

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, JANUARY 13, 2011
9:30 A.M.

County Commission Meeting Room
located at the Old Charles Town Library
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

PRESENTATIONS:

1. 9:45 a.m. Angela Banks, Assessor
- Exonerations
2. 10:00 a.m. Tish Appignani - Request the Commission to officially designate a Jefferson County Sesquicentennial Commission with the CVB as the anchor organization - Discussion/Action
3. 10:15 a.m. Cheryl L. Keyrouze - West Virginia Outreach of Jefferson County
- Jefferson County Day at the Capitol, Charleston, WV - Funding requested - Discussion/Action
4. 10:30 a.m. Amy Owen, Eastern West Virginia Community Foundation
Discussion on how the Foundation might serve Jefferson County's Public Funds and its charitable support
5. 10:45 a.m. Stephanie Grove, Assistant Prosecuting Attorney
- Legal Update

6. 11:00 a.m. Jennifer Brockman, Director of Planning and Zoning
- Request the Commission to consider "pre-setting" the 3rd Thursday evening every two months (January, March, May, July, September, November) throughout 2011 to work on the various amendments to the Subdivision Regulations and Zoning Ordinance - Discussion/Action
7. 11:30 a.m. Jim Taylor, Briggs Animal Adoption Center
- Presentation on the Operations of Briggs Animal Adoption Center

NEW BUSINESS:

8. Appointment to the Eastern Panhandle HOME Consortium Council to fill vacancy term ending June 30, 2013 - Discussion/Action
9. Approval of Employment - Full-Time Public Safety Dispatcher II - Sabrina Vasuez - Discussion/Action
10. Approval the Contract of Lease for the Bardane Public Health Center - Discussion/Action
11. Funding for Copier - Parks and Recreation Commission (DM) - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

- Reschedule Public Hearing - Proposed Amendments to Article 4B, Wireless Telecommunication Facilities, and Related Sections of the Jefferson County Zoning and Land Development Ordinance - Discussion/Action

RECESS

CORRESPONDENCE:

Notice received of State Auditor's 2011 Budget Preparation Regional Workshops.

Notice received of West Virginia Association of Counties 2011 Annual Meeting from February 6-8, 2011.

Weekly Lottery Settlement received.

Email received from Anna Stead of Harpers Ferry Job Corps regarding luncheon to welcome the reappointment of Gene Taylor as Community Relations Council Chairman on January 27, 2011 at 11:00 a.m. at the Center.

The County Legislative Line received from WVACO.

Notice and Schedule of the Legislative Association Meeting & Education Training Series received from the CCAWV beginning January 30, 2011 through February 1, 2011 at the Marriott Hotel, Charleston, WV.

Letter received from Kathy Sholl requesting the Commission's intervention in the plight of a horse in Halltown being kept in deplorable conditions.

Memorandum from Roger Goodwin, Chief County Engineer enclosing the bond and security for County Green LLC - The Woods at Wheatland, Lots 1-7 & Residue.

Reminder - Notice of Intent to Appoint - January 27, 2011 to the Jefferson County Development Authority unexpired term ending April 5, 2012.

Notice of 2011 Legislative Conference received from the National Association of Counties.

Invitation received from Friendship Fire Company to attend its Annual Membership Awards Banquet on Saturday, February 5, 2011 at the Moose Lodge.

Board Minutes for December 6, 2010 received from the Jefferson County Public Service District.

Letter received from the WV Division of Highways re: STIP.

Notice of upcoming Public Hearings:

- January 20, 2011 11:00 a.m. - Petition for Closing Unused Roads, Streets and travel Ways
- January 27, 2011 7:00 p.m. - Amend the County Zoning Map to Consider Urban Growth Boundaries for Harpers Ferry and Bolivar

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.

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

#2

AGENDA REQUEST FORM

Name: Tish Appignani

Department or Entity: _____

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: January 13, 2011

Date Requested – 2nd Choice: _____

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

Subject: Ask the Commission to officially designate a Jefferson County Sesquicentennial Commission with the CVB as the anchor organization

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:

1-13-11⁰
10:00 am

Sandy McDonald

From: "Tish Appignani" <tish322@frontiernet.net>
To: <Sandy@jeffersoncountywv.org>
Sent: Wednesday, January 05, 2011 2:54 PM
Subject: Agenda

Hi Sandy, I would like to request time on the agenda for the January 13th commission meeting. The purpose of this presentation is to ask the commission to officially designate a Jefferson County Sesquicentennial Commission with the CVB as the anchor organization. Thanks so much, Sandy. Sincerely, Tish Appignani CVB Board Member

Commission Office Use Only

Date on Agenda: 1-13-11

Appt Time or New Business:

#3

AGENDA REQUEST FORM

Name: Cheryl L. Keyrouze

Department or Entity: West Virginia Communication Outreach of Jefferson County

Estimation of amount of time needed for appointment: N/A

Date Requested – 1st Choice: Funding needed by January 15, 2011

Date Requested – 2nd Choice: N/A

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

Funding requested by Mid January for Schrock Travel Bus Company deadline.

Subject:

Jefferson County Day at the Capitol, Charleston, WV

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

Jefferson County Day at the Capitol will be held on February 21, 2011 in the Rotunda of our beautiful Capitol Building in Charleston, WV. In February of 2010, I had a Citation passed in the House and a Resolution passed in the Senate recognizing Jefferson County Day and I have been sending out information since November of 2010. We are coming down the home stretch now and this is becoming very exciting for those involved!

Last month I was asked to do a presentation for the JC CVB and was very encouraged to hear that the Bavarian Inn, Quality Inn, Clarion Hotel and Conference Center, Holiday Inn Express, and Hollywood Casino at Charles Town Races will be providing the day's lunch at the Capitol for our Legislators. The Jefferson County Day Steering Committee is very grateful for this generous donation and each hotel will have a table for presenting.

During this meeting, a motion was made by the CVB Board to help with some funding for the day and I was asked to put a budget together. I brought this information back to the JCD Steering Committee and

it was suggested that if we could get funding for the bus then we would have even more participants because this would cut down on the costs as they are already paying for admin costs, meals, and hotel costs on their own. **We are asking for the JC CVB, the JC Development Authority, and the JC Commission to each contribute \$1,000.00 to total \$3,000.00 that will cover the bus and any incidentals that may arise during the trip, such as snacks for the bus ride and tip for the bus driver. Attached you will find the proposed budget.**

Yesterday, the JC CVB Board voted to fund us with \$1,000.00 based on the contingency that the JC Commission and the JC Development Authority contribute the same amount.

Attached you will also find the original plan for the day. More logistics will be planned when we receive a final head count, which we are hoping for next week. This will depend on whether the bus is covered or not. We are hoping to have 75 people in attendance. The bus seats 54 people and some people will be driving out on there own.

Thank you very much for your consideration and consistent encouragement!

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

For the betterment of Jefferson County and Jefferson County Day at the Capitol, I am asking that the Jefferson County Commission make a motion to contribute \$1,000.00 to match the contribution of a \$1,000.00 contributed by the JC CVB and the JC Development Authority (decision of the DA is pending until their next Board Meeting) to cover the bus and any incidentals that may arise during the trip.

