNTY, WEST VIRGINIA  
Department of Capital Planning and Management  
114 East Washington Street  
Charles Town, West Virginia 25414

COPY

F. Mark Schiavone  
Director  
Impact Fee Coordinator

Phone: (304) 728-3331  
Fax: (304) 724-2178  
mschiavone@jeffersoncountywv.org

MEMORANDUM

TO: Tim Boyde, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone *FM*  
DATE: Thursday, 01 July 2010  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's School Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County School Impact Fee Account (Bank of Charles Town account 3107582)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of June 2010.

This transfer consists of two components:

- Impact Fee Process Numbers **1000084** through **1000106**, inclusive. Within this range there were 22 non-exempt impact fee payments. This amounts to **\$199,713.00**.
- Interest earned by the Office of Impact Fees General Account in June 2010 amounts to **\$189.84**, of which **\$165.16** is attributed to fees collected for School.

**As per the attached invoice, the total amount of this transfer is \$199,878.16.**

**Check # 757**

**Jefferson County Commission**

P.O. Box 250  
 Charles Town, WV 25414

**Invoice**

**Number:** 10024

**Date:** 7/1/2010

**Bill To:**

Department of Capital Planning and Management  
 114 E. Washington Street  
 Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
 102 Industrial Blvd.  
 Suite 100  
 Kearneysville, WV 25430

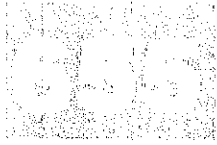
**P.O. Number**

0

**Vendor Number****Dept./Line****Item # Charged****Description****Amount**

	Impact Fee payments collected for month of June 2010 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County School Impact Fees Bank Account (3107582).	\$199,713.00
	Interest earned by the Office of Impact Fees General Account June 2010.	\$165.16
	Impact Fee Process Numbers 1000084 through 1000106, inclusive. Within this range, there were 22 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$199,878.16</b>

**Notes/Comments:** Transfer of funds into School Impact Fee Account (3107582).



**Account Withdraws**  
 Department of Impact Fees - Jefferson County Government

Account 3111776

Schools

Check Number 757

Trace 20100701:35755.09

Date 7/1/2010

Series 1

Recipient Sheriff of Jefferson County

Amount \$199,713.00

Account 3107582

Signature 1 Lyn Widmyer

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: transfer of June School impact fees

Deposit Date	Process Number	Ordinance	Enact Date	Amount
6/3/2010	1000084	2003-3	11/24/2005	\$11,358.00
6/3/2010	1000085	2003-3	11/24/2005	\$11,358.00
6/3/2010	1000086	2003-3	11/24/2005	\$11,358.00
6/3/2010	1000087	2003-3	11/24/2005	\$11,358.00
6/16/2010	1000088	2003-3	11/24/2005	\$8,560.00
6/16/2010	1000089	2003-3	11/24/2005	\$8,560.00
6/16/2010	1000090	2003-3	11/24/2005	\$8,560.00
6/16/2010	1000091	2003-3	11/24/2005	\$8,560.00
6/16/2010	1000092	2003-3	11/24/2005	\$8,560.00
6/16/2010	1000093	2003-3	11/24/2005	\$8,560.00
6/16/2010	1000094	2003-3	11/24/2005	\$8,560.00
6/16/2010	1000095	2003-3	11/24/2005	\$8,560.00
6/17/2010	1000096	2003-3	11/24/2005	\$11,358.00
6/24/2010	1000098	2003-3	11/24/2005	\$11,358.00
6/24/2010	1000099	2003-3	11/24/2005	\$11,358.00
6/28/2010	1000100	2003-3	11/24/2005	\$11,358.00
6/28/2010	1000101	2003-3	11/24/2005	\$11,358.00
6/28/2010	1000102	2003-3	11/24/2005	\$11,358.00
6/29/2010	1000103	2003-3	11/24/2005	\$11,358.00
6/30/2010	1000104	2003-3	11/24/2005	\$703.00
6/30/2010	1000105	2003-3	11/24/2005	\$2,796.00
6/30/2010	1000106	2003-3	11/24/2005	\$2,796.00

Total amount for this withdraw \$199,713.00

Total amount for this account \$199,713.00

Total amount all accounts \$199,713.00

JEFFERSON COUNTY, WEST VIRGINIA  
Department of Capital Planning and Management  
114 East Washington Street  
Charles Town, West Virginia 25414

COPY

F. Mark Schiavone  
Director  
Impact Fee Coordinator

Phone: (304) 728-3331  
Fax: (304) 724-2178  
mschiavone@jeffersoncountywv.org

MEMORANDUM

TO: Tim Boyde, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone *ms*  
DATE: Thursday, 01 July 2010  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Law Enforcement Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Law Enforcement Impact Fee Account (Bank of Charles Town account 3120120)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of June 2010.

This transfer consists of two components:

- Impact Fee Process Numbers **1000084** through **1000106**, inclusive. Within this range there were 22 non-exempt impact fee payments. This amounts to **\$4,893.00**.
- Interest earned by the Office of Impact Fees General Account in June 2010 amounts to **\$189.84**, of which **\$3.80** is attributed to fees collected for Law Enforcement.

