

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, AUGUST 19, 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

- Personnel Policy
- Issues Resolution

UNFINISHED BUSINESS:

1. Decision on the Proposed Amendments to the Jefferson County Subdivision and Land Development Regulations - Discussion/Action
2. I move that one million dollars or fifty percent of the unencumbered balance, whichever is smaller, be allocated into the Capital Savings Account. Further, that for this calculation the final unencumbered balance be considered after the capital outlay funds and the 70,000 voted to be reallocated to volunteer fire companies be subtracted (DM)

PRESENTATIONS:

3. 10:30 a.m. Angie Banks, Assessor
 - Exonerations
 - Budget Discussion

4. 10:45 a.m. Budget Discussion
 - Overview of the unencumbered funds
 - Allocation to Capital Savings Account
 - Allocation for General Wage Increase
 - Discuss holding a work session on September 1, 2010 at 1:00 p.m.
 - I move that 100,000 dollars of the unencumbered balance be dedicated to historic preservation. Further, that 60,000 dollars of that allocation be dedicated to the Public Potomac Street Project in Harpers Ferry (DM) - Discussion/Action
 - I move that 50,000 dollars be allocated to the Jefferson Center for capital equipment purchases (DM) - Discussion/Action
 - I move that the Commission allocate 500,000 dollars to be used for salary equity and salary increases for our county employees (DM) - Discussion/Action
5. 11:45 a.m. Jennifer S. Maghan - County Clerk's Report
6. 12:00 p.m. Legal Update and Report - (Stephanie Grove)
 - Annexation Ordinance, Certificate and Order for WVA 340 Limited Partnership - Discussion/Action
7. 12:15 p.m. Jennifer Brockman, Director of Planning and Zoning
 - Approval and Signing of Urban Tree Canopy Grant sponsored by the WV Division of Forestry - Chesapeake Bay community Grants

NEW BUSINESS:

8. Elwood & Juliet Breeden - Request for Refund of Building Permit Fee - Discussion/Action
9. I move that the director and the necessary department heads begin work on a five year budget plan in an effort to scope out our future needs and our ability to finance them (DM) - Discussion/Action

Break for Lunch

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

10. 2:00 p.m. Delegates
 - Legislative Update
 - Presentation of Grants
11. 3:00 p.m. Brownfields Development District for Old Standard Quarry Discussion

COUNTY COMMISSION REPORTS

CORRESPONDENCE:

Correspondence received from Sherie Main concerning the PSD sewer project.

Newsletter received from the West Virginia State Historic Preservation Office.

Notice received from the Eastern Panhandle Conservation District concerning the Elks Run Watershed Water Quality Improvement Project.

ELECTION ANNOUNCEMENTS:

Time line for the August 28th, 2010 special election received:

- Canvass - August 31, 2010, at 9:00 a.m.
- Canvass must be completed by 4:00 p.m. Wednesday, September 1, 2010.
- Certification of Results (If a recount is not requested) as close as possible but after 4:00 Thursday, September 2, 2010

Clarification of Canvass and Certification procedures received from the Secretary of States office.

ANNOUNCEMENTS:

The County Commission meeting scheduled for August 26, 2010 has been cancelled.

The County Commission is sponsoring two meetings on the Old Standard Quarry Brownfield Development proposal, the first on August 16, 2010 2:00 p.m. - 5:00 p.m. is a open house public information meeting and the second on August 19, 2010 at 2:00 p.m. to discuss the concern and comments from the open house with legislators.

Notice received of the Power of Ten Summit on September 13-15, 2010.

Notice received of the Great Valley Water Resources Science Forum on September 15-17, 2010.

RECESS

At all times the County Commission reserves the right to rearrange agenda times because of time constraints and to accommodate the Commission schedule or the public.

We are in the process of upgrading the webcam system. While we do, live webcam broadcasts will be temporary unavailable; webcam broadcasts of the County Commission meeting will be available the day after County Commission meetings. We apologize for the inconvenience.

SPECIAL SESSION:

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

At a Public Hearing of the County Commission of said County and State continued and held at the Old Charles Town Library meeting room located at 200 East Washington Street, Charles Town, WV thereof on Monday, August 9, 2010, beginning at 7:00 o'clock p.m.

PRESENT: Lyn Widmyer; President
Frances Morgan; Jim Surkamp; Dale Manuel; Commissioners
Commissioner Patsy Noland was absent.

In re: PROPOSED AMENDMENTS TO THE JEFFERSON COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS

Commissioner Widmyer opened the Public hearing at 7:00 p.m.

Jennifer Brockman, Director of Planning and Zoning gave a brief overview on the Amendments to the regulations.

Seth Rivard was present and gave comment.

Commissioners Frances Morgan and Jim Surkamp arrived.

A sign in sheet was provided for each person wanting to speak or leave their email address.

Comments and concerns were made by the following:

Jennifer Siren	Mike Jenkins
John Maxey	Brent Walls
Scot Faulkner	Vicki Faulkner
Gil Garcia	Carlen Emanuel
Grant Smith	William Gregg

Commissioner Widmyer informed everyone that a discussion is scheduled on Thursday, August 12, 2010 at the Old Charles Town Library meeting room located at 200 East Washington Street, Charles Town, WV 25414 and that a vote maybe held on Thursday, August 19, 2010.

Commissioner Widmyer informed everyone that a discussion on the Old Standard Quarry Brownfield Development would be held at 3:00 p. m. on Thursday, August 19, 2010.

No decisions were made.

The meeting adjourned at 8:30 p.m.

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

LYN WIDMYER, COMMISSION PRESIDENT

Jefferson County Commission

Thursday, August 12, 2010

A meeting of the Jefferson County Commission was held on Thursday, August 12, 2010 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Lyn Widmyer, President, Commissioners Frances Morgan, Jim Surkamp and Dale Manuel, Tim Boyde, County Administrator and Nichelle Hosby. Commissioner Patsy Noland was absent. (An audio tape of the August 12, 2010 meeting is available through the Jefferson County Commission Office.)

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

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES.

Jefferson County Commission Regular Meeting Minutes of August 5, 2010.

Motion by Ms. Morgan to approve the minutes as amended. Motion seconded by Mr. Manuel and unanimously approved. (An audio tape of the August 5, 2010 meeting is available through the Jefferson County Commission Office.)

Jefferson County Commission Special Meeting Minutes of August 4, 2010.

Motion by Ms. Morgan to approve the minutes as presented. Motion seconded by Mr. Manuel and unanimously approved. (An audio tape of the August 4, 2010 meeting is available through the Jefferson County Commission Office.)

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$52,611.07 being purchase order numbers 47349, 46800, 48484, 48169, 48173, 48175, 48779, 48781, 48782, 48783, 48624, 48625, 48592, 48461, 48780, 48784, 48785, 48786. Mr. Manuel seconded and the motion was unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve \$81,651.48 in accounts payable. Mr. Manuel seconded and the motion was unanimously approved.

PUBLIC COMMENT (General)

Virginia Lynch Graf reported on "net neutrality".

Robert Graf, Sr. reported that the Jefferson County Democratic Association will sponsor an Open House/ Town Hall reception with the Democratic candidates on September 18, 2010 at the Old Charles Town Library meeting room.

Meredith Wait requested funds for the 250 year celebration for the Town of Shepherdstown.

Meredith Wait and Lois Turco reported on the Canal Town Initiative and requested seed money for the project. No decision was made at this time.

COUNTY ADMINISTRATOR REPORTS

County Administrator Tim Boyde:

- (1) Reported on the Preliminary meeting with staff concerning Court space.
- (2) Reported on the meeting with the Jefferson County Emergency Services Agency regarding strategic planning.
- (3) Reported on the Department Head meeting about Insurance.
- (4) Reported on third quarter priorities.

COUNTY COMMISSION REPORTS

Commissioner Manuel:

- (1) Reported that the Jefferson Center has 3 new clients, is approaching several possible sources of work and that they are in the process of obtaining a shredder.
- (2) Reported on the Subdivision Ordinance Public Hearing, that concerns that the document be policy neutral use the best science available to support document Trail Conservation, use of low impact design to control water pollution and recordation of conservation easements through Planning and Zoning.
- (3) Reported that at the Road Levy meeting, HOA representatives are exploring possible use of road levy bill to fix roads and the process requires petition of 60 percent.
- (4) Reported that the Jefferson County Council on Aging Jefferson Center is sponsoring a Dining to Donate night at Applebee's and that 20 percent of your bill will be donated to the Jefferson Center.

Commissioner Morgan:

- (1) Reported on the Board of Health meeting she attended.
- (2) Reported on the Planning Commission meeting she attended.
- (3) Reported that the Newseum in Washington, DC is sponsoring Kids 18 and under get in free until September 6, 2010.

Commissioner Surkamp:

- (1) Reported on the Board of Health meeting he attended.
- (2) Reported on the Public Hearing he attended on Subdivision and Land Development Amendments.

Commissioner Widmyer:

- (1) Reported on the Public Hearing on Subdivision and Land Development Amendments she attended.
- (2) Reported on the Hagerstown Eastern Panhandle Metropolitan Organization meeting she attended.
- (3) Reported on the National Association for the Advancement of Colored People meeting she attended.

PRESENTATIONS

- (1) Motion by Ms. Morgan to approve exoneration's due to erroneous assessments as presented by Angela Banks, Assessor. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
Joseph or Lana Tippet	Harpers Ferry	Personal Property	308572	202.18

- (2) **Barbara Miller – Director of Homeland Security and Emergency Management:**

Ms. Miller requested approval of the Proclamation for National Preparedness Month be the month of September 2010.

Motion by Mr. Manuel, to approve the Proclamation designating September 2010 as Nation Preparedness Month in Jefferson County and encourage all citizens to participate in readiness activities throughout the month. Motion seconded by Ms. Morgan and unanimously approved.

Commissioner Widmyer requested that Ms. Miller set a time to assist the Commission with preparing their Kits and plans during the month of September 2010.

- (3) **Mark Schiavone – Director of Capital Planning and Management:**

Mr. Schiavone requested permission to re-advertise for a bid proposal to conduct the school impact fee recalculation/pupil generation study and that the Board of Education has also set funds aside for this study.

Motion by Mr. Manuel to approve moving this project to the competitive bidding stage. Motion seconded by Ms. Morgan and unanimously approved.

- (4) **Jennifer Maghan – County Clerk Report:**

Ms. Maghan reported that Wednesday, August 18, 2010 is the date for public testing in preparation of the upcoming Special Election. The test will be held at the Hamilton Building beginning at 10:00 a.m.

Ms. Maghan reported that Convest has filed bankruptcy and stated that they owe the County \$35,000.00 and that they actually do not owe that since the County never used these funds.

(5) Approval of New Appointment to the Deputy Reserves – Joseph Alan Malcolm

Motion by Mr. Surkamp to approve the appointment of Joseph Alan Malcolm to the Jefferson County Deputy Reserves. Motion seconded by Mr. Manuel and unanimously approved.

(6) Legal Update and Report:

Stephanie Grove distributed her to do list.
Ms. Grove reported on her meetings with Department Heads.
Ms. Grove reported on her meetings with Parks and Recreation.
Ms. Grove reported that she will be meeting with Roger Goodwin concerning the Test Wells.

Motion by Ms. Morgan to enter into Executive Session to discuss pending litigation. Motion seconded by Mr. Surkamp and unanimously approved.

The Commission took a 5 minute break at 10:55

Motion by Mr. Manuel to come out of Executive Session. Motion seconded by Ms. Morgan and unanimously approved.

(7) Jennifer Brockman – Director of Planning and Zoning:

Ms. Brockman reported on the discussions concerning the Proposed Amendments to the 2008 Subdivision and Land Development Regulations.

Motion by Ms. Morgan to discuss the proposed amendments to the 2008 Subdivision and Land Development Regulations on Thursday, August 19, 2010. Motion seconded by Mr. Manuel and unanimously approved.

(8) Roger Goodwin – Chief County Engineer:

Roger Goodwin reported a brief update on the Chapel View Subdivision.

Barbara Fuller and Jennifer Siren, representatives of the Home Owners in Chapel View were present and gave comments.

Motion by Mr. Surkamp to formally “call-in” the bond due to the developer being non-responsive in completing the site improvements required by the Preliminary Plat (construction plans); and that:

- I. The Engineering Department staff notify the surety provider in writing that the developer has been non-responsive and has forfeited the bond; and

- II. The Engineering Development staff shall work with the surety provider and give the surety provider reasonable opportunity to complete site improvements in accordance with the Preliminary Plat; and
- III. The Bonding Administrator shall pull the Letter-of-Credit (surety) before the January 15, 2011 expiration date if the surety provider fails to complete the site improvements within a reasonable amount of time or declines the opportunity to complete the improvements; and the Bonding Administrator shall place the funds in an escrow account at a local bank for use in completing the site improvements; and
- IV. The County Administrator and the County's civil attorney shall provide guidance to staff on this matter.

Motion seconded by Ms. Morgan and unanimously approved.

(9) Legislative Issues:

Ms. Widmyer reported that Kelley Goes is available on Thursday, September 9, 2010.

Ms. Morgan suggested retaining a Lobbyist in Charleston.

(10) Health Insurance Decision:

Mr. Boyde reported the proposed options for Health care coverage.

Motion by Mr. Manuel to adopt the insurance proposal that retains the deductibles and co-pays at their current level, and further, that the Commission subsidize the family plan holder's premium at a level to ensure their contribution remains the same as last year. Motion failed.

Motion by Ms. Morgan to renew our insurance for the coming year with Mountain State Blue Cross Blue Shield with the proposed buy up program to retain the 100 percent level of coverage by the County tax payers of the premiums for the covered single employees and a 50 percent level of coverage for the families and to provide a cash reward for employees who complete the Health Lifestyles program at \$250.00 and to defer the proposal on short term disability until next year. Motion seconded by Mr. Surkamp and approved by a 3-1 vote. Mr. Manuel voted no.

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

LYN WIDMYER, COMMISSION PRESIDENT

Summary of Comments Received at Subdivision Regulation Public Hearings regarding the Proposed amendments:

<p>Wednesday, August 4, 2010 -- Blue Ridge Elementary School</p>	
<p>Public Comment</p> <p>Request to reinstate Hillside Regulations (Article 14 from Old Subdivision Regulations) due to Chesapeake Bay water quality requirements; riparian buffers provide valuable protecting for river/water quality</p> <p>Concern regarding erosion and sediment issues with hard rain; concerned about hillside wash outs like in California; wants good quality growth with minimal negative impacts; concerned about open burning on the mountain</p> <p>Wants individual property rights to be protected; believes Conservancies, the National Park, and Appalachian Trail are valuable but is concerned by the amount of land going into federal or tax exempt conservancy ownership due to the no tax status; notes that Chesapeake Bay is important but is not the only thing to consider – there are some runoff issues and the state roads throughout the mountain area need to be upgraded and kept in repair; discussed relationship between large flood events and tree clearing on the mountain historically and recently; concerned with provisions regarding parent to child transfers and the cost of the minimum width of access for small developments</p> <p>1979 1st Sub Regs adopted with hillside provisions; many lots sold in 2002 and 2003 when these rules were in effect; 1990 State signed on to be a part of Chesapeake bay Act and received federal money which requires leaving buffers</p> <p>Keep Hillside provisions in the ordinance – they have served the County well over the years; Old Standard Quarry bought on courthouse steps in 2002 for \$800,000 when hillside protection language was in effect; 1,000 foot setback was preserved by the hillside provisions; state legislator stated Old Standard development exceeded the intent of the new brownfield law; concern about potential clearing of eastern slope; view from Appalachian Trail and/or Murphy Farm is valuable and needs to be protected; fastest growing industry in WV is tourism – brings \$36 million to Jefferson County annually -- important economic resource; protection of the viewshed is important</p> <p>Supports protection of hillsides throughout the County; concerns regarding HOAs and the uniform common interest code provisions; would like to have HOA approval prior to issuance of a building permit (will be at 8/24 meeting)</p>	<p>Staff Response</p> <p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p> <p>Proposed reinstatement of the hillside regulations will help with some erosion control; Burning is not a Subdivision Regulation issue</p> <p>Some of these issues will be addressed in Blue Ridge Mountain Watershed Plan Study and may result in additional amendments to Regulations; Issues related to parent to child transfers and access will be added to future amendment list</p> <p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p> <p>The proposed Draft Amendment includes the resource protection language from the 1979 Subdivision Regulations that might address most of these concerns</p> <p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p> <p>HOA issues to be considered in future amendments</p>

<p>Why change a law (hillside regulations) that have been in effect since 1979?</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>There is federal legislation about the location of nationally significant trails that relate to scenic, cultural, natural, historic, and economic resources; wants no reduction in protection for the trail; recommends consulting reputable foresters for data to use in analysis of recommended residential densities, canopy coverage, tree species, and soil types and stability; noted that the Appalachian Trail is also an economic stimulus for the County</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations Research into strengthening protection of trail will be added to future amendments</p>
<p>The Hillside Regulations are important and should apply anywhere there is slope throughout the County; wondered if there were comments on any other proposed changes in the sub regs; there is no proposed clear cutting on the Blue Ridge at this time and it will be protected; most of the land on the mountain is already platted and has development rights</p>	<p>Draft includes language from the 1979 Subdivision Regulations for areas within 1000 feet of the rivers and east of the Shenandoah; consideration of implementing this county wide requires potential amendment of the 2004 Comprehensive Plan to provide for this</p>
<p>Concerned about land owned by Highway Dept for extension of Route 9 as viewed from Chestnut Hill Rd – a lot of clear cutting; concerned about potential additional cutting on eastern slope of Old Standard and the impact on the view; concerned about expansion of Old Standard sanitary sewer plant; impact on local native wildlife and birds</p>	<p>DOH is exempt from our regulations; proposed reinstatement of hillside/natural resource protection provisions may provide some protection;</p>
<p>Original owners of campsites never intended for full time occupancy of lots; included shared common bathhouses; concerned about potential impact of public water systems improvements and extension.</p>	<p>Beyond the scope of the Subdivision Regulations but should be considered as a part of the Blue Ridge Mountain Communities Watershed Planning effort</p>
<p>Concerned about upcoming mandates related to the Chesapeake Bay; stated that Jefferson County was forward thinking in 1979 and that this should be continued; shouldn't reduce our locally adopted standards because we will eventually have to strengthen them to meet Chesapeake Bay standards</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>Questions about Vested Property Rights and impact of Senate Bill 595 – new state code language in Sub Regs; question about change in language related to Conservation Districts</p>	<p>Question was answered</p>
<p>Monday, August 9, 2010 – Charles Town Library Community Meeting Room</p>	
<p>Presentation on the role of Home Owner's Associations (HOAs) and their private covenants in helping Jefferson County achieve its vision of providing greenspace and common open space and adequate infrastructure; discussion on lack of enforcement of covenants by County; discussion on issues with state law regarding HOAs and possible ways to address this issue in the next round of amendments to the Sub Regs;</p>	<p>HOA issues to be considered separately as a part of potential amendments to the Subdivision Regulations; may require amendments to state code</p>

<p>This round of amendments is intended to be policy-neutral to clarify the inconsistencies between the Sub Regs and the old Zoning Ordinance as well as clarifying process; it is not intended to strengthen or weaken current rules; there may be a need to strengthen the enforcement provisions in the future; this set of amendments is critical to the day to day functioning of the Departments of Planning, Zoning and Engineering in processing routine development proposals and needs to be adopted soon; the application of the hillside/resource protection provisions within 1000 feet of the rivers and east of the Shenandoah, in effect since 1979, is consistent with the current and past Comprehensive Plans; expansion to the entire County may require an amendment to the Plan; reinstating these provisions will be consistent with Chesapeake Bay requirements; the Blue Ridge Mountain Communities Watershed Plan will provide future recommendations related to protection of steep slope; need to approve</p>	<p>Draft includes these technical revisions as well as language from the 1979 Subdivision Regulations related to resource protection</p>
<p>The 5/25/10 version of the draft amendments to the Subdivision Regulations should be adopted as written; the amendments are sound, fair, and add clarity</p>	
<p>The Land Trust of the Eastern Panhandle spoke in favor of Section 20.107 of the amendments; supports noting of number of rights being extinguished in conservation easement process</p>	
<p>Discussion of road issues in Shannondale area in the winter and spring; prefers the road construction of the neighborhoods north of Rt 9 (dirt); encourages enforcement of rules and having reasonable development standards; states that everyone needs to help be a watchdog for their neighborhoods, particularly where utility companies clear lots and areas being cleared related to the construction of the new Rt. 9; public entities should be held accountable</p>	<p>DOH and public entities are often beyond the control of local land use regulations; citizens holding these entities accountable is a good idea; future road standards within the Blue Ridge Communities should be discussed as part of the Mountain Communities Watershed Plan</p>
<p>Need to approve the amendments as written and consider strengthening the resource protection requirements later; need to require Low Impact Design instead of just permitting it – assists in reduction of impacts of stormwater runoff; need to consider changing Section 22.504(A)(2) to provide more detail related to cutting of healthy vegetation; need to provide for mitigation (ie: 3 to 1) and stronger penalties to ensure soil stabilization; need to consider strengthening requirements for riparian buffers, slope protection, and enforcement provisions in future amendments</p>	<p>Suggestions for strengthening the environmental protection regulations to be considered as a part of future amendments to the Subdivision Regulations</p>
<p>Agrees amendments should be adopted as written; impressed with resources that have been protected since 1979, especially streams and the Blue Ridge; ecological value of these wildlife corridors is critical; need to maintain connectivity throughout the entire county; worries about clear cutting and potential for fire; preservation should not be the only goal, should also focus on restoration; protection of resources is important to the integrity of the National Park and the history of the County</p> <p>Supports amendments as written; recommends utilizing best data and science available for resource protection; see Pennsylvania law related to Appalachian Trail protection rules</p>	
<p>Repeated support for reinstating resource protection presented at 8/5 meeting; need to approve these amendments to get us back where we were since 1979; upgrades can occur later</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>

<p>Stated that timbering permit for Old Standard Quarry was for "select cut" but site was clear cut; appears to be no penalty for this; it's important for the County to address this local concern; protection of view of Shenandoah from Murphy Farm is critical; Old Standard property was purchased long after the hillside protection regulations went into effect and the regulations are important to reinstate</p>	<p>The reinstatement of the hillside/resource protection regulations from the 1979 Subdivision Regulations will help address these concerns</p>
<p>Written or verbal comments received outside of the 2 Public Hearings</p>	
<p>Historic Landmarks Commission – the first reference to the HLC participating in reviews is in Section 23.203; it would be appropriate to add a discussion of the importance of historic resources to the introductory section where the importance of the environmental resources is discussed (Sections 20.302 and 20.303)</p>	<p>Suggestion to be considered as a part of future amendments to the Subdivision Regulations</p>
<p>Request to not eliminate rules against clear cutting in Jefferson County; concern with quality of life and beauty of County; wants eastern slope of Old Standard protected from clear cutting to protect river and well water quality</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>Maintain the 1000 foot buffer for rivers and ensure that there is sufficient buffer and riparian area for streams that provide drinking water, prepare to address upcoming federal requirements related to the Chesapeake Bay</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>Friends of the Blue Ridge Mountains strongly encourage retaining Section 22.504, "Protection of Resources"; neighboring communities are strengthening environmental protection of the Blue Ridge and Jefferson County needs to maintain historic regulations and consider strengthening them in the future</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>NPS supports adoption of the "Protection of Resources" provisions of the amendments in order to protect the key riparian and mountain environments, reduce erosion and pollution, and promote the visual integrity of the county's scenic vistas</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>Supports reinstating county environmental protection regulations, particularly in light of upcoming Chesapeake Bay requirements and penalties</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>Strongly states that reinstatement of the environmental protections in place since 1979 is critical to the protection of the County's critical resources and supports Chesapeake Bay watershed protection requirements</p>	<p>The proposed Draft Amendment includes this language from the 1979 Subdivision Regulations</p>
<p>Requests the Commission consider institute requirements that have different setback requirements for septic and wells along streams; recommends incorporating the findings of an Elk Run study currently underway in future revision to the Sub Regs</p>	<p>Suggestion to be considered as a part of future amendments to the Subdivision Regulations</p>

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Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Friday, August 06, 2010 2:52 PM
Subject: Fw: Old business request

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

From: Dale Manuel
To: 'Tim Boyde'; sandy@jeffersoncountywv.org ; sgrove@jeffersoncountywv.org
Sent: Tuesday, July 22, 2003 5:30 PM
Subject: Old business request

Please place the following under old business on the August 19th agenda:

Capital Savings Allocation

I move that one million dollars or fifty percent of the unencumbered balance whichever is smaller be allocated into the Capital Savings Account.
Further, that for this calculation the final unencumbered balance be considered after the capital outlay funds and the 70,000 voted to be reallocated to volunteer fire companies be subtracted.

