

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, DECEMBER 2, 2010
9:30 A.M.
Old Charles Town Library Meeting Room
200 E. Washington Street, Charles Town, WV

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

PRESENTATIONS:

1. 10:00 a.m. Peter Fricke, Jefferson County Farmland Protection Board
 - Approval of Deeds - Farmland Conservation Easement
 - Jack L. Burch, Sr.
 - William A. Knighten and Dixie L. Knighten
 - Scott I. Morgan and Sondra J. Morgan
 - John M. Restaino and F. Mark Schiavone
 - Laurie L. Scott
 - Twin Ridge Orchard Company, Inc
 - Walter Walls, Tammy P. Walls and Ray E. Walls

2. 10:15 a.m. Legal Update
 - Stephanie Grove, Assistant Prosecuting Attorney

3. 10:30 a.m. Jennifer S. Maghan, County Clerk
 - County Clerk's Report

4. 10:45 a.m. David Kemnitzer, Architect - Historic Structures Report on the Courthouse Building

5. 11:15 a.m. Roger Goodwin, Chief County Engineer
- Tolling of Construction Bond Agreement - Thorn Hill Subdivision, Lots 1-179 - Discussion/Action
6. 11:30 a.m. Mark Schiavone, Director of Capital Planning and Management
- Request for Approval of Revision 002 to the Coal Severance Fund (Fund 002) & draft Resolution- Discussion/Action
- Modification of the FY2010 CIP for Independent Fire Company - Discussion/Action
7. 11:45 a.m. Tim Boyde, County Administrator
- Review of Procurement Card Procedures Draft Policy - Discussion/Action

NEW BUSINESS:

8. Review and discuss a suggested scoring program to be used for agencies that request funding from the County Commission (PN) - Discussion/Action
9. Set Date for First Meeting of 2011 - Discussion/Action
10. Approval of 2011 Holiday Schedule - Discussion/Action
11. Roger A. Ritchie, Jr. - Request use of the Meeting Room on December 21, 2010 for a Social Security Seminar Free to the Public - Discussion/Action
12. Set Date and Time in January 2011 to hold a Public Hearing regarding the Proposed Wireless Telecommunications Facilities Ordinance Draft - Discussion/Action

———— AFTERNOON SESSION ————

13. 1:30 p.m. Troy Truax - Delta Development Group, Inc. -
- Jefferson County Emergency Services 5 Year Strategic Plan
Informational Session/Questions and Answers/County Commission Input

CORRESPONDENCE:

West Virginia Video Lottery weekly settlement received.

WVACO October 2010 Newsletter received.

Correspondence from Charles Town Chaplaincy Services thanking the Commission for the \$3,000.00 allocation.

"Thank You" Letter received from the Shepherdstown Library regarding the Commission's allocation for First Books for Babies.

ANNOUNCEMENTS:

Reminder of the 2010 County Commissioners' Association of West Virginia Legislative Roundtable Meeting on Monday, November 29, 2010 from 3-5pm at the County Commission meeting room located in the Old Charles Town Library.

Reminder of Joint Meeting with the Jefferson County Planning Commission regarding the Blue Ridge Mountain Watershed Project at 7:00 p.m. at the Blue Ridge Elementary School Cafeteria.

Memorandum from Bill Polk, Maintenance Director, canceling the CPR and First Aid Training on November 24, 2010 and December 7, 2010.

"Lunch with Santa" sponsored by the Jefferson County Parks & Recreation Commission scheduled for Saturday, December 18, 2010 from 11:00 a.m. to 1:00 p.m. at the Jefferson County Community Center, Sam Michael's Park.

RECESS

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

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

Name: Peter Fricke

Department or Entity: Jefferson County Farmland Protection Board

Estimation of amount of time needed for appointment: 20 minutes

Date Requested – 1st Choice: December 2, 2010

Date Requested – 2nd Choice: _____

If a specific date is needed, please provide reason for specific date:
It is hoped to close the purchases of these conservation easements this month (December) and we have only a small window of opportunity to complete the transactions.

Subject: **Approval of seven (7) deeds of farmland conservation easement**

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

The attached easements are moving towards closure this month. Matching funding is provided for all easements through the USDA/Natural Resources Conservation Service and the Jefferson County Farmland Protection Program. Four easements, those of Burch, Morgan, Restaino/Schiavone, and Walls contain significant donations of value by the landowners. The combined acreage of the seven easements is 670 acres with a cost to the JCFPB of \$1,362,117.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **that the Jefferson County Commission approve the purchase by the Jefferson County Farmland Protection Board for the Jefferson County Farmland Protection Program of conservation easements on the properties in Jefferson County owned by the following persons: J.L. Burch, Sr.; W.A. Knighten and D.L. Knighten; S.I. Morgan and S.J Morgan; J.M. Restaino and F.M. Schiavone; L.L. Scott; Twin Ridge Orchard Company, Inc.; and W. Walls, T.P. Walls and R.E. Walls.**

Attachments: **Map of easement location; 7 deeds of easement**

#4



Commission Office Use Only	
Date on Agenda:	12-2-10
Appt Time or New Business:	10:45

AGENDA REQUEST FORM

Name: David Kernitzer, Architect

Department or Entity: _____

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: 10/7/10

Date Requested – 2nd Choice: 12/2/10

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

Subject: **Presentation - Historic Structures Report**

Please provide the County Commission with a description of your request or presentation, including any background information: **The Historic Structures Report for the courthouse building is complete. The HSR identifies courthouse maintenance issues and gives guidance for renovation work on the building. The report also gives a possible timeline for these projects.**

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


Request to be placed on County Com. Agenda

 Delete

 Reply

 Reply All

 Forward

 Move/Copy

[Print](#) [Hide Envelope](#)

Show Header

From: John Allen Jr [Add to Address Book](#)
To: Info@jeffersoncountywv.org
Date: Monday, September 20, 2010 11:42:23 AM
Subject: Request to be placed on County Com. Agenda

Commissioners,

The Courthouse Committee is pleased to inform you that the Historic Structures Report for the courthouse building is complete. The HSR identifies courthouse maintenance issues and gives guidance for renovation work on the building. The report also gives a possible timeline for these projects. The courthouse committee requests that David Kemnitzer be provided time on October 7th during your regular meeting to present the findings of the report. The presentation should take approximately 30 minutes.

Sincerely,

John Allen, committee chair

on
10/7/10
agenda

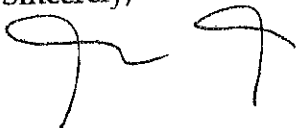
Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414

September 3, 2010

Commissioners,

The Courthouse Committee is pleased to inform you that the Historic Structures Report for the courthouse building is complete. The HSR identifies courthouse maintenance issues and gives guidance for renovation work on the building. The report also gives a possible timeline for these projects. The courthouse committee requests that architect David Kemnitzer be provided time during your regular meeting on October 7th to present the findings of the report. This presentation should take approximately thirty minutes. ✓

Sincerely,



John Allen, committee chair

RECEIVED

SEP 21 2010

Jefferson County Commission

CHAPTER 8 – PRIORITIZED RECOMMENDED WORK WITH COST ESTIMATES

8.01 A WORD ABOUT ESTIMATED COSTS

Estimated costs are developed rationally based upon a scope of work and anticipated market conditions. Estimated costs are a planning tool. While they are determined in a rational and rigorous method they are not guaranteed in any way. Market conditions at the time of the bid can cause the bid price to be higher or lower than the estimated costs. Changes in the scope of work as the hidden conditions are found and responded to are the usual reason for an increase in construction costs.

The estimated costs included with the recommended future work in this chapter have been adjusted for anticipated inflation to the mid-point of construction in accordance with standard practice. As the current uncertainties about the economy are worked out there may be dramatic changes in market conditions that may dramatically change the estimated costs. As recommended future work is considered the County should review and adjust the estimated costs.

The estimated costs do not include a contingency. As stated in the first paragraph above, costs of work on any existing building can increase in response to unforeseen conditions. The County is encouraged to be aware the possible need for additional funds to cover the costs of repairing unforeseen conditions.

The estimated costs do include a provision for architectural services at the rate of 10% of the probable construction cost. If existing conditions warrant additional work, the fee for construction phase services may also have to be increased.

8.02 PROJECT PRIORITY

Project priorities will be determined by two conditions: available funds and weather. Several projects can only be accomplished in the period from early spring to late fall.

Some work must be accomplished in an orderly sequence. As an obvious example all paint must be removed before surfaces can be repainted. Likewise damaged materials must be replaced or repaired before they can be painted and before other materials can be attached to them.

The priority list is not an absolute requirement but a starting point for discussion. Circumstances may indicate a different order for accomplishing these projects.

8.03 MAJOR MAINTENANCE PROJECTS

8.03.01 Priority 1:

Note: all the Priority 1 work was completed by mid-October 2010.

- Fall of 2010- repair damaged brick on the 1836 building near the southwest and northwest corners.

Estimated cost: \$3000.

- Obtain use of hoist to survey the exterior of the clock tower, cornices on both buildings, window pediments and other similar trim. Survey to be performed by the Architect and the Structural Engineer. They will submit a written report describing observations and recommendations.

- *Note that the high access survey of the Courthouse was accomplished on 15 October 2010. Findings and conclusions from that survey have been incorporated into this report.*

Estimated cost: \$5000.

8.03.02 Priority 2: Winter of 2010-2011

1836 building:

- repair wood floor in first floor corridor
- repair plaster walls in first floor corridor
- patch plaster ceiling at top of Stair 202
- paint new plaster and adjacent existing plaster
- touch up chipped paint on trim in all rooms on both floors, paint colors to match existing

1910 building:

- paint ceiling in room 117
- touch up existing chipped paint on trim in all rooms on first floor, paint colors to match existing

Both buildings

- insulate attic roof and provide ventilation through the north and south attic walls
- provide interior shutters or Venetian blinds on rooms without such energy saving devices.

Estimated cost: \$41,000.

8.03.03 Priority 3: Spring and Summer, 2011

Both buildings: full exterior maintenance and restoration

- Remove paint from brick and from the wood and metal cornices including similar trim in the gable ends.

- Repair and re-point stone foundation and all brick work. Repair will include removing surface mounted wiring, and abandoned brackets and similar items
- Repair wood and metal cornices and similar trim in the gable ends
- Remove exterior storm windows
- Remove awning brackets from the top of windows
- Repair the basement entrance
- Repaint brick walls
- Repair and repaint columns and pilasters on the south façade
- Provide new exterior lighting for the entrance to the Courthouse

Estimated cost: \$270,000.

8.03.04 **Priority 4: Winter 2011-2012**

- Revise the National Register Nomination form. Consideration should be given to the possibility of nominating the Jefferson County Courthouse and Jail as a National Landmark Site.

Estimate cost: \$12,000.

8.03.05 **Priority 5: Spring and Summer, 2012**

- Repair the Clock Tower. This work will include all work described in Chapter 3. This includes probable replacement of all visible exterior wood trim, repairing the metal roof, a substantially repaired or replaced weather vane, repair of the four ridge pinnacles, louver repair or replacement and painting. The cracked glass (one piece at the time of writing) in the clock faces.

Estimated cost: \$120,000.

8.03.06 **Priority 6: Fall, 2012**

- Repair the existing stone wall at the south and west sides of the site. This work will likely include disassembly and reconstruction of some of the walls.
- Provide a sidewalk on the east side of the link between the Courthouse and the Jail in the vicinity of the vending machines.

Estimated cost: \$60,000. Note: this estimate assumes it will be necessary to completely remove the existing stone retaining wall and the adjacent pavement and lawn. Substantial cost savings will be realized if the wall can be removed and reassembled without damaging the adjacent sidewalk and keeping most of the lawn in place.

8.03.07 **Priority 7: Winter, 2012**

- Repair or replace all interior door latches and locksets on the First Floor and two on the Second Floor.

Estimated cost: \$10,000.

Note that these lists of projects must be continually updated as new projects are identified.

End of Chapter 8

5-

Commission Office Use Only	
Date on Agenda:	12/2/10
Appt Time or New Business:	11:15

AGENDA REQUEST FORM

Name: Roger Goodwin

Department or Entity: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: December 2, 2010

Date Requested – 2nd Choice: _____

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

Subject: Tolling of Construction Bond.

Please provide the County Commission with a description of your request or presentation, including any background information: Herb Jonkers, Manager, Thorn Hill, LLC has requested tolling of the construction bond for the Thorn Hill Subdivision, Lots 1-179.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I authorize the Commission and Staff to accept and execute the Tolling of Bonding Agreement with the developer of the Thorn Hill Subdivision, Lots 1-179, File #02-17.

Attachments: Tolling of Bonding Agreement
Roger Goodwin's Memo dated November 22, 2010

**AGREEMENT REGARDING BONDING OBLIGATIONS AND
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS AGREEMENT REGARDING BONDING OBLIGATIONS AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Declaration") is made and entered into as of the 2nd day of December, 2010, by Thorn Hill, LLC ("Declarant"), and the **COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA** (the "County Commission").

WHEREAS, Declarant is the owner of a certain tract of land located in Jefferson County, West Virginia, legally described in the deed found recorded in the Jefferson County Clerk's Office in Deed Book 959, Page 359 (the "Land"); and

WHEREAS, the Land has been legally subdivided (the "Subdivision") into Thorn Hill Subdivision consisting of (179) single family lots (the "Lots") pursuant to and in accordance with the subdivision ordinance of Jefferson County, West Virginia in effect on July 18, 1979 (the "Subdivision Ordinance"), and as shown on that certain plat of the Thorn Hill Subdivision, Lots 1-179, recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Plat Book 23 at Page 20 (the "Final Plat"); and

WHEREAS, Declarant posted a bond with the County Commission, in the form of a *letter-of-credit*, in the amount of \$3,500,000.00 (the "Existing Infrastructure Bond") to secure the completion of all infrastructure improvements to be made in connection with the development of the Subdivision (the "Infrastructure Improvements") as itemized on that certain Construction Bond – Estimate, dated September 1, 2005 (the "Bond Estimate"), and approved by the Jefferson County Department of Planning, Zoning & Engineering (the "Department") on October 17, 2005; and

WHEREAS, due to economic conditions in the home building industry, the Declarant has decided to delay construction of the Infrastructure Improvements and, accordingly, has requested that the County Commission modify the Declarant's original bonding obligations with respect to the Subdivision (the "Original Bonding Obligations") until such time as the Declarant commences construction of the Infrastructure Improvements; and

WHEREAS, the County Commission has determined that it is in the best interests of Jefferson County to modify the Original Bonding Obligations until such time as the Declarant commences construction of the Infrastructure Improvements subject to the condition that Declarant execute and record this Declaration which shall run with the Land and be enforceable by the County Commission.