(Yesterday, January 5, 2011, the JC CVB Board voted to fund Jefferson County Day with \$1,000.00 based on the contingency that the JC Commission and the JC Development Authority contribute the same amount.)

Attachments:
C—Below

County Days are part of a WV State offering, where each county in WV is given the opportunity to share what their county has to offer in an exhibit, in the rotunda of the Capitol building. It gives organizations from around Jefferson County the opportunity to share their information and gain information from other legislators around the state and to see what other counties have to offer.

Jefferson County will have its first opportunity to exhibit on February 21, 2011 and will be sponsored by the organization, *West Virginia Communication Outreach of Jefferson County*. Last February, WVCOJC had a Citation passed in the WV House of Delegates and a Resolution passed in the WV State Senate, recognizing the formation of Jefferson County Day in February.

Five categories will be represented during Jefferson County Day and five Co-Chairs chairing their own sub-committees (teams) in the area they represent.

Arts & Humanities -- Paul Pritchard, President of AHA!
Nancy McKeithen | nm@nancymckeithen.com

Businesses -- Heather Morgan, Director of Jefferson County Chamber of Commerce

Economic Development -- Whitney Burch, Research Assistant for Jefferson County

Educational/University Systems -- Susan Wall, Superintendent of Jefferson County Schools
Susan Sowers -- ssowers@access.k12.wv.us Patrick Blanc -- pblanc@access.k12.wv.us

Tourism & Cultural Heritage -- Cheryl Keyrouze, Director of Shepherdstown Visitors Center

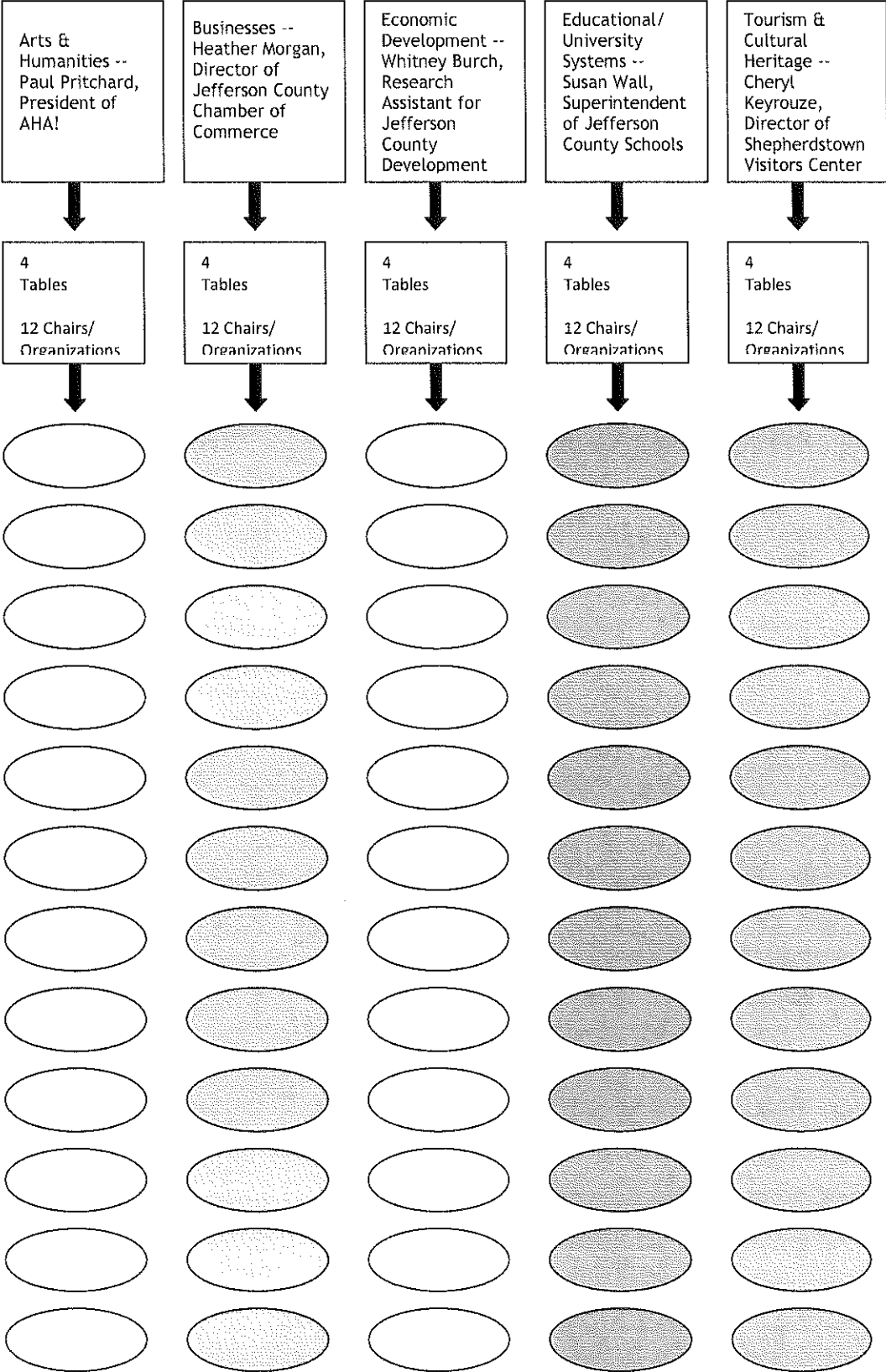
Like most exhibits, we will offer informational tables to share what our County has to offer. There will be a short video introducing our County preceding a few words from our State and County Representatives. We will be able to meet with Legislators from around the State as well as our Governor and sit in on some committee meetings that we might be interested in attending. I believe there will be resolutions passed in recognition of Jefferson County Day 2011.

We will also be offering some form of lunch – not yet decided.

Each Category is offered 4 tables and 12 chairs. Each organization will pay a small fee to help defray the cost of rentals, set-up and break down. People will be responsible for his or her own travel costs as well as their hotel rooms and meals. Given the number of people involved, we are hoping to rent a bus as well as getting a group rate on hotel rooms.

Each Co-Chair has the ability and freedom to plan how they would like to display their category that they represent with their own chosen team.

**Jefferson County Day
At The Capitol
Charleston, WV
February 21, 2010**



The chart exhibited above shows each Co-Chair will have 12 people who will be committed to Jefferson County Day at the Capitol.

1. Publicity for Local Media

Original press release -- Beginning of January 2011
Press conference on plan -- Mid January
Update releases -- End January / Beginning February
Invite press on bus departure for Charleston
Invite press for a discussion after our arrival back home

2. Agenda for Jefferson County Day

10AM Set-up booths on second floor / Senate side of the Rotunda in the Capitol Building
11AM -- 11:45AM Movie Short of Jefferson County (by Rob Perks of Channel 18) and State / County Elected Officials Speak
12PM Lunch
2:30PM Break Down

3. Committee Meetings and Meetings with Representatives

On-Going

Education
Finance
Health and Human Resources
Judiciary
Government Organization
Political Subdivisions

4. Equipment Costs

Chairs	\$1.00
Tables	\$5.00
Podium	\$5.00
Set-up per hour	\$25.00
Break-down per hour	\$25.00

5. Stationary Mailing Costs

Invites to Legislators, Dept. Heads, and Staff Members.
Two separate emails suggesting to keep an eye out for invites to be coming in the mail soon, and then a hard copy will be mailed out with a follow-up email as a reminder.
Thank you notes go out to all legislators after our visit.