**As per the attached invoice, the total amount of this transfer is \$4,896.80.**

Check # 758

**Jefferson County Commission**

P.O. Box 250  
 Charles Town, WV 25414

**Invoice**

**Number:** 10025

**Date:** 7/1/2010

**Bill To:**

Department of Capital Planning and Management  
 114 E. Washington Street  
 Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
 102 Industrial Blvd.  
 Suite 100  
 Kearneysville, WV 25430

**P.O. Number**

0

**Vendor Number****Dept./Line****Item # Charged****Description****Amount**

	Impact Fee payments collected for month of June 2010 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Law Enforcement Impact Fees Bank Account (3120120).	\$4,893.00
	Interest earned by the Office of Impact Fees General Account June 2010.	\$3.80
	Impact Fee Process Numbers 1000084 through 1000106, inclusive. Within this range, there were 22 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$4,896.80</b>

**Notes/Comments:** Transfer of funds into Law Enforcement Impact Fee Account (3120120).



# Account Withdraws

Department of Impact Fees - Jefferson County Government

Account 3111776

Law Enforcement

Check Number 758

Trace 20100701:35865.41

Date 7/1/2010

Series 2

Recipient Sheriff of Jefferson County

Amount \$4,893.00

Account 3120120

Signature 1 Lyn Widmyer

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: Transfer of June Law fees

Deposit Date	Process Number	Ordinance	Enact Date	Amount
6/3/2010	1000084	2005-1	3/22/2005	\$262.00
6/3/2010	1000085	2005-1	3/22/2005	\$262.00
6/3/2010	1000086	2005-1	3/22/2005	\$262.00
6/3/2010	1000087	2005-1	3/22/2005	\$262.00
6/16/2010	1000088	2005-1	3/22/2005	\$200.00
6/16/2010	1000089	2005-1	3/22/2005	\$200.00
6/16/2010	1000090	2005-1	3/22/2005	\$200.00
6/16/2010	1000091	2005-1	3/22/2005	\$200.00
6/16/2010	1000092	2005-1	3/22/2005	\$200.00
6/16/2010	1000093	2005-1	3/22/2005	\$200.00
6/16/2010	1000094	2005-1	3/22/2005	\$200.00
6/16/2010	1000095	2005-1	3/22/2005	\$200.00
6/17/2010	1000096	2005-1	3/22/2005	\$262.00
6/24/2010	1000098	2005-1	3/22/2005	\$262.00
6/24/2010	1000099	2005-1	3/22/2005	\$262.00
6/28/2010	1000100	2005-1	3/22/2005	\$262.00
6/28/2010	1000101	2005-1	3/22/2005	\$262.00
6/28/2010	1000102	2005-1	3/22/2005	\$262.00
6/29/2010	1000103	2005-1	3/22/2005	\$262.00
6/30/2010	1000104	2005-1	3/22/2005	\$127.00
6/30/2010	1000105	2005-1	3/22/2005	\$142.00
6/30/2010	1000106	2005-1	3/22/2005	\$142.00

Total amount for this withdraw \$4,893.00

Total amount for this account \$4,893.00

Total amount all accounts \$4,893.00

**COPY**

**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Capital Planning and Management**  
114 East Washington Street  
Charles Town, West Virginia 25414

F. Mark Schiavone  
Director  
Impact Fee Coordinator

Phone: (304) 728-3331  
Fax: (304) 724-2178  
mschiavone@jeffersoncountywv.org

**MEMORANDUM**

TO: Tim Boyde, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone *ms*  
DATE: Thursday, 01 July 2010  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Parks & Recreation Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Parks & Recreation Impact Fee Account (Bank of Charles Town account 3122808)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of June 2010.

This transfer consists of two components:

- Impact Fee Process Numbers **1000084** through **1000106**, inclusive. Within this range there were 22 non-exempt impact fee payments. This amounts to **\$13,053.00**.
- Interest earned by the Office of Impact Fees General Account in June 2010 amounts to **\$189.84**, of which **\$11.39** is attributed to fees collected for Parks & Recreation.

**As per the attached invoice, the total amount of this transfer is \$13,064.39.**

**Check # 759**

**Jefferson County Commission**

P.O. Box 250  
 Charles Town, WV 25414

**Invoice**

**Number:** 10026

**Date:** 7/1/2010

**Bill To:**

Department of Capital Planning and Management  
 114 E. Washington Street  
 Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
 102 Industrial Blvd.  
 Suite 100  
 Kearneysville, WV 25430

**P.O. Number**

0

**Vendor Number****Dept./Line****Item # Charged****Description****Amount**

	Impact Fee payments collected for month of June 2010 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Parks & Recreation Impact Fees Bank Account (3122808).	\$13,053.00
	Interest earned by the Office of Impact Fees General Account June 2010.	\$11.39
	Impact Fee Process Numbers 1000084 through 1000106, inclusive. Within this range, there were 22 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$13,064.39</b>