Thanks,
Dale Manuel

Sandy McDonald

From: "Angela Banks" <abanks@jeffersoncountywv.org>
To: <tboyde@jeffersoncountywv.org>
Cc: <sandy@jeffersoncountywv.org>
Sent: Thursday, August 12, 2010 10:46 AM
Subject: agenda August 19, 2010
I would like to be on the August 19, 2010 concerning my budget.

Angela L. Banks
Jefferson County Assessor
104 E. Washington St.
Charles Town WV 25414
304-728-3224

#4

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Monday, July 19, 2010 8:47 AM
Subject: Fw:

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

From: Dale Manuel
To: 'Tim Boyde'; sandy@jeffersoncountywv.org ; sgrove@jeffersoncountywv.org ;
FBerryMorgan@aol.com ; patsynol@gmail.com ; 'Jim Surkamp'; 'Lyn Widmyer'
Sent: Saturday, July 17, 2010 4:42 PM

Please place the following on the next agenda:

Discussion and Action: Employee Income Protection Plan

I move that staff research the cost of an income protection plan for county employees, and present that data at the Aug. 12th unencumbered balance meeting.

Thanks,
Dale Manuel

4 E

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Wednesday, August 11, 2010 8:52 AM
Subject: Fw: August 19th agenda item

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

From: Dale Manuel
To: 'Tim Boyde'; sandy@jeffersoncountywv.org ; sgrove@jeffersoncountywv.org
Sent: Saturday, July 26, 2003 7:28 PM
Subject: August 19th agenda item

Please place the following on the August 19th agenda:

I move that 100,000 dollars of the unencumbered balance be dedicated to historic preservation. Further, that 60,000 dollars of that allocation be dedicated to the Public Potomac Street Project in Harpers Ferry.

Thanks,
Dale Manuel

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Friday, August 06, 2010 2:52 PM
Subject: Fw: Jefferson Center allocation

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

From: Dale Manuel
To: 'Tim Boyde'; sandy@jeffersoncountywv.org ; sgrove@jeffersoncountywv.org
Sent: Tuesday, July 22, 2003 5:39 PM
Subject: Jefferson Center allocation

Please the following on the August 19th agenda:

Jefferson Center allocation through the JCCOA

I move that 50,000 dollars be allocated to the Jefferson Center for capital equipment purchases.

Thanks,
Dale Manuel



August 6, 2010

Dear County Commissioners;

I am writing this request on behalf of the JCCOA Jefferson Center. The Jefferson Center opens its doors April 1st, 2010. The Center provides services to adult individuals with disabilities. The individuals and their family members have requested training in the areas of social, employment, communication skills, sensory stimulation, increased fine and gross motor skills and several other areas in order to become active and productive citizens in their community of Jefferson County.

The JCCOA Jefferson Center is a non-profit agency receiving funding from state Medicaid funds. As you well know Medicaid dollars are sparse and The Jefferson Center will require donations and contract work in order to maintain operations. The Jefferson Center would like to submit a onetime request for Capital Allocation funds of \$50,000 to allow work opportunities for the individuals and maintain The Center's daily operations.

I don't think I need to explain what impact the power of work has on individual's quality of life. It allows us to have identity and defines the importance of contributions we all make to society. With the onetime allocation the commission would make a direct impact on these individuals, their families, and Jefferson County as a whole because of the opportunities the new equipment would bring to JCCOA Jefferson Center.

- Labeling Machine-estimated \$10,000-\$30,000
- Industrial Shredder-estimated \$3,000-\$5,000
- Computers-estimated \$5,000-\$10,000
- Computer Software and Anti-Virus-Estimated \$1,000
- Printers-estimated \$1,000
- Supplies to support and maintain software for the first year- estimated \$2,000-\$5,000
- Vehicle to transport clients and deliver contracts-estimated \$20,000-\$27,000

I would like to thank you in advance for this opportunity and look forward to speaking with you on August 19th, 2010. If you have any questions please do not hesitate to contact me directly (304)728-1076 or jccoajcdirector@frontier.net.

Sincerely,


Kathy K. Garza

JCCOA Jefferson Center

*301 Mildred Street
Charles Town, WV 25414
304.725.4618*

August 6, 2010

Dear County Commissioners;

I am requesting that I be put on the August 19th, 2010 meeting agenda, preferably in the morning if feasible. I will address the need for monies for a start up business for the JCCOA Jefferson Center. The JCCOA Jefferson Center began operations in April, 2010 with 16 individuals and we are currently serving 21 individuals with disabilities. These individuals would like the opportunity to work and will be capable of performing mailings, shredding, and small assembly task at The Center. We are requesting funding to purchase equipment to become a self sufficient business and give back to the Jefferson County community. Thank you for your time in this matter.

Sincerely,

Kathy K. Garza


JCCOA Jefferson Center

301 N. Mildred Street

Charles Town ,WV

#49

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Friday, August 06, 2010 2:52 PM
Subject: Fw: unencumbered balance

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

From: Dale Manuel
To: 'Tim Boyde' ; sandy@jeffersoncountywv.org ; sgrove@jeffersoncountywv.org ; patsynol@gmail.com
Sent: Tuesday, July 22, 2003 5:35 PM
Subject: unencumbered balance

Please place the following on the August 19th agenda:

Salary and salary equity allocation:

I move that the Commission allocate 500,000 dollars to be used for salary equity and salary increases for our county employees.

Thanks,
Dale Manuel

#6

Sandy McDonald

From: "Andy Blake" <ablake@cityofransonwv.net>
To: <sandy@jeffersoncountywv.org>
Sent: Wednesday, August 11, 2010 10:15 AM
Attach: 100720 - Ordinance #2010-210 - Annexation Ordinance - WVA 340 Limited Partnership - City of Ranson - Certificate - Order.pdf
Subject: FW: Ordinance #2010-210 - Annexation - Certificate - Order

From: Andy Blake
Sent: Friday, July 30, 2010 8:49 AM
To: 'Stephanie Grove'
Subject: FW: Ordinance #2010-210 - Annexation - Certificate - Order

Stephanie:

Stacey sent this annexation packet to Nichelle yesterday for placement on the County Commission agenda. I just wanted to give you a head's up. I actually leave for the beach this afternoon and will be out for at least a week and perhaps two weeks.

I still would like to talk about the women's club property when I get back and you have a few minutes – perhaps we could go to lunch.

Thanks,
 Andy

From: Stacey Dodson
Sent: Thursday, July 29, 2010 5:18 PM
To: Nichelle Hosby
Cc: Andy Blake; Dave Mills; David Hamill
Subject: Ordinance #2010-210 - Annexation - Certificate - Order

Nichelle:

I hope you have had a great week. Please see the attached scanned **Annexation Ordinance, Certificate, and Order for WVA 340 Limited Partnership**. Please inform Stephanie Grove that the original **Certificate** and the **Order**, which needs to be signed by Commissioner Widmyer, will be placed in the mail tomorrow. Thanks Nichelle! Take care.

Stacey A. Dodson
City Clerk
HR Representative
City of Ranson
312 S. Mildred Street
Ranson, WV 25438
304.724.3863 (Office: Direct)
304.728.8579 (Fax)
sdodson@cityofransonwv.net

No virus found in this incoming message.
 Checked by AVG - www.avg.com
 Version: 9.0.851 / Virus Database: 271.1.1/3035 - Release Date: 07/29/10 02:34:00

8/11/2010

AN ANNEXATION ORDINANCE ANNEXING 14.018 ACRES, MORE OR LESS,
OWNED BY WVA 340 LIMITED PARTNERSHIP INTO THE CORPORATION OF
RANSON, WEST VIRGINIA.

WHEREAS, West Virginia Code § 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing body a petition to be annexed and (2) a majority of all freeholders of the additional territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, the Petitioner, WVA 340 LIMITED PARTNERSHIP, is the sole owner of 6 parcels of real estate situate and adjacent road right-of-way in the Charles Town District, Jefferson County, West Virginia, contiguous to the City of Ranson's municipal boundary and it seeks to have this additional territory annexed into the City of Ranson; and

WHEREAS, the Petitioner is the only freeholder and qualified voter within the additional territory, as defined by West Virginia Code § 8-6-4(b); and

WHEREAS, the majority of qualified voters of the additional territory sought to be annexed has petitioned the City of Ranson to have the additional territory annexed into the municipality by either the freeholders petition or qualified voters petition in accordance with West Virginia Code § 8-6-4; and

WHEREAS, the additional territory is contiguous with the municipal boundaries of the City of Ranson, and

WHEREAS, the petitioner has requested Highway Commercial (HC) zoning simultaneous with annexation which is consistent with the City of Ranson's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the City of Ranson (1) adopts the recitals set forth above as true and correct and hereby incorporates

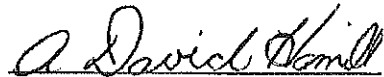
them in the ordinance as if set out in full; (2) finds and is satisfied that the petition is sufficient in every respect; (3) directs that Ranson Municipal Code § 19-20(c) be amended by adding subsection 19-20(c)(13) "WVA 340 LLC – a track or parcels of land located at the southern intersection of WV Route 17 ("Flowing Springs Road") with U.S. 340 ("Charles Town Bypass") being a part of Jefferson Crossing II, comprised of Lots 1B, 1C, 1D, 1E, Lot 6, Lot 7, and a portion of the road Rights of Way known as Pimlico Drive, Trifecta Way and Jefferson Crossing Way and specifically shown on a "Plat Showing Proposed Annexation to the City of Ranson"; (4) directs the recorder to enter this fact upon the City's journal and forward a certificate to that effect to the County Commission of Jefferson County, West Virginia, requesting that the Commission enter an Order annexing the property described in the petition to the City of Ranson such that after the date of entry of the County Commission's Order, the corporate limits of the City of Ranson shall be modified as set forth therein.

First Read:

Date: July 6, 2010

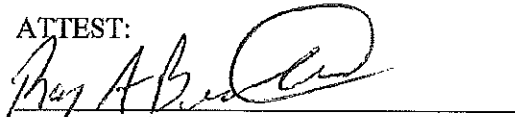
Second Read:

Date: July 29, 2010

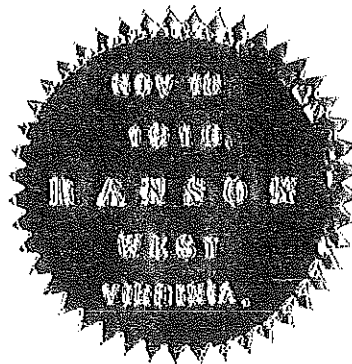


A. David Hamill
Mayor

ATTEST:



Ray A. Braithwaite
Recorder



CERTIFICATE OF ANNEXATION PURSUANT TO AN ORDINANCE

**AN ANNEXATION ORDINANCE ANNEXATING 14.018 ACRES, MORE OR LESS,
OWNED BY WVA 340 LIMITED PARTNERSHIP INTO THE CORPORATION OF
RANSON, WEST VIRGINIA.**

WHEREAS, West Virginia Code § 8-6-4 permits a municipality to, by ordinance, annex additional territory without ordering a vote on the question if (1) a majority of the qualified voters of the additional territory file with the governing body a petition to be annexed and (2) a majority of all freeholders of the additional territory, whether they reside or have a place of business therein or not, file with the governing body a petition to be annexed, and

WHEREAS, the Petitioner, WVA 340 LIMITED PARTNERSHIP, is the sole owner of 6 parcels of real estate situate and adjacent road right-of-way in the Charles Town District, Jefferson County, West Virginia, contiguous to the City of Ranson's municipal boundary and it seeks to have this additional territory annexed into the City of Ranson; and

WHEREAS, the Petitioner is the only freeholder and qualified voter within the additional territory, as defined by West Virginia Code § 8-6-4(b); and

WHEREAS, the majority of qualified voters of the additional territory sought to be annexed has petitioned the City of Ranson to have the additional territory annexed into the municipality by either the freeholders petition or qualified voters petition in accordance with West Virginia Code § 8-6-4; and

WHEREAS, the additional territory is contiguous with the municipal boundaries of the City of Ranson, and

WHEREAS, the petitioner has requested Highway Commercial (HC) zoning simultaneous with annexation which is consistent with the City of Ranson's Comprehensive Plan.

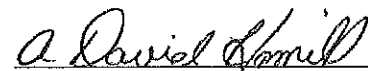
NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the City of Ranson (1) adopts the recitals set forth above as true and correct and hereby incorporates them in the ordinance as if set out in full; (2) finds and is satisfied that the petition is sufficient in every respect; (3) directs that Ranson Municipal Code § 19-20(c) be amended by adding subsection 19-20(c)(13) "WVA 340 LLC – a track or parcels of land located at the southern intersection of WV Route 17 ("Flowing Springs Road") with U.S. 340 ("Charles Town Bypass") being a part of Jefferson Crossing II, comprised of Lots 1B, 1C, 1D, 1E, Lot 6, Lot 7, and a portion of the road Rights of Way known as Pimlico Drive, Trifecta Way and Jefferson Crossing Way and specifically shown on a "Plat Showing Proposed Annexation to the City of Ranson"; (4) directs the recorder to enter this fact upon the City's journal and forward a certificate to that effect to the County Commission of Jefferson County, West Virginia, requesting that the Commission enter an Order annexing the property described in the petition to the City of Ranson such that after the date of entry of the County Commission's Order, the corporate limits of the City of Ranson shall be modified as set forth therein.

First Read:

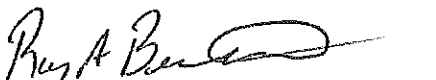
Date: July 6, 2010

Second Read:

Date: July 20, 2010

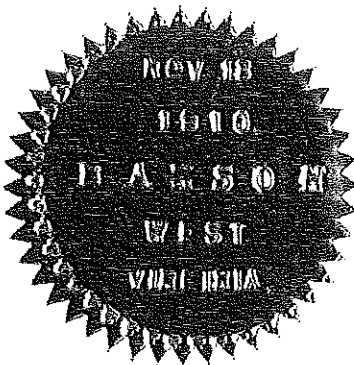

A. David Hamill
Mayor

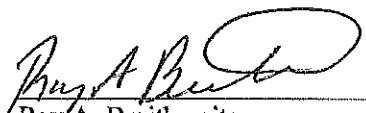
ATTEST:


Ray A. Braithwaite
Recorder

CERTIFICATE

The undersigned, being the recorder for the City of Ranson, hereby certifies that the above ordinance is a true copy of the ordinance of the City of Ranson entered into its journal as of the 20th day of July, 2010.





Ray A. Braithwaite
Recorder

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

In Re: Annexation of Additional Territory of the City of Ranson Pursuant to West Virginia Code §8-6-4

ORDER

A certificate of the governing body of the City of Ranson has this day filed showing that an annexation has been made, in the manner required by law, to the corporate limits thereof, and that by such annexation the said corporate limits are extended as follows:

A track or parcel of land located at the southern intersection of WV Route 17 ("Flowing Springs Road") with U.S. 340 ("Charles Town Bypass") being a part of Jefferson Crossing II, comprised of Lots 1B, 1C, 1D, 1E, Lot 6, Lot 7, and a portion of road Rights of Way known as Pimlico Drive, Trifecta Way, and Jefferson Crossing Way. Said tract or parcel of land more particularly described as follows:

BEGINNING at a previously set 5/8 inch rebar on the northeasterly side of the Right-of-Way limit for Jefferson Crossing Way, said rebar at the PC of a curve and in the boundary of Lot 1A;

thence along the northeasterly Right-of-Way limit for Jefferson Crossing Way and with the boundary with Lot 1A for two (2) lines continuing with a curve turning to the right with an arc length of 219.48' with a radius of 141.02' with a chord bearing of N 10°47'25" E with a chord length of 197.99' to a previously set 5/8 inch rebar;

thence N 55°47'25" E a distance of 179.00' to a previously set 5/8 inch rebar, said rebar at the intersection of the northeasterly Right-of-Way limit for Jefferson Crossing Way with the southwesterly Right-of-Way limit of Pimlico Drive;

thence continuing with Lot 1A and with the southwesterly Right-of-Way limit of Pimlico Drive S 34°12'35" E a distance of 218.00' to a previously set 5/8 inch rebar a corner between Lot 1A and Lot 1B;

thence continuing with Lot 1A and for three lines with Lot 1B S 55°47'25" W a distance of 319.00' to a previously set 5/8 inch rebar a corner between Lot 1A and Lot 1B on the northeasterly side of the Right-of-Way limit for Jefferson Crossing Way;

thence continuing with the northeasterly side of the Right-of-Way limit for Jefferson Crossing Way and with Lot 1B S 34°12'35" E a distance of 244.50' to a previously set 5/8 inch rebar, a corner between Lot 1B and Lot 3 on the northeasterly side of the Right-of-Way limit for Jefferson Crossing Way;

thence leaving the northeasterly side of the Right-of-Way limit for Jefferson Crossing Way and continuing with the line between Lot 1B and Lot 3 N 55°47'25" E a distance of 319.00' to a previously set 5/8 inch rebar a corner between Lot 1B and Lot 3 on the southwesterly side of the Right-of-Way limit for Pimlico Drive;

thence continuing the southwesterly side of the Right-of-Way limit for Pimlico Drive and with Lot 3 S 34°12'35" E a distance of 171.52' to an unmarked point in the boundary of Lot 3 on the southwesterly side of the Right-of-Way limit for Pimlico Drive;

thence crossing the Right-of-Way limit for Pimlico Drive N 55°47'25" E at a distance of 60.00' passing through a previously set 5/8 inch rebar a corner between Lot 1E and Lot 2 on the northeasterly side of the Right-of-Way limit for Pimlico Drive in all 406.33 feet to a previously set 5/8 inch rebar a corner between Lot 1E and Lot 2 on the southwesterly side of the Right-of-Way limit for U.S. Route 340 (Charles Town Bypass);

thence for two lines with the southwesterly side of the Right-of-Way limit for U. S. Route 340 (Charles Town Bypass) N 30°20'50" W a distance of 575.32' to a found concrete monument;

thence N 31°43'53" W a distance of 356.82' to the southwesterly side of the Right-of-Way limit for U.S. Route 340 (Charles Town Bypass) to a previously set 5/8 inch rebar a common corner between Lots 1C and Lot 8;

thence leaving the Right-of-Way limit for U.S. Route 340 (Charles Town Bypass) and continuing for two lines between Lot 1C and Lot 8 S 55°47'25" W a distance of 314.05' to a previously set 5/8 inch rebar;

thence S 20°20'10" W a distance of 44.04' to a previously set 5/8 inch rebar a corner between Lot 1C and Lot 8 on the Right-of-Way limit of Trifecta Way;
thence for four lines with Lot 8 and the northerly Right-of-Way limit of Trifecta Way N 69°39'50" W a distance of 60.00' to a previously set 5/8 inch rebar;

thence S 20°20'10" W a distance of 86.86' to a previously set 5/8 inch rebar;

thence with a curve turning to the right with an arc length of 47.12' with a radius of 30.00' with a chord bearing of S 65°20'10" W with a chord length of 42.43' to a previously set 5/8 inch rebar;

thence N 69°39'50" W a distance of 38.87' to a previously set 5/8 inch rebar a corner with Lot 8 on the northerly Right-of-Way limit of Pimlico Drive and the easterly Right-of-Way limit of WV Route 17;

thence continuing with the easterly Right-of-Way limit of WV Route 17 and with Lot 7 and Lot 6 S 20°20'10" W a distance of 115.17' to a previously set 5/8 inch rebar;

thence S 27°47'50" W a distance of 259.89' to a previously set 5/8 inch rebar;

thence S 31°12'30" W a distance of 217.02' to a previously set 5/8 inch rebar;

thence S 34°12'35" E a distance of 113.08' to a previously set 5/8 inch rebar a corner between Lot 6 and Lot 5 on the northeasterly Right-of-Way limit of WV Route 17;

thence with Lot 6 and Lot 5 N 55°47'25" E a distance of 208.99' to a previously set 5/8 inch rebar a corner between Lot 6 and Lot 5 on the southwesterly Right-of-Way limit of Jefferson Crossing Way, said rebar on a point of cusp on a curve;

thence continuing with the southwesterly Right-of-Way limit of Jefferson Crossing Way with a curve turning to the left with an arc length of 56.73' with a radius of 200.00' with a chord bearing of S 26°05'00" E with a chord length of 56.54' to a previously set 5/8 inch rebar, said rebar the PC of the curve;

thence N 55°47'25" E a distance of 60.00' to the point of beginning, having an area of 14.018 acres more or less.