NOW, THEREFORE, in consideration of the premises and the covenants and agreements hereinafter set forth, Declarant declares as follows:

1. **Incorporation of Recitals; Defined Terms.** The foregoing recitals are hereby incorporated into this Declaration by this reference as if fully set forth herein. Capitalized terms used herein and not defined or cross-referenced herein shall have the meanings ascribed to such terms in the Subdivision Ordinance.

2. **Modification of Original Bonding Obligations.**

(a) The County Commission's agreement to modify the Original Bonding Obligations shall be subject to the satisfaction of the following condition precedent (the "Modification Conditions"):

(i) The Declarant submits to the Department a surety in the amount of \$10,000 as a Site Stability Bond.

(b) Upon satisfaction of the Modification Condition, the County Commission shall return the Existing Infrastructure Bond to the Declarant and the Original Bonding Obligations shall be deemed modified as follows:

(i) Unless and until Declarant commences the construction of any Infrastructure Improvements, the Declarant's bonding obligations with respect to Subdivision shall be limited to posting a \$10,000 surety as a Site Stability Bond with the County Commission and complying with the provisions of the Bonding Policy with respect to the Site Stability Bond; provided, however, that no infrastructure improvements shall be required to be made to the Land as a condition of keeping the Site Stability Bond in place.

(ii) No Infrastructure Improvements, including without limitation any Site Stability Work, shall occur or be permitted on the Land (other than the continuance of an agricultural use existing on the land prior to this agreement, and/or mowing and other routine maintenance required to preserve the appearance of the Land and the health and safety of the community) unless and until the Declarant submits to the Department, and the Department approves, a new cost estimate for all Infrastructure Improvements, and the Declarant posts an approved surety with the County Commission in the amount of 115% of said estimate in accordance with the Bonding Policy (the "New Infrastructure Bond"). Upon posting of the New Infrastructure Bond, and provided Declarant is not then in default under this Declaration, the County Commission shall return the surety for the Site Stability Bond to the Declarant.

(iii) Once the New Infrastructure Bond has been posted with the County Commission, the County Commission shall hold the New Infrastructure Bond in accordance with the Bonding Policy and the Declarant shall thereafter comply with all provisions of the Bonding Policy. The County Commission shall be under no obligation to grant further modifications to the Declarant's bonding obligations with respect to the Subdivision. The provisions of this Section 2(b)(iii) shall survive termination of this Declaration.

3. **Covenant Not to Commence Construction.** In consideration of the County Commission's agreement to modify the Original Bonding Obligations, Declarant covenants and agrees that prior to satisfying the conditions set forth in Section 2(b)(ii) above, Declarant shall not commence, or cause any third party to commence, the construction of any Infrastructure Improvements, including without limitation any Site Stability Work.

4. Covenant Prohibiting Construction of Homes or Sale or Transfer of Lots.

In consideration of the County Commission's agreement to modify the Original Bonding Obligations, Declarant covenants and agrees that prior to satisfying the conditions set forth in Section 2(b)(ii) above, (a) Declarant shall not commence, or cause any third party to commence, the construction of any single family residence or other structure on any portion of the Land, and (b) Declarant shall not sell or transfer any Lot. Notwithstanding the foregoing, Declarant may transfer the entire Subdivision to a single transferee subject to the terms and provisions of this Declaration; provided, that such transferee expressly assumes the obligations of Declarant under this Declaration by a written agreement satisfactory to the County Commission.

5. Default.

(a) The failure of Declarant to observe or perform any of the covenants, conditions or obligations of this Declaration shall constitute a default under this Declaration. If Declarant fails to cure any default within thirty (30) days after the issuance of a notice by the County Commission, specifying the nature of the default; the County Commission may exercise any rights and remedies it may have hereunder or applicable law. Notwithstanding the foregoing, Declarant shall not be entitled to any notice of a violation of the covenant not to sell or transfer any Lot under Section 4(b) of this Declaration.

(b) The County Commission shall have the right to bring any proceedings at law or in equity against the Declarant for violating or attempting to violate or defaulting upon any of the provisions contained in this Declaration, and to recover actual damages for any such violation or default. Such proceeding shall include the right to restrain by injunction any violation or threatened violation by the Declarant or any other person of any of the terms, covenants or conditions of this Declaration, or to obtain a decree to compel performance of any such terms, covenants or conditions. All of the remedies permitted or available to the County Commission under this Declaration or at law or in equity shall be cumulative and not alternative, and the invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy. In any action brought by the County Commission pursuant to these provisions, the County Commission will be entitled to costs (including but not limited to its reasonable attorneys' fees). In addition, the County Commission shall have the right to draw on the Site Stability Bond and apply the proceeds thereof in accordance with the Bonding Policy.

(c) The maximum length of time for tolling the bond shall be four (4) years. At the time of executing this agreement, the Declarant shall execute a merger deed that merges the lots back into the parent tract. The merger deed shall be held by the Bonding Administrator for the Jefferson County Commission. If the Declarant fails to repost the New Infrastructure Bond and the Bond Surety within four (4) years of the date of this agreement, the County Commission shall have the right to record the merger deed and revoke all project approvals; and the \$10,000 surety for the Site Stability Bond shall be forfeited to the County Commission. The merger deed may not be recorded by the County Commission if the Declarant reposts the Construction Bond and Bond Surety prior to expiration of the four (4) year tolling period; in such case, the merger deed shall be returned by the County Commission to the Declarant. In the event of recordation of the merger deed, the parent tract

and residue parcel shall retain all future development rights under the land development ordinances in effect at the time the future application for land development is presented to the County.

6. **Waiver.** No waiver by the County Commission of any default under this Declaration shall be effective or binding unless made in writing by the County Commission and no such waiver shall be implied from any failure of the County Commission to take any action with respect to any default or violation.

7. **Binding Effect.** The terms of this Declaration shall constitute covenants running with the land and shall bind the Land described herein and inure to the benefit of and be binding upon the Declarant and all parties having any right, title or interest in the Land (or any part thereof), their heirs, successors, successors-in-title and assigns. This Declaration is not intended to supersede, modify, amend or otherwise change the provisions of any prior instrument affecting the land burdened hereby.

8. **Amendment of Declaration.** This Declaration may not be amended except by a written agreement executed by the Declarant and the County Commission and recorded in the Office of the County Clerk of Jefferson County, West Virginia.

9. **Declaration Shall Continue Notwithstanding Breach.** It is expressly agreed that no breach of this Declaration shall entitle the Declarant to cancel, rescind, or otherwise terminate this Declaration

10. **Term of this Declaration.** This Declaration shall be effective as of the date first above written and shall continue in full force and effect until the Declarant satisfies the conditions set forth in Section 2(b)(ii) above. Upon the termination of this Declaration, all rights and privileges derived from and all duties and obligations created and imposed by the provisions of this Declaration, except for the provisions of Section 2(b)(iii) above, shall terminate and have no further force or effect.

11. **Recordation.** This agreement shall be recorded in the Office of the Clerk of the Jefferson County Commission in both the name of the developer and the project name. It shall be the Declarant's responsibility to record the agreement and provide the Bonding Administrator with confirmation of such recordation in the form of the deed book and page number reference.

Thorn Hill Subdivision, Lots 1-179
(Subdivision Name)

Jefferson County Planning Commission File No. 02-17

Herbert Jonkers, Manager, Thorn Hill, LLC
(Applicant/Developer Name)

By: _____ Date: ____/____/____

Print Name: _____ Title: _____

(Notary Certification Shall Be On The Same Page As The Signatures Being Notarized)

STATE OF _____, COUNTY OF _____, to wit:

I _____, a Notary Public in and for the State and County aforesaid, do hereby certify that _____ and _____, as _____ and _____, respectively of the _____, whose names are signed to the foregoing, this day personally appeared before me in my State and County aforesaid and acknowledged their signatures above (and the Corporate Seal as the genuine Seal of the said corporation).

Given under my hand this ____ day of _____, 20____.

My Commission Expires: _____

COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

By: _____ Date: ____/____/____

Print Name: _____, President

(Notary Certification Shall Be On The Same Page As The Signatures Being Notarized)

STATE OF _____, COUNTY OF _____, to wit:

I _____, a Notary Public in and for the State and County aforesaid, do hereby certify that _____ and _____, as _____ and _____, respectively of the _____, whose names are signed to the foregoing, this day personally appeared before me in my State and County aforesaid and acknowledged their signatures above (and the Corporate Seal as the genuine Seal of the said corporation).

Given under my hand this ____ day of _____, 20____.

My Commission Expires: _____

ATTEST:

Jennifer S. Maghan
Clerk, County Commission of Jefferson County, WV

MEMORANDUM

Jefferson County, West Virginia
Engineering Department

TO: County Commission of Jefferson County

FROM: Roger Goodwin *RLG*
Chief County Engineer

DATE: November 22, 2010

SUBJECT: Thorn Hill Subdivision (JCPC File no. 02-17) – Tolling of Bonding Request

This memorandum is in response to the attached letter from Mr. Herb Jonkers on behalf of Thorn Hill, L.L.C., dated November 17, 2010, requesting to be allowed to toll the bond on the Thorn Hill Subdivision. My comments are as follows:

1. The project is a residential subdivision consisting of 179 lots in the Thorn Hill Subdivision located on Kabletown Road, in the Charles Town Tax District, Tax Map 19, Parcel 14.
2. The Developer is:

Thorn Hill, L.L.C.
P.O. Box 169
Harpers Ferry, WV 25425
3. The initial/current bond amount is \$3,500,000.00
4. No work has started and no lots have been sold.
5. The developer is requesting to be allowed to toll the bond for the following reason:

“...the reason I am asking for tolling of the bonding requirement for the recorded plat of the Thorn Hill subdivision, is because of the economic conditions in the home building industry. The outlook for the industry is for a slow recovery over the next 3 to 4 years.”

6. The bonding policy states that:

“During periods of economic downturn (i.e., downturn in housing market due to economic conditions, loss of source of project financing/capitol necessary to begin the project, etc.), as determined by the Jefferson County Commission, the owner/developer may defer construction and obtain temporary partial release of construction bond and surety on projects that are recorded and bonded, but have not started construction of site improvements and/or sold any lots or portions of the subdivided parcel.”

7. Tolling of the bond will result in the following:

- A. The developer is required to execute the Tolling of Bonding Agreement and provide a merger deed and a \$10,000 surety as a Site Stability Bond.

The Tolling of Bonding Agreement will be recorded at the County Clerk's office so that the restriction placed on the lots preventing them from being sold will be found through a title search. The merger deed and the Site Stability Bond will be held by the Bonding Administrator. If the developer defaults on any of the terms of the agreement the County Commission can direct the Bonding Administrator to record the merger deed at the County Clerk's office. The merger deed merges all the lots and returns the parcel/property to its original state prior to subdivision of the land, essentially removing the subdivision plat from record. In addition, the \$10,000 surety for the Site Stability Bond is forfeited to the County Commission.

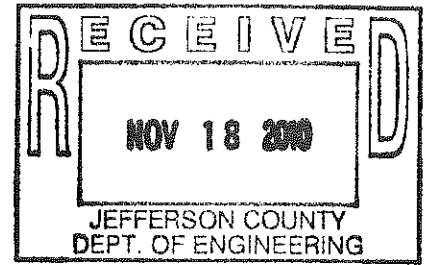
- B. Tolling of the bond has a 4-year time limit. If the developer fails to re-post the full construction bond before expiration of the time limit, the developer will be in default of the agreement.
- C. The developer cannot begin any site improvements or sell any lots as long as the bond is being tolled.
- D. In order to begin installation of the site improvements and/or to sell lots, the developer is required to stop tolling the bond. In doing so, the developer is required to re-post the full amount of the construction bond at the current construction costs at that time. Once the construction bond is reposted,

the merger deed and the \$10,000 surety are returned to the developer.

- E. The developer may toll the bond on any subdivision, or phase of a subdivision, only one time. Once the developer stops tolling of the bond and re-posts the new construction bond the developer shall complete the required site improvements in accordance with the bonding policy.

Recommendation: The project meets the requirements to be allowed to toll the bond. Recommend authorizing the Commission President and staff to execute the Tolling of Bonding Agreement with the developer, provided the County Commission finds that it is justified due to current economic conditions.

02-17



Rebecca F. Burns
Office Mgr/Bonding Administration
Jefferson County Engineering Dept.
116 East Washington St
Charles Town, WV 25414
November 17, 2010

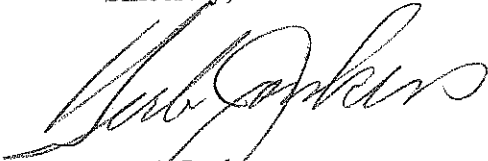
Dear Mrs. Burns;

As requested, attached please find the legal description (exhibit A) of the Thorn Hill property taken from its title policy.

Also as requested, the reason I am asking for the tolling of the bonding requirement for the recorded plat of the Thorn Hill subdivision, is because of the economic conditions in the home building industry. The outlook for the industry is for a slow recovery over the next 3 to 4 years.