**Notes/Comments:** Transfer of funds into Parks & Recreation Impact Fee Account (3122808).

**Account Withdraws**  
**Department of Impact Fees - Jefferson County Government**

Account 3111776

Parks & Rec

Check Number 759

Trace 20100701:36134.91

Date 7/1/2010

Series 3

Recipient Sheriff of Jefferson County

Amount \$13,053.00

Account 3122808

Signature 1 Lyn Widmyer

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: Transfer of June Park fee

Deposit Date	Process Number	Ordinance	Enact Date	Amount
6/3/2010	1000084	2005-2	5/12/2005	\$752.00
6/3/2010	1000085	2005-2	5/12/2005	\$752.00
6/3/2010	1000086	2005-2	5/12/2005	\$752.00
6/3/2010	1000087	2005-2	5/12/2005	\$752.00
6/16/2010	1000088	2005-2	5/12/2005	\$575.00
6/16/2010	1000089	2005-2	5/12/2005	\$575.00
6/16/2010	1000090	2005-2	5/12/2005	\$575.00
6/16/2010	1000091	2005-2	5/12/2005	\$575.00
6/16/2010	1000092	2005-2	5/12/2005	\$575.00
6/16/2010	1000093	2005-2	5/12/2005	\$575.00
6/16/2010	1000094	2005-2	5/12/2005	\$575.00
6/16/2010	1000095	2005-2	5/12/2005	\$575.00
6/17/2010	1000096	2005-2	5/12/2005	\$752.00
6/24/2010	1000098	2005-2	5/12/2005	\$752.00
6/24/2010	1000099	2005-2	5/12/2005	\$752.00
6/28/2010	1000100	2005-2	5/12/2005	\$752.00
6/28/2010	1000101	2005-2	5/12/2005	\$752.00
6/28/2010	1000102	2005-2	5/12/2005	\$752.00
6/29/2010	1000103	2005-2	5/12/2005	\$752.00
6/30/2010	1000104	2005-2	5/12/2005	\$1.00
6/30/2010	1000105	2005-2	5/12/2005	\$90.00
6/30/2010	1000106	2005-2	5/12/2005	\$90.00

Total amount for this withdraw \$13,053.00

Total amount for this account \$13,053.00

Total amount all accounts \$13,053.00

JEFFERSON COUNTY, WEST VIRGINIA  
Department of Capital Planning and Management  
114 East Washington Street  
Charles Town, West Virginia 25414

COPY

F. Mark Schiavone  
Director  
Impact Fee Coordinator

Phone: (304) 728-3331  
Fax: (304) 724-2178  
mschiavone@jeffersoncountywv.org

MEMORANDUM

TO: Tim Boyde, Vivian Fields, and Teresa Hendricks  
FROM: F. Mark Schiavone *ms*  
DATE: Thursday, 01 July 2010  
SUBJECT: **Transfer of Funds from Office of Impact Fees General Account to Sheriff's Fire & EMS Impact Fee Account.**

Attached please find Office of Impact Fees Form 655 which documents the transfer of impact fee funds from the Office of Impact Fees General Account (Bank of Charles Town account 3111776) to the **Sheriff of Jefferson County Fire & EMS Impact Fee Account (Bank of Charles Town account 3122816)** and an invoice to serve as the bill head for the transfer. This transfer is for Impact Fees collected by the Office of Impact Fees for the month of June 2010.

This transfer consists of two components:

- Impact Fee Process Numbers **1000084** through **1000106**, inclusive. Within this range there were 22 non-exempt impact fee payments. This amounts to **\$12,361.00**.
- Interest earned by the Office of Impact Fees General Account in June 2010 amounts to **\$189.84**, of which **\$9.49** is attributed to fees collected for Fire & EMS.

**As per the attached invoice, the total amount of this transfer is \$12,370.49.**

**Check # 760**

**Jefferson County Commission**

P.O. Box 250  
 Charles Town, WV 25414

**Invoice**

**Number:** 10027

**Date:** 7/1/2010

**Bill To:**

Department of Capital Planning and Management  
 114 E. Washington Street  
 Charles Town, WV 25414

**Pay To:**

Jefferson County Sheriff  
 102 Industrial Blvd.  
 Suite 100  
 Kearneysville, WV 25430

**P.O. Number**

0

**Vendor Number****Dept./Line****Item # Charged****Description****Amount**

	Impact Fee payments collected for month of June 2010 into the Office of Impact Fees General Account (3111776) to be paid to the Sheriff of Jefferson County Fire & EMS Impact Fees Bank Account (3122816).	\$12,361.00
	Interest earned by the Office of Impact Fees General Account June 2010.	\$9.49
	Impact Fee Process Numbers 1000084 through 1000106, inclusive. Within this range, there were 22 non-exempt impact fee payments.	
<b>Total:</b>		<b>\$12,370.49</b>