It is therefore **ORDERED** that such annexation to said corporate limits of Ranson be, and the same is hereby **APPROVED** and **CONFIRMED**, and the Clerk of the Court is directed to deliver to the said Council of the City of Ranson a certified copy of this Order, as soon as practical after the entry of the same.

COUNTY COMMISSON OF JEFFERSON COUNTY,
WEST VIRGINIA

BY: _____
Lyn Widmyer, President

Entered: _____

#7

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

AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Planning and Zoning

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: August 19, 2010

Date Requested – 2nd Choice: _____

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

The request is to approve a grant application that is required to be submitted by August 20, 2010.

Subject: **Authorization to sign an Urban Tree Canopy Grant application on behalf of the County Commission (funding from the WV Division of Forestry – Chesapeake Bay Community Grants program)**

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

The Planning Directors for the County and the Cities of Charles Town and Ranson have been working collaboratively with the Cacapon Institute to develop a grant application to apply for a 2010 Chesapeake Bay Community Grant available through the Division of Forestry. The available grant is a 50/50 matching grant. The match may include in-kind expenses such as volunteer time and equipment use. Each jurisdiction is anticipating contributing \$2,000 to \$3,000 toward this match. The Planning Department proposes to take this match out of the Professional Services line item for the County's match, if the grant is awarded.

County and municipal planners, with public input and technical support from the WV Potomac Tributary Team, are proposing to build off of the Urban Tree Canopy (UTC) assessment completed by the University of Vermont in 2010 to develop a comprehensive UTC Goal to expand tree canopy in the County and municipalities. A post-graduate intern will be contracted to facilitate the UTC Goal setting project and oversee the implementation of tree plantings under this grant. Frank Rodgers of the Cacapon Institute is helping prepare the grant application.

As noted in the attached grant application, UTC provides many benefits to communities, including improving water quality, saving energy, lowering temperatures, reducing air pollution, enhancing property values, providing wildlife habitat, facilitating social and educational opportunities, and providing aesthetic benefits. The proposed UTC Goal setting is also intended to address the Chesapeake Bay Program's (CBP) goal to have "at least 5 local jurisdictions ... in each state to complete an assessment of urban forests, adopt a local goal to increase urban tree canopy and encourage measures to attain the established goal".

We would like to request County Commission's support to apply for this grant. Successful adoption of an UTC Goal will enable us to take work toward the goal of meeting Chesapeake Bay requirements and qualify us for future funding of tree planting projects.

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

I move that the County Commission support the joint UTC grant application led by the Jefferson County, City of Ranson and City of Charles Town planning staffs and, hereby, authorize the County Commission President to sign, on behalf of the County Commission, the Urban Tree

**Canopy Grant application sponsored by The WV Division of Forestry – Chesapeake Bay
Community Grants.**

Attachments:

Draft Grant Application dated 8/12/10

CHESAPEAKE BAY COMMUNITY GRANTS 2010
PROPOSAL TO
WEST VIRGINIA DIVISION OF FORESTRY
BY
JEFFERSON COUNTY

AUGUST 2010

Jefferson County Department of Planning and Zoning
116 East Washington Street
Charles Town, West Virginia 25414
304-728-3228
Contact: Jennifer M. Brockman, AICP, Director
jbrockman@jeffersoncountywv.org

FEI # _____

Project time frame: October 2010 till May 31, 2011.

No portion of this grant will be used for "administrative costs"; "staff salaries"; or, purchase of land or "equipment".

Grant funds will be used for:

Purchase of trees, site preparation & planting, and related supplies including: mulch; stakes & ties (when necessary); watering bags, hoses & tanks.

Urban tree canopy inventory assessment and study for the purpose of developing a long term management plan and setting Urban Tree Canopy goals for Jefferson County and the municipalities within the County; Bolivar, Charles Town, Harpers Ferry, Ranson, and Shepherdstown.

Matching funds will come from: Staff salaries & volunteer hours; use of municipal equipment; pro-bono professional time, work, & equipment; site preparation; and delivery of trees. All matching expenses, volunteer & pro-bono contributions will be directly related to the implementation of this grant. No Federal dollars will be used as match. All funds, grant and matching, will be expended by May 31, 2011.

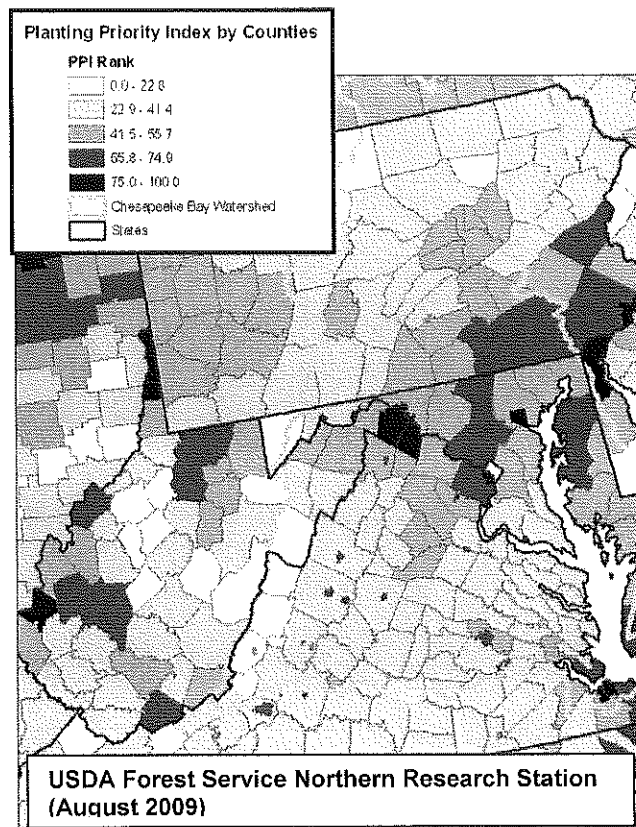
INTRODUCTION

In 2009, Jefferson County, with the assistance of the WV Potomac Tributary Strategy Implementation Team (WV Trib Team), began an Urban Tree Canopy (UTC) assessment project. The County in its effort to foster wider acceptance of voluntary best management practices (BMPs) for urban tree conservation and plantings, first needed a UTC assessment to determine the extent and location of canopy. Preserving and extending the tree canopy will reduce excessive storm water runoff. Jefferson's efforts will help WV meet the state's commitment to the Chesapeake Bay Program (CBP) goal to have "at least 5 local jurisdictions ... in each state ... complete an assessment of urban forests, adopt a local goal to increase urban tree canopy and encourage measures to attain the established goal."

Jefferson County utilized existing Light Detection and Ranging (USGS, 2005) and Color Infrared data (NAIP, 2007) to complete a high resolution UTC assessment (<1 meter resolution, U. Vermont 2009). County planners, in coordination with planners in Bolivar, Charlestown, Harpers Ferry, Ranson, and Shepherdstown are currently developing UTC goals utilizing Chesapeake Bay Program and USDA Forest Service guidelines.

Coincidentally, at the same time Jefferson County was conducting a tree canopy assessment, the USDA Forest Service published its first National Planting Priority Index. Jefferson and Berkeley Counties (WV) rank above 75% national and are among the highest priority counties in the Chesapeake Bay watershed (map inset).

This grant proposal addresses the need for additional funds to support tree plantings and complete the drafting of UTC Goals for the County and municipalities.



BACKGROUND

Tree canopy is the layer of leaves, branches, and stems of trees that cover the ground when viewed from above. "Urban", as defined by the U.S. Census Bureau, is any census block with a population of 500 person per square mile, or the entirety of any incorporated municipality with a single census block meeting that criteria. Urban Tree Canopy (UTC), therefore, is the study of the tree canopy in and around populated areas. Expanding the UTC provides many benefits to communities, including improving water quality, reducing stormwater runoff, saving energy,

lowering city temperatures, reducing air pollution, enhancing property values, providing wildlife habitat, facilitating social and educational opportunities, and providing aesthetic benefits.

Municipal leaders and public officials in Jefferson County are keenly aware of, and engaged in, efforts to reduce stormwater runoff for the sake of protecting local watersheds and the larger Chesapeake Bay watershed. Trees intercept rain water and have the potential to reduce stormwater runoff by up to >75% under their canopy. Establishing a UTC goal is a crucial component of Jefferson County's effort to reduce runoff and improve its green infrastructure.

A Jefferson County UTC assessment was completed by the University of Vermont's (UVM) Spatial Analysis Laboratory in January 2010, under contract to Jefferson County. This county wide study, the largest of its kind in the U.S., utilizes the U.S. Forest Service's premier UTC assessment protocol. By combining LiDAR and high resolution color infrared imaging the UVM assessment is more than 95% accurate, approximately 20% more accurate than assessments that use only color infrared. The results are under review and being edited by the Jefferson County Office Planning and Zoning. Results of the UTC assessment have been presented to the Jefferson County "Round Table", an informal assembly of elected officials and leaders; and to the various planning and public officials and interested public.

The analysis of Jefferson County, based on high resolution aerial imagery sufficient to enumerate single trees, revealed a tree canopy (TC) of about 134,000 acres (termed Existing TC) that corresponds to 38% of all land within the county. The UVM assessment also found that 59% (79,000 acres) of the county that was without trees could theoretically be improved with tree canopy (termed Possible TC). Possible TC includes non-canopy vegetation (e.g., grass/shrubs), bare earth, and certain paved surfaces (e.g., driveways, sidewalks) that, under the right circumstances, could be modified to increase tree cover. Because much of Jefferson County is devoted to agriculture, the county's Existing TC generally occurs in scattered patches. The largest, most contiguous patches occur east of the Shenandoah River in the Blue Ridge Mountain area. Note that agricultural land-cover types were not specifically mapped as part of this project but are included in the Grass/Shrubs land-cover category. (See attachment for full report.)

TECHNICAL PROPOSAL

The overall goal of this UTC Goal Setting and tree planting project is to preserve, protect, and enhance the tree canopy within Jefferson County in order to reduce excess stormwater runoff, mitigate the impact of impervious surfaces, and protect local waters and the Chesapeake Bay.

County and municipal planners, with public input, and technical support from the WV Potomac Tributary Team (including Herb Peddicord, WV DOF Chesapeake Bay Forester; and Frank Rodgers, ISA Certified Arborist with Cacapon Institute) will build off the UTC assessment completed in 2010 to develop a comprehensive UTC Goal to expand tree canopy in the county. A post-graduate intern will be contracted to facilitate the UTC Goal setting project and oversee the implementation of tree plantings under this grant.

The UTC assessment delineates the percentage of tree canopy, amount of impervious, and amount of area open to possible tree canopy. While the UTC assessment maps in high resolution where there is, and is not, tree canopy, it does not specifically identify or recommend where additional trees can be planted. The specific site recommendations and planting specifications will be developed under this grant for the fall 2010 and spring 2011 planting seasons. Additionally, these short-term planting plans will be developed as part of a long-term UTC Goal.

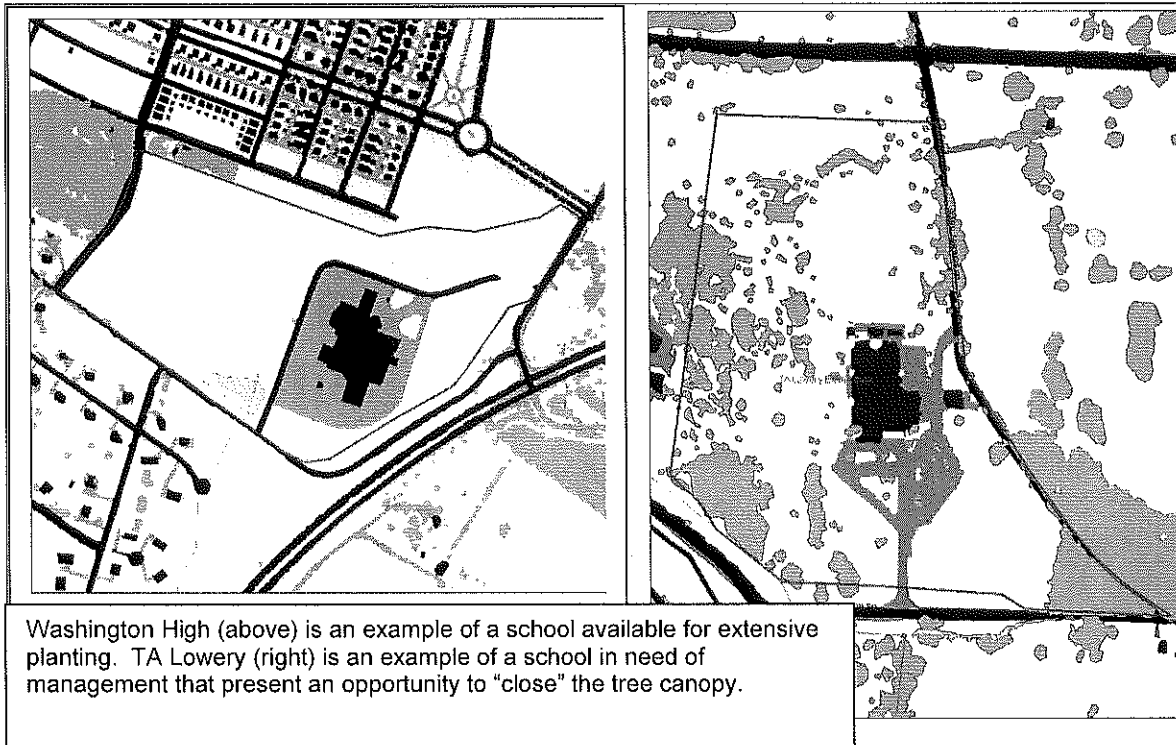
County and municipal planners, working with the WV Trib Team, will develop specific planting plans for the spring of 2011. In addition to planning planting to maximize the environmental benefits of trees, all plantings will also be developed for the purpose of outreach and public education on the value of trees. Public planting under this grant will include an educational component to encourage private citizens to "reforest" their own properties and/or plant shade trees.

The specific planting plans to be developed will include these foundations:

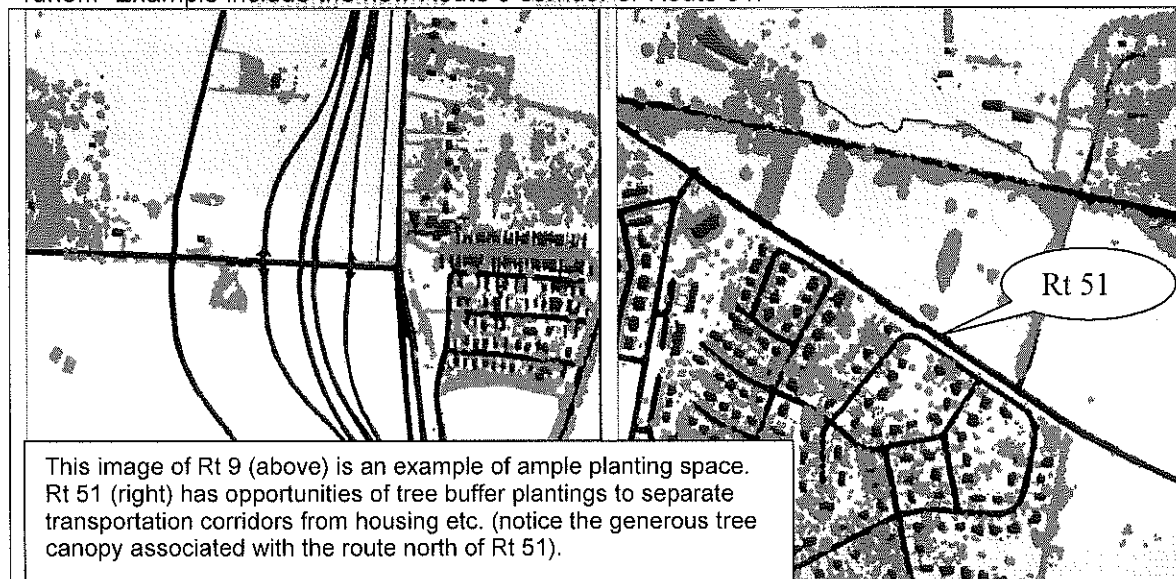
- Planting of approximately 100 "large" trees, i.e. hardwood shade trees such as Maple, Oak, Sycamore, etc.
- Planting of approximately 50 "small" trees where "large" trees are inappropriate, i.e. Red Bud, Hawthorn, Cherry, etc. (priority will be to plant "large" trees that have the greater environmental benefit).

No less than five (5) sites will be identified for plantings of multiple trees. The low number of multi-tree plantings will facilitate high-impact, highly-visible, and more easily maintained "tree groves". These sites will be chosen, based on the UTC assessment, for their lack of adequate tree canopy in relation to their potential for planting and for maximum stormwater runoff mitigation. In addition to multi-tree plantings, no less than ten (10) single-tree plantings will be conducted for the purpose of public outreach and education. Tree planting sites will include public school grounds, transportation corridors, and public parks.

Public school grounds that have been identified with an insufficient tree canopy. Schools offer a unique opportunity for public education through involvement of the students and parents. The ecological benefits of cleaner air and cooler ambient temperatures will benefit the youth attending selected schools. Possibilities include the new Washington High School or existing Wildwood Middle School.

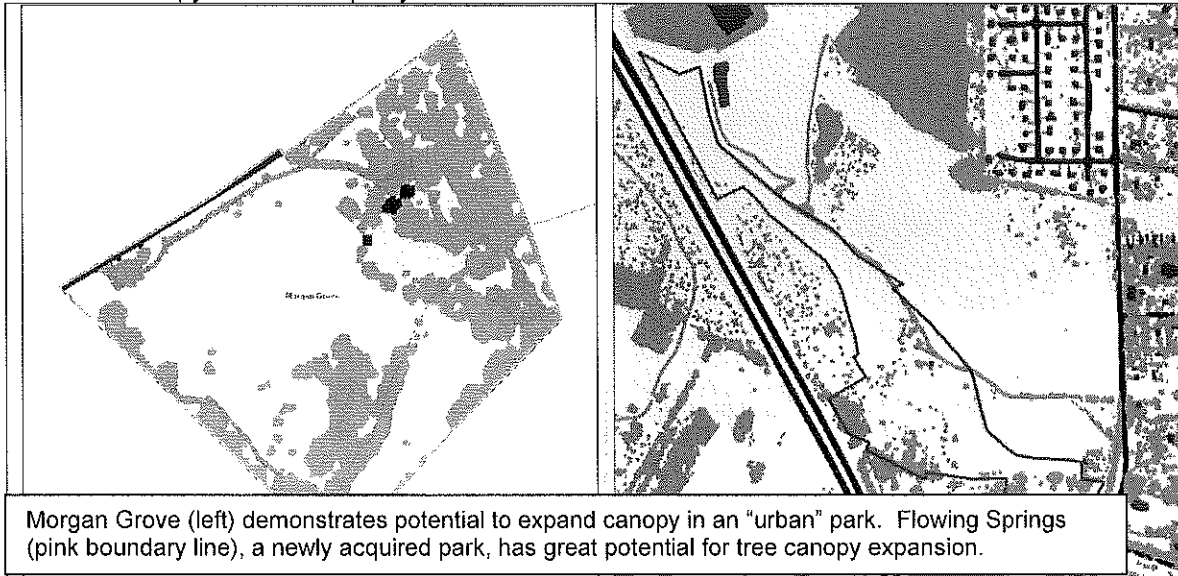


Road right-of-ways that offer potential for tree plantings that do not interfere with public safety or highway operations. Road ROW plantings are highly visible and demonstrate the benefit of cost saving from reduced mowing, the aesthetic value of trees, and their ability to reduce stormwater runoff. Example include the new Route 9 corridor or Route 51.



Public parks that have aging and/or insufficient tree canopy. Park plantings, in addition to providing the environmental benefits of shade and cooler ambient temperature, offer an opportunity to demonstrate proper planting techniques to the general public and disseminate

information on the benefits of trees to encourage citizens to plant trees on private property. Example include the new Evitt's Run and Flowing Springs and the historic parks of Morgan's Grove. While parks typically have more tree canopy and open green space than other "urban" areas might, focusing on maximizing the extent of the tree canopy in parks helps to increase the net tree canopy for a municipality.



REQUIREMENTS

All planting stock will meet ANSI Z60.1-1986 standards. The number of trees and species will vary; but, preference will be for "large" hardwood trees. All trees will be 1.5" to 1.75" caliper (>3' conifers) at the time of planting. Trees will be planted in accordance with best practices as outline in the Planting Specification in Appendix 2 of the Chesapeake Bay Community Grants 2010 RFP (signed copy of specification to be attached). Specific sites, chosen from the above mentioned public areas, will be chosen based on suitability of the soil for planting (lack of compaction, appropriate moisture content, pH, etc.)

Whenever possible, existing volunteer organization will be recruited to organize and carry out the planting and maintenance plans (e.g. tree commissions, watershed organizations, parks-friends groups, etc.)

Specific plans, as they are developed, will be approved by the WV DOF Chesapeake Bay Forester and WV DOF Urban & Community Forestry Program.