The Governor & 134 Officers and Members of
the West Virginia State Senate
and House of Delegates

6. Transportation

A full bus would be 54 people and in this scenario the cost would be between \$45--\$50. The min. number would be 35 people and the cost per person would be around \$70.

7. Hotels

Group rate (50 people) for the Marriott would be about \$104 and they offer a small breakfast.

8. Meals

On own

9. Follow-up meeting

March 7, 2011 Place to be announced

10. Misc.

Gift giveaways

Jefferson County Day at the Capitol

Charleston, WV

February 21, 2010

Hotel

Charleston Marriott Town Center

200 Lee Street East

Charleston, WV 25301

<http://www.marriott.com/hotels/travel/crwwv-charleston-marriott-town-center/>

Phone: 304.345.6500

Hotel charge is at a group rate of \$104.00 + 12% Tax (\$12.48) = \$116.48 per room and this includes breakfast.

Bus

Schrock Travel

220 Imboden Drive

Winchester, VA 22603

<http://www.schrocktravel.com/>

Phone: 800.336.3953

Charter Services: Bob Sheeler 800.562.3048 /email bob@schrocktravel.com

Bus charge is \$2300.00 (2 days) and bus seats 54 people.

(Detailed Destinations only provides enough seats for 20 people if the passengers have luggage. This would mean we would have to charter two buses at the cost of \$2800.00 and Schrock is \$2300.00)

Administration Fees

75 Chairs @ \$1.00	\$75.00
25 Tables @ \$5.00	\$125.00
1 Podium @ \$5.00	\$5.00
Set-Up/Break-Down \$25.00 for Each	\$50.00
Postage 300 Stamps @ .44¢ Each	\$132.00
Invites/ Thank You Notes \$6.50 for Pkg of 20.	
(300/20=15Pkgs 15x\$6.50=\$97.50+7% tax=\$104.33 rounded to the next dollar)	<u>\$105.00</u>

Total Administration Fees \$492.00

Based On 35 People

Bus per Person	\$66.00
Hotel Room per Person	\$116.48
Admin Fees per Person	<u>\$14.00</u>
	\$196.48
Food and Beverage (Two Dinners)	<u>\$50.00</u>
Total per Person	\$246.48

Without Bus Charges	\$180.48 PP
Without Bus and Hotel Charges	\$64.00 PP
Without Bus, Hotel and Admin Fees	\$50.00 PP

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Based On 50 People

Bus per Person	\$46.00
Hotel Room per Person	\$116.48
Admin Fees per Person	<u>\$14.00</u>
	\$176.48
Food and Beverage (Two Dinners)	<u>\$50.00</u>
Total per Person	\$226.48

Without Bus Charges	\$180.48 PP
Without Bus and Hotel Charges	\$64.00 PP
Without Bus, Hotel and Admin Fees	\$50.00 PP

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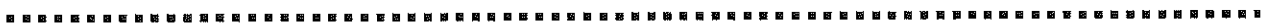
Based On 75 People

Bus per Person	\$31.00
Hotel Room per Person	\$116.48
Admin Fees per Person	<u>\$14.00</u>
	\$161.48
Food and Beverage (Two Dinners)	<u>\$50.00</u>
Total per Person	\$211.48

Without Bus Charges	\$180.48 PP
Without Bus and Hotel Charges	\$64.00 PP
Without Bus, Hotel and Admin Fees	\$50.00 PP

- Steering Committee Volunteer Hours*
- Copy Paper Used*
- Copier Ink*
- Publicity/Public Relations*
- Food for Participants*
- Rob Perks Video *Discover Jefferson County**
- Giveaways*

* No Charge



West Virginia Communication Outreach of Jefferson County

West Virginia Communication Outreach of Jefferson County is an all-volunteer, non-political, non-partisan, non-denominational outreach organization structured to help benefit and increase the communications between Jefferson County residents, local governments and West Virginia state government through fact-finding and information-sharing. West Virginia Communication Outreach of Jefferson County members will make regular trips to Charleston, support our elected officials, and be dedicated to the people of Jefferson County while developing and cultivating good relationships around our state.

The group's objectives are:

1. Develop and continue to nurture an ongoing direct relationship between the residents of Jefferson County and the state of West Virginia.

2. Share information and concerns, likes and dislikes of the people from Jefferson County within both the county and state.
 3. Hold monthly local meetings, taking turns at different venues around Jefferson County.
 4. Develop a large enough organization in order that smaller groups will be able to take turns in making regular trips to Charleston.
 5. Meet with West Virginia state legislators and develop relationships between counties to optimize our strengths and strengthen our weaknesses.
 6. Sit in on West Virginia state committee meetings that pertain to Jefferson County.
 7. Collect and disseminate information to the residents of Jefferson County through local governments, the media and other outlets.
 8. Hold an annual dinner to host our governor of West Virginia.
 9. Host Jefferson County Day, annually, at the Capitol in Charleston.
- The first line of order for West Virginia Communication Outreach of Jefferson County will be planning and collaborating with other Jefferson County organizations for Jefferson County Day 2011.

Commission Office Use Only

Date on Agenda: 1-13-11

Appt Time or New Business: 10:30 AM

#4

AGENDA REQUEST FORM

Name: Amy Owen, Executive Director

Department or Entity: Eastern West Virginia Community Foundation

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: January 13, 2011

Date Requested – 2nd Choice: _____

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

Subject: How the Community Foundation might serve Jefferson County's Public Funds and its charitable support

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:

Commission Office Use Only

Date on Agenda: 1-13-2011

Appt Time or New Business: 11:00 am

#6

AGENDA REQUEST FORM

Name: Jennifer Brockman

Department or Entity: Departments of Planning and Zoning

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1st Choice: 12/9/10

Date Requested – 2nd Choice: 12/16/10

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

Subject: **2011 Public Hearings**

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

As the County Commission is aware, the Planning Commission and staff have a number of proposed amendments to the Zoning Ordinance and Subdivision Regulations that are being undertaken over the next 12 months. While the Planning Commission is doing outreach and holding their own public hearings for each of these, the County Commission has generally also held an evening Public Hearing on these types of ordinance amendments. In order to prevent a situation in which the Planning Commission is coming repeatedly and asking the County Commission to schedule a Public Hearing for a specific topic, we are wondering if the County Commission would consider the option of pre-setting a series of evening meetings throughout 2011 for the purpose of guiding the PC's work on amendments to these Subdivision Regulations and Zoning Ordinance.

The County Commission has already set a Public Hearing for the evening of January 20, 2011 for the purpose of hearing the Wireless Ordinance Amendment. This is the 3rd Thursday and generally works for the Planning Commission as well. Would the County Commission consider "pre-setting" the 3rd Thursday evening every two months (January, March, May, July, September, November) throughout 2011 for the Planning Commission to use as a guide to work on the various amendments throughout the year? Alternative scenarios could also be considered.