**Notes/Comments:** Transfer of funds into Fire & EMS Impact Fee Account (3122816).

**Account Withdraws**  
 Department of Impact Fees - Jefferson County Government

Account 3111776

Fire & EMS

Check Number 760

Trace 20100701:36201.42

Date 7/1/2010

Series 4

Recipient Sheriff of Jefferson County

Amount \$12,361.00

Account 3122816

Signature 1 Lyn Widmyer

Signature 2 Bobby Shirley

Signature 3 Jennifer Maghan

Notes: Transfer of June Fire/EMS fees

Deposit Date	Process Number	Ordinance	Enact Date	Amount
6/3/2010	1000084	2005-3	5/12/2005	\$698.00
6/3/2010	1000085	2005-3	5/12/2005	\$698.00
6/3/2010	1000086	2005-3	5/12/2005	\$698.00
6/3/2010	1000087	2005-3	5/12/2005	\$698.00
6/16/2010	1000088	2005-3	5/12/2005	\$533.00
6/16/2010	1000089	2005-3	5/12/2005	\$533.00
6/16/2010	1000090	2005-3	5/12/2005	\$533.00
6/16/2010	1000091	2005-3	5/12/2005	\$533.00
6/16/2010	1000092	2005-3	5/12/2005	\$533.00
6/16/2010	1000093	2005-3	5/12/2005	\$533.00
6/16/2010	1000094	2005-3	5/12/2005	\$533.00
6/16/2010	1000095	2005-3	5/12/2005	\$533.00
6/17/2010	1000096	2005-3	5/12/2005	\$698.00
6/24/2010	1000098	2005-3	5/12/2005	\$698.00
6/24/2010	1000099	2005-3	5/12/2005	\$698.00
6/28/2010	1000100	2005-3	5/12/2005	\$698.00
6/28/2010	1000101	2005-3	5/12/2005	\$698.00
6/28/2010	1000102	2005-3	5/12/2005	\$698.00
6/29/2010	1000103	2005-3	5/12/2005	\$698.00
6/30/2010	1000104	2005-3	5/12/2005	\$95.00
6/30/2010	1000105	2005-3	5/12/2005	\$162.00
6/30/2010	1000106	2005-3	5/12/2005	\$162.00

Total amount for this withdraw \$12,361.00

Total amount for this account \$12,361.00

Total amount all accounts \$12,361.00



STATE OF WEST VIRGINIA  
DEPARTMENT OF MILITARY AFFAIRS  
AND PUBLIC SAFETY  
DIVISION OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT  
Building 1, Room EB-80  
1900 Kanawha Blvd., East  
Charleston, West Virginia 25305-0360  
Telephone: (304) 558-5380 Fax: (304) 344-4538

JOE MANCHIN III  
GOVERNOR

JOSEPH C. THORNTON  
ACTING CABINET SECRETARY

JIMMY J. GIANATO  
DIRECTOR

June 28, 2010

Jefferson Co. Commission  
PO Box 250  
Charles Town, WV 25414-0250

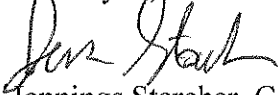
Re: Disbursement of funds check

The West Virginia Statewide Addressing and Mapping Board (WVSAMB) is pleased to present to the Jefferson Co. Commission, a check in the amount of 910.81. This check represents disbursements that are made to the counties as part of West Virginia Legislative Rules Title 169, Series 3, Section 2 – Final Distribution and Use of Remaining Funds.

See attached for your reference.

On July 1, 2010, the Addressing and Mapping Board will become part of WV Division of Homeland Security and Emergency Management. Any inquiries should be referred to Jennings Starcher or Jimmy Gianato at 304-558-5380.

Thank you,

  
Jennings Starcher, GIS Manager  
WVDHSEM

**RECEIVED**

cc:  
Jefferson Co 9-1-1  
Jeffery A. Polozynski, Director  
28 Industrial Blvd. Ste 100  
Kearneysville, WV 25430

JUL 06 2010

Jefferson County Commission

**§169-3-2. Final Distribution and Use of Remaining Amounts in Fund.**

2.1. Distribution and Use of Fund. The board shall, as its last act prior to its termination, transfer to eligible county commissions any remaining amounts in the fund, according to the formula contained in W. Va. Code §24-6- 6b(d)(1): Provided, That the provisions of §24-6-6b(d)(1) by which a county may receive a special eight and one half tenths of one percent because of the date upon which it enacted its 9-1-1 ordinance are not applicable to the apportionment of funds transferred pursuant to this rule. In accordance with the Legislature's express intention under W. Va. Code §§ 24E-1-1 and 24E-1-5 that the fund be used solely for establishment of a statewide addressing and mapping system primarily for emergency services purposes, those amounts may be used by county commissions solely to implement and maintain the project or the system within each county primarily for emergency services purposes.