COST PROPOSAL WORKSHEET

I. EXPENDITURE OF GRANT FUNDS

A. COST OF MATERIALS

Description	Material Provider	Quantity	Unit Price	Total Price
Hardwood native tree stock (1.5-1.75" Oak, Maple, etc.)	Nursery	~75	\$75-\$100	\$8,000
Conifer native tree stock (>3' Pine, Spruce, etc.)	Nursery	~25	\$50-\$75	\$2,000
"Small" native tree stock (1.5" Red Bud, Hawthorn, etc.)	Nursery	~50	\$30-\$75	\$2,750
Mulch (delivered)	Nursery	4 cu.yd.	\$50	\$200
Stakes & ties	Wholesale	~50 pair	\$10	\$500
Watering bags	Wholesale	~50	\$20	\$1,000
Tank, pickup truck mount	Wholesale	1	\$400	\$400
Hoses, 3/4" x 50'	Wholesale	5	\$30	\$150

Total Cost of Materials

\$15,000

B. COST OF PROFESSIONAL/CONTRACTUAL SERVICES

Description	Service Provider	Quantity	Unit Price	Total Price
Contract for post-graduate Project leader to draft UTC Goals And plan specific planting under This Chesapeake Bay Grant	Shepherd U.	8 months	\$5,000	\$5,000

Total Cost of Contractual Services

\$5,000\$

C. ADDITIONAL COSTS

Description	Service Provider	Quantity	Unit Price	Total Price
NONE				

Total Additional Costs

\$0

Total Amount of Grant Requested \$20,000

II. EXPENDITURE OF MATCHING FUNDS

A. CASH MATCH

Description	Service/Material Provider	Quantity	Unit Price	Total Price
Contract for post-graduate Project leader to draft UTC Goals And plan specific planting under This Chesapeake Bay Grant (Shared by County & municipalities Under MOU)	Shepherd U.	8 months	\$5,000	\$5,000
Total Cash Contribution				\$5,000

B. IN-KIND MATCH (Paid Labor and Equipment Provided by Applicant)

Description of Work/Equipment	Cost/Hour	Hours	Total Cost
Pick up & delivery of trees	\$10/tree		\$1,500
Public works facilitation of tree Plantings (Miss utility markings, permits, etc.)	\$100 per planting		\$1,500
Office space, computer for Project manager (College Intern) Supervision of intern (Shared by County & municipalities Under MOU)	\$50/ 8 months	8 hours x 8 months	\$400
	\$50/hour		\$3,200
Total In-Kind Match			\$6,600

C. VOLUNTEER AND DONATION MATCH (Donated Labor and Equipment)

Description of Work/Equipment	Value/Hour	Hours	Total Value
Volunteers planning specific plantings	\$100/planting	15 plantings	\$1,500
Volunteers planting trees	\$15	2 hour x150 trees	\$4,500
Follow up watering (by May 2011)	\$15	3 volunteers X 4 hours x 15 sites	\$2,700
Total Value of Volunteer & Donation Match \$			\$8,700

Total Applicant Match \$20,300

A Report on the Jefferson County's Existing and Possible Tree Canopy



Why is Tree Canopy Important?

Tree canopy (TC) is the layer of leaves, branches, and stems of trees that cover the ground when viewed from above. Tree Canopy provides many benefits to communities, including improving water quality, saving energy, lowering city temperatures, reducing air pollution, enhancing property values, providing wildlife habitat, facilitating social and educational opportunities, and providing aesthetic benefits. Establishing a TC goal is crucial for those communities seeking to improve their green infrastructure. A TC assessment that estimates the amount of tree canopy currently present (Existing TC), along with the amount of tree canopy that could theoretically be established (Possible TC), is the first step in the TC goal-setting process.

How Much Tree Canopy Does Jefferson Co. Have?

An analysis of Jefferson County, West Virginia's tree canopy (TC) based on high resolution aerial imagery found that about 134,000 acres of the county is covered by tree canopy (termed Existing TC). This corresponds to 38% of all land within the county (Figure 1). However, 59% (79,000 acres) of the county could theoretically be improved to support tree canopy (termed Possible TC). Possible TC includes non-canopy vegetation (e.g., grass/shrubs), bare earth, and certain paved surfaces (e.g., driveways, sidewalks) that, under the right circumstances, could be modified to increase tree cover. Because much of Jefferson County is devoted to agriculture, the county's Existing TC generally occurs in scattered patches. The largest, most contiguous patches occur east of the Shenandoah River in the Blue Ridge Mountain area. Note that agricultural land-cover types were not specifically mapped as part of this project but are included in the Grass/Shrubs land-cover category.

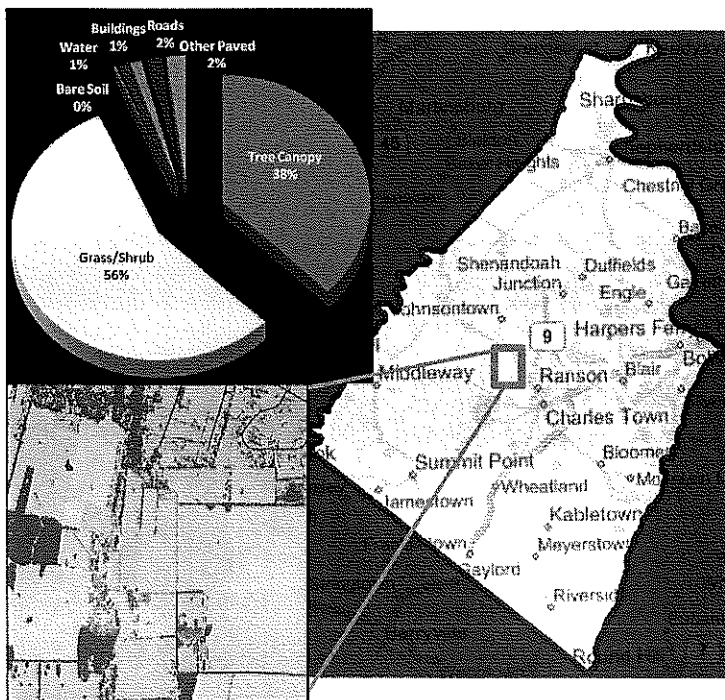


Figure 1: Sample land cover dataset for a portion of the county and overall land cover summaries for the entire county.

Project Background

The analysis of Jefferson County's Tree Canopy (TC) was carried out in collaboration with the Jefferson County Commission, Cacapon Institute, and the USDA Forest Service. The analysis was performed by the Spatial Analysis Laboratory (SAL) of the University of Vermont's Rubenstein School of the Environment and Natural Resources, in consultation with the USDA Forest Service's Northern Research Station.

The goal of the project was to apply the USDA Forest Service's tree canopy assessment protocols to the Jefferson County. This analysis is primarily based on year 2007 aerial imagery provided by the USDA.

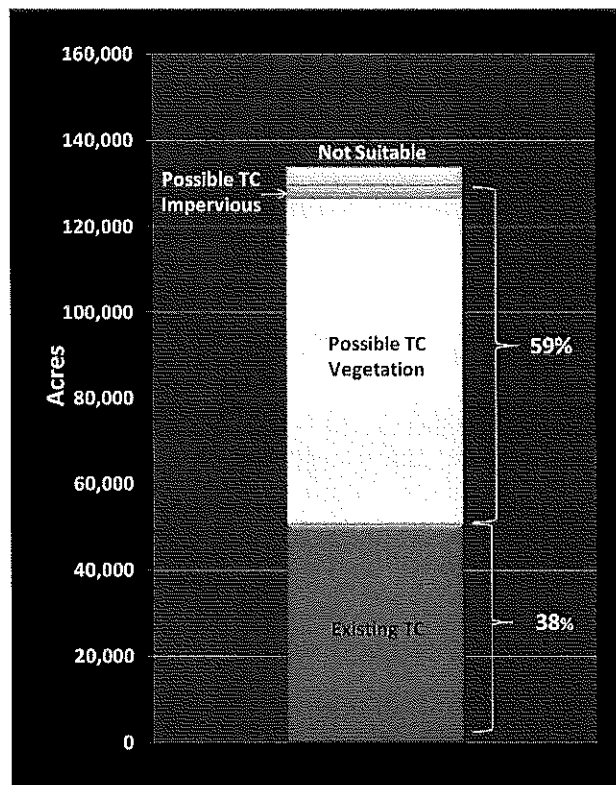


Figure 2: TC metrics for Jefferson County based on % of land area covered by each TC type.

Key Terms

TC: Tree Canopy (TC) is the layer of leaves, branches, and stems of trees that cover the ground when viewed from above.

Land Cover: Physical features on the earth mapped from aerial or satellite imagery, such as trees, grass, water, and impervious surfaces.

Existing TC: The amount of Tree Canopy present when viewed from above using aerial or satellite imagery.

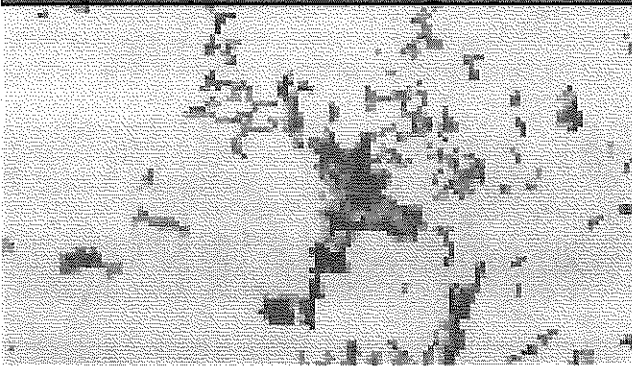
Impervious Possible TC: Asphalt or concrete surfaces, excluding roads and buildings, that are theoretically available for the establishment of tree canopy.

Vegetated Possible TC: Grass or shrub area that is theoretically available for the establishment of tree canopy.

Mapping Jefferson County's Trees

Prior to this study, the only available estimates of tree canopy for Jefferson County were from the 2001 National Land Cover Dataset (NLCD 2001). While NLCD 2001 is valuable for analyzing land cover at the state-wide level, it is derived from relatively coarse, 30-meter resolution satellite imagery (Figure 3a). Using high-resolution (1 meter) aerial imagery acquired in the summer of 2007 (Figure 3b), in combination with advanced automated processing techniques, land cover for the city was mapped with such detail that single trees were detected (Figure 3c). NLCD 2001 estimated the County to have only 30% tree canopy, compared to the more precise estimate of 38%.

a. NLCD 2001 Percent Tree Canopy (30m)



b. 2007 Aerial Imagery (3.28ft)



c. Land Cover Derived from 2007 Aerial Imagery (3.28ft)



Figure 3a, 3b, 3c: Comparison of NLCD 2001 to high-resolution land cover.

Zoning Summary

Following computation of Existing and Possible TC, the TC metrics were summarized for each category in the County's zoning layer. (Figure 4). For each zoning category, the absolute area of Existing and Possible TC was computed along with the percent of Existing TC and Possible TC (TC area/area of the zoning category).

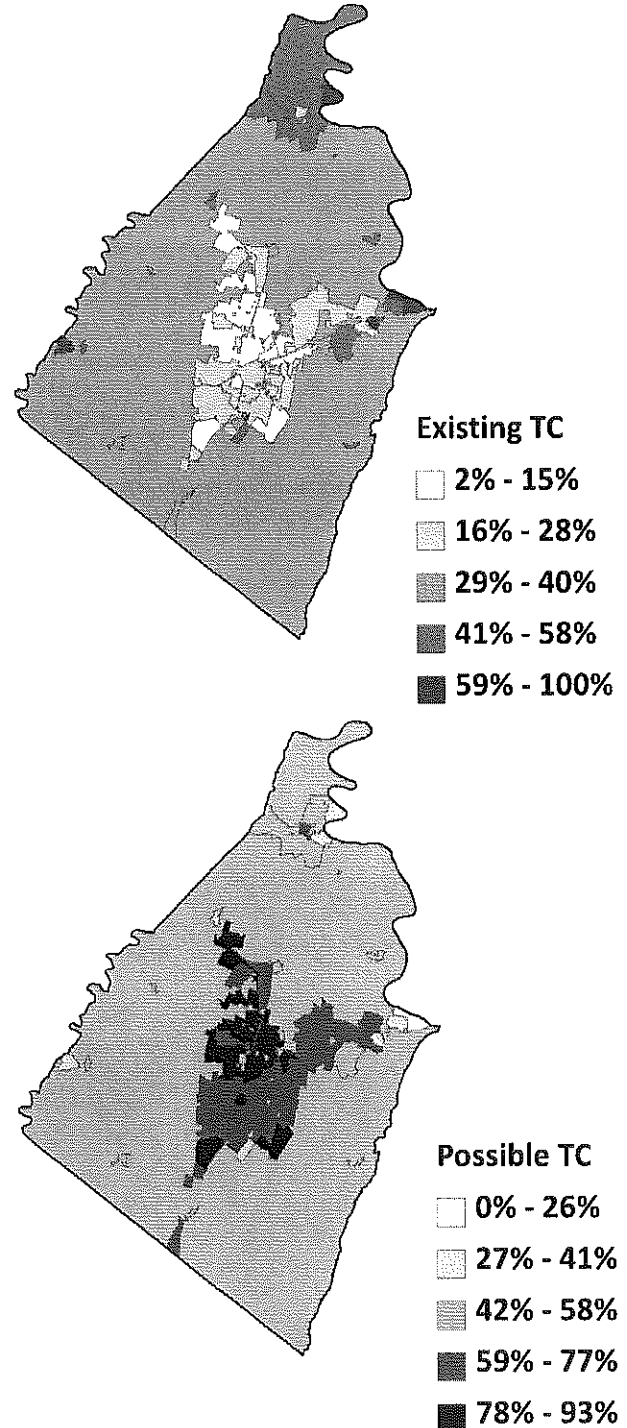


Figure 4: Zoning-based TC metrics. TC metrics are generated at the zoning level, allowing each zoning category to be evaluated according to its Existing TC and Possible TC.

Zoning Districts

An analysis of Existing and Possible TC by zoning district was conducted using the most recent zoning layer for the County. As indicated in Figure 5 the largest zoning category by overall area, amount of tree canopy, and room to plant trees is "Rural." Table 1 presents, for each zoning district, the TC metrics computed as a percentage of all land in the County (% Land), as a percent of land area by the amount of land in the specified zoning district (% Category), and as a percent of the area for TC type (% TC Type). For example, land designated as "Rural" has the most Existing TC in raw acreage, with 33% of all land in Jefferson County consisting of tree canopy in "Rural." "Rural" and "Village" zoned land has the highest percentage of tree canopy relative to its land area at 41%. Areas zoned as "Rural" also encompasses 88% of Existing TC by TC Type.

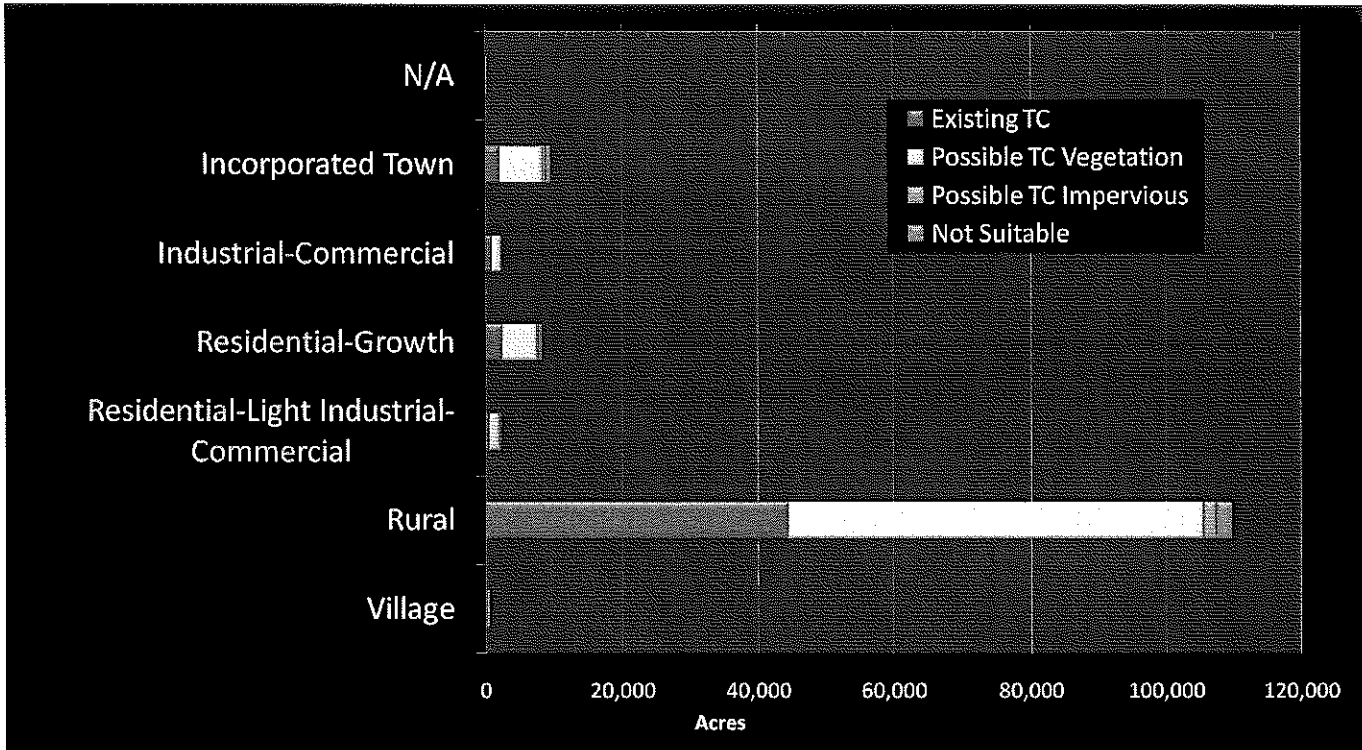


Figure 5: TC metrics summarized by zoning district

Zoning District	Existing TC			Possible TC Vegetation			Possible TC Impervious		
	% Land	% Category	% TC Type	% Land	% Category	% TC Type	% Land	% Category	% TC Type
N/A	0%	27%	0%	0%	57%	0%	0%	5%	0%
Incorporated Town	1%	21%	4%	5%	66%	8%	0%	4%	1%
Industrial-Commercial	1%	34%	2%	1%	54%	2%	0%	6%	0%
Residential-Growth	2%	29%	5%	4%	61%	7%	0%	4%	0%
Residential-Light Industrial-Commercial	0%	18%	1%	1%	63%	2%	0%	9%	0%
Rural	33%	41%	88%	46%	56%	81%	1%	2%	3%
Village	0%	41%	1%	0%	38%	0%	0%	7%	0%

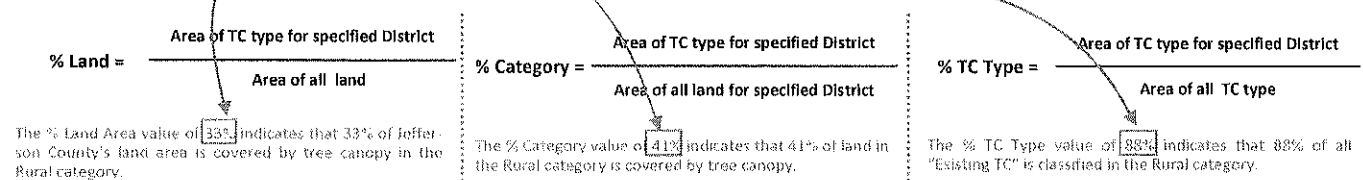


Table 1: TC metrics were summarized by zoning district. For each zoning district, TC metrics were computed as a percent of all land in the County (% Land), as a percent of land area by zoning district (% Category), and as a percent of the area for TC type (% TC Type).

Municipalities

Existing TC and Possible TC were summarized by the five municipalities within Jefferson County (Figure 6). Ranson is the largest municipality and has the most acreage of Existing TC and Possible TC compared to the other municipalities (Figure 7). Harpers Ferry had the highest percentage of Existing TC by land area while Ranson had the highest percentage of Possible TC by land area.

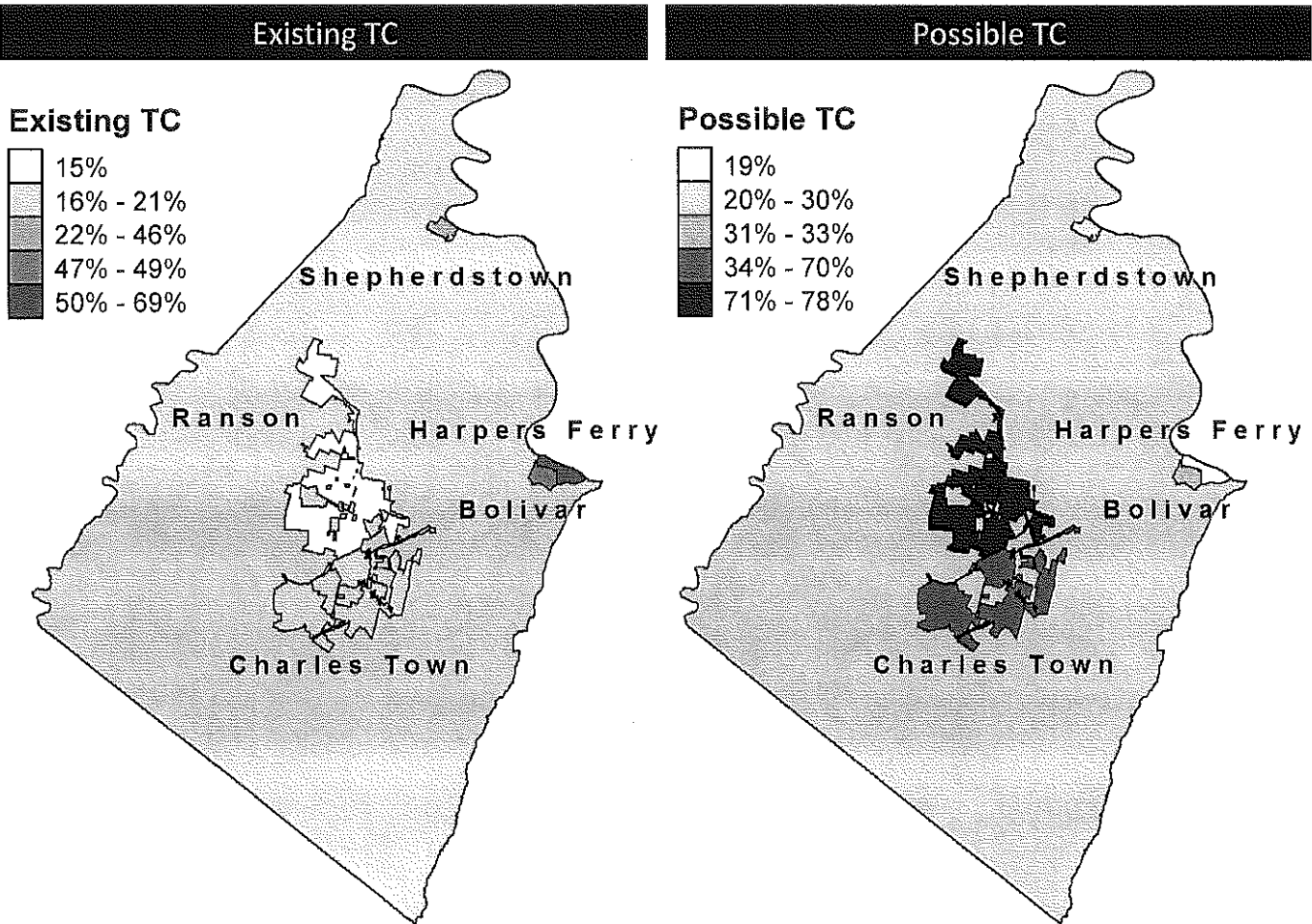


Figure 6. Existing TC (left) and Possible TC (right) as a percentage of land area by municipal boundaries.