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

Attachments:

#7

<p>Commission Office Use Only</p> <p>Date on Agenda: 01-13-2011 01-13-2011</p> <p>Appt Time or New Business: 11:30 am</p>
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AGENDA REQUEST FORM

Name: Jim Taylor

Department or Entity: Briggs Animal Adoption Center

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1st Choice: 01-13-11 @ 11:30 a.m. (Rescheduled from 11-18-10)

Date Requested – 2nd Choice: _____

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

Subject: Presentation on the operation of Briggs Animal Adoption Center, animal overpopulation in Jefferson County and human education.

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:

#8

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>1-13-2011</u></p> <p>Appt Time <u>or New Business</u></p>

AGENDA REQUEST FORM

Name: Patricia E. McMillan

Department or Entity: HOME Administrator, City of Martinsburg

Estimation of amount of time needed for appointment: 10 – 15 minutes

Date Requested – 1st Choice: 1-13-2011

Date Requested – 2nd Choice: _____

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

Subject: **Appointment of a representative to fill an unexpired term on the HOME Consortium Council.**

Please provide the County Commission with a description of your request or presentation, including any background information: **Request that the Commission appointment a representative to fill an unexpired term on the HOME Consortium Council, which term ends June 30, 2013.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to approve the appointment of _____ to fill an unexpired term ending June 30, 2013 on the HOME Consortium Council.**

Attachments: **Letter from Patricia E. McMillan and copy of letter from Sandra Slusher McDonald Deputy County Administrator.**



CITY OF MARTINSBURG
WEST VIRGINIA

232 NORTH QUEEN STREET
P.O. BOX 828
MARTINSBURG, WEST VIRGINIA 25402
(304) 264-2131
Telecopier (304) 264-2136

December 30, 2010

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

Re: Appointment to HOME Consortium Council

Dear President Widmyer:

I want to thank the Jefferson County Commission for its ongoing support and participation in the Eastern Panhandle HOME Consortium over the past four years.

With the untimely demise of Mr. Terry Marcus, Jefferson County has one representative vacancy, with a term ending June 30, 2013 (see attached letter of appointment).

I am requesting that the Commission appoint a representative to fill the unexpired term on the HOME Consortium Council. The Council's next meeting will be April 20, 2011.

Thank you for your consideration of this request.

Best wishes for a happy and prosperous new year.

Sincerely,

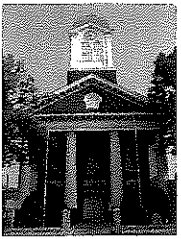
Patricia E. McMillan
HOME Administrator

Cc: Commissioner Dale Manuel, HOME Consortium Council representative
Mrs. Katie See, HOME Consortium Council representative

RECEIVED

JAN - 3 2011

Jefferson County Commission



THE COUNTY COMMISSION OF JEFFERSON COUNTY

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

Phone: 304/728-3284

www.jeffersoncountywv.org

Fax: 304/725-7916



May 7, 2010

Patricia E. McMillan
Community Development Director
City of Martinsburg
232 North Queen Street
Martinsburg, WV 25401

Dear Ms. McMillan:

At a regular meeting of the County Commission of Jefferson County, Thursday, May 6, 2010, the Commission voted to reappoint Katie See, Terry Marcus and Dale Manuel to the HOME Consortium Council for a three year term ending June 30, 2013.

Please feel free to contact me if you have any questions or need anything additional.

Sincerely,

Sandra Slusher McDonald
Deputy County Administrator

#9

Commission Office Use Only
Date on Agenda: <u>1/13/11</u>
Appt Time or New Business: _____

**JEFFERSON COUNTY COMMISSION
AGENDA REQUEST FORM**

Name: Jeffrey A. Polczynski, ENP – Director of Communications

Department or Entity: Emergency Communications

Estimation of amount of time needed for appointment: N/A

Date Requested – 1st Choice: 1/13/2011

Date Requested – 2nd Choice: _____

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

Subject:
Appointment of Full-Time Public Safety Dispatcher to fill new vacancy in 9-1-1 Center

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

The emergency communications center received the resignation of a public safety dispatcher with his last day as 1/4/2011. This appointment fills the vacated position.

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

Motion to approve the employment of Sabrina Vasquez as a full-time Public Safety Dispatcher II at Grade III, Step A, in the Emergency Communications Center with a starting date of January 31, 2011.

Attachments:

JEFFERSON COUNTY

Personnel Requisition

Department Name Emer. Communications Date 1/3/2011 Date Needed Immediately

Job Title Public Safety Dispatcher Salary \$35,152 Criminal History Check Yes No

Suggested Recruitment Source(s) N/A

Applicants Interviewed By Oral Board & Comm. Director Position Reports To Supv Pub. Safety Disp.

Minimum Education Required High School Diploma - See Job Desc.

Minimum Experience Required See Job Desc.

Job Duties 9-1-1 Dispatcher - See Job Desc.

Budget Information

Addition Replacement Explain or For Whom Resignation of Robert Amick

Position Budgeted Yes No Proposed Salary \$35,152 (Grade III Step A) Date of Hire 1/31/2011

Is Position: Full-Time Regular Part-Time On-Call Occasional Temporary

Safety/Security _____ Hours Per Week 40

Approvals

Elected Official Approval _____ Date _____

Department Head Approval  _____ Date _____
Digitally signed by Jeffrey A. Polczynski, ENP
DN: cn=Jeffrey A. Polczynski, ENP, o=Jefferson County
Emergency Communications, ou
email=jpolczynski@jco1010.co.jeffersoncounty.wv.org, c=US
Date: 2011.01.03 12:10:29 -0500

County Commission Approval _____ Date _____

Comments Conditional Job Offer to Sabrina Vasquez made on 12/28/2010 for this position

#10

Commission Office Use Only
Date on Agenda: <u>1/13/11</u>
Appt Time of <u>New Business</u> :

AGENDA REQUEST FORM

Name: Sandy McDonald

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: January 13, 2011

Date Requested – 2nd Choice: _____

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

Subject: Contract of Lease - Department of Health and Human Resources

Please provide the County Commission with a description of your request or presentation, including any background information: Contract Lease - Rental Approximately 2,878 square feet of space, consisting of 15 rooms in that building known as the Bardane Public Health Center

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Motion to approve the contract of lease for the Bardane Public Health Center \$6.50 annual per square foot rate (\$1,559.00) monthly

Attachments:

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
REAL ESTATE DIVISION
1409 Greenbrier Street
Charleston, West Virginia 25311

Earl Ray Tomblin
Governor

Robert W. Ferguson, Jr.
Cabinet Secretary

December 27, 2010

Charles D. Lawrence, Jr.
Executive Director

**County Commission of Jefferson County
Administrator's Office Attn: Sandy
P. O. Box 250
Charles Town, WV 25414**

RE: HHR-152-811

Dear Lessor:

The attached contract of lease has been prepared in response to the **Department of Health and Human Resources** request for an contract of lease and in accordance with the provisions of Chapter 5A, Article 3 of the West Virginia code, as amended.

After you have reviewed, approved and executed the attached, please return both documents to:

**State of West Virginia
Department of Administration
Real Estate Division
1409 Greenbrier Street
Charleston, West Virginia 25311**

The Executive Director of the Real Estate Division will execute the agreement on behalf of the State of West Virginia. After the contract of lease is approved by the State Attorney General, copies will be distributed to you, as Lessor; the State Auditor's Office; and the agency named as Tenant in the lease.