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

Week Ending Date	Week Ending June 28, 2010 FY10 July 2, 2010
<b>To be Deposited on:</b>	
Amount Played	74,882,441.11
Amount Won	67,159,835.64
Amount Promo	284,617.00
MWAP Contribution	<u>38,334.72</u>
<b>Adjusted Gross Terminal Revenue</b>	<u>7,401,653.75</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>296,066.16</u>
<b>Net Terminal Revenue</b>	<u>7,105,587.80</u>
Surcharge @ 10%	710,558.77
State Share Excess @ 58%	412,124.09
Track Share of Capital Reinvestment @ 42%	298,434.68
Track Share of Capital Reinvestment @ 42% - 86%	\$ 286,487.29
Track Share of Capital Reinvestment @ 42% - 43%	\$ 11,937.39
<b>Adjusted Net Terminal Revenue</b>	<u>6,395,028.83</u>
Racetrack @ 46.50% / 42%	2,685,812.11
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,621,861.81
Race Track Purses @ 7% / 14% / 8%	511,602.31
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	31,975.14
Greyhound Development @ .75%	47,962.72
Thoroughbred Development @ .75%	47,962.72
Racing Commission @ 1%	63,950.29
County/Municipality @ 2%	127,800.58
<b>3% Funds:</b>	
Tourism Promotion Fund @ 1.375%	87,931.65
Development Office Promotion Fund @ .375%	23,881.36
Research Challenge Fund @ .5%	31,975.14
Capitol Renovation and Improvement Fund @ .6875%	43,865.82
2004 Capitol Complex Parking Garage Fund @ .0625%	3,996.89
<b>1% Funds:</b>	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	0.00
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>63,950.29</u>
	<u>6,395,028.83</u>

WEST VIRGINIA LOTTERY

First Benchmark  
Charles Town  
County / City Split  
Fiscal Year 2009

Charles Town  
1999 Net Terminal Revenue \$ 45,603,174  
Benchmark Goal @ 2% \$ 912,063.48