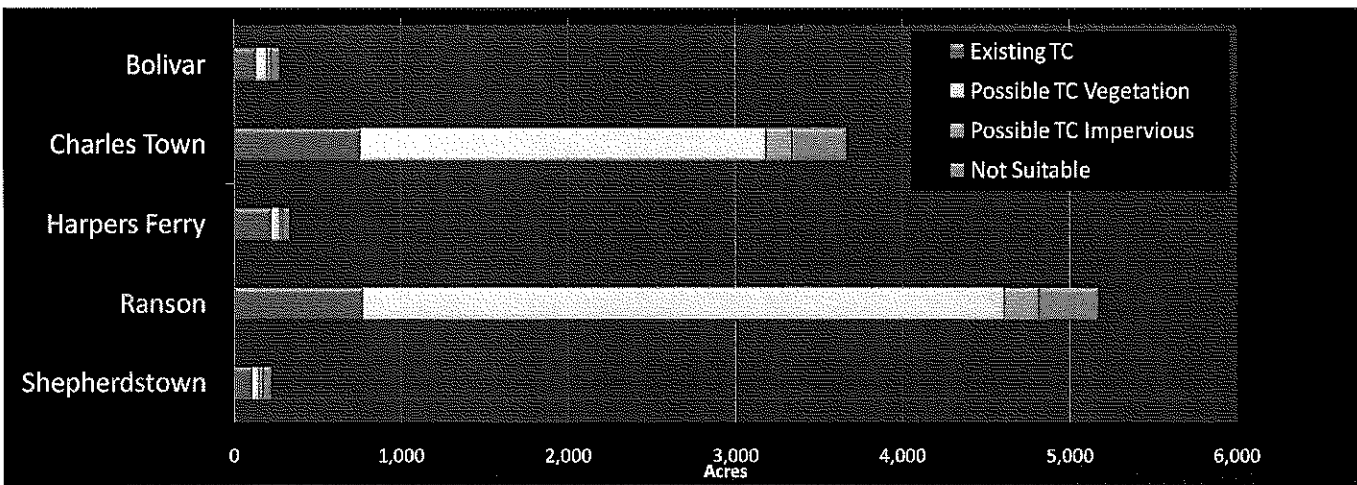


Figure 7: Distribution of existing and possible tree canopy by municipality in Jefferson County.

Urban Growth Centers

Existing TC and Possible TC were summarized by the four Urban Growth Centers within Jefferson County (Figure 8). Charles Town occupies the largest area and has the most Existing TC and Possible TC in raw acreage compared to the other Urban Growth Centers. Bolivar occupies the least amount of area but has the highest percentage of Existing TC by land area when compared to other Urban Growth Centers. Charles Town has the highest percentage of Possible TC compared to the other Urban Growth Centers.

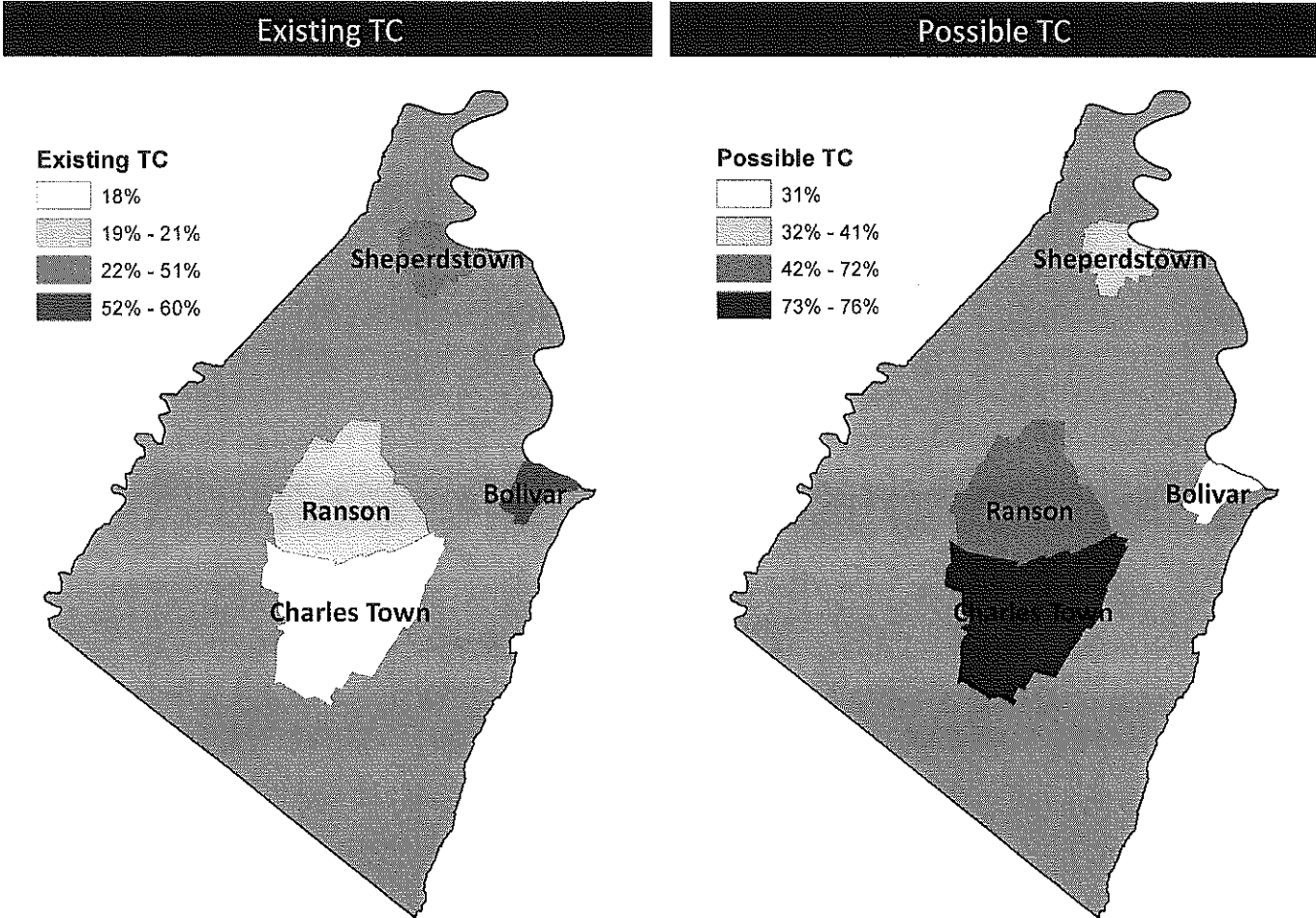


Figure 8. Existing TC (left) and Possible TC (right) as a percentage of land area by Urban Growth Centers.

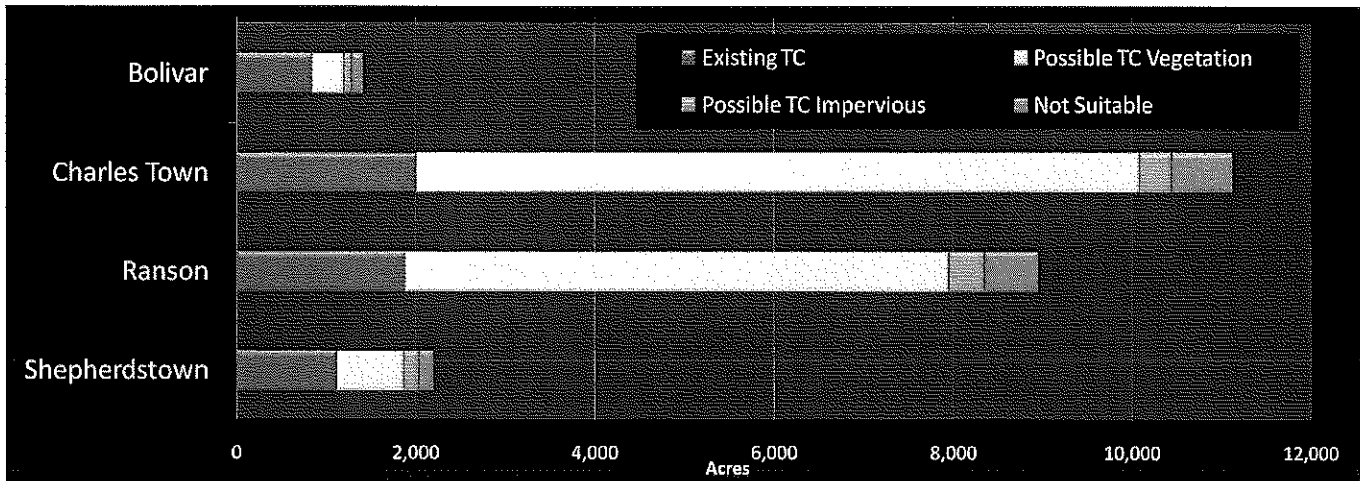


Figure 9: Distribution of Existing TC and Possible TC by Urban Growth Center

Slope Classes

High-resolution topographic data was used to generate slope maps for the county. In the old slopes classes, slopes ranging from 0-9.9% had largest overall area and greatest amount of Existing and Possible UTC. This range of slope values also had the highest percentage of Existing and Possible TC by % land area. In the new slope classes, the slopes ranging from 0-14.9% covered the largest area of the County area and had the greatest area of Existing and Possible TC and highest percentage of land area covered by both TC metrics. The steepest class for the old classes (>35%) and the new slope classes (>50%) had less than 1% of both Existing and Possible TC.

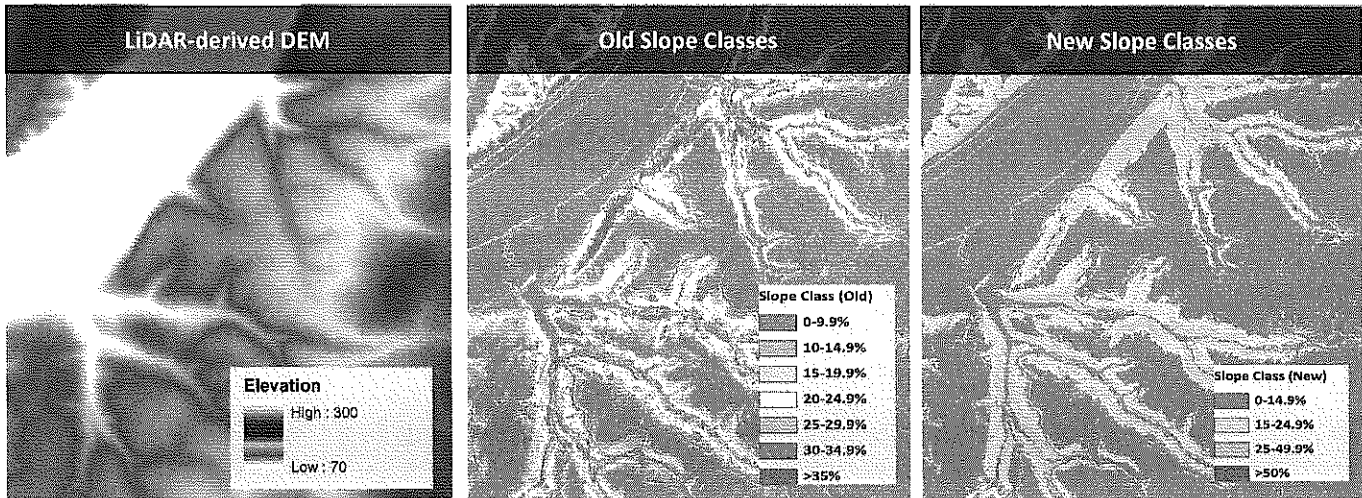


Figure 9: High-resolution slope maps were generated from a LiDAR-derived DEM (left). The slope map is displayed according to old slope classes (center) and new slope classes (right).

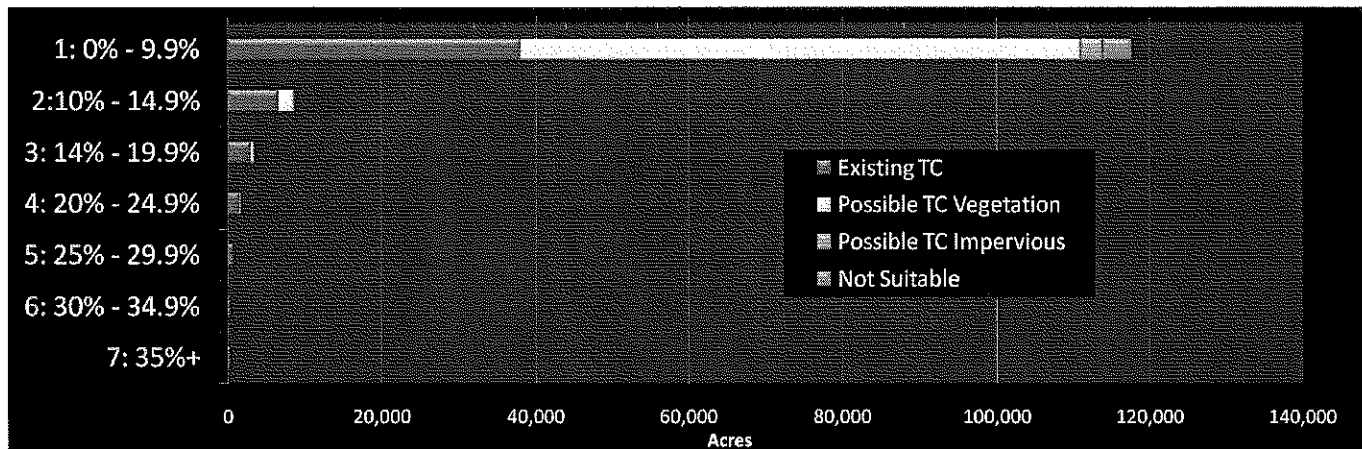


Figure 10: TC metrics summarized by old slope classes for Jefferson County.

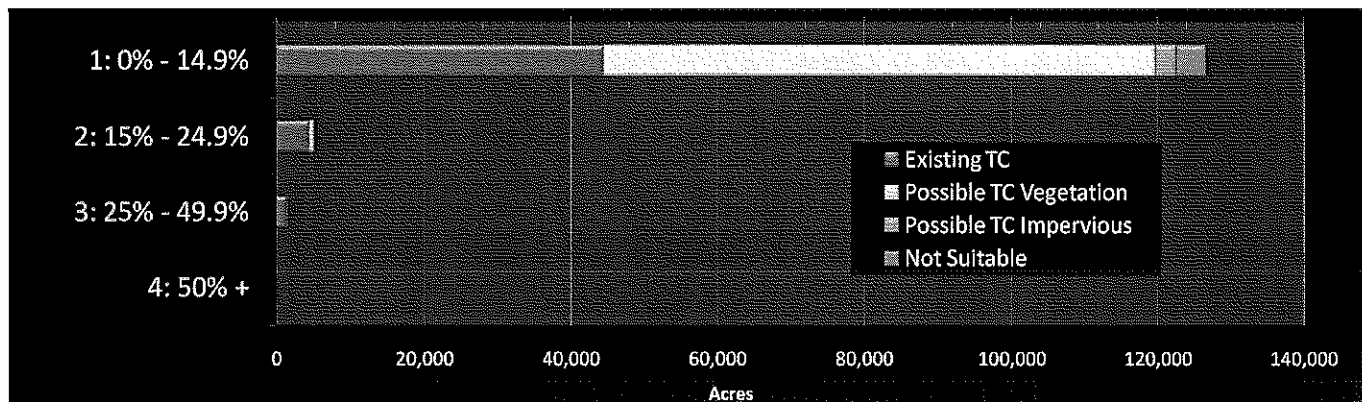


Figure 11: TC metrics summarized by new slope classes for Jefferson County.

Blue Ridge Mountains

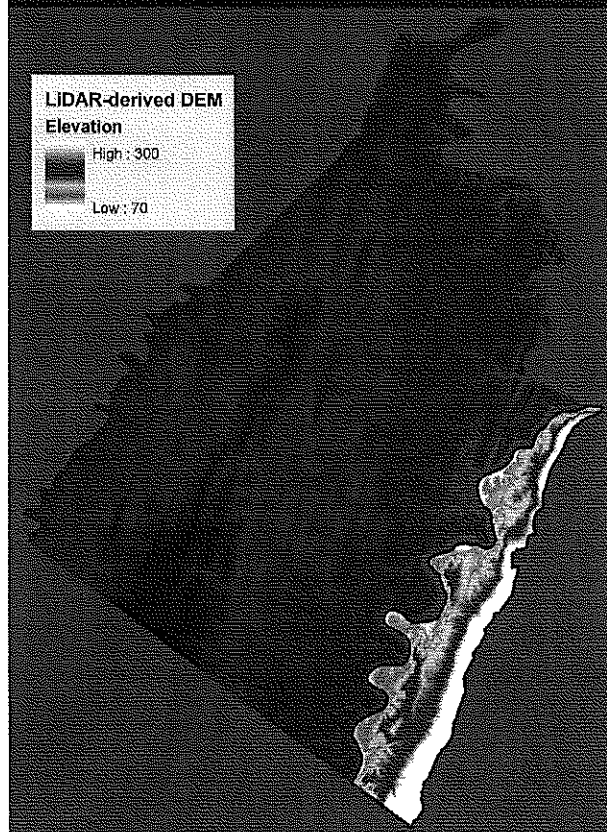


Figure 13. LIDAR-derived digital elevation model (DEM) showing topography for the Blue Ridge Mountain Area.

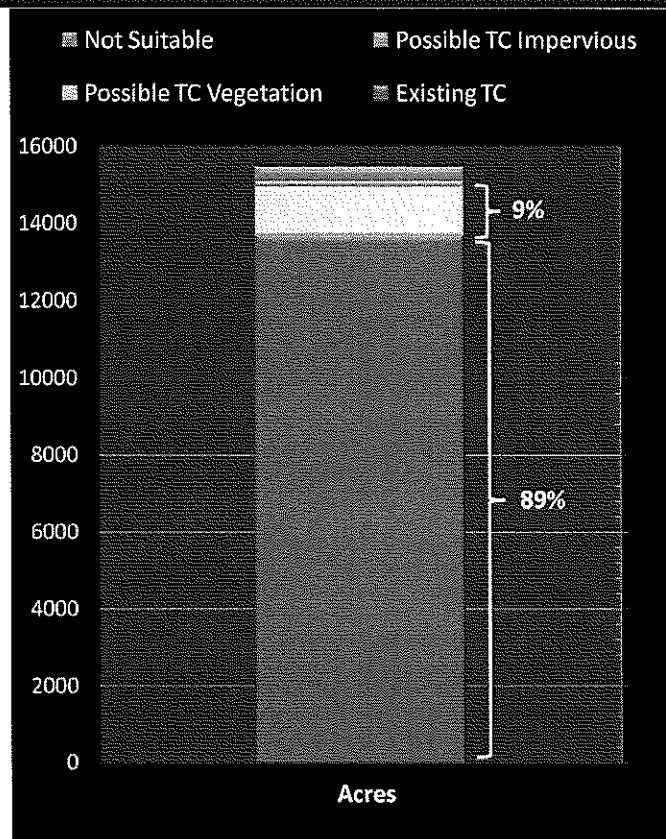
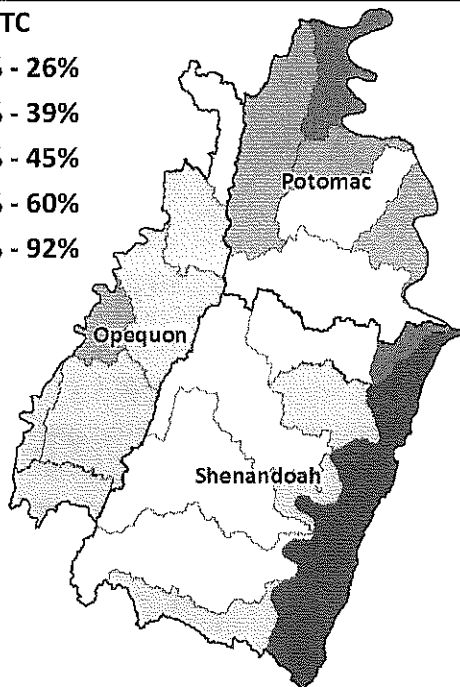
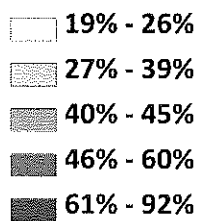


Figure 14. TC metrics for the Blue Ridge Mountain Area show that the area is primarily covered by tree canopy.