Thank you for your aid in this matter,

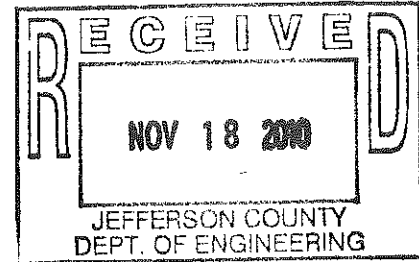
Sincerely,



Herb Jonkers
Manager
Thorn Hill, LLC

02-17

EXHIBIT A



All that certain parcel of real estate, with the improvements thereon and appurtenances and rights-of-way thereunto belonging, about two miles east of Charles Town in Charles Town District, Jefferson County, West Virginia, on the east side of West Virginia State Route 25, containing 162 acres, more or less, as the same is described by metes and bounds in a deed dated December 9, 1971 from Elizabeth D. Myers, widow, to Nell M. reed, et al., recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 337, at Page 207 and to which reference is made, LESS AND EXCEPTING a parcel containing 3.0003 acres conveyed by Nell M. Reed, et al., to Henry W. Morrow, Trustee, by deed February 24, 1989, recorded in the aforementioned Clerk's Office in Deed Book 625, at Page 160.

6

Commission Office Use Only	
Date on Agenda:	12/2/10
Appt Time or New Business:	11:30

AGENDA REQUEST FORM

Name: F. Mark Schiavone

Department or Entity: DCPM

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: 12-2-10

Date Requested – 2nd Choice: _____

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

Subject: **Approval of revision 002 to the Coal Severance Fund (Fund 002)**

Please provide the County Commission with a description of your request or presentation, including any background information: **This revision addresses several issues (1) refunding of photocopier maintenance agreement for Ag Agent, Movement of funds to cover costs associated with emergency replacement of network switches. Also to align funds in the event servers or other network devices require emergency replacement, (3) cover last year's and this year's mental health billing for court system. This is a county responsibility-the costs are not covered by the court system.**

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

Attachments: **(1)Draft resolution, (2) SAO Request for Revision to Approved Budget, (3) detail worksheet.**

RESOLUTION

At a regular session of the Jefferson County Commission, held 18th of November 2010, the following order was made and entered:

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

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the county commission does hereby direct the budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 002, a copy of which is entered as part of this record.

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

_____	Yes
_____	Yes
_____	Yes
_____	Yes
_____	Yes

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

Ora Ash, Director
 West Virginia State Auditor's Office
 200 West Main Street
 Clarksburg, WV 26302
 Phone: 627-2415 ext. 5114
 Fax: 627-2417

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER

2011

FY

002

FUND

002

REV. NO.

1 OF 1

PG. OF NO.

JEFFERSON COUNTY COMMISSION
 GOVERNMENT ENTITY

PO BOX 250 124 E. WASHINGTON STREET
 STREET OR PO BOX

County

Government Type

Person To Contact Regarding
 Budget Revision: **F. Mark Schiavone**
 Phone: **(304) 728-3337**
 Fax: **(304) 724-2178**

CHARLES TOWN
 CITY

25414
 ZIP CODE

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES)

COUNTIES-TRANSFERS TO THE GENERAL FUND FROM OTHER FUNDS MUST HAVE PRIOR APPROVAL OF AUDITOR'S OFFICE

(WV CODE 7-1-9)

EXPENDITURES: (net each account category)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
401	County Commission		31,500		31,500
412	Agricultural Agent		2,800		2,800
428	Data Processing		50,000		50,000
800	Local Health Department		23,700		23,700
986	County Commission	425,296		108,000	317,296
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures

APPROVED BY THE STATE AUDITOR

BY: Director, Local Government Services Division Date

AUTHORIZED SIGNATURE OF ENTITY

APPROVAL DATE

Coal Severance Fund (002) Draft Budget

Account	Description	2009 Actual	2010 Budget	2010 Actual	2011 Request	REV001	PENDING
Revenues							
002-299-00-002	CS UNEMCUMB BAL BUDGETED	-	466,483	-	-	275,296	
002-305-TT-000	COAL SEVERANCE TAX	168,279	40,000	83,287	150,000	150,000	
002-365-II-000	CS INTEREST EARNED	11,499	-	3,529	-	-	
002-366-MM-000	MISCELLANEOUS REVENUE	-	-	-	-	-	
	TOTAL REVENUE		506,483	86,816	150,000	425,296	425,296
Expenditures							
002-401-02-223-000-GG-000	CO COMM PROF SERVICES	-	-	-	-	-	
002-401-02-230-000-GG-000	CO COMM CONTRACTED SRVCS	-	80,000	29,000	-	-	
002-401-04-459-000-GG-000	CO COMM CAP/OUTLAY-EQUIP	-	-	-	-	-	31,500 /A
002-401-05-568-000-GG-000	CO COMM OTHER CONTRIB	-	-	-	-	-	
002-401-05-566-000-GG-000	CO COMM TRANS TO FUNDS	-	113,483	21,000	-	-	
	TOTAL COUNTY COMM		193,483	50,000			
002-412-02-230-000-GG-000	AG AGT CONTRACTED SERVICE	-	-	-	-	-	2,800 /1
002-424-02-215-000-GG-000	CT HSE MAIN/REPAIR-BLDG	-	-	-	-	-	
002-425-04-457-000-GG-000	OTHR BLDGS CAP/OUTLAY	-	-	-	-	-	50,000 /2
002-428-03-341-000-GG-000	DATA PROC MATERIALS/SUPPLY	-	-	-	-	-	
002-431-05-568-000-GG-000	ECON DEV OTH CONTRIBUTION	-	-	-	-	-	
002-699-05-599-000-GG-000	CONTING ACTUARIAL RESERVE	-	-	-	-	-	
002-711-05-566-000-PS-000	EMG SVC TRANS TO FUNDS	-	-	-	-	-	
002-712-04-459-000-PS-000	COMM CTR CAP/OUTL EQUIP	-	-	-	-	-	
002-800-02-219-000-HS-000	HLTH DEPT BLDG RENTAL	29,660	30,000	19,774	30,000	-	
	TOTAL HLTH DEPT	29,660	30,000	19,774	30,000		
002-801-05-567-000-HS-000	MTL HLTH TRANS TO ENTITIE	-	8,000	-	-	-	23,700 /3
002-986-04-459-000-CP-000	CO COMM CAPITAL O/L	50,000	275,000	291,101	120,000	425,296	317,296
	TOTAL CO COMM C/O	50,000	275,000	291,101	120,000	425,296	
002-992-04-459-000-CP-911	COMM CTR - CAPITAL OUTLAY	-	-	-	-	-	
	Total Revenues				150,000	425,296	425,296
	Total Expenditures				150,000	425,296	425,296
	Rev/Exp				-	-	-

Notes

- /A Funding of ESA Strategic Plan - additional funds approved 8 Oct 2010
- /1 Act of County Commission on 7 Oct 2010
- /2 Estimated cost to replace switches and upgrade servers in FY 2011
- /3 Refer to East Ridge Billing and related documents [DMS5756]

SAO SUMMARY	Start	adj	End
412 Ag A			2,800
426 Data			50,000
800 Mental			23,700
986 CC CAP	425,296	-78500	348,796
TOTALS	425,296		425,296

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<p>Commission Office Use Only</p> <p>Date on Agenda: <u>12-2-10</u></p> <p>Appt Time or New Business: <u>11:30 am</u></p>

AGENDA REQUEST FORM

Name: F Mark Schiavone

Department or Entity: DCPM

Estimation of amount of time needed for appointment: 5 min

Date Requested – 1st Choice: 2 December 2010

Date Requested – 2nd Choice: 9 December 2010

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

Subject: Modification of the FY 2010 CIP for Independent Fire Company

Please provide the County Commission with a description of your request or presentation, including any background information: The project titled “emergency generator” for Independent Fire Company FY 2010 CIP was approved for funding by impact fees by the County Commission. The original project cost was estimated at \$65,000. The project’s actual cost has been quoted at \$89,000. This increase was approved by the board of the JCESA. They are now asking the County Commission to approve an increase in impact fee funding for this project from \$65,000 to \$89,000.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Move to approve the request by the JCESA to increase the amount approved as impact fee funding for the Independent Fire Company emergency generator from \$65,000 to \$89,000.

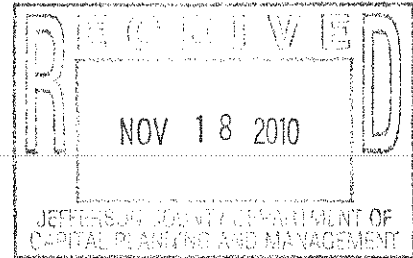
Attachments: Letter from Doug Pittenger, Director of the JCESA.



JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

419 Sixteenth Avenue
Ranson, WV 25438
E-mail – jcesa@jcesa.org
Telephone – 304-728-3287
Fax – 304-728-6221

November 18, 2010



Mr. Mark Schiavone
Capital Planning and Management
Jefferson County
P.O. Box 250
Charles Town, WV 25414

Dear Mr. Schiavone,

During the JCESA Board Meeting on October 19, 2010, our board unanimously agreed to increase the funds for the Emergency Back-Up Generator for Independent Fire Company. These funds were to be provided through the Impact Fee Grant Program and should be increased from \$65,000 to \$89,000.

Should you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,

Doug Pittinger
Director

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Commission Office Use Only

Date on Agenda: 12/2/10

Appt Time or New Business: 11:45am

AGENDA REQUEST FORM

Name: Tim Boyde

Department or Entity: County Administrator

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

Date Requested - 1st Choice: 12-02-10

Date Requested - 2nd Choice: _____

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

Subject: **Review Procurement Card Procedures Draft**

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

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

Attachments:

Debbie Stellato

From: Sandy McDonald [sandy@jeffersoncountywv.org]
Sent: Wednesday, November 17, 2010 12:02 PM
To: dstellato@jeffersoncountywv.org
Subject: Fw:
Attachments: PROCUREMENT CARD PROCEDURES DRAFT.docx

Importance: High

12/2/10 Agenda

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

From: Tim Boyde
To: 'Lyn Widmyer' ; patsynol@gmail.com ; FBerryMorgan@aol.com ; jsurkamp@comcast.net ; 'Dale Manuel'
Cc: 'Sandy McDonald'
Sent: Wednesday, November 17, 2010 11:46 AM

Attached is a draft copy of the proposed P-Card Policy. It is currently being reviewed by legal and has been distributed to Department Heads for review & comment.

I intend to bring this forward (assuming it meets with review approval) for the 12/2 Commission meeting.

Tim Boyde

Jefferson County Commission
County Administrator

(304) 728-3284 Work
(814) 404-0183 Mobile
tboyde@jeffersoncountywv.org
124 E Washington Street
P.O. Box 250
Charles Town, WV 25414

PROCUREMENT CARD PROCEDURES

I. PURPOSE

To establish policy and procedures for department heads elected officials, and county employees on the proper use of county credit cards.

II. DEFINITIONS

Invoice Statement: The statement, which provides a standard card activity summary and billing information.

III. SCOPE (Applicability)

Includes all elected officials, courts, departments, and agencies of Jefferson County.

IV. PROCEDURES

A. The County has obtained credit cards for use by County offices, on an as needed basis and are for use by any office for the following purpose:

1. County credit cards are to be used for Airline tickets, registration, meals, gratuity, room/board, and car rentals for conferences/seminars only. Any other use will be handled on an as needed/emergency situation basis.

a) County credit cards can be used for registration, airline tickets, and room/board. Per County policy, the purchase of alcohol is not permitted.

b) If using a County vehicle the only card to use for fuel would be the fuel credit card issued to the specific vehicle.

c) If using personal vehicle and traveling refer to the County Policy concerning mileage reimbursement.

2. Prior to usage of card, complete the attached form and send to the County Administrator (or designee) for approval. If approved, the card limit will then be activated for this transaction/ event/occurrence.

B. Elected Officials/Department Directors will be responsible to monitor the use of the credit card(s) that may be assigned to their department.

C. Invoice statements will be mailed directly to the Elected Official/Department Director at the beginning of each month.

1. Employee will immediately submit all original credit card receipts to the

Elected Official/Department Director upon their return to the office. Original receipts will include not only the receipt with the signature and total, but also the receipt indicating what specifically was purchased. Scanned copies of receipt will be sent to the County Administrator (or designee) via email upon return from each trip.

2. Upon receiving this statement, the Official or Director shall review and approve the invoice and forward it to the Commissioner's Office within two business days of receiving the invoice statement, along with the original credit card receipts.
3. Processing of all invoice statements must be done in a timely manner in order to avoid late charges.

D. Unauthorized or inappropriate use and lack of appropriate documentation (receipts) will result in disciplinary action, up to and including termination of the employee. At a minimum, card privileges will be revoked.

E. Lost or stolen credit cards must be reported immediately to the County Administrator or designee.

F. For non-conference expenses contact County Administrator or designee for approval and instructions on how to proceed.

G. A journal entry will be posted around the 10th of each month for the charges incurred by your department for use of the credit card.

V. CONTACT INFORMATION

Commission Office at 304-728-3284

The following card was received by me or my office and will only be used for official county business, as outlined above, and I am solely responsible for the custody, use and control of this card.