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RANSON 35.08%	SHEPHERDS TOWN 14.20%
4 days ending: 7/1/09-7/4/09	\$ 126,262.42	\$ 128,262.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/11/09	\$ 168,815.08	\$ 168,815.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/18/09	\$ 160,652.98	\$ 160,652.98	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/25/09	\$ 158,889.08	\$ 158,889.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ 838.48	\$ 6,117.24	\$ 2,491.88
08/15/09	\$ 162,444.28	\$ 81,222.14	\$ 81,222.14	\$ 10,087.79	\$ 28,070.37	\$ 2,984.61	\$ 28,492.73	\$ 11,808.64
08/22/09	\$ 162,520.62	\$ 78,260.31	\$ 78,260.31	\$ 9,471.53	\$ 28,358.56	\$ 2,783.50	\$ 26,752.12	\$ 10,897.80
08/29/09	\$ 180,945.84	\$ 80,472.92	\$ 80,472.92	\$ 8,984.74	\$ 27,811.44	\$ 2,937.28	\$ 28,228.90	\$ 11,488.56
09/05/09	\$ 161,598.30	\$ 80,798.15	\$ 80,798.15	\$ 10,035.13	\$ 27,823.84	\$ 2,949.13	\$ 28,343.99	\$ 11,546.06
09/12/09	\$ 172,573.64	\$ 88,288.92	\$ 88,288.92	\$ 10,718.84	\$ 28,820.78	\$ 3,149.47	\$ 30,288.45	\$ 12,330.40
09/19/09	\$ 140,020.30	\$ 70,010.15	\$ 70,010.15	\$ 8,685.28	\$ 24,195.51	\$ 2,555.37	\$ 24,558.56	\$ 10,004.45
09/26/09	\$ 138,833.74	\$ 69,316.87	\$ 69,316.87	\$ 8,609.18	\$ 23,955.91	\$ 2,530.07	\$ 24,316.35	\$ 9,905.38
10/03/09	\$ 144,572.08	\$ 72,286.04	\$ 72,286.04	\$ 8,977.83	\$ 24,982.08	\$ 2,638.44	\$ 25,357.93	\$ 10,329.88
10/10/09	\$ 139,301.26	\$ 69,650.63	\$ 69,650.63	\$ 8,650.61	\$ 24,071.25	\$ 2,542.25	\$ 24,433.44	\$ 9,953.08
10/17/09	\$ 147,120.42	\$ 73,560.21	\$ 73,560.21	\$ 9,138.18	\$ 25,422.41	\$ 2,684.85	\$ 25,804.92	\$ 10,511.75
10/24/09	\$ 135,183.32	\$ 67,581.66	\$ 67,581.66	\$ 8,383.64	\$ 23,356.22	\$ 2,466.73	\$ 23,707.65	\$ 9,657.42
10/31/09	\$ 129,059.80	\$ 64,528.30	\$ 64,528.30	\$ 8,014.41	\$ 22,300.98	\$ 2,355.28	\$ 22,638.54	\$ 9,221.08
11/07/09	\$ 127,483.16	\$ 63,741.59	\$ 63,741.59	\$ 7,918.71	\$ 22,029.09	\$ 2,328.57	\$ 22,368.55	\$ 9,108.87
11/14/09	\$ 131,919.28	\$ 65,959.64	\$ 65,959.64	\$ 8,192.19	\$ 22,785.65	\$ 2,407.53	\$ 23,138.64	\$ 9,425.83
11/21/09	\$ 118,084.10	\$ 59,547.05	\$ 59,547.05	\$ 7,395.74	\$ 20,578.48	\$ 2,173.47	\$ 20,889.11	\$ 8,509.27
11/28/09	\$ 144,788.86	\$ 72,399.98	\$ 72,399.98	\$ 8,992.08	\$ 25,021.43	\$ 2,642.80	\$ 25,387.81	\$ 10,345.98
12/05/09	\$ 102,013.02	\$ 51,006.51	\$ 51,006.51	\$ 8,335.01	\$ 17,827.85	\$ 1,861.74	\$ 17,893.08	\$ 7,288.83
12/12/09	\$ 104,821.16	\$ 52,480.58	\$ 52,480.58	\$ 6,515.80	\$ 18,130.38	\$ 1,914.81	\$ 18,403.17	\$ 7,496.62
12/19/09	\$ 65,668.78	\$ 32,834.39	\$ 32,834.39	\$ 4,078.03	\$ 11,347.57	\$ 1,188.48	\$ 11,518.30	\$ 4,682.03
12/26/09	\$ 108,812.88	\$ 53,408.34	\$ 53,408.34	\$ 6,633.07	\$ 18,457.23	\$ 1,948.33	\$ 16,734.94	\$ 7,631.77
01/02/10	\$ 185,860.80	\$ 92,860.40	\$ 92,860.40	\$ 11,548.17	\$ 32,134.03	\$ 3,383.78	\$ 32,817.52	\$ 13,286.80
01/09/10	\$ 110,940.92	\$ 55,020.46	\$ 55,020.46	\$ 6,833.54	\$ 19,015.07	\$ 2,008.25	\$ 19,301.18	\$ 7,862.42
01/16/10	\$ 121,102.56	\$ 60,551.28	\$ 60,551.28	\$ 7,520.47	\$ 20,926.52	\$ 2,210.12	\$ 21,241.39	\$ 8,652.78
01/23/10	\$ 139,887.06	\$ 69,943.53	\$ 69,943.53	\$ 8,686.99	\$ 24,172.48	\$ 2,552.94	\$ 24,536.19	\$ 9,994.93
01/30/10	\$ 97,055.50	\$ 48,627.75	\$ 48,627.75	\$ 6,027.15	\$ 16,771.18	\$ 1,771.28	\$ 17,023.53	\$ 6,994.82
02/06/10	\$ 74,310.28	\$ 37,155.14	\$ 37,155.14	\$ 4,814.87	\$ 12,840.82	\$ 1,358.18	\$ 13,034.02	\$ 5,309.47
02/13/10	\$ 88,668.00	\$ 44,334.00	\$ 44,334.00	\$ 5,508.28	\$ 15,321.83	\$ 1,818.19	\$ 15,552.37	\$ 6,335.33
02/20/10	\$ 153,882.24	\$ 76,946.12	\$ 76,946.12	\$ 8,558.71	\$ 28,592.58	\$ 2,808.53	\$ 28,992.70	\$ 10,985.80
02/27/10	\$ 144,048.80	\$ 72,024.40	\$ 72,024.40	\$ 8,845.43	\$ 24,891.83	\$ 2,628.89	\$ 25,288.16	\$ 10,282.29
03/06/10	\$ 153,873.70	\$ 76,936.85	\$ 76,936.85	\$ 9,555.56	\$ 28,589.37	\$ 2,808.20	\$ 28,989.44	\$ 10,984.28
03/13/10	\$ 142,014.74	\$ 71,007.37	\$ 71,007.37	\$ 8,818.12	\$ 24,540.15	\$ 2,581.77	\$ 24,909.38	\$ 10,146.85
03/20/10	\$ 148,670.76	\$ 74,335.38	\$ 74,335.38	\$ 9,232.45	\$ 25,980.31	\$ 2,713.24	\$ 26,076.85	\$ 10,822.53
03/27/10	\$ 138,883.78	\$ 69,941.88	\$ 69,941.88	\$ 8,888.78	\$ 24,171.81	\$ 2,552.88	\$ 24,538.82	\$ 9,994.89
04/03/10	\$ 141,272.56	\$ 70,636.28	\$ 70,636.28	\$ 8,773.03	\$ 24,411.80	\$ 2,578.22	\$ 24,779.21	\$ 10,088.92
04/10/10	\$ 139,385.58	\$ 69,692.79	\$ 69,692.79	\$ 8,855.84	\$ 24,085.83	\$ 2,543.79	\$ 24,448.23	\$ 9,959.10
04/17/10	\$ 138,871.84	\$ 69,335.82	\$ 69,335.82	\$ 8,611.52	\$ 23,962.50	\$ 2,530.78	\$ 24,323.04	\$ 9,808.10
04/24/10	\$ 137,428.22	\$ 68,714.11	\$ 68,714.11	\$ 8,534.29	\$ 23,747.80	\$ 2,508.05	\$ 24,104.91	\$ 9,818.25
05/01/10	\$ 137,588.12	\$ 68,799.08	\$ 68,799.08	\$ 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	\$ 8,371.62	\$ 23,284.66	\$ 2,480.23	\$ 23,645.18	\$ 9,631.97
05/15/10	\$ 140,372.84	\$ 70,188.32	\$ 70,188.32	\$ 8,717.14	\$ 24,258.39	\$ 2,581.80	\$ 24,821.36	\$ 10,029.63
05/22/10	\$ 128,391.42	\$ 64,685.71	\$ 64,685.71	\$ 8,035.21	\$ 22,358.84	\$ 2,361.39	\$ 22,685.25	\$ 9,245.02
05/29/10	\$ 134,314.80	\$ 67,157.40	\$ 67,157.40	\$ 8,340.85	\$ 23,209.80	\$ 2,451.24	\$ 23,558.82	\$ 9,586.79
06/05/10	\$ 154,743.80	\$ 77,371.80	\$ 77,371.80	\$ 9,608.58	\$ 28,739.89	\$ 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	\$ 2,412.88	\$ 23,190.09	\$ 9,446.59
06/19/10	\$ 129,778.98	\$ 64,888.48	\$ 64,888.48	\$ 8,059.15	\$ 22,425.46	\$ 2,388.43	\$ 22,762.88	\$ 9,272.56
06/26/10	\$ 127,900.58	\$ 63,950.29	\$ 63,950.29	\$ 7,842.83	\$ 22,181.22	\$ 2,334.18	\$ 22,433.76	\$ 9,138.50
Subtotal	\$ 7,110,885.24	\$ 4,011,474.37	\$ 3,989,410.87	\$ 384,945.86	\$ 1,071,158.38	\$ 113,128.48	\$ 1,087,273.32	\$ 442,805.63