Hydrologic Basins

Existing TC



Possible TC

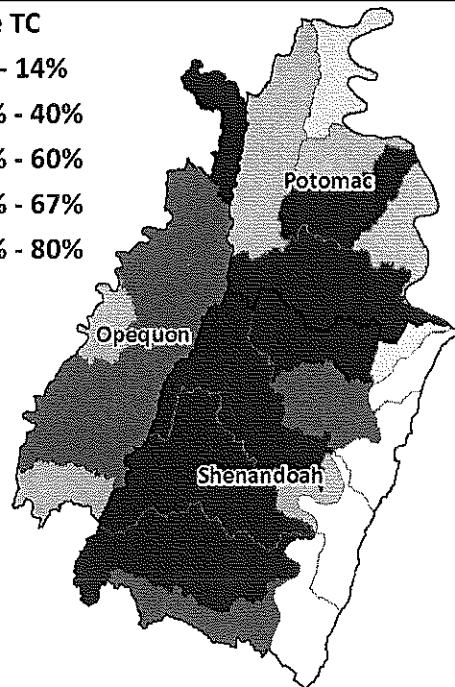
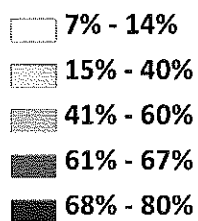


Figure 15: Existing TC and Possible TC were summarized by hydrologic basins and corresponding subwatersheds for Jefferson County.

Conclusions and Recommendations

- Jefferson County's Tree Canopy is a vital county asset that reduces stormwater runoff, improves air quality, reduces the county's carbon footprint, enhances quality of life, contributes to savings on energy bills, and serves as habitat for wildlife.
- Jefferson County should consider establishing a TC goal. Such a goal should not be limited to increasing the county's overall tree canopy; it should also focus on increasing tree canopy in those zoning districts or municipalities that have the least Existing TC and highest Possible TC.
- Zoning-level summaries can be used for targeting tree planting and preservation efforts within different regions of the County.
- "Rural" areas had the highest percentage of Existing and Possible TC for the County. Policies and management strategies should be developed to preserve and promote tree canopy within this zoning district.
- Residential, industrial and commercial zoning districts are covered by 2% or less Existing tree canopy. Regulations or incentive programs should be implemented to encourage establishing more tree canopy in these areas.
- Of particular focus for TC improvement should be municipalities or urban growth centers within the county that have large contiguous impervious surfaces. These areas contribute high amounts of runoff, which degrades water quality. The establishment of tree canopy in these municipalities will help reduce runoff during periods of peak overland flow.
- Policies should be implemented that encourage tree planting as part of development within the urban growth centers.
- Tree canopy should be preserved or established in steeper slope areas. Establishing tree canopy and other vegetation on steep slopes can reduce soil erosion and landslide risks.
- With Existing TC and Possible TC summarized at the watershed and basin level and integrated with the County's GIS database, individual watersheds or basins can be examined and targeted for TC improvement. Research (Goetz et al., 2003) indicates that watersheds with 37% tree canopy results in a "fair" stream health rating, and 45% tree canopy results in a stream health rating of "good."

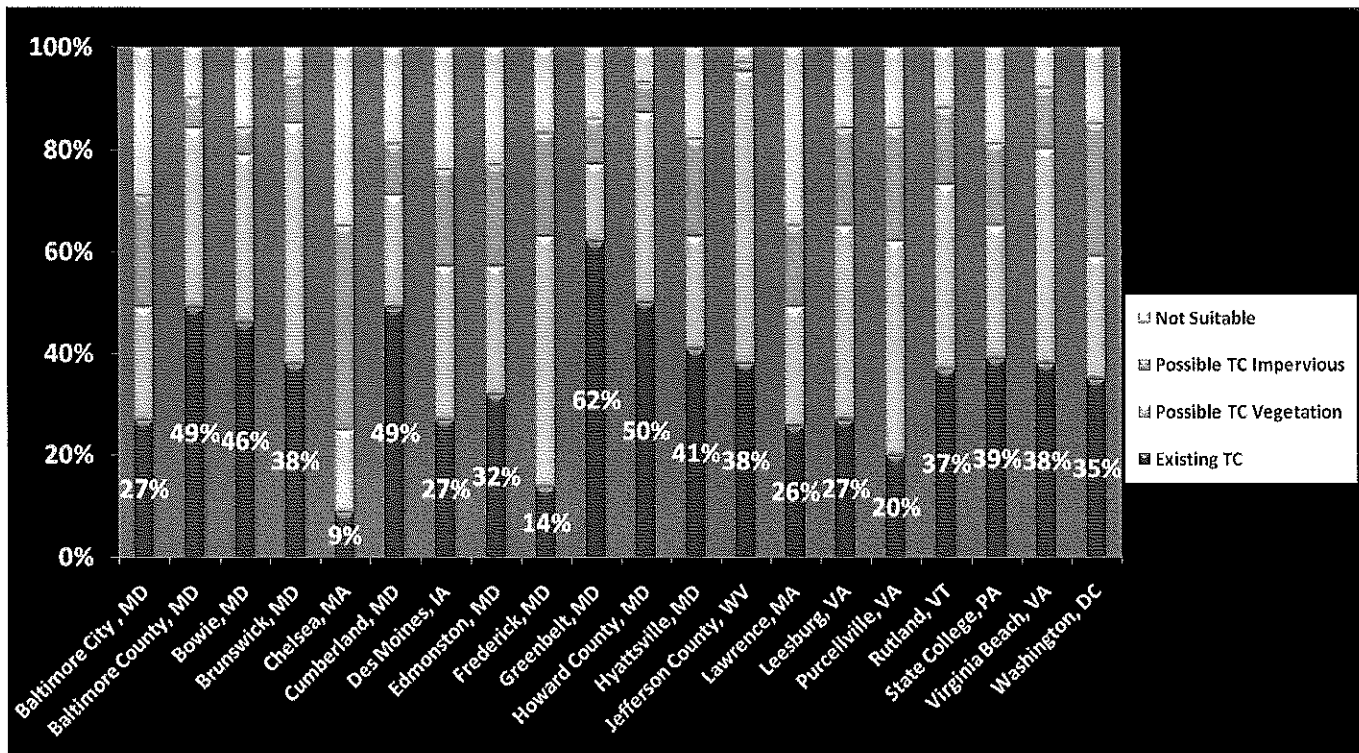


Figure 16: Comparison of TC Metrics with other selected counties and cities that have completed TC assessments.

Prepared by:

Jarlath O'Neil-Dunne & Keith Pelletier
 Spatial Analysis Laboratory
 Rubenstein School of the Environment &
 Natural Resources
 University of Vermont
 joneildu@uvm.edu
 802.656.3324

Additional Information

Funding for the project was provided by the Jefferson County Commission. More information on the tree canopy assessment can be found at the following web site:
<http://nrs.fs.fed.us/urban/TC/>



The UNIVERSITY of VERMONT

JEFFERSON COUNTY, WEST VIRGINIA

Engineering Department

116 East Washington Street

P.O. Box 716

Charles Town, West Virginia 25414

#8

Email: engineering@jeffersoncountywv.org

Phone: 304-728-3257

Fax: 304-728-3953

MEMORANDUM

TO: TIMOTHY BOYDE, COUNTY ADMINISTRATOR
JEFFERSON COUNTY COMMISSION

FROM: REBECCA F. BURNS, OFFICE MANAGER *Rebecca*
DEPARTMENT OF ENGINEERING

RECEIVED

AUG 12 2010

DATE: AUGUST 12, 2010

JEFFERSON COUNTY COMMISSION

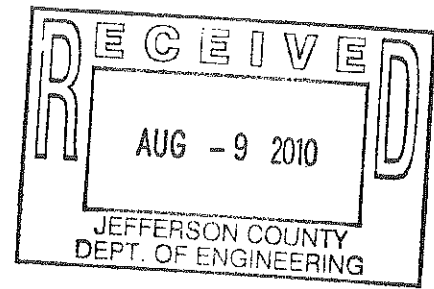
SUBJECT: ELWOOD I. BREEDEN III AND JULIET K. BREEDEN
PERMIT #10-439WD

The Commission has authorized permit fees be refunded in the past when petitioned by the owner of the property based on recommendations from this office. Elwood and Juliet Breeden applied for a building permit for a pole building and paid a permit fee of \$88.40. The fee was computed as follows: a base fee of \$50.00, plus \$38.40 square footage fee, for a total permit fee of \$88.40.

Mr. and Mrs. Breeden received building permits for two other pole buildings in the past and followed the process and policies in place at the time for these permits to be issued. Since that time our policy on issuing building permits for pole buildings has changed and now requires the building plans be stamped by a licensed West Virginia engineer prior to the building plans being approved by staff. This was not the case when Mr. and Mrs. Breeden applied for the permits for the two previous pole buildings, therefore, in this instance we recommend a full refund of the building permit fees for Permit #10-439WD in the amount of \$88.40.

If you have any questions please give me a call.

Office of Building Permits & Inspections
116 East Washington Street
Charles Town, WV 25414



August 9, 2010

To Whom It May Concern,

This is a request to withdraw our building permit application and to get a refund of our building permit fee of \$88.40. When we applied for the building permit, we signed the application agreeing to the terms of the application. After we paid the building permit fee, we were told we needed to pay a certified engineer to stamp the construction plans. If this was disclosed at the time of application, we wouldn't have submitted an application and wouldn't be out the application fee. The lowest quote we received from a certified engineer was \$500. We did not budget for an extra \$500 for this building. Please refund us the building permit fee.

Thank you,

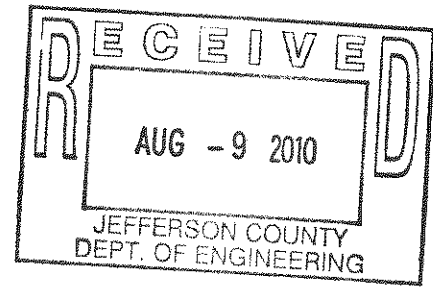
Two handwritten signatures in black ink. The first signature is "Elwood Breeden III" and the second is "Juliet Breeden".

Elwood & Juliet Breeden

Elwood & Juliet Breeden
5774 Flowing Springs Road
Shenandoah Junction, WV 25442

304-876-0940

Office of Building Permits & Inspections
116 East Washington Street
Charles Town, WV 25414



August 9, 2010

To Whom It May Concern,

This is a request to withdraw our building permit application and to get a refund of our building permit fee of \$88.40. When we applied for the building permit, we signed the application agreeing to the terms of the application. After we paid the building permit fee, we were told we needed to pay a certified engineer to stamp the construction plans. If this was disclosed at the time of application, we wouldn't have submitted an application and wouldn't be out the application fee. The lowest quote we received from a certified engineer was \$500. We did not budget for an extra \$500 for this building. Please refund us the building permit fee.

Thank you,

Two handwritten signatures in black ink. The first signature is "Elwood Breeden III" and the second is "Juliet Breeden".

Elwood & Juliet Breeden

Elwood & Juliet Breeden
5774 Flowing Springs Road
Shenandoah Junction, WV 25442

304-876-0940

#9

Laura Kuhn

From: "Sandy McDonald" <sandy@jeffersoncountywv.org>
To: "Laura Kuhn" <laura@jeffersoncountywv.org>
Sent: Wednesday, August 11, 2010 8:52 AM
Subject: Fw: August 19th agenda item

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

From: Dale Manuel
To: 'Tim Boyde'; sandy@jeffersoncountywv.org ; sgrove@jeffersoncountywv.org
Sent: Saturday, July 26, 2003 7:35 PM
Subject: August 19th agenda item

Please place the following on the August 19th agenda:

I move that the director and the necessary department heads begin work on a five year budget plan in an effort to scope out our future needs and our ability to finance them.

Thanks,
Dale Manuel

Sandy McDonald

From: "Sherie Main" <the_mains@comcast.net>
To: <dstellato@jeffersoncountywv.org>; <webmaster@jeffersoncountywv.org>;
<laura@jeffersoncountywv.org>; <sandy@jeffersoncountywv.org>; <nhosby@jeffersoncountywv.org>
Sent: Friday, August 06, 2010 8:52 AM
Subject: PSD

Your submission:

Your Name: Sherie Main

Your Email Address: the_mains@comcast.net

Subject: PSD

Message: PSD sewer project. I pay an average of \$228 per month for water (JUI) and sewer. We are two adults and 4 children in Breckenridge. We conserve water like crazy ie ankle only baths for kids, no lawn sprinklers this year for kids etc. We protest this PSD project. We are also on the list that PSD wants to take our land for eminent domain to put the pipe through. PSD cannot give us straight answers. We tell them about pipes that exist under our properties which are not on county map records, and they ignore us! They promise not to blast, but we know what rock the builder had to blast through to put these houses in. Please, please dig deeper into this issue. We also do not want to be paying for sewer for people who don't even exist right not

VOLUME 14, ISSUE 1, JULY 2010

DETAILS



A Newsletter from the West Virginia State Historic Preservation Office
West Virginia Division of Culture and History



Greenwood Cemetery at Wheeling.



State of West Virginia
JOE MANCHIN III
Governor

Dept. of Education and the Arts
KAY GOODWIN
Cabinet Secretary



RANDALL
REID-SMITH
Commissioner



State Historic
Preservation Office

SUSAN M. PIERCE
Deputy State Historic Preservation Officer
Ext. 158 - Susan.M.Pierce@wv.gov

PAMELA BROOKS
Grants Coordinator
Ext. 720 - Pam.A.Brooks@wv.gov

SHIRLEY STEWART BURNS
Structural Historian
Review and Compliance
Ext. 157 - Shirley.L.StewartBurns@wv.gov

BETHANY CANFIELD
National Register/Survey Historian
Ext. 712 - Bethany.D.Canfield@wv.gov

SUSAN HOLBROOK
Office Manager
Ext. 722 - Linda.S.Holbrook@wv.gov

CAROLYN KENDER
Archaeologist
Review and Compliance
Ext. 719 - Carolyn.M.Kender@wv.gov

TAMI KOONTZ
Information System Coordinator
Ext. 140 - Tami.S.Koontz@wv.gov

LORA LAMARRE
Senior Archaeologist
Review and Compliance
Ext. 711 - Lora.A.Lamarre@wv.gov

ERIN RIEBE
National Register Coordinator
Architectural Survey Coordinator
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Historian
Review and Compliance
Ext. 121 - Aubrey.C.Vonlindern@wv.gov

Turning Fifty Becoming Eligible for the National Register

Recently I turned 50 years old. It's a bit hard to admit, but as they say it's better than the alternative. A friend gave me a birthday card that read "You're 50 and a national treasure. Sadly, Congress has allocated no funds for your maintenance." Inside he wished me "happy National Register birthday." We laughed at the idea of me being eligible for the National Register. It's not as if I feel that old or august. It's just that we associate 50 years old as a significant turning point in our lives. And just as we think about our own age and getting older, turning 50 can also impact how we think about places.

For the National Register of Historic Places, it is a turning point for eligibility. Generally, a resource has to be 50 years or older to be listed. It's hard to understand how something that was built in 1960 could possibly be historically significant. However, recently my staff and I have been discussing the age and architectural significance of a building completed in 1958. Because of current federal security requirements, the building will likely change completely in appearance to make it safer. We think it's eligible to the National Register because of how the architect applied to its design the contemporary architectural philosophy of the mid twentieth century. The irony is that when I first started at the Division of Culture and History, I knew the architect and worked with him. If he were alive, I think he

would be pleased his design was considered eligible for listing in the National Register.

We've compared the current dislike toward modern buildings of the late twentieth century to the opinions people used to have about Victorian architecture. Many wonderful examples of late nineteenth and early twentieth century architecture were torn down before people recognized their unique character and beauty. Will we recognize the significance of mid twentieth century architecture before we lose many of them? These buildings may have been designed to reflect a style that has proven uncomfortable for their occupants, such as the use of small windows or no windows at all. Therefore, they are demolished or altered, sometimes beyond recognition of their original features.

Recent history sometimes also does not provide enough distance for people to understand a building's social significance or its relationship to events and patterns of history. For example, mixed opinions were voiced last spring at the demolition of Building 82, the 10 story office building associated with Union Carbide's South Charleston campus. Built in 1948, the building represented the history of the chemical industry in the Kanawha Valley. There was sadness expressed not just about the building, but the disappearance of an industry from the valley. For preservationists, the demolition represented a lost opportunity for adaptive reuse of an historic building.

Similarly, events of the recent past seem too, well, *recent* to be considered history. The Farmington Mine Disaster of 1968 occurred just forty two years ago; yet this event led to a miners' strike, influenced new

The activity that is the subject of this newsletter has been financed with Federal funds from the National Park Service, Department of the Interior. The program receives Federal funds from the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally Assisted Programs on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of federal assistance should write to: Office of Equal Opportunity, National Park Service, 1849 C Street NW, Washington, DC 20240.

Road Trip to Historic West Virginia

Did all the snow this winter have you stir crazy and feeling house bound? We have a challenge for you, one that will get you out of the house, into your cars and test your sense of exploration!

Ten years ago, we published *Historic West Virginia: the National Register of Historic Places*, a compilation of the state's historic buildings, sites and structures listed in the National Register. Around here at the SHPO, it has become affectionately known as the "Purple Book" (because of the purple cover.) Well, we are at it again, but this time with a twist. The new compilation will include all of the properties that were listed in the old "Purple Book" and all of the new properties that have been listed in the past ten years. This time around, the book will be divided into chapters, each representing a region of the state. At the end of each chapter will be a series of driving tours that will take you to a sampling of historic properties scattered throughout each region. The driving tours are based on the Works Progress Administration tour

guides, written by unemployed writers during the Depression.

Now our challenge to you: On our website you will find a sample tour from Pocahontas County which we want you to take and provide us with feedback. Go to <http://www.wvculture.org/shpo/drivingtour/roadtrip.pdf>. Is there anything we can improve? Were the directions easy to follow? Is the layout of the tour easy to follow? We want your opinion on how to make these tours as enjoyable, educational and accessible as possible.

David Thelen, a professor of history, once said that "the challenge of history is to recover the past and introduce it to the present." We, as preservationists, struggle to achieve this every day and it is our hope that you accept our challenge and join us in developing these tours as tools to introduce the past to the present. Please submit any questions or comments to aubrey.c.vonlindern@wv.gov. —*Aubrey Von Lindern* ☐

Historic Landscapes

The West Virginia State Historic Preservation Office (SHPO) has

recently discussed opportunities with the West Virginia chapter of the American Society of Landscape Architects (ASLA) to record historic landscapes in the Historic American Landscapes Survey (HALS).

The mission of HALS, a program of the National Park Service, is to "record historic landscapes in the United States and its territories through measured drawings and interpretive drawings, written histories, and large-format black and white photographs and color photographs." Historic landscapes can vary in size from a small garden to a thousand-acre park and can be a vernacular or a designed space.

Examples of historic landscapes in West Virginia include the Capitol Complex in Charleston, Oakhurst Links and the Greenbrier property in White Sulphur Springs, and Camden Park in Huntington. The SHPO is creating a list of potential landscapes for expanding West Virginia's resources recorded in HALS. If you have any suggestions for our effort, please contact Erin Riebe at SHPO, 304.558.0240 or erin.m.riebe@wv.gov. —*Erin Riebe* ☐

Oakhurst Golf links, White Sulphur Springs

Continued from page 2

mine safety laws, and impacted leadership of the United Mine Workers of America. The tragedy is still real to the living. Not yet 50 years in the past, these events are obviously significant to our country's story.

Sometimes our history isn't old and dusty. That may not sit easily with us when we think of the number 50. Yet history is real and will keep happening...sooner than we think.

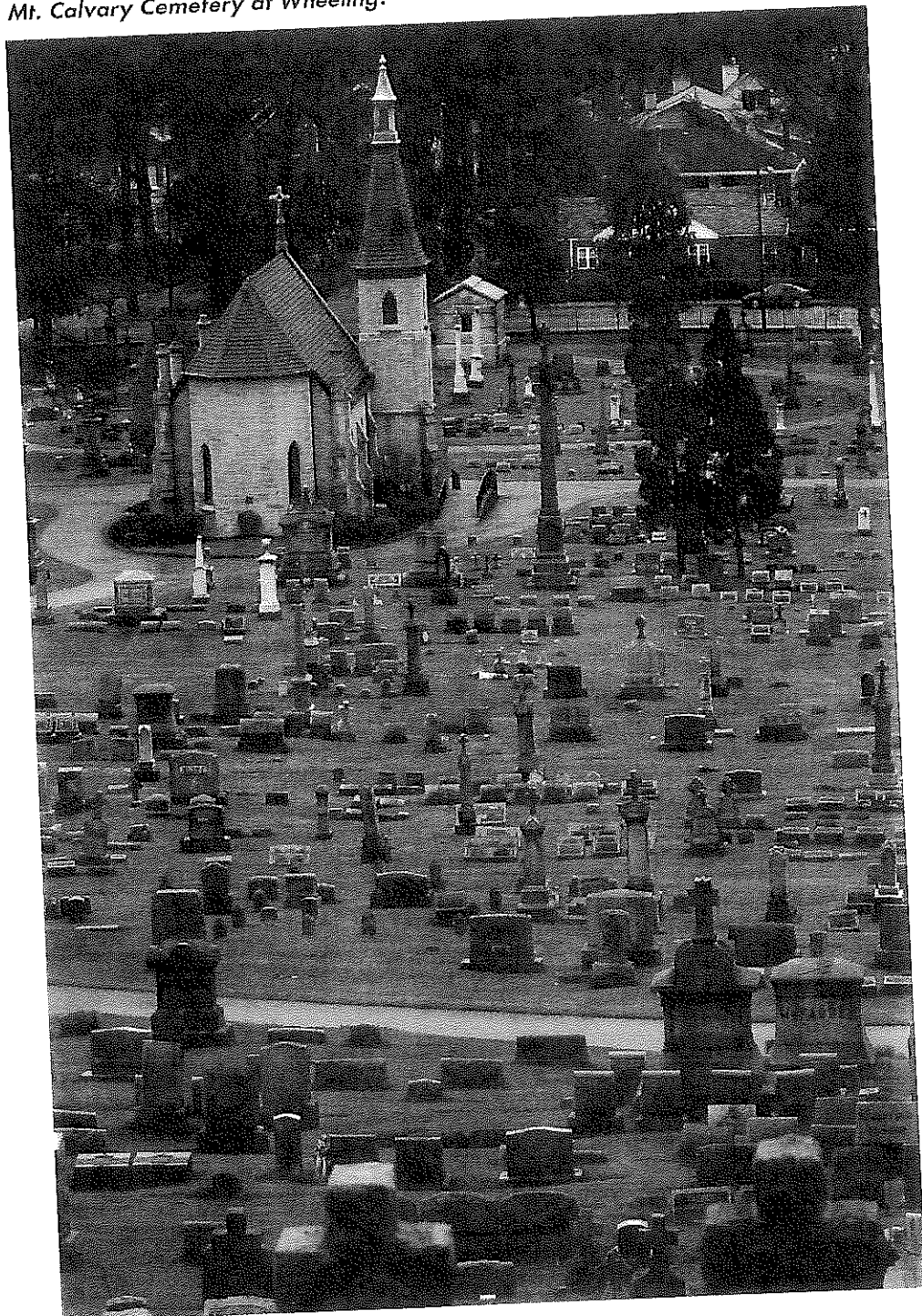
—*Susan Pierre* ☐



Cemeteries and Graves

The State Historic Preservation Office (SHPO) receives calls requesting information on how to list cemeteries in the National Register of Historic Places nearly as often as calls to list houses. In most cases, the caller's motive is similar; to protect the cemetery. However, as with all property types, listing in the National Register does not guarantee preservation or maintenance. Furthermore, many cemeteries and graves are not eligible for listing. The following is a summary of the SHPO's role in cemetery protection, information on what qualifies a cemetery for listing in the National Register, and information regarding the SHPO's cemetery survey program

Mt. Calvary Cemetery at Wheeling.