Card # (last four digits): _____ Assigned to: _____

_____ Date: _____

Card given out by: _____

PROCUREMENT CARD AUTHORIZATION FORM

Name: _____ Dept: _____

Purpose (if applicable attached supporting documentation):

Estimated Cost: _____ Applicable Dates: _____

Dept Head/Elected Official Approval: _____ Date: _____

Charge to Budget Acct: _____

Submit to County Administrator
via interoffice mail or
email at tboyde@jeffersoncountywv.org

DO NOT PROCEED WITHOUT APPROVAL

ATTN: Director of Financial Management

____ Approved _____ Date: _____

____ Denied _____
County Administrator

INTERNAL USE ONLY BY COMMISSION OFFICE

Credit Amount Set: _____

Statement date: _____

Receipts received: _____

Completed by: _____

Journal Entry processed: _____

Date Completed: _____

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Commission Office Use Only	
Date on Agenda:	6/2/10
Appt Time or New Business:	4:30 am

AGENDA REQUEST FORM

Name: Commissioner Patricia Noland

Department or Entity: Jefferson County Commission

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: 12-02-10

Date Requested – 2nd Choice: _____

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

Subject: **Review and discuss a suggested scoring program to be used for agencies that request funding from the County Commission.**

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

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

Attachments:

Scoring Guidelines:

- Constitutional and statutory requirements/limitations supersede all other considerations.
- Hold public meetings for organizations to request funding from Jefferson County Commission.
- Organization cannot be a political or government organization or sub-organization.
- Create a board which consists of citizen members who are not affiliated with any non-profit or potential recipient of funding.
- Funding of the United Way will preclude any competition among member agencies or other eligible agencies. An amount not to exceed () % of the total amount used to fund non-profit organizations.
- Applicants must be dedicated to improving the quality of life for the citizens of Jefferson County.
- Organizations making application for funding must be qualified by the IRS as a 501(c)(3) organization at the time of application and must provide proof of 501(c)(3) status with application.
- Applications for funding are due to the County Administrator by January 1, 2011. Applications received after that date will not be considered. However, effective Fiscal Year 2012, applications are due to the County Administrator by October 15, 2011. Applications submitted after that date will be returned to the sender and your request will not be considered.
- All applications must include an audit if the organization is requesting more than \$5,000. All organizations requesting less than \$5,000 must include their most recent financial statement. It is expected that organizations that request funding from the county commission produce financial statement annually.

Time Frame:

January 1, 2011 - Requests for FY11 funds due. Applications submitted after that date will be returned to the sender and your request will not be considered.

March 28, 2011 – Draft Budget due to State;

June 30, 2011 - Final Budget approved for FY11.

August 15, 2011 – Funds distributed.

Source of Funds:

The funding source for non-county agencies is derived from 2 ½% of video lottery funds received during the current fiscal year in which requests for funding occur.

Funding Factors Considered by the County Commission

1. The following factors will be considered when making funding decision. These factors include, but are not limited to:

- Constitutional and Legislative requirements;
- Type of service rendered to the community (health, sports, entertainment, etc.)
- The number of persons served;
- The cost per client/person served;
- Is the viability of the organization dependant on this county commission funding;
- What is the long-term viability of the organization;
- The information contained in the financial statement/audit;
- Completeness and clarity of the application packet;
- Proof that funds received previously were expended for approved purposes;
- Has the organization demonstrated an effort to become self-supportive through fundraising activities and by other means?
- Did a representative of the organization appear before the County Commission at the scheduled public hearing to describe their request and answer questions?
- The total amount of funds available for distribution;
- Are the services your organization provides also provided by another agency?
- Amount of funding an organization receives from other sources (government, grants, fundraising, etc...).
- Previous funding from County Commission

I. **Note that any and all applications submitted as well as supporting documents may be considered public documents and therefore may be viewable and obtainable as such.**

II. **All applications must be submitted electronically and must include the following information:**

- a. All pages of the applications must be numbered with numbers in the upper right hand corner of each page. All applications must include the following and in the following order:
- b. **REQUEST: (Request for Funding Form)**. This form must be submitted in the exact format as the copy provided. No changes to this format will be accepted. An application received with the incorrect format may be disqualified from consideration;
- c. **SUM:** Complete a brief of one-page summary of your request.
- d. **IRS LTR: (A legible copy of the letter issued by the IRS to the specific organization certifying their 501(c)(3)status.)** The actual name of the organization applying must be

the same as approved by the IRS and the designation must be valid in order to be considered for funding. Any organization without a valid 501(c)(3) status will be disqualified from receiving funding.

- e. **IRS Form 990 or 990EZ:** (If required to be filed with the IRS). Generally required for income exceeding \$25,000 annually.) If your organization is not required to file these forms, please indicate the reason.
- f. **FIN:** The organization's own and most recent financial statement showing revenue and expenses. Organizations that request more than \$5,000 from the County Commission must submit financial statements prepared by outside accountants. Also include the organization's most recently approved budget.
- g. **ENDOW:** Statement of Endowment Funds of the organization showing the amount and how funds are invested. If organization has no endowments, so state.
- h. **MGT:** A complete list of organizational officers, directors, and other key employee.
- i. **FUNDS:** Funding received from local, state and government sources. Also, must show funding obtained or currently requested from all other sources.
- j. **PAST:** Evidence showing how funds most recently received from the County Commission was spent. *A mere statement that all funds were spent is not sufficient. Invoices, proofs of purchase or cancelled checks are required. Failure to provide this information may result in a denial of funding.*
- k. **NORP:** A completed and signed Notice of Responsible Person Form.
- l. **CHECKLIST:** Must be at the front of the application.

SCORING SHEET

	Score
1. Is the application complete including audit?	_____
2. Was the application received timely?	_____
3. Is the agency providing services to Jefferson County residents exclusively?	_____
4. Has the agency provided proof of 501©(3) status?	_____
5. Did the agency receive funding from the County Commission in FY2010?	_____
A. If yes, please provide an accounting and proof that the funds were spent for approved purposes. (Invoices, proofs of purchase and cancelled checks are required.)	_____
<hr/>	
B. List the type(s) of project(s) for which funding was requested.	_____
6. Is the viability of the organization dependant on County Commission funding?	_____
7. Are the services your organization provided also provided by another agency? If yes, list agency.	_____
8. Amount of funding an organization received from other sources, i.e. government, Grants, fundraising, etc. (List source and amount below.)	_____
9. Has the organization demonstrated an effort to become self-supportive through fundraising activities and by other means?	_____
10. The organization provided support and benefits the following purposes in Jefferson County, WV:	
A. Health and Human Resources:	_____
B. Emergency Services:	_____
C. Civic and Community Activities	_____
D. Athletic and Recreation Activities	_____
E. Educational and Cultural Activities	_____
TOTAL SCORE:	_____

FISCAL YEAR 2011 REQUEST FOR FUNDING

Jefferson County Commission
124 E. Washington Street
P. O. Box 250
Charles Town, WV 25414

Date: _____

Organization Name: _____

Address: _____

City: _____

If address listed above is outside Jefferson County, list place of business in Jefferson County:

Street Address: _____

City: _____ State: _____ Zip: _____

Organization's Telephone Number: _____ Facsimile: _____

Contact Person: _____ Title: _____

Contact Person's Daytime Telephone Number: _____

Amount of funding requested: \$ _____
(Attach an itemized budget, quotations and/or estimates in support of requested amount. TAB ID-DOC)

Funds will be used for: (Be very brief):

- _____ Operating Expenses: (Provide an itemized schedule of operating expense to which funds will be received.) (TAB ID-DOC)
- _____ Equipment or other Capital Projects: (Provide estimates or quotation for project (TAB-ID-DOC)

Applicant's Charitable Purpose:

- Health and Human Services Emergency Services
 Civic and Community Activity Athletic and/or Recreational Activity
 Educational and Cultural Activity Other, Specify _____

Is this organization recognized by the Internal Revenue Service as a charitable 501©(3) organization?

Yes No
*(If YES, please attach the Internal Revenue Service letter of determination of tax-exempt status (TAB ID IRS LTR). **If NO, your application will not be considered for funding.***

Is this organization's 501 ©(3) status valid? Yes No

Note: You can check your non-profit status by calling 1-877-829-5500. The County Commission Office will be checking the validity of your non-profit status. Organizations without a valid 501©(3) status will be disqualified from funding.

Has the organization's status ever been denied, revoked or otherwise modified by the IRS?

Yes No
If YES, please attach the letter from the IRS providing an explanation for their decision and also what procedures the applicant has taken to reverse the decision.

Is this organization incorporated? Yes NO

If YES, indicate State Dept. tax number: _____

If YES, what is the status of your Articles of Incorporation? Active Forfeited Other

The County Commission Office will be checking your status. If your status is forfeited, you may be disqualified from receiving funding.

Is this organization an unincorporated association? Yes No

(If YES, you must complete the Notice of Responsible Person form included in this packet.)

Has the applicant filed a 990 non-profit tax return? Yes No

*If YES, please attach the most recent completed and signed Form 990 as filed with the IRS.
(TAB ID FORM 990)*

Does the applicant receive funding from local, state or federal government sources? Yes No

*If Yes, please attach a schedule detailing the amounts of such funding and information Concerning the amount and conditions related to any funding provided by other sources.
(TAB ID FUNDS)*

Has the applicant previously applied for county funds? Yes No

Request for Funding

Page 3

Has the applicant previously received county funds? Yes No

*If Yes, please provide documentation on how the funds were expended. A mere statement or spreadsheet is not sufficient. Invoices, cancelled check, etc. must be provided.
(TAB ID: PAST) Failure to provide sufficient proof may result in a denial of your application.*

Has your organization submitted more than one application for funding consideration for this funding cycle? Yes No

*If you answered YES, please indicate which application should be given funding priority.
 Operating Equipment or Capital Projects*

Give a brief description of the project and how it will improve the quality of life in Jefferson County.
(REQUIRED) _____

Identify targeted communities in Jefferson County and/or intended audiences for which funding will be utilized. **(REQUIRED)** _____

List partners and/or collaborators who work with your organization to achieve your organization's goals. **(REQUIRED)** _____

Request for Funding

Page 4

How many Jefferson County citizens will benefit from the funding? Explain how they will benefit.
(REQUIRED) _____

Application Submission Statement:

I hereby declare or affirm, under penalty of perjury, that the matters and facts set forth herein are true and correct and that any documents attached are unmodified and true and genuine copies of tax returns as duly filed with the Internal Revenue Service. I also declare and affirm that I am a person duly authorized to enter into legally binding obligations on behalf of the herein applicant organization.

I hereby agree to provide proof that any funds received from the County Commission of Jefferson County were expended for the purpose requested herein within one year from the receipt of said funds. I understand that any modifications to the proposed use of allocated funds must be requested in writing and approved by the Jefferson County Commission prior to the expenditure of the any allocated funds.

I hereby represent and warrant that the applicant organization does not discriminate on the basis of race, creed, sex, age national origin, physical or mental disabilities for employment or the achievement of the mission or goal of the organization.

I understand that any and all applications submitted, as well as supporting documentation may be considered public documents. As such, all applications and supporting documents may be viewable and obtainable by the public.

Signed: _____ Date: _____

Printed name and title: _____

Contact numbers: Home: _____

Work: _____

Cell: _____

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

#9

AGENDA REQUEST FORM

Name: _____

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: December 2, 2010

Date Requested – 2nd Choice: _____

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

Subject: **Set Date for First Meeting of 2011**

Please provide the County Commission with a description of your request or presentation, including any background information: **Set Date, Time and Location for First Meeting of 2011**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to set the first meeting of 2011 for Thursday, January 6th, 2011 at 9:30 a.m. at the County Commission meeting room located at the Old Charles Town Library**

Attachments:

December 3, 2009 Minutes

In re: SET DATE FOR FIRST MEETING OF 2010- DISCUSSION/ACTION
Motion by Morgan, second by Noland to set the first meeting of 2010 for Thursday, January 7th at 9:30 a.m. Motion carried.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

#10

AGENDA REQUEST FORM

Name: _____

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: December 2, 2010

Date Requested – 2nd Choice: _____

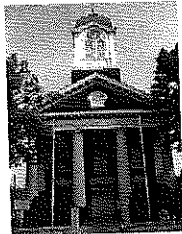
If a specific date is needed, please provide reason for specific date:

Subject: **Approve the 2011 Holiday Schedule**

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

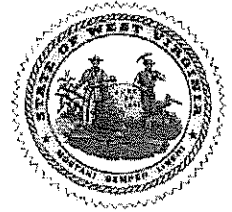
Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to approve the 2011 Holiday Schedule as per WV State Code as presented**

Attachments:



THE COUNTY COMMISSION OF JEFFERSON COUNTY

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



Phone: 304-728-3284

www.jeffersoncountywv.org

Fax: 304-725-7916

JEFFERSON COUNTY COMMISSION HOLIDAY SCHEDULE 2011

NEW YEAR'S DAY	FRIDAY, JANUARY 1, 2011
MARTIN LUTHER KING'S BIRTHDAY	MONDAY, JANUARY 17, 2011
PRESIDENT'S DAY	MONDAY, FEBRUARY 21, 2011
MEMORIAL DAY	MONDAY, MAY 30, 2011
WEST VIRGINIA DAY	MONDAY, JUNE 20, 2011
INDEPENDENCE DAY	MONDAY, JULY 4, 2011
LABOR DAY	MONDAY, SEPTEMBER 5, 2011
COLUMBUS DAY	MONDAY, OCTOBER 10, 2011
VETERAN'S DAY	FRIDAY, NOVEMBER 11, 2011
THANKSGIVING	THURSDAY, NOVEMBER 24, 2011 FRIDAY, NOVEMBER 25, 2011
CHRISTMAS	MONDAY, DECEMBER 26, 2011

IN ADDITION TO THE DAYS LISTED ABOVE, THE COMMISSION WILL OBSERVE AS HOLIDAYS, ANY NATIONAL, STATE OR OTHER ELECTION DAY THROUGHOUT THE COUNTY, AND ALL DAYS WHICH MAY BE APPOINTED OR RECOMMENDED BY THE GOVERNOR, OF THIS STATE, OR THE PRESIDENT OF THE UNITED STATES, AS DAYS OF THANKSGIVING, OR FOR THE GENERAL CESSATION OF BUSINESS, ANY DAY OR PART THEREOF DESIGNATED BY THE GOVERNOR AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE, FOR STATE EMPLOYEES STATEWIDE MAY ALSO BE TIME OFF FOR COUNTY EMPLOYEES IF THE COUNTY COMMISSION ELECTS TO DESIGNATE THE DAY OR PART THEREOF AS TIME OFF, WITHOUT CHARGE AGAINST ACCRUED ANNUAL LEAVE FOR COUNTY EMPLOYEES. ANY ENTIRE OR PART STATE WIDE DAY OFF DESIGNATED BY THE GOVERNOR MAY, FOR ALL COURTS, BE TREATED AS IF IT WERE A LEGAL HOLIDAY, AS PROVIDE FOR IN 2-2-1 OF THE WEST VIRGINIA CODE, AS AMENDED.