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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  
WEEKLY SETTLEMENT FOR CHARLES TOWN**

Week Ending Date	Week Ending June 27-30, 2010 FY10	Week Ending July 1-3, 2010 FY11	Week Ending July 3, 2010 July 9, 2010
<b>To be Deposited on:</b>			
Amount Played	34,955,729.37	59,892,973.41	94,848,602.78
Amount Won	31,368,362.19	53,702,310.01	85,070,672.20
Amount Promo	135,942.00	159,414.00	289,356.00
MWAP Contribution	<u>17,722.24</u>	<u>28,597.87</u>	<u>44,320.11</u>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>3,433,702.94</u></b>	<b><u>6,010,551.53</u></b>	<b><u>9,444,254.47</u></b>
Administrative Costs @ 4%	0.00	240,422.06	240,422.06
Excess Lottery Fund @ 4%	<u>137,348.11</u>	<u>0.00</u>	<u>137,348.11</u>
<b>Net Terminal Revenue</b>	<b><u>3,296,354.83</u></b>	<b><u>5,770,129.47</u></b>	<b><u>9,066,484.30</u></b>
Surcharge @ 10%	329,835.49	0.00	329,835.49
State Share Excess @ 58%	191,188.58	0.00	191,188.58
Track Share of Capital Reinvestment @ 42%	138,446.91	0.00	138,446.91
Track Share of Capital Reinvestment @ 42% - 96%	\$ 132,809.03	\$ -	\$ 132,809.03
Track Share of Capital Reinvestment @ 42% - 4%	\$ 5,637.88	\$ -	\$ 5,637.88
<b>Adjusted Net Terminal Revenue</b>	<b><u>2,968,719.34</u></b>	<b><u>5,770,129.47</u></b>	<b><u>8,736,848.81</u></b>
Racetrack @ 46.50% / 42%	1,246,022.12	2,683,110.20	3,929,132.32
Lottery Fund @ 30% / 0%	0.00	1,731,036.87	1,731,036.87
Excess Lottery Fund @ 0% / 41%	1,216,354.92	0.00	1,216,354.92
Race Track Purses @ 7% / 14% / 8%	237,337.55	403,909.06	641,246.61
Workers' Compensation Debt Reduction @ 7%	0.00	403,909.06	403,909.06
Employee Pension Fund @ 1% / .5%	14,833.60	57,701.29	72,534.89
Greyhound Development @ .75%	22,250.40	43,275.97	65,526.37
Thoroughbred Development @ .75%	22,250.40	43,275.97	65,526.37
Racing Commission @ 1%	29,667.19	57,701.29	87,368.48
County/Municipality @ 2%	59,334.38	115,402.58	174,736.96
<b>3% Funds:</b>			
Tourism Promotion Fund @ 1.375%	40,782.38	79,339.28	120,131.67
Development Office Promotion Fund @ .375%	11,125.20	21,637.99	32,763.19
Research Challenge Fund @ .5%	14,833.60	28,850.65	43,684.25
Capitol Renovation and Improvement Fund @ .6675%	20,396.20	39,669.64	60,065.84
2004 Capitol Complex Parking Garage Fund @ .0625%	1,854.20	3,606.33	5,460.53
<b>1% Funds:</b>			
State Capitol Complex Parking Garage @ 1%	0.00	57,701.29	57,701.29
Cultural Facilities and Capitol Resources @ .5%	0.00	0.00	0.00
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>29,667.19</u>	<u>0.00</u>	<u>29,667.19</u>
	<b><u>2,968,719.34</u></b>	<b><u>5,770,129.47</u></b>	<b><u>8,736,848.81</u></b>