THE SHPO CANNOT:

- Enforce state laws.
- Investigate complaints about damage to cemeteries.
- Grant or deny permission to access a cemetery.
- Determine if a cemetery/grave exists or determine the boundaries of a cemetery.
- Move cemeteries.
- Establish cemeteries or tell someone how to establish a cemetery.
- Create a plan for protecting a cemetery.
- Provide funding for routine maintenance.

THE SHPO CAN:

- Work with the general public to help document cemeteries.
- Provide limited guidance with respect to the care and maintenance of cemeteries.
- Provide an opinion regarding a cemetery or grave's National Register eligibility.
- Provide guidance in listing an eligible cemetery/grave in the National Register.
- Provide the owners of a National Register listed cemetery/grave the opportunity to apply for Development Grant funding to restore contributing resources, such as mausoleums.
- Issue permits to archaeologically excavate cemeteries.
- Review state and/or federal projects to determine their effects to historic cemeteries/graves. Historic is defined as properties that are eligible for or listed in the National Register. If it is not historic, the SHPO's role ends, regardless of the effect.



Johnsontown Church in Jefferson County.

Listing in the National Register

All properties that are eligible for listing in the National Register must be at least 50 years old, must retain historic integrity and must meet one of the four National Register Criteria: (a) Association with events, (b) Association with people, (c) Design/Construction, (d) Information potential.

Cemeteries and graves are among several property types that are generally NOT considered eligible for listing in the National Register unless they meet additional special requirements. This is because objective evaluation can be overshadowed by a sense of reverence and devout sentiment by descendants of the interred.

In addition to the criteria listed above, most cemeteries and graves must also meet special requirements of Criteria Consideration C or D.

Criterion Consideration C: Birth-

places and Graves. A birthplace or grave of a historical figure is eligible if the person is of outstanding importance and if there is no other appropriate site or building directly associated with his or her productive life.

Criterion Consideration D: Cemeteries. A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

The West Virginia Cemetery Survey

The West Virginia Cemetery Survey is a program designed to help genealogists, archivists, and other interested persons to record and preserve information about cemeteries within our state. The Survey is designed to assist in the collection of many kinds of data from many types of cemeteries.

Cemeteries are all too easily

neglected and forgotten, their contours hidden by weeds and overgrowth. Headstones may erode until their inscriptions are unreadable. They may be broken from their bases, removed, and even vandalized. Each time a cemetery is lost in this manner, the irreplaceable information that it contains is also lost. The West Virginia Cemetery Survey is an attempt to gather this data and maintain it in a manner that renders it accessible for later research. All of the material gathered in the course of a survey is kept on file at the SHPO.

If you would like to document a cemetery in West Virginia, visit our website at <http://www.wvculture.org/shpo/forms.html> or call the Cemetery Survey Coordinator at 304.558.0240.

For a list of WV codes pertaining to cemeteries, go to <http://www.wvculture.org/shpo/cemcodes.html>

The Jenkinjones Coal Company Store and Office

Unlike today, West Virginia during the late 19th and early 20th century did not have super highways or giant retail stores like Walmart or Target. West Virginians that lived in the very sparse coal camps relied mainly on their feet and an occasional horse to transport themselves through small paths along rugged terrain. Sustenance in the coal camps was a combination of what could be grown or made at home, or what could be bought at the coal camp's company store. Workers were often paid in scrip, currency that could only be used at the company owned stores. Therefore, early coal camps in West Virginia were largely dependent on company provided goods. Generally, the coal companies extended railroad lines into the camp

to export the mined coal and import goods for the company store. The company store was typically constructed at a centralized location within the camp so that the workers and families would have easy access. The company store was a status of pride for many communities and usually constructed to reflect the camp's prosperity. After the introduction of better kept roads and automobiles, less dependency was placed on company goods. West Virginians were now able to visit other communities to shop. One such store, at Jenkinjones, is an example of original prosperity and subsequent abandonment.

The Pocahontas Fuel Company, Inc. company store and office

buildings at Jenkinjones were built in 1917 by the renowned architect, A. B. Mahood. Constructed with a massive brick design, showing off a little elegance and flare, these buildings served a multi-functional role by housing the company store, post office, payroll office, train station, and other company offices. Because of the remoteness of the location, the company store offered a wide variety of produces, such as groceries, clothing, jewelry, and furniture. This multi-functionality was a unique feature to Jenkinjones and other company buildings in the southern coal fields.

Today, the West Virginia Department of Environmental Protection is proposing a reclamation



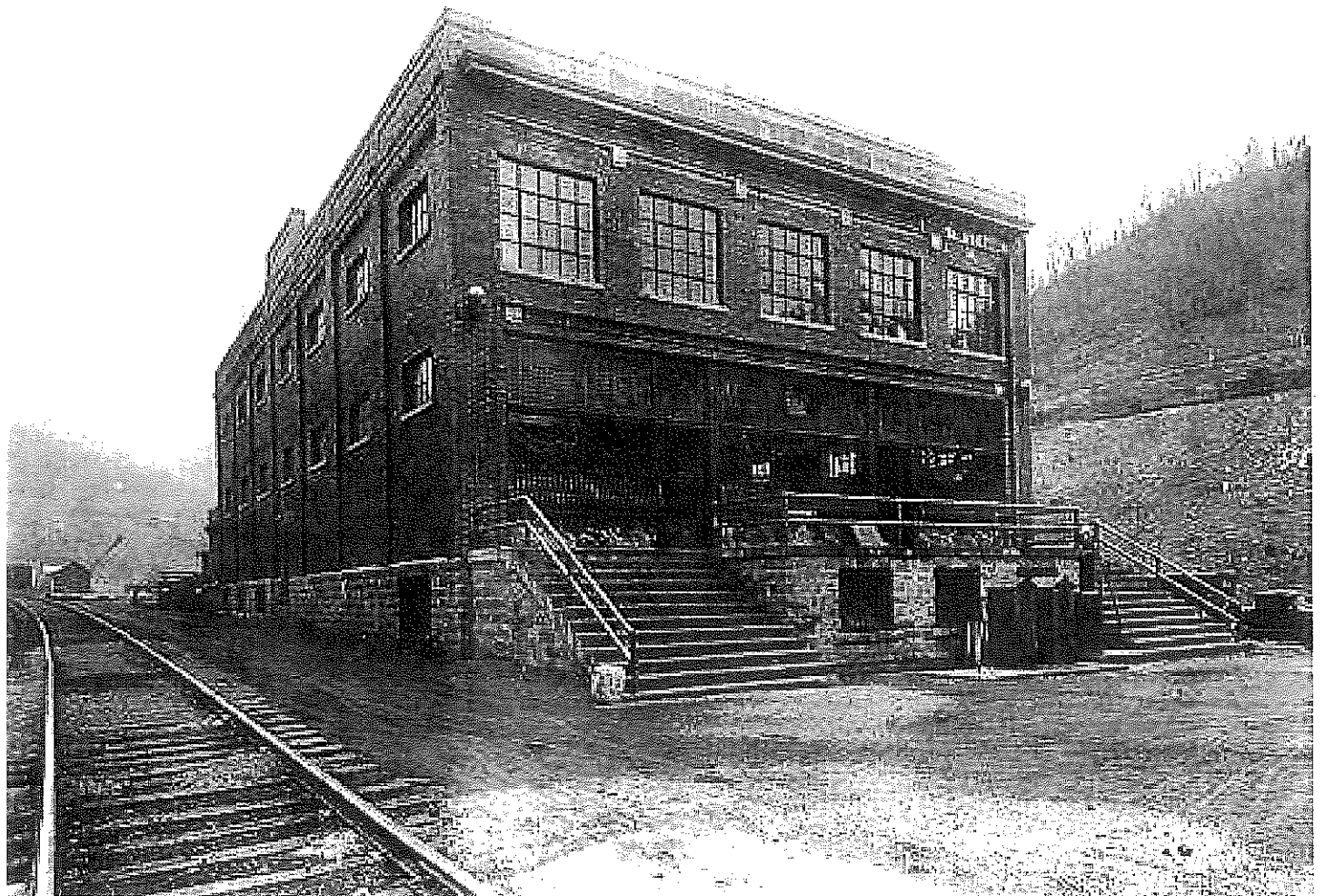
project that would entail the removal of the coal camp's company store and office buildings in Jenkinjones. Historic photographs show the prosperity of the community and the variety of available goods. Although these buildings are now deteriorating empty shells; they are a lasting reminder of this once prosperous coal camp in southern West Virginia. Because of their historic significance, these buildings at Jenkinjones were determined eligible under Criteria A and C for the National Register of Historic Places for their unique architecture and design, and for their importance to the industry and community. Therefore, the project was determined to have an adverse effect

Jenkinjones Company Store 1928 (left), and 1930 (below). Photos courtesy of www.wvgenweb.org. Company store, 2008 (upper right).



to the buildings. As a result, a federal Memorandum of Agreement (MOA) is being drafted for execution between the Office of Surface Mining (OSM), the West Virginia Department of Environmental Protection (WVDEP),

and the West Virginia State Historic Preservation Office (WVSHPO) stipulating how this project will be implemented. For more information, contact Kelly Ristau at the SHPO. —*Kelly Ristau* ■



Kimball War Memorial

I am a proud daughter of the southern West Virginia coalfields, having been born and raised by a coal mining family in Wyoming County. When I saw the focus of the 2009 Pioneer America Society Conference, professional and personal interests were piqued. The conference focused on the history and architecture of the coalfields, including a tour of the coalfields. The informative and interesting tour of coalfield buildings conducted on October 31 was capped with a stop at the Kimball War Memorial in Kimball, McDowell County. The story of the Kimball War Memorial is an inspirational story of determination, community pride and the strength that characterizes so many West Virginians.

Designed by local architect Hassell T. Hicks and constructed in 1928, the

Kimball War Memorial is the first and only World War I memorial to commemorate the service of African Americans during that war. McDowell County, once home to thousands of African Americans, paid homage to these soldiers through the construction of this War Memorial.

In 1991, a fire gutted the interior of the building. While still a ruin, it was listed in the National Register of Historic Places in 1993 as a historic site. Since that time, the community has rallied with pride and a sense of purpose around this regal, Classical Revival building. Their concerted efforts resulted in obtaining money from grants and other financial assistance to restore the building. In April 2010, community members will have a celebration of the building's 82nd anniversary.

On that rainy, October afternoon, we were privileged to hear the story of the community, the memorial and the people from Mr. E. Ray Williams, a veteran of World War II. Mr. Williams spoke with pride and admiration for those soldiers that came before him and the county and community that had the vision to erect a statue in honor of its African American soldiers. Even when the Memorial was severely damaged by the 1991 fire, community members fought to save their heritage. Now fully restored and functional, the building once again is the center of activity and pride in this southern West Virginia community. As I left the building that day, I also was filled with pride in the perseverance and dedication these proud West Virginians had for their heritage and the building that symbolizes their past, present, and future.—*Shirley Stewart Burns*

The restored Kimball War Memorial. Inset: Before renovations.



FAVORITE PLACES

Camp Allegheny

Camp Allegheny rests inside the Monongahela National Forest (MNF) amidst the Potomac Highlands of Pocahontas County, West Virginia. Most visitors to the area are not aware of this resource, one of the best preserved Civil War battlefields. It is situated along the historic Staunton-Parkersburg Turnpike (Rt. 250) on Allegheny Mountain. Recently members of the State Historic Preservation Office had a rare opportunity to tour the landscape with Hunter Lesser, one of West Virginia's experts on Civil War history.

Author of *Rebels At The Gate: Lee and McClellan on the Front Line of a Nation Divided*, Lesser walked the ridgetop with us, pointing out the area of combat and the Confederate winter quarters of 1861-1862. The Union soldiers, under the command of General Robert Milroy, also wintered in the same area on Cheat Mountain, about twenty miles to the northwest.

The Battle of Camp Allegheny, also known as Top of Allegheny, Allegheny Mountain Summit, or Camp Baldwin, occurred on December 13, 1861. Union forces moved from their winter quarters at Cheat Mountain Summit and planned a two prong attack on the Confederates at Allegheny. Approximately 1,900 Federal troops attacked 1,200 Confederate soldiers. Several charges and counter-charges were made throughout the day. In all, the fighting took seven and a quarter

hours with no decisive outcome. The losses were about even with Union at 147 to the Confederate's 146.

After the battle, Confederate and Union troops stayed in their respective winter quarters. In the spring, both armies left the area and the vital road—the Staunton-Parkersburg Turnpike—was unguarded. Later in the war, Confederate General “Stonewall” Jackson took advantage of this, using the turnpike during his famous Valley Campaign. Confederate General Edward Johnson would also earn both his full rank and nickname, “Allegheny” during the fight and harsh winter on Allegheny Mountain.

Lesser narrated the battle as well as shared stories recorded by the encamped soldiers, such as the letters written to and from a seventeen year old Union soldier, Josie Gordon. Upon joining the army his father, who was also a soldier wrote, “Write to me often, obey your officers, and die sooner than be a calf or a coward.”¹ Josie was indeed killed during the fight. His last letter addressed to Major Jonathan Gordon illustrates his sense of duty. “You surely should not be surprised that I should, in this hour of extreme peril to my country, offer



her my feeble aid.”² In 1903 Ambrose Bierce published *A Bivouac of the Dead* about the area and the battle's events. Bierce wrote, “Crowning some low hills within a stone's throw of the house are long lines of old Confederate fortifications, skillfully designed and so well “preserved” that an hour's work by a brigade would put them into serviceable shape for the next civil war.”³

The significance of this landscape is enriched by the retelling of these accounts. It is also humbling to view this landscape. In 1990 Camp Allegheny was listed in the National Register of Historic Places as nationally significant for its association with the American Civil War, landscape architecture, and its potential for additional information through archaeological investigation—*Bethany Canfield*. ■



Hunter Lesser (upper right) describing the Civil War battle scene at Camp Allegheny in Pocahontas County (lower right).

GRANTS AWARDED

FY2010 Survey and Planning Grants

At its January 2010 meeting, the West Virginia Archives and History Commission awarded the FY2010 survey and planning grants. These grants are funded through the annual Historic Preservation Fund of the National Park Service. Each year at least 10% of the state's annual grant is set aside for use by Certified Local Governments (CLG) to conduct historic preservation activities. For more information, please contact the SHPO.—*Pam Brooks* ■

Western Hampshire County Survey and National Register Historic District Nominations, \$14,000. Hampshire County Commission.

Buckhannon Historic District National Register Nomination, \$7,000. Buckhannon Historic Landmark Commission.

Berkeley County National Register Nominations, \$5,460. Berkeley County Historic Landmark Commission.

Harrisville Historic District Nomination, \$5,600. Ritchie County Historic Landmark Commission.

Elkins Preservation Resource Center, \$1,400. Elkins Historic Landmark Commission.

East End Historic District Design Guidelines, \$5,250. Charleston Historic Landmark Commission.

Riverview Cemetery Historic Resource Conditions Report, \$3,185. Ronceverte Historic Landmark Commission.

Clayton Addition Survey, \$4,760. Mannington Historic Landmark Commission.

Luna Park Survey and National Register Historic District Nomination, \$21,000. City of Charleston/Charleston Historic Landmark Commission.

Guyandotte Historic District Survey, \$7,000. Huntington Historic Preservation Commission.

Greenbrier County Survey, \$7,000. Greenbrier County Commission.

FY2010 State Development Grants

The FY 2010 State Development Grant recipients were approved by the WV Archives and History Commission on May 29, 2009 and awarded by Governor Manchin on July 1, 2009. The WV Legislature provides annual funding assistance for the preservation, restoration and rehabilitation of historic resources listed in the National Register of Historic Places. This matching grant program is competitive and based upon selection criteria included in our annual work program.—*Pam Brooks* ■

Kump House Roof Replacement, \$49,150. City of Elkins/Kump House Trust, Randolph County.

Job's Temple Exterior Repair, \$32,500. Job's Temple Association, Inc., Gilmer County.

1841 Jail Roof Replacement, \$26,800. Historic Beverly Preservation, Randolph County.

Algoma Coal and Coke Company Store Roof Replacement, \$37,300. Travel Beautiful Appalachia, Inc., McDowell County.

Darden House Porch Repair, \$16,000. Elkins Historic Landmark Commission, Randolph County.

Waldo Complex Roof Replacement

and Masonry Repair, \$91,200. Vandalia Heritage Foundation, Marion County.

McMechen Inn Masonry Repair, \$10,006. Patricia Monopoli, Hardy County.

T.L. Burchinal Residence Exterior Repair, \$13,500. George Sprowls, Marion County.

Roxy Theater Roof Replacement, \$61,556. 25045-A New Clendenin, Inc., Kanawha County.

Jacob-Hutchinson Warehouse Building Roof Replacement. Main Street Fairmont, Marion County.

Virgil Highland Home Roof Replacement, \$103,000. Jennifer Lopez, Harrison County.

McGrew House Roof Repair, \$10,000. Society for Preservation of McGrew House, Inc., Preston County.

Bryant Pharmacy Structural Repairs, \$8,853. John and Donna Husband, Mercer County.

Old Stone House Roof Repair, \$1,038. Service League of Morgantown, Monongalia County.

Thomas Fleming House Roof Repair, \$3,175. Women's Club of Fairmont, Marion County.

Old Opera House Theatre Masonry Repair, \$7,000. Old Opera House Theatre Company, Inc., Jefferson County.

Waitman T. Willey House Exterior Repair, \$14,000. Frederick Schaupp, Monongalia County.

Berkeley Springs Train Depot Roof Emergency Stabilization, \$12,000. Town of Bath/Berkeley Springs Train Depot Committee, Berkeley County.

Bernard-Klieves House Foundation Repair, \$1,000. William & Lynda Armstrong, Ohio County.

YMCA Fairmont Roof Replacement, \$15,605. Main Street Fairmont, Marion County.

MILESTONES

A Lifetime of Historic Preservation

Don Wood of Berkeley County at the end of 2009 retired from his official position with the Berkeley County Historical Society. At his retirement dinner, he was honored with the Distinguished West Virginian award presented to him by Ms. Becky Frye on behalf of Governor Joe Manchin.

During his tenure, the Society purchased and restored the Belle Boyd House which has served for 17 years as a historic house museum and educational center. Mr. Wood served as president of the historical society, chairperson of the Berkeley County Historic Landmarks Commission, and curator of the Belle Boyd House. Mr. Wood is a native of Berkeley County with his ancestry in the area dating to the 1730s. After years of researching "Old Berkeley's" land and its people (Berkeley, Jefferson and Morgan Counties), he is *the* expert on local history.

He has volunteered his time to



Don Wood receiving the Governor's Distinguished West Virginian award.

Berkeley County for nearly four decades resulting in the National Register listing of more resources than any other county in West Virginia. Mr. Wood himself has prepared nearly forty nominations and has been instrumental in securing funding through the County Commission and the State Historic Preservation Office to list many more resources, totaling more than 3,500 properties. Mr. Wood has become one of the linchpins of heritage tourism in Berkeley County helping to organize annual house tours of National Register listed properties and conveying the history of the Belle Boyd House, a stop on the Civil War Discovery Trail, to thousands of tourists every year.

The Belle Boyd House at Martinsburg, WV.



The SHPO thanks Don for his tireless efforts on behalf of Berkeley County.—*Susan Pierce & Erin Riebe* ■

In Memoriam

Two former members of the West Virginia Archives and History Commission passed away recently. Both left distinctive memories and contributed vigorously to their communities. They will be missed by their friends and colleagues.

Dr. Stuart McGehee served as chairman of the West Virginia Archives and History Commission for five years. He was first a professor at Bluefield State College and later at West Virginia State University in Institute. He authored five books and more than 50 learned articles that appeared in national and regional publications. As director of the Eastern Regional Coal Archives at Kraft Library in Bluefield, his knowledge of West Virginia's southern coalfields assisted many researchers. His desk at the library usually held a bowl of apples, available for snacking. Stuart brought enthusiasm to all his endeavors.

Marjorie Zirk served quietly and with dignity on the Archives and History Commission. A librarian with the Moorefield Library, she oversaw a local history collection for use by researchers and library patrons. Commission meetings sometimes included tours of National Register resources. On one such occasion she gamely hiked into Organ Cave to view the Confederate saltworks. During meetings, she focused on the significance of each National Register nomination and was supportive of staff. She was a reliable member of the Commission.—*Susan Pierce* ■



PRESERVATION CALENDAR

July 29-August 1, 2010

"Grand Rapids Rendezvous"
Biennial Forum
National Alliance of Preservation
Commissions
Grand Rapids, MI
www.uga.edu/napc/index.html

September 9-12, 2010

"Preserving the Historic Road 2010"
Washington, DC
www.historicroads.org

October 27-30, 2010

67th Annual Meeting
Southeast Archeological
Conference
Lexington, KY
www.southeasternarchaeology.org

October 27-30, 2010

"The Next American City, and the
Next American Landscape"
National Trust for Historic
Preservation Annual Conference
Austin, TX
www.preservationnation.org

October 28-31, 2010

77th Annual Meeting
Eastern States Archeological
Federation
Williamsburg, VA
www.esaf-archeology.org

October 31, 2010

Survey and Planning Grant
Application Deadline
WV State Historic Preservation Office
www.wvculture.org

MAKE THE CENSUS COUNT

The 2010 Census questionnaire is a simple document with important consequences, providing data that will impact our representation in the U.S. House of Representatives and the federal government's agency priorities and budgets.