DATE: 12/2/10

PRESIDENT
JEFFERSON COUNTY COMMISSION

**SUPREME COURT OF APPEALS
STATE OF WEST VIRGINIA**

STEVEN D. CANTERBURY
ADMINISTRATIVE DIRECTOR



ADMINISTRATIVE OFFICE
BUILDING 1, ROOM E-100
1900 KANAWHA BOULEVARD, E.
CHARLESTON, WV 25305-0832
(VOICE) 304/558-0145
(TTY) 304/558-4219
(FAX) 304/558-1212
www.state.wv.us/wvsca/

MEMORANDUM

TO: ALL COURT PERSONNEL
FROM: STEVEN D. CANTERBURY *SDC*
ADMINISTRATIVE DIRECTOR
DATE: JULY, 2010
RE: LEGAL HOLIDAYS FOR 2011

For your convenience in setting dockets, calendars, and schedules for 2011, below is a list of the holidays provided by W.Va. Code §2-2-1 for the coming year, showing days on which judicial employees are to be accorded time off without loss of annual leave. (Magistrate courts must, of course, have at least the on-call system in operation.)

HOLIDAY	GENERAL OBSERVANCE	2011 OBSERVANCE
New Year's Day - 2011	January 1, 2011	Holiday - Saturday, January 1 (Day off = Friday, December 31*)
Martin Luther King Day	3rd Monday in January	Monday, January 17
Presidents' Day	3rd Monday in February	Monday, February 21
Memorial Day	Last Monday in May	Monday, May 30
West Virginia Day	June 20	Monday, June 20
Independence Day	July 4	Monday, July 4
Labor Day	1st Monday in September	Monday, September 5
Columbus Day	2nd Monday in October	Monday, October 10
Veteran's Day	November 11	Friday, November 11
Thanksgiving Holidays	4th Thursday and Friday in November	Thursday, November 24 and Friday, November 25
Christmas Day	December 25	Sunday, December 25 (Day off=Monday, December 26*)
New Year's Day - 2012	January 1, 2012	Sunday, January 1, 2012 (Day off=Monday, January 2*)

* W. Va. Code, §2-2-1(b) provides: "If a holiday . . . falls on a Sunday, then the following Monday is the legal holiday. If a holiday . . . falls on a Saturday, then the preceding Friday is the legal holiday: . . ."

#11

Commission Office Use Only	
Date on Agenda:	12/2/10
Appt Time of <u>New Business</u> :	

AGENDA REQUEST FORM

Name: Roger A. Ritchie, Jr.

Department or Entity: _____

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: 12-02-10

Date Requested – 2nd Choice: 12-09-10

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

Subject: Social Security Seminar (Public Service)

Please provide the County Commission with a description of your request or presentation, including any background information: **Request use of meeting room for the purpose of holding a "free to the public" social security informational seminar.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Move to approve the use of the County Commission Meeting Room by Roger A. Ritchie, Jr. from 9:30 a.m. to 11:30 a.m. on Tuesday, December 21, 2010 for the purpose of presenting a free Social Security Seminar for the public.**

Attachments: **County Commission Meeting Room Request Form; Indemnification Form**

Attn: Debbie

COUNTY COMMISSION MEETING ROOM

REQUEST FORM

Date Requested: ~~11/24/10~~ 12/21/10
 Meeting Time: ~~12/1~~ 9:30am to 11:30am
 Organization Name: Social Security Seminar (Public Service)
 Purpose of Meeting: Public Service

Please attach a brief description of your organization. (You may attach other printed materials.)

Please check the boxes on all that apply to your organization:

- Has previously used the library *Approved last month -> Not available*
- Is a not-for-profit organization
- Can provide a certificate of insurance *See previous Request (same)*
- Indemnification Form provided in lieu of certificate of insurance

By signing this Request, I acknowledge that I have read and fully understand the Jefferson County Commission Meeting Room Policy for the use of the County Commission Meeting Room located at 200 East Washington Street lower level of the Old Charles Town Library. I agree to assume personal responsibility for my organization's compliance with these regulations, the behavior of all those attending any meeting or program, and the care of the meeting room and all property within the room.

Person Making Request: (printed): Roger A. Ritchie, Jr.

Signature of Person Making Request: [Signature] Date: 11/24/10

Contact Person: _____
(If other than the representative signing above)

Representative's Address: _____

Telephone: _____ Fax: _____

COUNTY COMMISSION MEETING ROOM

INDEMNIFICATION FORM

As the individual or the authorized representative of the organization making the reservation, I agree to indemnify and hold harmless the Jefferson County Commission, its agents and representatives, from any and all lawsuits, action, claims or demands of any character or nature arising out of or brought on account of injuries or damages sustained by any person(s) as a consequence or result of using the meeting room, its furnishings or its equipment.

Person Making Request: (printed): Roger Ritchie, Jr.

Signature of Person Making Request: [Signature] Date: 11/24/10

Contact Person: Skip
(If other than the representative signing above)

Representative's Address: 9971⁷¹ S. Court A
Worsham Harrisonburg, VA 22801

Telephone: St. L., MO Fax: _____

E-mail: (540) 421-
7003

E-mail:

See Sr Itchies@yahoo.com

#12

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

Name: Tim Boyde, County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: December 2, 2010

Date Requested – 2nd Choice: _____

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

Subject: Set Date and Time in January 2011 to hold a Public Hearing regarding the Proposed Wireless Telecommunications Facilities Ordinance Draft

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

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to hold a public hearing on January _____, 2011 at _____(time) regarding the Proposed Wireless Telcommunications Facilities Ordinance Draft**

13

Commission Office Use Only
Date on Agenda: 12-2-10
Appt Time or New Business: work session 1:30pm

AGENDA REQUEST FORM

Name: Troy Truax

Department or Entity: Delta Development Group, Inc.

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: December 2, 2010

Date Requested – 2nd Choice: _____

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

Subject: Jefferson County Emergency Services Agency 5 year Strategic Plan

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

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

Attachments:

WEST VIRGINIA LOTTERY
 First Benchmark
 Charles Town
 County / City Split
 Fiscal Year 2011

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RANSON 35.08%	SHEPHERDS TOWN 14.29%
3 days ending: 7/1/10 - 7/3/10	\$ 115,402.58	\$ 115,402.58	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending: 07/10/10	\$ 205,731.64	\$ 205,731.64	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/17/10	\$ 161,386.78	\$ 161,386.78	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/24/10	\$ 160,368.28	\$ 160,368.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/31/10	\$ 157,802.08	\$ 157,802.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/07/10	\$ 161,617.82	\$ 136,484.98	\$ 25,122.84	\$ 3,120.27	\$ 8,692.45	\$ 916.98	\$ 8,813.09	\$ 3,590.05
08/14/10	\$ 156,753.36	\$ 78,376.68	\$ 78,376.68	\$ 9,734.38	\$ 27,085.88	\$ 2,860.75	\$ 27,494.54	\$ 11,200.03
08/21/10	\$ 152,306.04	\$ 76,189.02	\$ 76,189.02	\$ 8,463.92	\$ 26,334.38	\$ 2,781.28	\$ 26,730.82	\$ 10,886.64
08/28/10	\$ 144,820.08	\$ 72,460.03	\$ 72,460.03	\$ 8,889.54	\$ 25,042.19	\$ 2,644.79	\$ 25,416.97	\$ 10,354.54
09/04/10	\$ 162,725.88	\$ 76,362.84	\$ 76,362.84	\$ 8,484.26	\$ 26,391.00	\$ 2,787.24	\$ 26,768.09	\$ 10,912.25
09/11/10	\$ 165,638.72	\$ 82,969.36	\$ 82,969.36	\$ 10,304.79	\$ 28,674.21	\$ 3,028.38	\$ 29,195.66	\$ 11,856.32
09/18/10	\$ 135,277.56	\$ 67,638.78	\$ 67,638.78	\$ 8,400.74	\$ 23,375.86	\$ 2,468.82	\$ 23,727.68	\$ 9,565.58
09/25/10	\$ 140,670.12	\$ 70,435.06	\$ 70,435.06	\$ 8,748.03	\$ 24,942.36	\$ 2,570.89	\$ 24,786.82	\$ 10,085.17
10/02/10	\$ 142,027.72	\$ 71,013.86	\$ 71,013.86	\$ 8,919.92	\$ 24,542.39	\$ 2,582.01	\$ 24,814.47	\$ 9,904.61
10/09/10	\$ 135,623.00	\$ 69,911.50	\$ 69,911.50	\$ 8,808.48	\$ 23,854.06	\$ 2,529.97	\$ 24,214.47	\$ 9,761.03
10/16/10	\$ 150,499.24	\$ 75,234.62	\$ 75,234.62	\$ 9,344.14	\$ 26,001.08	\$ 2,746.06	\$ 26,392.31	\$ 10,761.03
10/23/10	\$ 140,581.60	\$ 70,290.80	\$ 70,290.80	\$ 8,750.12	\$ 24,882.50	\$ 2,585.61	\$ 24,869.01	\$ 10,044.56
10/30/10	\$ 131,230.88	\$ 65,815.04	\$ 65,815.04	\$ 8,169.38	\$ 22,676.56	\$ 2,394.98	\$ 23,017.75	\$ 9,376.38
11/06/10	\$ 122,676.34	\$ 61,537.62	\$ 61,537.62	\$ 7,618.13	\$ 21,188.28	\$ 2,236.82	\$ 21,517.24	\$ 8,766.16
Subtotal	\$ 2,838,789.58	\$ 1,674,431.53	\$ 882,368.05	\$ 118,528.12	\$ 332,334.40	\$ 35,128.43	\$ 317,688.71	\$ 137,522.46

Benchmark Goal @ 2% \$ 912,063.48

Manufacturers (with 10% of 10% Split) \$ -

WEST VIRGINIA LOTTERY
WEEKLY SETTLEMENT FOR CHARLES TOWN

Week Ending Date	Week Ending November 6, 2010 FY10 November 19, 2010
To be Debitsed on:	
Amount Played	71,701,515.90
Amount Won	64,351,853.19
Amount Promo	222,684.00
SMAG Contribution	<u>27,717.51</u>
Adjusted Gross Terminal Revenue	<u>7,099,261.20</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>283,970.44</u>
Net Terminal Revenue	<u>6,815,290.76</u>
<hr/>	
Surcharge @ 10%	681,529.09
State Share Excess @ 68%	395,286.87
Track Share of Capital Reinvestment @ 42%	286,242.22
Track Share of Capital Reinvestment @ 42% - 96%	\$ 274,782.53
Track Share of Capital Reinvestment @ 42% - 4%	\$ 11,449.69
Adjusted Net Terminal Revenue	<u>6,133,761.67</u>
Racetrack @ 46.50% / 42%	2,576,179.90
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,514,842.28
Race Track Purses @ 7% / 14% / 8%	490,700.93
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	30,668.81
Greyhound Development @ .75%	46,003.21
Thoroughbred Development @ .75%	46,003.21
Racino Commission @ 1%	61,337.82
County/Municipality @ 2%	122,675.24
1% Funds:	
Tourism Promotion Fund @ 1.375%	84,339.22
Development Office Promotion Fund @ .375%	23,001.61
Research Challenge Fund @ .5%	30,668.81
Capitol Renovation and Improvement Fund @ .6875%	42,169.61
2004 Capitol Complex Parking Garage Fund @ .0625%	3,833.60
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capital Resources @ .5%	30,668.81
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>30,668.81</u>
	6,133,761.67

WEST VIRGINIA LOTTERY
 First Benchmark
 Charles Town
 County / City Split
 Fiscal Year 2010

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.58%	HARPERS FERRY 9.85%	RANSON 35.06%	SHEPHERDS TOWN 14.28%
3 days ending: 7/1/10- 7/3/10	\$ 115,402.68	\$ 115,402.58	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/10/10	\$ 205,731.84	\$ 205,731.84	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/17/10	\$ 161,388.78	\$ 161,388.78	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/24/10	\$ 160,368.28	\$ 160,368.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/31/10	\$ 157,802.08	\$ 157,802.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/07/10	\$ 161,617.82	\$ 136,494.98	\$ 25,122.84	\$ 3,120.27	\$ 8,662.45	\$ 916.98	\$ 8,813.09	\$ 3,580.05
08/14/10	\$ 156,753.36	\$ 78,376.68	\$ 78,376.68	\$ 8,734.36	\$ 27,086.88	\$ 2,880.79	\$ 27,494.64	\$ 11,200.03
08/21/10	\$ 152,388.04	\$ 76,199.02	\$ 76,199.02	\$ 8,483.92	\$ 28,334.36	\$ 2,781.26	\$ 26,730.82	\$ 10,888.84
08/28/10	\$ 144,820.06	\$ 72,460.03	\$ 72,460.03	\$ 6,999.54	\$ 25,042.18	\$ 2,644.79	\$ 25,418.97	\$ 10,354.54
09/04/10	\$ 152,726.88	\$ 76,362.84	\$ 76,362.84	\$ 9,484.26	\$ 28,391.00	\$ 2,787.24	\$ 26,788.08	\$ 10,912.26
09/11/10	\$ 165,938.72	\$ 82,968.36	\$ 82,968.36	\$ 10,304.79	\$ 28,674.21	\$ 3,028.89	\$ 29,105.85	\$ 11,856.32
09/18/10	\$ 135,277.56	\$ 67,638.78	\$ 67,638.78	\$ 8,400.74	\$ 23,575.86	\$ 2,488.82	\$ 23,727.88	\$ 9,685.58
09/25/10	\$ 140,870.12	\$ 70,435.06	\$ 70,435.06	\$ 6,748.03	\$ 24,342.36	\$ 2,570.68	\$ 24,708.62	\$ 10,085.17
10/02/10	\$ 142,027.72	\$ 71,013.86	\$ 71,013.86	\$ 8,819.82	\$ 24,542.39	\$ 2,592.01	\$ 24,911.66	\$ 10,147.88
10/09/10	\$ 138,623.00	\$ 69,311.50	\$ 69,311.50	\$ 8,608.48	\$ 23,854.08	\$ 2,629.87	\$ 24,314.47	\$ 9,904.61
10/16/10	\$ 150,488.24	\$ 75,234.62	\$ 75,234.62	\$ 9,344.14	\$ 26,001.08	\$ 2,746.06	\$ 26,392.31	\$ 10,751.03
10/23/10	\$ 140,581.60	\$ 70,280.80	\$ 70,280.80	\$ 8,730.12	\$ 24,282.50	\$ 2,565.61	\$ 24,658.01	\$ 10,044.56
10/30/10	\$ 131,230.08	\$ 65,615.04	\$ 65,615.04	\$ 8,148.39	\$ 22,678.56	\$ 2,394.95	\$ 23,017.75	\$ 9,376.39
11/06/10	\$ 122,675.24	\$ 61,337.62	\$ 61,337.62	\$ 7,618.13	\$ 21,188.28	\$ 2,238.82	\$ 21,517.24	\$ 8,765.15
11/13/10	\$ 129,190.56	\$ 64,585.28	\$ 64,585.28	\$ 8,022.73	\$ 22,324.13	\$ 2,357.73	\$ 22,660.02	\$ 9,230.67
Subtotal	\$ 2,965,990.14	\$ 1,999,026.81	\$ 1,026,963.33	\$ 127,546.65	\$ 354,918.53	\$ 37,484.16	\$ 360,258.72	\$ 146,753.07