A signed monthly invoice should be submitted to the Tenant no later than the 12th day of each month for the current month's rent in order to provide adequate time for the agency to process your rent check. If you prefer, invoices for several months in advance may be submitted at one time. Please process invoices for a new lease by mailing invoices to:

**Department of Health and Human Resources
Building 3, Room 201
Charleston, WV 25305**

Since the new rent cannot be paid until the contract of lease is fully processed, we request your prompt attention to these matters. If you have any questions or comments, please contact the Real Estate Division at the address shown or by telephone at 558-3062.

Sincerely,



Regina Reynolds

cc: Greg Nicholson
Telephone: (304) 558-3062

E.E.O./AFFIRMATIVE ACTION EMPLOYER

Fax: (304) 558-8082

CONTRACT OF LEASE

DEC 10 2010

OPERATIONS

THIS CONTRACT OF LEASE, made December 7, 2010, by and between County Commission of Jefferson County, hereinafter referred to as "Lessor," and the STATE OF WEST VIRGINIA, by the Department of Administration, Real Estate Division, hereinafter referred to as "Lessee".

WHEREAS, pursuant to West Virginia Code, §5A-10-5, as amended, a Chief Executive Officer of the Department of Health and Human Resources, certifies that the space herein leased is necessary for the proper function of this department, and that satisfactory space is not available in other buildings now owned or leased by the State; and,

WHEREAS, the Department of Administration, Real Estate Division by executing this Contract of Lease, hereby leases the premises for use by the Department of Health and Human Resources, hereinafter referred to as "Tenant".

NOW THEREFORE, THIS CONTRACT OF LEASE WITNESSETH:

That for and in consideration of the full and complete performance of the covenants, terms, and conditions hereinafter set forth, the Lessor hereby leases unto the Lessee, for use by the Tenant, the following described Premises:

Approximately 2,878 square feet of space, consisting of 15 rooms in that building known as the Bardane Public Health Center at Bardane, Jefferson County, West Virginia, together with adequate parking facilities. (hereinafter referred to as the "Premises").

The parties hereto covenant and bind themselves as follows:

(1) TERM AND NOTICES

The term of this Contract of Lease, subject to the provisions hereof, shall begin on September 1, 2010, and end at midnight on August 31, 2011. This Contract of Lease shall be considered renewed for each ensuing fiscal year during the term of the Contract of Lease unless it is canceled by the Lessee before the end of the then current fiscal year.

Notices may be given by personal service upon the party(s) entitled to such notice, or by certified mail, duly stamped and directed to the last-known address of the party to be notified, and deposited in the post office. The proper mailing of such notice and not the receipt thereof shall constitute the giving of such notice by either party to the other. Notices shall be directed as follows:

To the Lessee

State of West Virginia
Department of Administration
Real Estate Division
1409 Greenbrier Street
Charleston, WV 25311

To the Lessor

County Commission of Jefferson County
Administrator's Office Attn: Sandy
P. O. Box 250
Charles Town, WV 25414

(2) RENT

The Lessee covenants that the Tenant shall pay unto the Lessor as rent for the premises, the sum of ONE THOUSAND, FIVE HUNDRED FIFTY-NINE DOLLARS (\$1,559.00) PER MONTH (\$6.50 annual per square foot rate) payable upon receipt of invoice from Lessor to the Tenant and payable on the first day of every month for the preceding month during the term of this Contract of Lease.

(3) UTILITIES AND OTHER RELATED SERVICES

The Lessor agrees to provide, at no additional cost to the Tenant, all utilities and janitorial services required by the Tenant for its proper use of the leased Premises.

(4) MAINTENANCE

Lessor binds itself to maintain the premises, including the structure of the premises, both interior and exterior; and the fixtures and equipment, which includes, but is not limited to changing of the lighting tubes and HVAC filters, but excludes fixtures and equipment as may be owned by Tenant; and the interior and exterior painting in a good and tenantable condition equal to that of the premises as at the time possession thereof is delivered to the Tenant. If Lessor fails to maintain the interior and exterior structure of the premises, and the electrical and plumbing fixtures and equipment owned by Lessor in a good tenantable condition of repair, the Tenant shall request the Lessor, in writing, to correct any deficiency which may have occurred since possession of the premises by the Tenant, provided, however, such deficiency was not caused by the neglect or acts of the Tenant. Upon refusal or neglect of Lessor to comply with Tenant's request for the repair or reinstatement of previously-existing conditions, Tenant may, thirty (30) days after receipt of such request by the Lessor, cause the repairs to be made and deduct the costs and expense thereof from the rents which may become due and payable thereafter to the Lessor until the Tenant is fully reimbursed therefore.

(5) TAXES AND ASSESSMENTS

The lessor will pay taxes and assessments levied on the subject premises during the term of this Contract of Lease.

(6) FIRE AND HEALTH HAZARDS

The Lessor will remove and correct any fire or health hazards not caused by the neglect or acts of the Tenant, its agents, employees or servants which any public authority may order corrected or removed during the term of this Contract of Lease. Upon refusal or neglect of Lessor to comply with any such order, the Tenant may comply therewith and deduct the costs from monthly rentals payable thereafter to the Lessor until the Tenant is fully reimbursed therefor.

(7) SUITABILITY OF PREMISES

Lessor warrants the premises to be suitable for use as a State facility and for the conduct of Tenant's business, and that there shall be no liability on the part of the State of West Virginia, its officers, agents or employees for any loss or damage to the leased premises, whether caused by overloading the floors with equipment or otherwise installing fixtures and equipment commonly used in office space, nor any liability on any individual by virtue of any of the provisions of this Contract of Lease.

(8) TRANSFER OR ASSIGNMENT OF LEASE

The Lessee agrees not to transfer or assign this Contract of Lease, or sublet the subject premises without the written consent of the Lessor except, however, the Lessee may, at its option, reassign this Contract of Lease and the space leased herein to another State agency other than the tenant named herein, with all other terms and conditions remaining the same throughout the remainder of the term of the Contract of Lease.

(9) NEGLIGENCE OF PREMISES

The Lessee covenants that the Tenant shall not commit waste on the premises herein leased, and that the premises will be returned to the Lessor at the termination or cancellation of this Contract of Lease in substantially the same condition as at the commencement thereof, damages from natural elements, wear and tear excepted.

(10) DEFAULT BY LESSEE

In the event Lessee and/or Tenant defaults in any of the covenants contained herein, the Lessor shall notify the Lessee, in writing, of such default and if such default is not corrected within sixty days after receipt of notification, the Lessor may notify Lessee that the Contract of Lease is terminated, and reenter the premises herein leased.

(11) DAMAGE TO PREMISES BY FIRE, ETC.

It is agreed by and between the parties hereto that in the event the premises are destroyed or damaged by fire, natural elements, or other cause to such an extent that continued occupancy by the Tenant would be impractical, the Lessee shall give immediate notice thereof to the Lessor, in writing, and this Contract of Lease shall terminate. If only a part of the premises shall be rendered untenable, leaving the remainder suitable for use, the rental shall be proportionately abated until the premises have been repaired. The Lessor shall have five (5) days from receipt of such notice to decide whether or not to repair the premises. Any repairs undertaken must be completed within a reasonable length of time after Lessor's decision. Should Lessor decide not to repair the premises, this Contract of Lease shall terminate, and Lessee shall deliver possession of the premises to the Lessor and thereupon be relieved of any and all liability hereunder or concerning the premises except for any unpaid rent through the final day of occupancy.