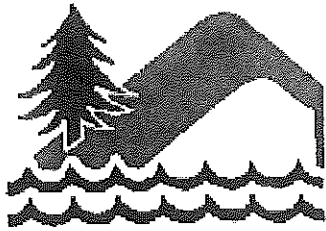
The State Historic Preservation Office receives an apportionment of funding each year as part of the Department of the Interior budget. Each community in West Virginia will be impacted by the results of this questionnaire. If you haven't filled out the form mailed to you, please do so. Census takers will be visiting households to collect this information April through July. To learn more about the 2010 Census, visit <http://2010.census.gov>.

West Virginia Division of Culture and History

DETAILS

State Historic Preservation Office
The Cultural Center
1900 Kanawha Boulevard, East
Charleston WV 25305-0300

Non-Profit Org.
U.S. Postage
PAID
P.O. Box 2868
Charleston, WV
25301



Eastern Panhandle
Conservation District

Accepting Applications NOW! Elks Run Watershed Water Quality Improvement Project YOU ARE ELIGIBLE

Do you value clean water for drinking, fishing, swimming, and farming? Do you want to be prepared now for the Chesapeake Clean Water and Ecosystem Restoration Act? We can help you do both!

You are eligible for a **50% cost-share on septic pumping** up to \$150, which includes a free septic inspection.

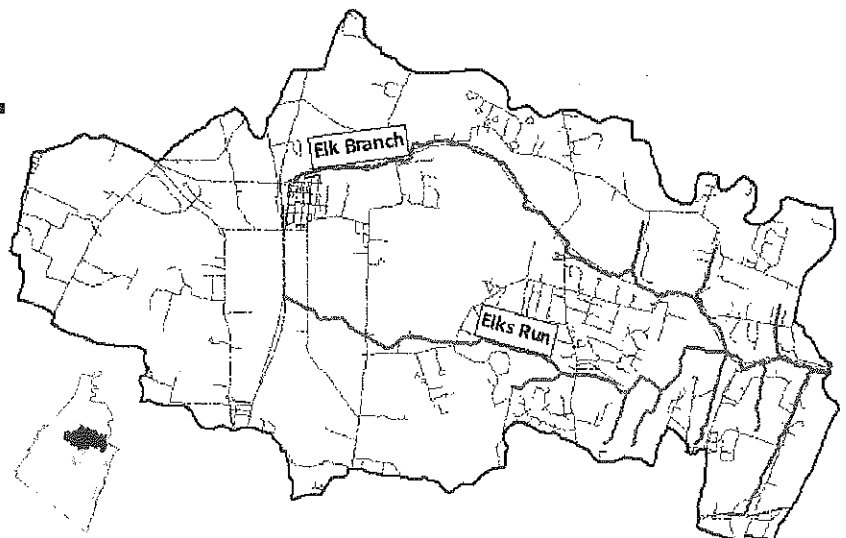
Farmers may apply for 100% cost-shares on stream fencing, stream crossings, and riparian buffer tree plantings.

The purpose of this project is to keep the Elks Run clean and to reduce pollutants such as sediment, bacteria, and nutrients. Special state funding to the Eastern Panhandle Conservation District has made this project possible for all residents of the Elks Run watershed. Applications will be accepted August 1 through September 30. Return the enclosed application today to start your project at **little to no cost!**

EASTERN PANHANDLE CONSERVATION DISTRICT

151 Aikens Center, Suite 1
Martinsburg, WV 25404
Phone: 304.263.4376
Fax: 304.263.4986

Agriculture: Barbie Elliott,
ext. 117 or bellott@wvca.us
Septic: Jennifer Garlesky,
ext. 118 or jgarlesky@wvca.us



Partners: Town of Harpers Ferry and Town of Bolivar Elks Run Study Committee, Jefferson County Board of Health, West Virginia Department of Agriculture, West Virginia Department of Environmental Protection, West Virginia Conservation Agency, and the Eastern Panhandle Conservation District, and the West Virginia Division of Forestry.

**EASTERN PANHANDLE CONSERVATION DISTRICT
ELKS RUN WATERSHED WATER QUALITY IMPROVEMENT PROJECT
APPLICATION FORM**

Name _____ Date _____

Address _____

Daytime Phone _____ Evening Phone _____

The land is owned by the applicant _____ YES _____ NO

The land is leased by the applicant _____ YES _____ NO

Septic Inspection & Pumping Program	50% cost-share (up to \$150)	_____ YES	_____ NO
Stream Fencing	100% cost-share	_____ YES	_____ NO
Stream Crossing	100% cost-share	_____ YES	_____ NO
Riparian Tree Planting Program	100% cost-share	_____ YES	_____ NO

Water quality / conservation issues affecting your property:

I (We) understand this application does not obligate the applicant(s) or the EPCD to enter into a contract.

Date: _____

Signature(s) _____

**EASTERN PANHANDLE CONSERVATION DISTRICT
ELKS RUN WATERSHED WATER QUALITY IMPROVEMENT PROJECT
APPLICATION FORM**

Name _____ Date _____

Address _____

Daytime Phone _____ Evening Phone _____

The land is owned by the applicant _____ YES _____ NO

The land is leased by the applicant _____ YES _____ NO

Septic Inspection & Pumping Program	50% cost-share (up to \$150)	_____ YES	_____ NO
Stream Fencing	100% cost-share	_____ YES	_____ NO
Stream Crossing	100% cost-share	_____ YES	_____ NO
Riparian Tree Planting Program	100% cost-share	_____ YES	_____ NO

Water quality / conservation issues affecting your property:

I (We) understand this application does not obligate the applicant(s) or the EPCD to enter into a contract.

Date: _____ Signature(s) _____

TO: All County Commissioners & Staff
From: Vivian Parsons, CCAWV

Hi folks,

The following message is from Dave Nichols, Manager of Elections, WV Secretary of State Office, regarding further clarification of the coming special election procedures. There have been some questions regarding canvassing as well certification of election results. I hope this will make the process clear.....if you have questions, do not hesitate to call! Remember if a commissioner has problems being present on Thursday, September 2nd, they may participate by conference call. (§6-9A-2)

Vivian

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

From: David Nichols
Date: 8/6/2010 12:29:01 PM
To: vivian@ccawv.org
Cc: Patti Hamilton; Layna Brown; Jackie Harris; Sean Hill; Missi Kinder; Lisa Blake; Timothy Leach; Elizabeth Summitt; Sheryl Webb; Natalie E. Tennant
Subject: Canvass and Certification

Vivian,
Please forward this to County Commissioners.

Dear County Commissioners,

We have previously discussed some details of the requirements for canvass of the upcoming Special Primary Election. I would like to further clarify the situation surrounding canvass and give additional direction relating to certification of this election.

As has been mentioned before, canvass will begin at 9:00am Tuesday, August 31 and must conclude by 4:00pm Wednesday, September 1. Question have been raised concerning what, exactly, a county is permitted to do prior to that 9:00am hour. ANY necessary setup, compiling of documents, opening of boxes or containers or anything else that needs to be done in order to actually begin canvassing the election at 9:00am is permitted. Once canvass is complete and you, as a commission, have formally declared the result of the election, communicate that fact to the WVSOS Elections Division.

For the purposes of this election, a 24-hour countdown clock to request a recount begins at 4:00pm Wednesday, September 1 rather than 48 hours after you have declared your results (the normal timeframe for candidates to ask for a recount). Candidates will still file and pay the bond with the individual county in which they are requesting a recount. If a candidate does request a

recount, notify the Elections Division immediately but otherwise proceed as you normally would.

If no recount has been requested by 4:00pm Thursday, September 2, the commission should meet immediately to certify the result of the election and transmit the information to the Elections Division. You need to schedule the meeting for 4:00pm Thursday, September 2, (regardless of when you have completed your canvass) and declare the results. Remember to give the proper public notice of the meeting. If an issue arises in which a quorum cannot be physically present for the meeting, under §6-9A-2 conference calls are allowed for participation and establishing a quorum.

If you have any questions or concerns, please feel free to contact the Elections Division by phone at (304)558-6000.

Dave Nichols

Manager of Elections
WV Secretary of State
1900 Kanawha Blvd E
Bldg 1 Room 157-K
Charleston, WV 25305
(866)767-8683 (toll free)
(304)558-6000 (office)
(304)951-2675 (mobile)

**NOTICE
JEFFERSON COUNTY COMMISSION
MEETING CANCELLATION**

The regular meeting scheduled on Thursday, August 26th, 2010, has been cancelled. The Commission will resume its regular session on Thursday, September 2nd, 2010, at 9:30 a.m.

PRESS RELEASE

County Commission to sponsor meetings on Old Standard Quarry Brownfield Development

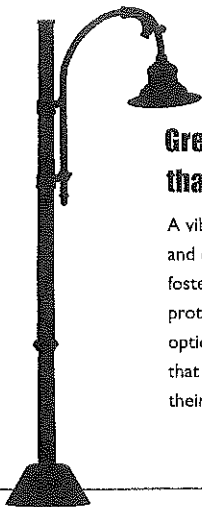
The Jefferson County Commission invites the public to learn more about the recently approved Brownfield Economic Development District at Old Standard Quarry near Harpers Ferry.

In March, 2009, the West Virginia Department of Commerce approved an application for a Brownfield Economic Opportunity Development District at Old Standard Quarry which includes twenty-nine (29) office buildings, a first class hotel, an Extended Stay Hotel, a Computer Data Center and the Waste Water Treatment Plant which is adjacent to the Quarry Lake. The approval was granted without local input or local meetings.

The Jefferson County Commission is sponsoring two meetings on the development proposal. The first will be on Monday, August 16, 2010 from 2 pm to 5 pm in the Commission's meeting room at the Old Charles Town Library located at 200 E. Washington Street, Charles Town, West Virginia. The approved proposal is available for the public to review. This is an informational meeting to help the public learn more about what has been approved by the State Department of Commerce. West Virginia State House of Delegates and West Virginia State Senate representatives from our area are expected to attend.

On Thursday, August 19, 2010 at 2 pm, the County Commission will discuss with the Legislators the concerns and comments from the open house.

Members of the public are encouraged to attend both meetings.



Great downtowns are more than the sum of their parts . . .

A vibrant downtown increases economic health and quality of life for communities. It adds jobs, fosters new small businesses, cuts down on sprawl, protects property values, and provides variety and options for goods and services. Communities say that a vibrant downtown becomes a symbol of their pride and history.



The Power of Ten will help you build a healthy and vibrant downtown. At the Summit, you will develop a "Power of Ten" plan to revitalize your downtown, based on special places that will draw residents and visitors alike.

The collective expertise of the West Virginia University Extension Service faculty forms the basis for this pioneering methodology and for the tools you will receive to help make your downtown community "great."

Helping people put knowledge to work.



Schedule of Events

Monday, Sept 13

- Arrivals and Distribution of Summit Materials
- Unleashing the Power of Ten
- Creating Downtown Destination Critical Mass
- Waterfronts and Public Destinations
- Streets, Places & Community Anchors
- Catered Luncheon with Speaker
- The Place Game
- Social and Catered Dinner

Tuesday, Sept 14

- Continental Breakfast
- Mapping Your Assets
- Catered Luncheon
- Identifying Opportunities & Creating Your Downtown Power of Ten Strategy
- Public Markets
- Tools and Techniques for Creating Public Spaces

Wednesday, Sept 15

- Continental Breakfast
- Moving from Strategy to Action
- Closing Remarks
- Summit Concludes (lunch on your own)

Power of Ten is a program of WVU Extension Service Community, Economic, and Workforce Development—Community Resources and Economic Development



Power of Ten
SUMMIT

Registration Form
September 13–15, 2010

Name _____ Name for Badge _____

Organization _____ Title _____

Address _____ City/State/Zip _____

Daytime Phone _____ Fax _____ E-mail _____

Special Meal Request (circle one) Yes No If yes, please explain _____

METHOD OF PAYMENT *Payment is due by August 15, 2010.*

Individual ((\$150)

Community team of three (\$400)

Community: _____

Team Members: _____

Cash Money Order

Check (Make checks payable to West Virginia University.)

Discover MasterCard Visa

Credit Card # _____ Expiration Date _____

Signature _____

Mail completed registration form and payment to address on other side.

Location/Accommodations

The summit will take place in downtown Buckhannon, West Virginia. Buckhannon illustrates a small town with a vibrant downtown.

The host site is the Bicentennial Inn, 90 East Main Street located walking distance to downtown Buckhannon. Room rate will be \$67.95 plus tax per room per night for the event.

To make your room reservations, call 304-472-5000.



How to Register for the Summit

Complete the registration form and mail with your payment to:

West Virginia University Extension Service
Attn: Jane Haines
710 Knapp Hall, P.O. Box 6031
Morgantown, WV
26506-6031

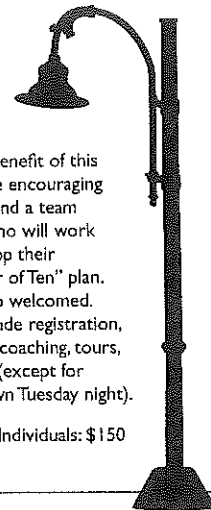
For questions, call
304-293-6967
Email: JKHaines@
mail.wvu.edu

Web: cred.ext.wvu.
edu/programs/
power_o

Fees

To maximize the benefit of this experience, we are encouraging communities to send a team of three people who will work together to develop their downtown "Power of Ten" plan. Individuals are also welcomed. Summit costs include registration, training materials, coaching, tours, breaks and meals (except for dinner on your own Tuesday night).

Teams: \$400 Individuals: \$150



Extension Service
West Virginia University

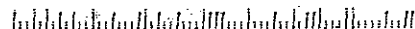
The Power of Ten Summit

710 Knapp Hall
PO Box 6031
Morgantown, WV 26506-6031

Nonprofit Organization
U.S. Postage
PAID
Morgantown, WV
Permit No. 34

Jefferson County Commission
100 E Washington St
Charles Town WV 25414

25414\$1072 C001



Extension Service
West Virginia University



Unleash the potential of your downtown.

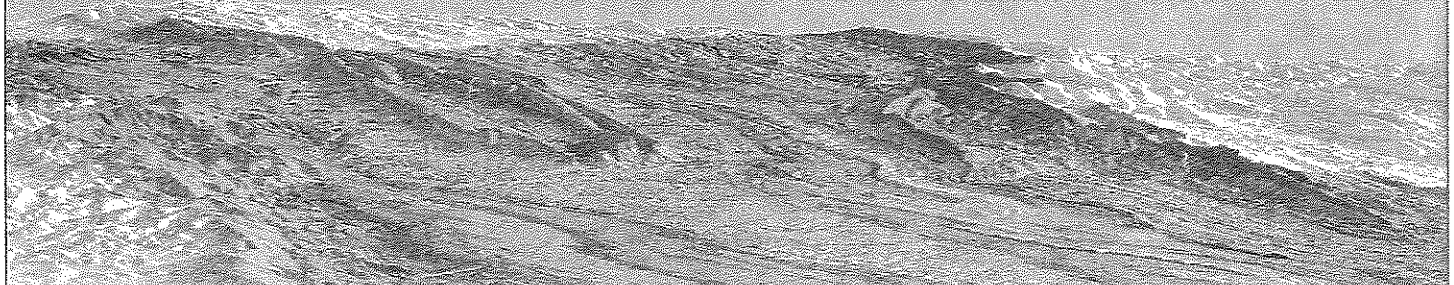
Take part in the **Power of Ten**
SUMMIT

September 13-15, 2010

**GROWING
COMMUNITIES ON
KARST 2010**

**GREAT VALLEY
WATER RESOURCES
SCIENCE FORUM**

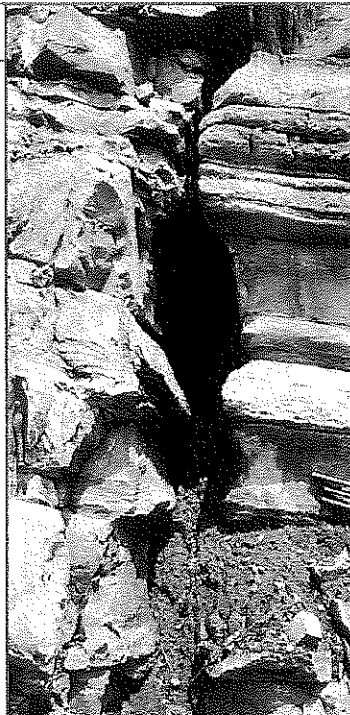
**SEPTEMBER 15-17, 2010
US FISH & WILDLIFE SERVICE NATIONAL
CONSERVATION TRAINING CENTER
SHEPHERDSTOWN, WEST VIRGINIA**



Join experts from USGS, GeoConcepts, Earth Vector Systems, the Mahfood Group, WVDEP, and regional and local officials to discuss land use policy and learn about issues that matter most in protecting environmentally sensitive lands and water quality.

This conference is for:

- Planning staff
- Elected officials
- Stormwater managers
- Public works staff
- Transportation supervisors
- Engineers
- Developers
- Geologists
- Soil Scientists
- Remediation experts
- Urban foresters
- Consultants
- Watershed Associations
- Concerned citizens
- Conservationists
- Well / gas drillers
- Landscapers
- Educators
- Environmental consultants
- Conservation professionals



Program summary:

Field Trips

- Dye tracing and detection methods
- Using GPS to collect data
- Understanding carbonate rock land forms

Groundwater Contamination Issues

- Drilling in the Marcellus Shale
- Topographic settings and water quality
- Understanding ecology and groundwater

Local Planning Issues

- Chesapeake Bay activities
- Water supply
- Developing land use policy for karst
- Early warning systems for source water protection

Using Geographic Information Systems

- GPS data uploads
- Fracture Trace/Lineament Analysis

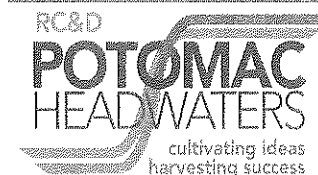
Remediation Methods and Regulations

Conference fees of \$25 includes two days of seminars and instruction by experts and professionals. Fee includes NCTC's fabulous lunch buffet and breaks. Wednesday field trip (\$15 extra) includes canoe rental. Commercial display space available!

Sponsored by:



Check with your accreditation or certification group to see if you qualify for up to 10 hours of Professional Development Hours (PDH's) (only \$40 with field trip and conference)!



**GROWING
COMMUNITIES ON
KARST 2010**

**GREAT VALLEY
WATER RESOURCES
SCIENCE FORUM**



REGISTER BY SEPTEMBER 1ST! SPACE IS LIMITED

Wednesday – September 15, 2010

11:30am-4:30pm	Canoe Field Trip – Dye tracing at a karst window Practicum: Using GPS and Uploading Data	Karst Waters Institute and WVDEP Earth Vector Systems, LLC
5:00pm-6:00pm	Networking and hors d'oeuvres	

Thursday – September 16, 2010

8:15am - 3:30pm	Conference Registration and Exhibits Welcome Groundwater Contamination and Karst Relation of Groundwater Quality and Topographic Settings Ecological flows in the Shenandoah Chesapeake Bay Activities and Future Directions Marcellus Shale Issues Field Trip – Recognizing and Understanding Local Geological Features	Potomac Headwaters RC&D Robert Denton, GeoConcepts Engineering Will White, Penn State, retired Bruce Lindsey, USGS - Water Sciences Carlton Haywood, ICPRB Scott Phillips, USGS - Chief, Chesapeake Bay James Coleman USGS Energy Program Dave Weary USGS
3:30pm-5:30pm	Poster Session and hors d'oeuvres	

Friday – September 17, 2010

8:15am-3:45pm	Conference Recap Land Remediation Karst Considerations at the Local level Clarke County's Proactive Approach Early Warning Detection Systems for Source Water Protection Water: Planning for the Future Fracture Trace/Lineament Analysis using GIS	Robert Denton, GeoConcepts Engineering, Twila Carr and Don Martin, WVDEP William Stubblefield, Berkeley County Commission John Staelin, Clarke County Commission River Alert Information Network Jill Keihn, Northern Shenandoah Valley Regional Commission Mark Kozar, Dan Doctor, and David Weary, USGS
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Register today! Contact Olga Adams, Potomac Headwaters RC&D

Phone: 304-267-8953 ext. 5
E-mail: phrcd.6003@verizon.net

E-mail or call and leave a message.
Let us know: Your NAME; your PHONE NUMBER;
your E-MAIL; and, WHICH DAYS you plan to attend.

Or clip and mail to:
PHRC&D
151 Aikens Center, Suite 6
Martinsburg, WV 25404

US Fish & Wildlife Service National Conservation Training Center
Phone: 304-876-1600 <http://training.fws.gov>

✕ ✕ To register by mail clip below and mail to PHRC&D. ✕ ✕ ✕ ✕ ✕ ✕ ✕

Conference Fees	Amount	Total Enclosed	Days attending:	NAME:
Wednesday Field Trip	\$15		<input type="checkbox"/> September 15 Canoe Field Trip	AFFILIATION:
Registration – Two days Includes lunch and breaks	\$25		<input type="checkbox"/> September 16	PHONE:
Registration – One day only	\$18		<input type="checkbox"/> September 17	EMAIL:
Display Booth - Includes one paid registration	\$100		Method of Payment:	ADDRESS:
			<input type="checkbox"/> Check enclosed payable to: PHRC&D	
			<input type="checkbox"/> Credit card - We invoice you by e-mail, then you log onto to input credit card information	
				TOTAL ENCLOSED: <input type="text" value=""/> .00