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending November 13, 2010 FY10 November 19, 2010
To be Deposited on:	
Amount Played	76,023,500.74
Amount Won	68,303,649.34
Amount Promo	216,161.00
MMAP Contribution	<u>27,384.86</u>
Adjusted Gross Terminal Revenue	<u>7,476,305.54</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>299,052.22</u>
Net Terminal Revenue	<u>7,177,253.32</u>
Surcharge @ 10%	717,725.34
State Share Excess @ 58%	416,280.70
Track Share of Capital Reinvestment @ 42%	301,444.64
Track Share of Capital Reinvestment @ 42% - 98%	\$ 289,886.85
Track Share of Capital Reinvestment @ 42% - 4%	\$ 12,067.79
Adjusted Net Terminal Revenue	<u>6,459,527.98</u>
Racetrack @ 46.50% / 42%	2,713,001.75
Lottery Fund @ 36% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,648,406.48
Race Track Purses @ 7% / 14% / 8%	516,782.24
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	32,297.64
Greyhound Development @ .75%	48,446.46
Thoroughbred Development @ .75%	48,446.46
Racing Commission @ 1%	64,695.28
County/Municipality @ 2%	129,190.56
3% Funds:	
Tourism Promotion Fund @ 1.375%	88,818.51
Development Office Promotion Fund @ .375%	24,223.23
Research Challenge Fund @ .5%	32,297.64
Capitol Renovation and Improvement Fund @ .6875%	44,409.25
2004 Capitol Complex Parking Garage Fund @ .0625%	4,037.20
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	32,297.64
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>32,297.64</u>
	<u>6,459,527.98</u>

VIDEO LOTTERY REPORT
FY 2009

Date	Amount	Date	Amount
7/5/2008 *	169,912.56	7/4/2009 *	128,262.42
7/12/2008	176,592.38	7/11/2009	168,815.08
7/19/2008	160,344.08	7/18/2009	160,652.98
7/26/2008	162,982.74	7/25/2009	158,869.08
8/2/2008	178,171.04	8/1/2009	174,493.08
8/9/2008	123,538.04	8/8/2009	138,408.80
8/16/2008	82,482.89	8/15/2009	81,222.14
8/23/2008	76,426.18	8/22/2009	76,260.31
8/30/2008	89,459.86	8/29/2009	80,472.92
9/6/2008	91,644.46	9/5/2009	80,798.15
9/13/2008	79,729.93	9/12/2009	86,286.92
9/20/2008	71,269.36	9/19/2009	70,010.15
9/27/2008	79,735.73	9/26/2009	69,316.87
10/4/2008	75,186.22	10/3/2009	72,286.04
10/11/2008	77,139.04	10/10/2009	69,650.63
10/18/2008	80,668.26	10/17/2009	73,560.21
10/25/2008	64,379.44	10/24/2009	67,581.66
11/1/2008	68,352.42	10/31/2009	64,528.30
11/8/2008	70,823.02	11/7/2009	63,741.59
11/15/2008	65,565.50	11/14/2009	65,959.64
11/22/2008	63,883.80	11/21/2009	59,547.05
11/29/2008	69,850.12	11/28/2009	72,399.98
12/6/2008	55,696.68	12/5/2009	51,006.51
12/13/2008	60,178.04	12/12/2009	52,460.58
12/20/2008	52,189.19	12/19/2009	32,834.39
12/27/2008	72,205.91	12/26/2009	53,406.34
1/3/2009	96,504.65	1/2/2010	92,980.40
1/10/2009	53,286.62	1/9/2010	55,020.46

Table Game Revenues
FY 2011

Date	Amount	Date	Amount
7/3/2010	115,402.58	7/3/2010	115,402.58
7/10/2010	205,731.64	7/10/2010	205,731.64
7/17/2010	161,386.76	7/17/2010	161,386.76
7/24/2010	160,368.28	7/24/2010	160,368.28
7/31/2010	157,802.08	7/31/2010	157,802.08
8/7/2010	136,494.98	8/7/2010	136,494.98
8/14/2010	78,376.68	8/14/2010	78,376.68
8/21/2010	76,199.02	8/21/2010	76,199.02
8/28/2010	72,460.03	8/28/2010	72,460.03
9/4/2010	76,362.84	9/4/2010	76,362.84
9/11/2010	82,969.36	9/11/2010	82,969.36
9/18/2010	67,638.78	9/18/2010	67,638.78
9/25/2010	70,435.06	9/25/2010	70,435.06
10/2/2010	71,013.86	10/2/2010	71,013.86
10/9/2010	69,311.50	10/9/2010	69,311.50
10/16/2010	75,234.62	10/16/2010	75,234.62
10/23/2010	70,290.80	10/23/2010	70,290.80
10/30/2010	65,615.04	10/30/2010	65,615.04
11/6/2010	61,337.62	11/6/2010	61,337.62
11/13/2010	64,595.28	11/13/2010	64,595.28
July/Aug 10	154,185.68	Sept. 2010	94,247.84

1/17/2009	56,068.87	1/16/2010	60,551.28
1/24/2009	71,474.63	1/23/2010	69,943.53
1/31/2009	61,089.80	1/30/2010	48,527.75
2/7/2009	83,539.63	2/6/2010	37,155.14
2/14/2009	76,054.44	2/13/2010	44,334.00
2/21/2009	91,838.41	2/20/2010	76,946.12
2/28/2009	80,806.88	2/27/2010	72,024.40
3/7/2009	48,837.13	3/6/2010	76,936.85
3/14/2009	96,025.39	3/13/2010	71,007.37
3/21/2009	79,002.82	3/20/2010	74,335.38
3/28/2009	79,250.83	3/27/2010	69,941.88
4/4/2009	75,968.30	4/3/2010	70,636.28
4/11/2009	75,964.94	4/10/2010	69,692.79
4/18/2009	80,598.22	4/17/2010	69,335.92
4/25/2009	75,571.46	4/24/2010	68,714.11
5/2/2009	73,957.05	5/1/2010	68,799.06
5/9/2009	76,697.22	5/8/2010	67,403.54
5/16/2009	71,925.70	5/15/2010	70,186.32
5/23/2009	81,395.43	5/22/2010	64,695.71
5/30/2009	82,161.55	5/29/2010	67,157.40
6/6/2009	74,895.74	6/5/2010	77,371.80
6/13/2009	67,327.23	6/12/2010	66,106.29
6/20/2009	75,500.53	6/19/2010	64,888.48
6/27/2009	67,354.10	6/26/2010	63,950.29
6/30/2009 ***	32,059.58	6/30/2010	29,667.19

TOTALS 4403564.04 4041141.56 1939026.81

INSIDE

CABELL COUNTY HOST TO WVACO FALL BOARD MEETING Preparing For The Next Decade

Over 60 county officials from counties participated in the fall board meeting of the West Virginia Association of Counties held in Cabell County on October 4th and 5th. Board members and other participants were warmly welcomed by WVACO President Gerry Hough and Cabell County Officials: Commissioners Nancy Cartmill and Scott Bias, Sheriff Tom McComas, Circuit Clerk Adell Chandler and County Clerk Karen Cole.

Following administrative reports on budget, dues, and grants and updates on the WV Counties Risk Pool, the WVACO Dental/Vision Benefit Plan, and the Courthouse Documentary Project, several committee reports were presented and approved. *Prosecutor Michael Sparks*, Chairman of the Member Association Relations Committee, provided a report from their meeting. *County Clerk Diana Cromley* gave a report on the September 10th "Leadership Meeting" among Member Associations' Presidents and Vice Presidents, stating that they will be invited to participate in the WVACO Legislative Committee

conference calls during the session in order to improve communications.

The Annual Meeting Committee report was given by *Prosecutor Michael Sparks* who noted that the theme will be "Team Counties" and the presentation "Playing to Win" will be presented by Chuck Stump of The Performance Group. *Commissioner Lavada Williamson*, Chair of the Compensation Committee, reviewed the complexities of the compensation statute clean-up. *Commissioner Bob Pasley*, reported that the WVACO "Prep School" will be held December 2nd at the Bridgeport Conference Center for all newly elected county officials. At this time, it was learned that the Prep School was on the same day as the new County Commissioners' training, which had always before been held in January. Since there had been no communication of this change until now and plans had already been made, the board voted to keep the WVACO date as scheduled. (Note: Since that time, the WVACO Prep School Committee has taken the cooperative initiative to hold.

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INTERIM HIGHLIGHTS

The highlight of October's interims was the beautiful fall weather! Issues of interest to counties included:

● The Legislative Corrections & Regional Jail Oversight Committee heard a presentation from Judge Johnson of Nicholas County on **juvenile placement**. He stated that sometimes the out-of-state facilities are the best for providing the services a juvenile needs or they are all that's available. Stating his primary considerations, Judge Johnson said he first considers the child's treatment needs, then the availability of a bed, and the services needed, which are sometimes only available at an out-of-state facility. "Caseload due to drug use has exploded over the last few years. It's prescription drug abuse that really causes the problem," said Judge Johnson in explaining the need for more substance abuse services. The committee requested a study of the costs of specialized services to help determine which are feasible and which are cost-prohibitive. It was reported that there are currently nine juvenile day report centers in the state with \$900,000 available for them. Currently there are no additional funds but there is a need for at least three more centers.

● The Committee on Pensions and Retirement heard more from **Volunteer Fire Departments (VFDs)** regarding recruitment and retention. Tom Miller, State Chairman of the VFD Association, reported that two years ago he told the committee there were 10,500 volunteer firefighters in the state. "Today that number has dropped to below 10,000," said Miller. Workers Compensation coverage has been an ongoing issue for VFDs, with Brickstreet reporting a 7 to 1 loss ratio for claims. The committee viewed several public service announcements being broadcast in order to recruit new VFD members.

➤ CONTINUED TO PAGE 6

THE President's View

Many thanks to all of the participants in this year's Fall Meeting! Those who braved the boat ride on the Ohio River enjoyed the lighted architecture across the river. Good times were had by all; many thanks to Karen Cole and our Cabell County hosts. We worked hard at the legislative agenda and came away with a robust and ambitious set for a most interesting 2011 session ahead. As Thomas Edison wrote, "You will have many opportunities in life to keep your mouth shut: You should take advantage of every one of them." Or more gently, Dr. Stephen Covey, "Seek first to understand before you seek to be understood." The beauty of autumn humbles me; I hope you have a chance to see it.

Gerald Hough

WVACO Board of Directors

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Gerald Hough Gilmer County Prosecutor 462-7007

IMMEDIATE PAST PRESIDENT

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Fran King Clay County Commissioner 587-4259

Jeff Waybright Jackson County Clerk 373-2256

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Jim Childers Greenbrier County Sheriff 647-8613

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Patsy Noland Jefferson County 728-3284

Donnie Tenney Upshur County 472-0535

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Janice Cosco Marion County 367-5445

Diana Cromley Mason County 675-1997

Jamie Six Wood County 424-1850

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Cheryl Romano Harrison County 624-8510

Helen Phillips Upshur County 472-4650

Arlene Mossor Ritchie County 643-2164

CIRCUIT CLERKS

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Brenda Miller Ohio County 234-3611

Sue Ann Zickefoose Boone County 369-7321

Virginia Sine Berkeley County 264-1918

PROSECUTING ATTORNEYS

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Michael Sparks Mingo County 235-0350

Mel Snyder Preston County 329-1885

Judith A McCullough Ritchie County 643-2164

SHERIFFS

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Mickey Metz Gilmer County 462-7441

Virgil Miller Upshur County 472-1180

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Barbara Core Marlon County Circuit Clerk 367-5360

John Gruzinskis Marshall County Sheriff 843-1552

Jean Friend Monongalia County Circuit Clerk 291-7240

Dana Lynch Webster County Assessor 847-2110



The County Line

WEST VIRGINIA ASSOCIATION OF COUNTIES
2211 WASHINGTON STREET, EAST
CHARLESTON, WV 25311

TELEPHONE (304) 346-0591 | FAX (304) 346-0592
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WVACO's County Line is published monthly by the WV Association of Counties. It is mailed to county officials, legislators, Affiliated members, & other interested parties.

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



www.naco.org

County News celebrates NACO's 75th Anniversary with a look back at the issues and events that affected counties over the past several decades.

1981

NACO President Richard Conder told President Ronald Reagan that without full funding of General Revenue Sharing, America's counties would not survive New Federalism.