(12) PROVISIONS FOR IMMEDIATE TERMINATION

It is further agreed by and between the parties hereto that this Contract of Lease shall be considered canceled, without further obligation on the part of the Lessee, if the State Legislature or the Federal Government should subsequently fail to appropriate sufficient funds therefor, or should otherwise act to impair this Contract of Lease or cause it to be canceled (5A-10-5(2), West Virginia Code), or in the event it shall become unlawful to maintain a State facility on leased premises. In any event aforementioned, the Lessee may immediately redeliver possession of the premises to the Lessor and thereupon be relieved from any and all obligations hereunder or concerning the premises except for rent accruing prior to such date of redelivery.

(13) QUIET ENJOYMENT OF PREMISES

The Lessor covenants that at the date of this Contract of Lease, Lessor was seized of said premises as the sole owner(s) thereof, in fee simple, free of all liens, encumbrances and any outstanding interests whatsoever and that upon payment of the rentals as hereinbefore set forth, it will warrant and defend the title of Lessee against any and all claims whatsoever, not arising hereunder, during the term of this Contract of Lease; that the Tenant shall, at all times during the term of this Contract of Lease, peaceably and quietly have, hold, and enjoy the said leased premises.

(14) CANCELLATION OF LEASE

It is further agreed by and between the parties hereto that the Department of Administration, Real Estate Division, as Lessee, shall have the right to cancel this Contract of Lease, without further obligation on the part of the Lessee, upon giving thirty (30) days' written notice to the Lessor, such notice being given at least thirty days prior to the last day of the succeeding month [see West Virginia Code § 5A-10-5(1)].

(15) REMOVAL OF MACHINERY AND EQUIPMENT

It is understood and agreed that all machinery and equipment installed by the Tenant, or placed upon the leased premises incident to Tenant's business, whether annexed to the freehold or not, shall remain the personal property of the Tenant, and Tenant shall have the privilege and right to remove same at any time during the term of this Contract of Lease provided the premises are restored to as good condition as existed prior to installation of said machinery and equipment, reasonable wear and tear excepted.

(16) STRUCTURAL OR OTHER CHANGES TO PREMISES

In the event the Tenant requires structural or other changes in said premises to improve the use and efficiency of same, and if said changes are approved by the Secretary of the Department of Administration, Real Estate Division, and if said changes are completed by Lessor at its cost and expense, the Lessee agrees to reappraise and renegotiate this Contract of Lease to arrive at a fair rental value, if warranted.

(17) HEADINGS

The headings to the various paragraphs of this Contract of Lease have been inserted for reference only and shall not in any manner be construed as modifying or amending in any way the express terms and provisions hereof.

(18) SEVERABILITY

Any provisions of this Contract of Lease found to be prohibited by law shall be ineffective to the extent of such prohibition without invalidating the remainder of this Contract of Lease.

(19) ACCESSIBILITY REQUIREMENTS

The Lessor hereby agrees that any renovations made within the space herein leased shall comply with the accessibility standards established and set forth by the Americans with Disabilities Act of 1990, whether requested by the Lessee or required by law.

IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed to this contract of Contract of Lease.

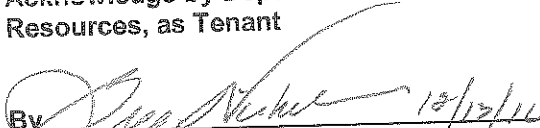
County Commission of Jefferson County, Lessor

By _____
Francis B. Morgan, Commission President

STATE OF WEST VIRGINIA, Lessee

By _____
**Carolyn L. Thomas, Business and Portfolio
Manager of the Department of
Administration, Real Estate Division for and
on behalf of the Department of Health and
Human Resources**

**Acknowledge by Department of Health and Human
Resources, as Tenant**

By  12/17/10
Greg Nicholson, Chief of Operations

STATE OF WEST VIRGINIA
COUNTY OF _____, TO-WIT:

I, _____, a notary public in and for said county and state aforesaid, do hereby certify that **Francis B. Morgan**, who as **Commission President** signed the foregoing Contract of Lease for County Commission of Jefferson County a, has this day, in my said county, before me, acknowledged the said Contract of Lease to be the act and deed of the said.

Given under my hand this _____ day of _____, 2010.

My commission will expire _____.

NOTARY PUBLIC

STATE OF WEST VIRGINIA
COUNTY OF Jefferson, TO-WIT:

I, _____, certify that I am Clerk of the County Commission of Jefferson County, the County Commission named as Lessor in the foregoing Contract of Lease; that _____, who signed said Contract of Lease on behalf of the lessor, was then President of said County Commission; that said Contract of Lease was duly signed for and in behalf of said Commission by authority of its governing body, and within the scope of its powers.

By _____
County Clerk

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA TO-WIT:

I, _____, a notary public in and for said county and state aforesaid, do hereby certify that **Carolyn L. Thomas**, who as **Operations Manager for the Department of Administration, Real Estate Division**, signed the foregoing Contract of Lease for the State of West Virginia, has this day, in my said county, before me, acknowledged the said Contract of Lease to be the act and deed of the said.

Given under my hand this _____ day of _____, 2010.

My commission will expire _____.

NOTARY PUBLIC

Approved as to form this _____ day of _____, 2010. Darrell V. McGraw, Jr., Attorney General

By _____, Assistant Attorney General

Access\Lea\County\HHR152 rr

11

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

AGENDA REQUEST FORM

Name: Dale Manuel

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: January 13, 2011

Date Requested – 2nd Choice: _____

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

Subject: Funding for copier for Parks and Recreation

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:



State Auditor's 2011 Budget Preparation Regional Workshop

State Auditor Glen B. Gainer III, through his Local Government Services Division, is pleased to announce regional Budget Preparation Workshops for both county and municipal governments at convenient locations throughout West Virginia. These workshops will offer hands-on training dedicated to the basics of local government budget preparation in relation to preparing, approving and adopting a budget. Other related topics will include budget revisions, property tax rates and special excess levies.

City	Type	Workshop Date/Time	Location	Deadline
Clarksburg	County	Feb. 3, 1:30 pm-4:30 pm	Auditor's Office, Clarksburg 200 West Main Street - (304) 627-2415	January 31
Charleston	County	Feb. 8, 1:30 pm-4:30 pm	Marriott Hotel, Charleston 200 Lee Street, East - 304-345-6500	February 3
Martinsburg	County	Feb. 16, 9:00 am-12:00 pm	Holiday Inn, Martinsburg 301 Foxcroft Avenue, (304) 267-5500	February 10
Wheeling	County	Feb. 25, 9:00 am-12:00 pm	SpringHill Suites, Wheeling 908 National Road - (304) 232-8903	February 21

Note: At least ten participants must register for a workshop or we may be forced to cancel.