WEST VIRGINIA LOTTERY

First Benchmark  
 Charles Town  
 County / City Split  
 Fiscal Year 2011

Charles Town  
 1899 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 34.66%	HARPERS FERRY 3.65%	RANSON 35.08%	SHEPHERDS TOWN 14.29%
3 days ending: 7/1/10- 7/3/10	\$ 115,402.58	\$ 115,402.58	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 07/10/10		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 115,402.58	\$ 115,402.58	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

**PRESS RELEASE**

**JEFFERSON COUNTY DEPARTMENTS OF PLANNING AND ZONING**

**July 8, 2010**

Mountain Communities Watershed Plan Meetings  
Help Create a Shared Vision for the Mountain Watershed  
The Blue Ridge Mountain Communities Area Watershed Plan Citizens  
Committee along with the Jefferson County Department of Planning & Zoning  
would like to invite you to attend a series of meetings to gather citizen input  
related to watershed issues on the Blue Ridge Mountain.

Please save the date for the following meetings:

Thursday, July 15<sup>th</sup> at 7:00 p.m. – Blue Ridge Mountain Fire Co.

Saturday, August 14<sup>th</sup> at 2:00 p.m. – Blue Ridge Elem. Cafeteria

Tuesday, September 21<sup>th</sup> at 7:00 p.m. – St. Andrew's Community Center

Our goal is to create a citizen fueled shared vision for the Blue Ridge Mountain  
Communities. For more detailed information, please frequently check our website  
<http://www.blueridgecommunitiesplan.com/> or contact us at the Departments of  
Planning and Zoning at 304-728-3228 or at [planning@jeffesroncountywv.org](mailto:planning@jeffesroncountywv.org).

Submitted by:

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

County Commission Worksession:

July 22, 2010

1:30 p.m.

Distribution of FY11 Funds to support fire/ambulance services

**Topics:**

1. Overview of Draft FY11 County Budget for Emergency Services
2. Distribution of funds to local volunteer fire departments

Option 1: County commission contracts with Emergency Services Agency to distribute funds to volunteer fire departments.

Option 2: County Commission continues individual contracts with each volunteer fire department and ESA will distribute any other funds above the contract amount.

3. Need for a county-wide fire/EMS fee
  - Review fee structure in neighboring counties and municipalities. What services are covered by the fees?
  - Discuss what percentage of emergency service costs a local fee in Jefferson County might cover: maintain current level of service? Apply to new service levels? Apply to personnel? Equipment?
  - How does a new fee relate to impact fees which provide equipment related to growth?

No action will be taken at this worksession.



RECEIVED

JUN 04 2010

State of West Virginia

Jefferson County Commission

Office of the State Auditor

Glen B. Gainer III

State Auditor

www.wvsao.gov

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

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

June 1, 2010

Dear County Commissioners:

The State Auditor's in-service training program for all County Commissioners will be held on August 1-3, 2010 at Stonewall Resort in Roanoke, West Virginia. *WV Code §7-7-2* requires that each County Commissioner and, at his or her option, one or more of his or her employees must participate in the program established by the State Auditor. If you have any suggestions for the agenda, please let us know as soon as possible.

Each year, the State Auditor presents the Thelma J. Stone Memorial Achievement Award to a County Commission that has demonstrated excellence and professionalism in county government during the previous year. Enclosed is a copy of the charter for the Thelma J. Stone Memorial Achievement Award. **Nominations must be received by Monday, July 12, 2010.** If you would like to make a nomination for this award, please submit your letter of recommendation to:

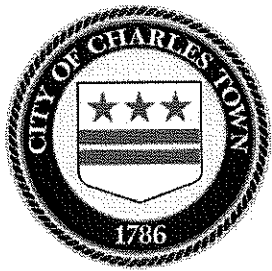
Ora L. Ash, Director  
Local Government Services  
200 West Main Street  
Clarksburg, WV 26301

Again, I encourage you to attend the State Auditor's in-service training program for County Commissioners this year and take advantage of the training being offered and the opportunity to exchange ideas with other commissioners with similar interests and problems. If you have any suggestions or questions concerning this training program, please feel free to contact Ora at 304-627-2415, Ext. 5114 or email: [ora.ash@wvsao.gov](mailto:ora.ash@wvsao.gov).

Sincerely,

Glen B. Gainer III  
State Auditor

GBGIII:kbd



# 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.charlestown.wv.gov](http://www.charlestown.wv.gov)

**RECEIVED**

**PLANNING  
COMMISSION**

*MaryLois Gannon-  
Müller, President*

*Dan De Jong*

*Kevin Long*

*Mark Reinhart*

*Mark Roper*

**STAFF**

*Katie See,  
City Planner*

June 18, 2010

JUN 22 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](mailto: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](http://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,

A handwritten signature in black ink, appearing to read "MaryLois Gannon-Miller". The signature is written in a cursive, flowing style.

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