According to Conder, Reagan said he would take another look at the program, for which he requested a 12 percent cut — about \$550 million — in the fiscal 1982 budget. A White House statement the prior week said that Reagan would not support the phase-out of revenue sharing until an alternative funding source had been identified and a mechanism had been developed to transfer funds back to local governments.

1984

Congress passed a package of justice legislation that directly benefitted county governments. It included a new Justice Assistance Act, a new Missing Children Assistance Act, a new pilot program in corrections and the reauthorization of the Juvenile Justice and Delinquency Prevention Act, and the Runaway and Homeless Youth Act.

NACO was successful in modifying an earlier Senate version of the corrections program to authorize funds for planning purposes and to remove restrictions limiting construction grants only to jurisdictions that sought to expand their jail population.

1991

Ed Pastor, former vice chair of the Employment Steering Committee, NACO board member and Maricopa County supervisor, was sworn in as the new representative for Arizona's 2nd Congressional District.

Pastor, a Democrat and the first Hispanic to represent Arizona in Congress, won a special election to replace Morris K. Udall, beating his Republican opponent, Yuma County Supervisor Pat Conner, by an 11 percent margin.

SYMPATHY.....

Our sympathy goes out to the family and friends of Delegate Mike Porter, who died in September from complications of heart surgery. Delegate Porter represented Mercer County.\

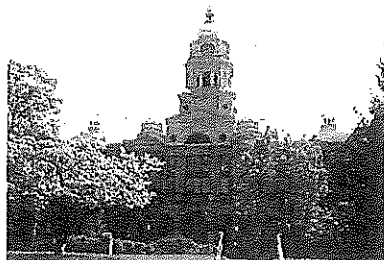
Our sympathy goes out to the family and friends of Delegate Sam Argento who died in October. Delegate Argento represented Nicholas County.

the Prep School on December 1st so that new commissioners-elect may receive the value of both opportunities).

A proposal to subscribe to StateNewsWire for press releases and media service was adopted. Under old business, the WVACo Legislative Committee was completed with Commissioners Bob Pasley and Dale Manuel appointed to join Commissioner's Legislative Chairman Danny Greathouse and Sheriff Tom McComas appointed to join Sheriffs' Legislative Chairman John Hawkins. Under new business, a proposal from the Secretary of State received just prior to the board meeting was presented. It was approved to sponsor a breakfast for the 2011 National Association of Secretaries of State to be held in West Virginia.

The meeting was recessed until Tuesday's "Issues and Eggs" breakfast where each member association presents their own legislative priorities and adopts each others. The WVACo 2011 legislative issues will be presented in booklet form to the Legislature and to all county officials prior to the legislative session. To cap off a long day of business, Board members and meeting participants enjoyed dinner at Schooners followed by a "dessert riverboat cruise.

Cabell County Courthouse



Contemporary Images of Courthouses Requested

The West Virginia Association of Counties is requesting images of West Virginia's beautiful courthouses to complete a WV Courthouse Poster project.

Images need to be 300 dpi and at least 5x7 in size. The pictures should be (exterior) contemporary images taken when leaves are on the trees. The pictures will be used for a poster that will be produced in the coming months by the WV Association of Counties. Credit will be given on an image that is used.

Courthouses from the following counties are needed: Berkeley, Boone, Braxton, Brooke, Calhoun, Clay, Gilmer, Grant, Hampshire, Hancock, Hardy, Harrison, Jackson, Lewis, Lincoln, Logan, McDowell, Mason, Mineral, Mingo, Monroe, Nicholas, Pendleton, Pleasants, Pocahontas, Preston, Raleigh, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel

Send to:

Deb Warmuth [<mailto:deb@gowalkabout.com>]

WVACo FLASHBACK SNAPSHOTS

WEST VIRGINIA ASSOCIATION OF COUNTIES



Norma Sine, former Marshall County Clerk, Robert Pasley, former Wayne County Clerk—current Wayne County Commissioner, and Jeff Waybright, Jackson County Clerk enjoy the WV County Clerks Association Meeting in 2004.



Gerald Hough, President of WVACo and Gilmer County Prosecutor, Reta Kight, former Gilmer County Commissioner and Mickey Metz, Gilmer County Sheriff, enjoy the 2008 WVACo Annual Meeting.

"Always do right, this will gratify some and astonish the rest." - MARK TWAIN



Calendar of Events

- JANUARY 11, 2011** WV Historic Courthouses Premiere
WV Cultural Center
- JANUARY 12, 2011** WV Legislative Session Starts
- FEBRUARY 6-8, 2011** WVACo Annual Conference
"TEAM COUNTIES"
Charleston Embassy Suites, Kanawha County
- MARCH 12, 2011** WV Legislative Session Ends
- APRIL 9-10, 2011** Local Government Leadership Academy
Morgantown, Monongalia County



2010 LEGISLATIVE INTERIM CALENDAR

- November 15-17 — Monday, Tuesday, Wednesday
- December 13-15 — Monday, Tuesday, Wednesday
- January 9-11 — Sunday, Monday, Tuesday

IN 1960..

The WVACo was created

and

- The first debate for a presidential election was televised. It was between Senator John F. Kennedy and Richard M. Nixon. Nixon seemed nervous, but Kennedy stood tall. The debate on TV changed many people's minds about Kennedy.
- This year NASA sent up ECHO, the first communications satellite to be seen with the naked eye.
- American "U2" spy plane shot down over the USSR.
- The Olympic Games were held in Rome and Wilma Rudolf won three gold medals.



MEMBER PROFILE:

DAVE HARDY
KANAWHA COUNTY COMMISSIONER



Years in office: 9

Education: J.D. University of Tennessee, B.S. WVU Tech, B.A. WVU Tech

My favorite sport is: Baseball

The hardest thing I have done: Raise two children

You would be surprised to know: I am a baseball nut.

I'm most proud of: my family.

My favorite meal is: Anything Peanut Butter

The last book I read was: Babe Ruth Biography

Three people (living or dead) I'd invite to dinner: Jesus Christ, Albert Einstein, and Abraham Lincoln

My favorite movie is: Platoon

My favorite music is: 60's & 70's Retro

My pet peeve is: Negative Attitude

My motto is: Look into the windshield, not the rear view mirror.



RECIPE OF THE MONTH

Buffalo Chicken Dip



WOOD COUNTY

- 2 (10 ounce) cans chunk chicken, drained
- 2 (8 ounce) packages cream cheese, softened
- 1 cup Ranch dressing
- 3/4 cup pepper sauce (such as Frank's Red Hot®)
- 1 1/2 cups shredded Cheddar cheese

• 1 bunch celery, cleaned and cut into 4 inch pieces

1 (8 ounce) box chicken-flavored crackers

Directions

Heat chicken and hot sauce in a skillet over medium heat, until heated through. Stir in cream cheese and ranch dressing. Cook, stirring until well blended and warm. Mix in half of the shredded cheese, and transfer the mixture to a slow cooker. Sprinkle the remaining cheese over the top, cover, and cook on Low setting until hot and bubbly. Serve with celery sticks and crackers.

"Be nice to people on your way up, because you will meet them on your way down." - JIMMY DURANTE

COUNTY WELLNESS.....

The Power of One

One change can make a difference. Just by making one small change each week, you can begin to live a healthy lifestyle. You can make a huge improvement in your health, without being so overwhelmed that you fall off the "health wagon".

Living a healthier lifestyle can make a great deal of difference in the way you look and feel. The truth is that there are a number of simple ways to improve your health...and many of them are much easier than you might think.

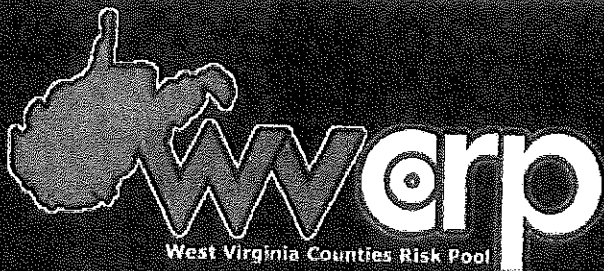
Improving your diet and doing more exercise are two great ways to help you increase your energy level – and to reduce your risk of health issues associated with being overweight. One of the main risks of being overweight is an increased propensity toward getting diabetes.

Diabetes is a condition in which the body does not produce enough (or properly respond to) insulin, a hormone produced in the pancreas. Insulin enables cells to absorb glucose in order to turn it into energy.

Everyone knows that doing more physical activity helps us to maintain a better level of health, yet most of us don't get enough good exercise each day. Exercise helps strengthen our cardiovascular system and can boost our immunity. It can also help us prevent diseases, such as heart disease, cardiovascular disease and diabetes. It can also help prevent obesity. Exercise can improve our mental health, which can help prevent depression.

Any increase in activity will help to burn off excess calories, help to tone your muscles and releases endorphins (the feel good hormone) into the bloodstream. Doing more exercise each day is a good step on the road to a healthy lifestyle.

The best ways to achieve a healthier lifestyle is to love ourselves, eat healthy foods and exercise.



www.wvrisk.org

Phone: 888-822-6772

Fax: 877-212-8599

JUMP INTO THE POOL AND SAVE

PEIA NEWS

The following plan will be "rolled out" at the public hearings to be held around the state in November:

There is *no* premium increase for the non-states (called the Local Pool in the PEIA plan) BUT every tier in the PEIA plan, both State & Non State, will have a \$14 fee that will be discounted for fulfilling certain incentives.

There will be a \$4 discount for Advanced Directive (an affidavit that you have an end-of-life plan) and a \$10 discount for a Wellness Check-up. If both discounts are used, the rate increase is negated. These are designed to be incentives to get people to complete an Advanced Directive and have a Wellness check-up.

The Wellness check-up will consist of checking:

- (1) blood pressure
- (2) waist circumference
- (3) glucose
- (4) cholesterol

The discount is given if a plan participant *has* the Wellness check-up; the check-up doesn't have to show a good result. The idea is to become aware of those factors and their contribution to health problems and try to improve. The Wellness check-up and the Advanced Directive discount follow the policy holder, not a dependent on the plan. For counties and all non states, the discount will go to the employer and the employer can determine what to do with the savings.

The PEIA Finance Board will meet on December 2nd to finalize the plan for FY 2012, taking comments from the public hearings into consideration. Their financial plan for FY 2011 – FY 2015 projects no premiums increases for the non state (Local) plan until FY 2013, based on a well-funded reserve and great improvements in medical claims. This is only a projection and could change based on claims experience.

If you want to learn more or comment on this proposal, you can attend one of the public hearings:

Monday, Nov. 8 - Charleston Civic Center Little Theater

Tuesday, Nov. 9 - Tamarack Theatre, Beckley

Monday, Nov. 15 - Holiday Inn, Martinsburg

Tuesday, Nov. 16 - Ramada Inn, Morgantown

Wednesday, Nov. 17 - WV Northern Community College, Wheeling

Thursday, Nov. 18 - Marshall Univ. Medical School, Huntington

Times for all public hearings are:

Individual Customer Service: 5 - 6 pm

Registration: 5 - 6 pm

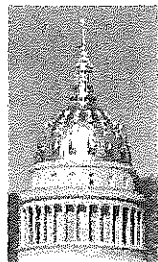
Public Hearing: 6 - 8 pm

"I have often regretted my speech, but never my silence..." - XENOCRATES

Judiciary Subcommittee B held a lengthy discussion on the forfeiture bill introduced in the 2010 session, HB 4382. Sheriff Jeff Sandy of Wood County initiated the discussion, telling the committee why this bill was needed with an illustration of blacktop pavers who came into Wood County and defrauded an elderly lady of \$8,000. The same fraud had been committed in Wirt County for \$15,000 and Roane County for \$17,000 but West Virginia is one of only eight states that does not have forfeiture law for anything besides drug cases. Sheriff Sandy emphasized that the perpetrators owned a lien-free home in Mercer County valued at \$250,000 and drove a lien-free upscale vehicle. "In West Virginia, fraud is a growing problem. This bill provides a tool," Sheriff Sandy noted to the committee. Further support for the bill was presented by representatives from the WV Chiefs of Police, the Deputy Sheriffs' Association, the Regional Jail Authority, and the WV Association of Counties. A representative from the Bankers Association requested that safeguards be put into place that will protect the property rights of those other than the offender, observing that Sheriff Sandy had been very careful to describe the perpetrators' property as "lien-free." The ACLU raised concerns regarding constitutional rights and due process, citing a finding that some law enforcement agencies in other states appear to be becoming dependent on funds from forfeitures. Committee Counsel provided an explanation of the difference between criminal and civil forfeiture.

Finance Subcommittee C heard a presentation of the assessment of financial impact for several benefit structures currently being considered to manage/alleviate the OPEB liability. PEIA Director Ted Cheatham presented seven scenarios and stressed to the committee that this is a taxpayer liability. Today's "paygo" is \$215.47 per member per month for a total of \$145 million/year. PEIA is currently getting about 1,000 new retirees per year and with no increase in "paygo," the business plan projects a rate increase for retirees.

The West Virginia Association of Counties presented survey information to Government Organization Subcommittee A pursuant to their request for assistance with a study of EMS training. A survey of eight questions was sent to all counties, with 37 responding. The committee wanted to know the landline fees in each county which range from 98 cents to \$5.34 cents. The committee also wanted information about employee turnover for E911 Centers. Some respondents stated that turnover was generally for better pay, with turnover estimates ranging from 0% to 40%. The committee was provided with some of the policies, budgets, and other additional information submitted in response to the survey. They asked for WVACO to get all county landline fees and the year the current fee was imposed.



WV COUNTIES RISK POOL HOLDS ANNUAL MEETING

The Annual Meeting of the members of the West Virginia Counties Risk Pool (WVCoRP) was held in September in the member county of Harrison. Pool Board Chairman Willie Parker, Upshur County Administrator, presided over the informational and business meeting. Pool Administrator Chris Carey explained the mission of the pool is long term stability, not competition over pricing. The pool has been incredibly successful, going into its 4th fiscal year with 33 county members and 36 county-related entities. New services will include a new web site to be rolled out on January 1st, featuring a new design, claims information, and certificates of coverage. A "Tulip" program will be available from the web site which will allow outside groups who want to use county property to get an instant quote for "third party coverage." The service of property appraisals at no cost to the members will also continue.