Detach and return the registration form below no later than the deadline for the specific workshop. For questions concerning the content of the workshops contact: Ora Ash, (304) 627-2415, ext. 5114 Email: ora.ash@wvsao.gov

2010 BUDGET PREPARATION REGIONAL WORKSHOP Free to attend, but you must register!

Mr Mrs Ms _____ City of: _____

Mailing Address: _____

Telephone: _____ Fax: _____

Mail to: Karen Drain, Admin. Support
Budget Prep. Regional Workshop
200 West Main Street
Clarksburg, West Virginia 26301

FAX TO: 304-627-2417

<input type="checkbox"/> Clarksburg, February 3	<input type="checkbox"/> Martinsburg, February 16
<input type="checkbox"/> Charleston, February 8	<input type="checkbox"/> Wheeling, February 25

If unable to attend after registering, please call our office at 304-627-2415 to cancel.



SAVE THE DATE!

"TEAM COUNTIES"

FEBRUARY 6-8, 2011

TEAM (*teem*)

-noun

a number of persons associated in some joint action: a *team of advisers*.

-verb

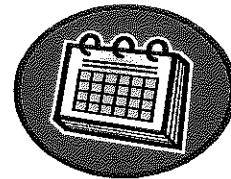
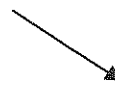
to join together in a team.

-adjective

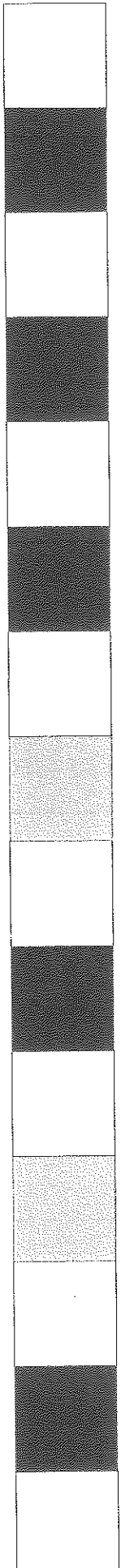
of, pertaining to, or performed by a team: a *team sport*; *team effort*.

—synonyms

combine, unite, ally, merge.



Registration information will be sent in January!



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

Week Ending Date	Week Ending January 1, 2011
To be Deposited on:	January 7, 2011
Amount Played	99,251,053.00
Amount Won	89,109,763.02
Amount Promo	244,336.00
MWAP Contribution	<u>41,385.46</u>
Adjusted Gross Terminal Revenue	<u>9,855,568.52</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>394,222.74</u>
Net Terminal Revenue	<u>9,461,345.78</u>
Surcharge @ 10%	946,134.58
State Share Excess @ 58%	548,758.06
Track Share of Capital Reinvestment @ 42%	397,376.52
Track Share of Capital Reinvestment @ 42% - 96%	\$ 381,481.46
Track Share of Capital Reinvestment @ 42% - 4%	\$ 15,895.06
Adjusted Net Terminal Revenue	<u>8,515,211.20</u>
Racetrack @ 46.50% / 42%	3,576,388.70
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	3,491,236.56
Race Track Purses @ 7% / 14% / 8%	681,216.90
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	42,576.06
Greyhound Development @ .75%	63,864.08
Thoroughbred Development @ .75%	63,864.08
Racing Commission @ 1%	85,152.12
County/Municipality @ 2%	170,304.24
3% Funds:	
Tourism Promotion Fund @ 1.375%	117,084.15
Development Office Promotion Fund @ .375%	31,932.04
Research Challenge Fund @ .5%	42,576.06
Capitol Renovation and Improvement Fund @ .6875%	58,542.08
2004 Capitol Complex Parking Garage Fund @ .0625%	5,322.01
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	42,043.36
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>43,108.76</u>
	<u>8,515,211.20</u>

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	\$ 161,386.76	\$ 161,386.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ 8,682.45	\$ 916.98	\$ 8,813.09	\$ 3,590.06
08/14/10	\$ 156,753.36	\$ 78,376.68	\$ 78,376.68	\$ 9,734.38	\$ 27,086.98	\$ 2,860.75	\$ 27,494.54	\$ 11,200.03
08/21/10	\$ 152,398.04	\$ 76,199.02	\$ 76,199.02	\$ 9,463.92	\$ 26,334.38	\$ 2,781.26	\$ 26,730.62	\$ 10,888.84
08/28/10	\$ 144,920.08	\$ 72,460.03	\$ 72,460.03	\$ 8,999.54	\$ 25,042.19	\$ 2,644.79	\$ 25,418.97	\$ 10,354.54
09/04/10	\$ 152,725.68	\$ 76,362.84	\$ 76,362.84	\$ 9,484.26	\$ 26,391.00	\$ 2,787.24	\$ 26,788.09	\$ 10,912.25
09/11/10	\$ 165,938.72	\$ 82,969.36	\$ 82,969.36	\$ 10,304.79	\$ 28,674.21	\$ 3,028.39	\$ 29,105.65	\$ 11,856.32
09/18/10	\$ 135,277.56	\$ 67,638.78	\$ 67,638.78	\$ 8,400.74	\$ 23,375.96	\$ 2,468.82	\$ 23,727.68	\$ 9,665.58
09/25/10	\$ 140,870.12	\$ 70,435.06	\$ 70,435.06	\$ 8,748.03	\$ 24,342.36	\$ 2,570.88	\$ 24,708.62	\$ 10,065.17
10/02/10	\$ 142,027.72	\$ 71,013.86	\$ 71,013.86	\$ 8,819.92	\$ 24,542.39	\$ 2,592.01	\$ 24,911.66	\$ 10,147.88
10/09/10	\$ 138,623.00	\$ 69,311.50	\$ 69,311.50	\$ 8,608.49	\$ 23,954.06	\$ 2,529.87	\$ 24,314.47	\$ 9,904.61
10/16/10	\$ 150,469.24	\$ 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	\$ 70,290.80	\$ 70,290.80	\$ 8,730.12	\$ 24,292.50	\$ 2,565.61	\$ 24,658.01	\$ 10,044.56
10/30/10	\$ 131,230.08	\$ 65,615.04	\$ 65,615.04	\$ 8,149.39	\$ 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	\$ 21,198.28	\$ 2,238.82	\$ 21,517.24	\$ 8,765.15
11/13/10	\$ 129,190.56	\$ 64,595.28	\$ 64,595.28	\$ 8,022.73	\$ 22,324.13	\$ 2,357.73	\$ 22,660.02	\$ 9,230.67
11/20/10	\$ 112,020.16	\$ 56,010.08	\$ 56,010.08	\$ 6,956.45	\$ 19,357.08	\$ 2,044.37	\$ 19,648.34	\$ 8,003.84
11/27/10	\$ 142,341.80	\$ 71,170.90	\$ 71,170.90	\$ 8,839.43	\$ 24,596.66	\$ 2,597.74	\$ 24,966.75	\$ 10,170.32
12/04/10	\$ 106,430.16	\$ 53,215.08	\$ 53,215.08	\$ 6,609.31	\$ 18,391.13	\$ 1,942.35	\$ 18,667.85	\$ 7,604.44
12/11/10	\$ 93,888.00	\$ 46,944.00	\$ 46,944.00	\$ 5,830.44	\$ 16,223.85	\$ 1,713.46	\$ 16,467.95	\$ 6,708.30
12/18/10	\$ 84,153.52	\$ 42,076.76	\$ 42,076.76	\$ 5,225.93	\$ 14,541.73	\$ 1,535.80	\$ 14,760.53	\$ 6,012.77
12/25/10	\$ 100,900.56	\$ 50,450.28	\$ 50,450.28	\$ 6,265.92	\$ 17,435.62	\$ 1,841.44	\$ 17,697.96	\$ 7,209.35
01/01/11	\$ 170,304.24	\$ 85,152.12	\$ 85,152.12	\$ 10,575.89	\$ 29,428.57	\$ 3,108.06	\$ 29,871.36	\$ 12,168.24
Subtotal	\$ 3,776,028.58	\$ 2,344,046.03	\$ 1,431,982.55	\$ 177,852.22	\$ 494,893.17	\$ 52,267.38	\$ 502,339.46	\$ 204,630.33