Steve Rawlings, WVCoRP's Risk Manager, provided an overview of risk control initiatives he provides throughout the state. Topics covered include sheriffs' offices issues such as mutual aid agreements and internal/external accident investigations. Other risk management subjects are policies for unofficial riders in county vehicles, harassment training, property exposures and playgrounds, and event/contractor liability exposures.

Workers compensation coverage will be available to members of the risk pool on July 1, 2010. Data is being gathered now for the actuarial study and legislative rules governing the coverage are in the rulemaking process.

The final order of business was election to fill three pool board seats, two of which were open seats. David Blair Couch, Wood County Commissioner, was re-elected to serve a second term on the board and Cindy Pyles, Mineral County Commissioner, and William "J.R." Keplinger, Hardy County Commissioner, were elected to the open seats. Their term of office will begin January 1, 2011.



WVACO
WEST VIRGINIA ASSOCIATION OF COUNTIES

COUNTY COOKIN'

PLEASE SEND YOUR RECIPES!

We are working to compile a new cookbook. We will have a favorites section from the past books, but we need new, fresh, tested recipes.

SEND US YOUR FAVORITES!

Fax: (304)346-0592

Email: kathy@wvaco.org

"A man can't be too careful in his choice of enemies." - OSCAR WILDE

WVDEP sponsoring workshop on Sustainability, Pollution Prevention and Environmental Management Systems

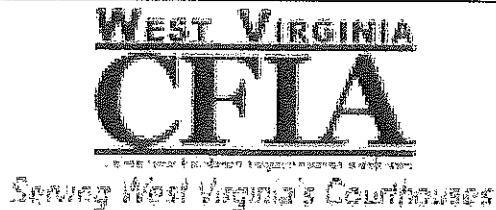
A two-day workshop focusing on Sustainability Awareness, Pollution Prevention and Environmental Management Systems is scheduled Dec. 14-15 at the West Virginia Department of Environmental Protection's Charleston headquarters. The *free event* is sponsored by the WVDEP.

The first day of the workshop will focus on Sustainability Awareness and Pollution Prevention (P2). The second day will feature Environmental Management Systems. Each day begins at 8 a.m. and concludes around 4:30 p.m. The workshop is designed for people who work in schools, government, businesses and other institutions.

Workshop presenters include the WVDEP's Greg Adolfsen; Matt Earnest, executive director of Workforce Development at Bridgemont Community and Technical College; Jeffrey Burke, executive director of the National Pollution Prevention Roundtable; and an environmental engineering specialist from Toyota Motor Manufacturing, West Virginia, Inc.

Workshop participants can register for either the first day, the second day or both days of the workshop. The registration deadline is Monday, Dec. 6.

Registration is available online at <http://apps.dep.wv.gov/registration> or by calling (866) 568-6649 ext. 1332.



NOTICE:

The deadline for the Courthouse Facilities Improvement Authority grants will be December 1, 2010. Contact Melissa Smith, Executive Director, at 304-558-5435 with any questions.

TECHNICAL TIDBITS

By Kathy Yates, Administrative Assistant



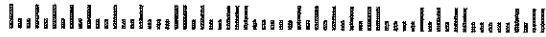
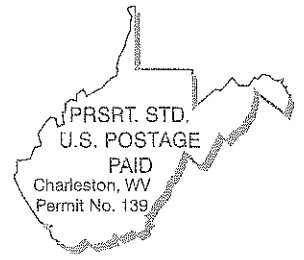
MONTHLY MAINTENANCE TIPS

1. Update any of the following:
 - Virus definition files
 - Firewall version
 - Spyware version and data files
2. In the c:\windows\temp folder, delete all the contents of this folder (leave the folder there, but empty).
3. In Internet Explorer under <Tools> <Internet Options>, click on the "Delete Files" button to clear the browser cache, then "Delete Cookies", then "Clear History".
4. Use two spyware removal programs to remove spyware from the computer.
5. Defragment the hard drive - use <start> <Programs> <Accessories> <System tools> "Disk defragmenter"
6. Clean the lens of the CD ROM drive (and/or CDRW Drive or DVD Drive)
7. Uninstall any programs that are not being used regularly. <start> <settings> <control panel> "Add or Remove Programs".
8. Move any large files from the Desktop to another folder on the hard drive.
9. Backup important data (should be done weekly!):
 - E-mail
 - Photos
 - Music
 - Data files - documents, spreadsheets, presentations, databases, etc.
10. Empty the trash can on the desktop

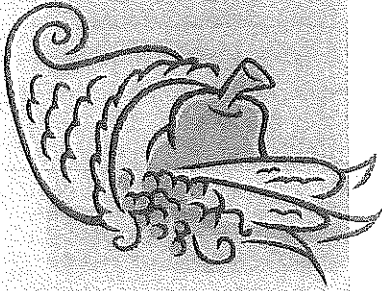
If you can complete the above tasks monthly, your computer will stay healthy and working well.



2211 Washington Street East
Charleston, WV 25311

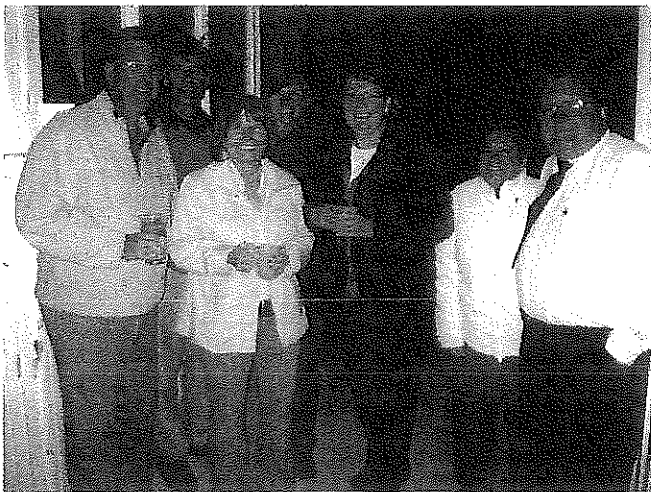


5*****MIXED AADC 270
TIM BOYDE
ADMINISTRATOR
PO BOX 250
CHARLES TOWN, WV 25414-0250



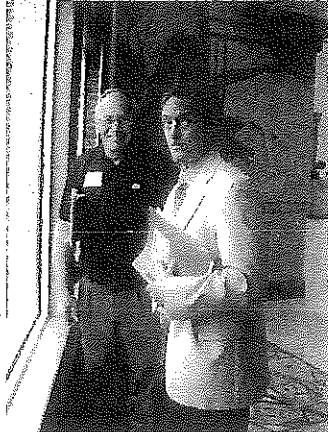
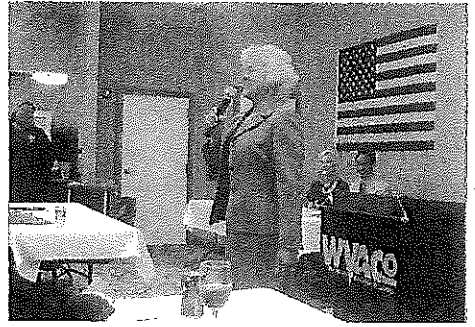
Direct to You

Many thanks to all the board members and other county officials who participated in our fall board meeting. Legislative issues adopted will be presented in the November newsletter. We appreciate the time and effort made by each of you to conduct the business of the association and plan for our legislative initiatives!



Our members Pat Boyle, Lewis County Commissioner, Gerald Hough, WVACo President and Gilmer County Prosecutor, Connie Ervin, Preston County Assessor's office, Debora Miller, Upshur County Assessor's office, Phyllis Yoakum, Randolph County Assessor, Tammy Stonestreet, Harrison County Assessor's Office and David "Bugs" Stover, Immediate Past President and Wyoming County Circuit Clerk enjoy the evening boat ride.

Nancy Cartmill, Cabell County Commissioner, welcomes the WVACo members to Cabell County.



WVACo President, Gerald Hough, and Upshur County Commissioner, Donnie Tenney.



Members break out into Committee groups and review items of interest to county government.



Charles Town Chaplaincy Services

Chaplain Doug Campbell

Phone Office

304-725-4028

Cell Phone 304-283-0036

Mailing Address

Charles Town RTCA Council
PO Box 1377
Charles Town WV 25414

President

*Dr. Henry Christie
304-725-9622

Vice President

*M. Victoria White
304-279-3235

Treasurer

*Gerald Dorsey
304-725-7948

Secretary

*Alfred Scott
410-218-6614

HBPA Rep.
Lenny Hale

PNGI Rep.
Roger Ramey

Community Rep.
*Dr. Wyman Hall

*Denotes executive
Council member

November 16, 2010

Lyn Widmyer, President
Jefferson County Commission
P.O. Box 250
Charles Town, WV. 25414

Dear Ms. Widmyer,

Thank you for your thoughtful and generous contribution of \$3,000.00 to the Charles Town Race Track Chaplaincy.

The Chaplaincy office continues to make its presence known to all individuals at the race track. We are here to help everyone who calls or comes to our office for help in everyday situations. We owe much of our success to your generosity.

Your contribution is helping us to reach our goals and we thank you again.

Sincerely,

P. Gerald Dorsey
PGD/pw

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NOV 18 2010

Jefferson County Commission

2010 CCAWV Legislative Roundtable Meeting Schedule

Regions	County Hosts, Time, & Location
<u>Region 1</u> Gilmer, Lewis, Upshur, Braxton, Nicholas, Webster, Fayette, Clay	Lewis County October 27, 2010 2:00 p.m.-4:00 p.m. Lewis County EMS Building West 2nd Street, Weston
<u>Region 2</u> Doddridge, Calhoun, Wirt, Pleasants, Wood, Ritchie, Tyler, Roane, Mason, Putnam, & Jackson	Wood County December 8, 2010 1:00 p.m.-3:00 p.m. Judge Black Annex, Fort Boreman Room 315 Market Street, Parkersburg
<u>Region 3</u> Logan, Wayne, Mingo, Cabell, Lincoln, Kanawha & Boone	Boone County December 6, 2010 1:00 p.m.-3:00 p.m. Boone County Courthouse, 3rd Floor
<u>Region 4</u> Grant, Mineral, Hampshire, Hardy, Tucker, Pendleton, Randolph & Pocahontas	Randolph County November 10, 2010 12:00 Lunch/1:00 p.m.-3:00 p.m. Meeting Rail Yard Restaurant, Railroad Avenue, Elkins
<u>Region 5</u> Berkeley, Morgan, & Jefferson	Jefferson County November 29, 2010 <i>Monday</i> 3:00 p.m.-5:00 p.m. Commission meeting room in the Charles Town Library on the lower level. Enter from the Samuel Street Entrance.
<u>Region 6</u> Raleigh, Summers, Mercer, Monroe, Wyoming, McDowell & Greenbrier	Summers County November 18, 2010 12:00 Lunch/1:00 p.m.-3:00 p.m. Meeting Ritz Theatre, 211 Ballengee Street, Hinton, WV
<u>Region 7</u> Harrison, Monongalia, Preston, Barbour, Marion, & Taylor	Marion/Harrison County November 12, 2010 10:00 a.m.-12:00 noon The Democrat Club owned by Commissioner Butch Tennant (across the street from Marion County Courthouse, 304 Adams Street, Fairmont, WV)
<u>Region 8</u> Marshall, Brooke, Ohio, Hancock, & Wetzel	Ohio County November 22, 2010 6:00 p.m.-8:00 p.m. Wheeling Island Hotel



FIRST BOOKS FOR BABIES

c/o Shepherdstown Public Library
P O Box 278
Shepherdstown, WV 25443

November 20, 2010

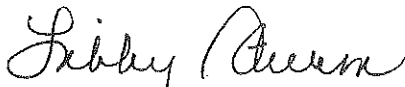
Lyn Widmyer, President
County Commission of Jefferson County
PO Box 250
Charles Town, WV 25414

Dear Commissioner Widmyer:

We have received your check for \$500, designated for First Books for Babies for the current year. The continued interest and support for this program by the Jefferson County Commission means so much to us and the FBFB Board again thanks you for your continued generosity. We are looking forward to giving our 1000th book in the spring of 2011 and will invite the Commission to the celebration.

We will continue to update the information on the First Books for Babies website at www.firstbooksforbabies.com. If you have questions, please contact Charlotte Porter, Chair of FBFB, at 304-876-3536 or Libby Sturm, Treasurer, at 304-876-8359.

Sincerely,


Libby Sturm
Treasurer

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NOV 22 2010

Jefferson County Commission

Copy in packet for all commissioners

From the desk of.....



Tessa Yvonne Reed

MEMORANDUM

To: Department Heads/Elected Officials
From: Bill Polk, Maintenance Director
Tessa Yvonne Reed, Administrative Assistant
Date: November 19, 2010
Re: CPR & First Aid Training CANCELLATION

Due to administrative reasons the CPR and First Aid training originally scheduled for November 24, 2010 and December 7, 2010 has been cancelled.

Sorry for any inconvenience.

BP/tyr

A handwritten signature in black ink, appearing to be 'BP/tyr'.

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NOV 22 2010

Jefferson County Commission



Jefferson County Parks & Recreation Commission's

LUNCH WITH SANTA

Saturday, December 18

11:00 a.m.-1:00 p.m.

**Jefferson County Community
Center, Sam Michael's Park**

Join us again this year as we get into the holiday spirit and have lunch with Santa himself! Children will get to make a craft and get their picture taken with Santa.

Fee: \$7 per child/\$3 per adult
Additional keepsake photos are available at an additional fee.

Pre-Registration is Encouraged

For more information, call 304-728-3207 or e-mail info@jcprc.org or register online at www.jcprc.org