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

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
11/20/2010	56,010.08	11/20/2010	56,010.08
11/27/2010	71,170.90	11/27/2010	71,170.90
12/4/2010	53,215.08	12/4/2010	53,215.08
12/11/2010	46,944.00	12/11/2010	46,944.00
12/18/2010	42,076.76	12/18/2010	42,076.76
12/25/2010	50,450.28	12/25/2010	50,450.28
1/1/2011	85,152.12	1/1/2011	85,152.12

Table Game Revenues
FY 2011

Date	Amount
July/Aug 10	154,185.68
Sept. 2010	94,247.84
Oct/Nov 2010	105,903.60

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

2344046.03

354337.12

Nichelle Hosby

From: Anna M Stead [astead@fs.fed.us]
Sent: Wednesday, January 05, 2011 9:28 AM
To: Charles A Root; Shawn L Miller; James Leverett; Ronald E McClure; Gwendolyn L Ford; Kelly O Shannon; simpson.louanne@jobcorps.org; dixonconsultants@aol.com; Rita L Vitiello; sotomayor.benjamin@jobcorps.org; jim@jimsurkamp.net; surkamp@frontier.net; dolphin.derrick@dol.com; jmaghan@jeffersoncountywv.org; kmckeever@wvccc.com; choicestaffdw@verizon.net; mgrove@wvccc.com; Joyce Twigg; Earthene Sibley; jsmalls@fs.fed.us; ascott; christina.m.lundberg@wv.gov; jessica-liptak@nps.gov; richard-gladden@nps.gov; hfmayor@aol.com; garntz@telamon.org; uwepdci@comcast.net; rbritner@wvccc.com; asburyumc@comcast.net; monroeburger@aol.com; ora_dixon@fws.gov; melinda_day@nps.gov; mdousette@deleontech.com; erikaevj@hotmail.com; chamber@jeffersoncounty.com; hfrye@shepherd.edu; richard_gladden@nps.gov; kevin.goodrow@usarec.army.mil; nancy.hamilton3@va.gov; billh1108@aol.com; dhartley@easternpanhandlebuilders.org; jehoadley@gmail.com; erikaevi@hotmail.com; jkesner@journal-news.net; dan.lutz@gmail.com; bob.macphil@gmail.com; Mcintosh@byrd.senate.gov; rita.milhalik@nps.gov; melnines@earthlink.net; rprice@wvregion7wib.org; prego3@hotmail.com; peggy_sandretzky@nps.gov; eugene.shultz@vec.virginia.gov; wsmith@shepherd.edu; sstankorb@corpsnetwork.org; tjvanmeter@wvregion7wib.org; mwalker@wvccc.com; cleaningbymanuel@aol.com; intern@hello_wv.com; cucuzzellam@rcbhsc.wvu.edu; taycock@access.k12.wv.us; lscott@blueridgecenter.org; gettaholdofme@gmail.com; bssrdd@berkeleyseiorservices.org; lbednarski@oxpaperboard.com; genet_25414@yahoo.com; info@4pillarchurch.org; nhosby@jeffersoncountywv.org; mschiavone@jeffersoncountywv.org
Subject: Announcement and Meeting!

Hello and Happy New Year!

Harpers Ferry Job Corps is sad to announce the resignation of Clark Dixon as the Community Relations Council Chairman.

Clark has served many years as the Chairman for our group of community members and Job Corps staff. He has performed many wonderful tasks as our leader and has been instrumental in helping connect our students to the community. Clark has helped Harpers Ferry Job Corps staff and students accomplish numerous educational goals while keeping things fun for the students.

Mr. Dixon will continue to serve on our council as a member. He will be helping our team connect students to various environmental educational events throughout the year! We are pleased to still have his incredible knowledge and support! Many thanks to Clark for his services throughout the years!

With the recommendation of Clark Dixon, several staff members here at Harpers Ferry Job Corps, and some community members, Harpers Ferry Job Corps would like to announce the reappointment of Gene Taylor as the new CRC chairman!

Gene had served as the CRC Chairman for 10+ years in the past. He is retired from 3M and the AirNational Guard!

Gene has proven through many years of service (in leadership, and as a member of the CRC), that he is committed to helping Job Corps students advance their education and develop life long skills needed to be productive citizens in their communities. We welcome him and his ideas for a great 2011 school year!

Please join us in welcoming him at our next Community Relations Council meeting. The meeting will be Thursday Jan 27th at 11:00am at the Center. Lunch will be served!

Anna M. Stead
Business Community Liaison

Work Based Learning Coordinator
Harpers Ferry Job Corps Civilian Conservation Center
146 Buffalo Drive
Harpers Ferry, WV 25425
Office: 304-724-3463
Cell: 540-836-8274
Fax: 304-728-8200
email: astead@fs.fed.us

**TO: ALL MEMBERS of the WEST VIRGINIA ASSOCIATION OF
COUNTIES**

FROM: PATTI HAMILTON



**THE COUNTY LEGISLATIVE LINE
Friday, January 7th, 2011
Happy New Year!**

Capitol Quotes:

*"I would be very pleased to help in sponsoring this much needed
legislation." Senator Bill Laird, a WVACO past president agreeing to*

**TO: ALL MEMBERS of the WEST VIRGINIA ASSOCIATION OF
COUNTIES**

FROM: PATTI HAMILTON



**THE COUNTY LEGISLATIVE LINE
Friday, January 7th, 2011
Happy New Year!**

Capitol Quotes:

"I would be very pleased to help in sponsoring this much needed legislation." Senator Bill Laird, a WVACO past president, agreeing to sponsor our compensation statute "clean-up" bill to get rid of old salary schedules and archaic language.

"It's a new day in West Virginia." Senator Jeff Kessler speaking on MetroNews about the upcoming leadership changes in the Senate.

"I don't think there's been any chaos at all." Governor Tomblin in a press statement regarding the transition from his role as Senate President to Governor

Notice: The premiere of "A Living Monument – West Virginia's Historic Courthouses" has been postponed due to post-production technical issues with the production company. Originally scheduled for Jan. 11th, it will be rescheduled after the producer checks with our partner, WV PBS.

The session begins Wednesday, Jan. 12th. Governor Tomblin's State of the State address will be delivered that evening, beginning the first session of the 80th Legislature. During the session, look for your "Friday Fax" which will also be sent out by email on our group listserves. Other communications will be sent as needed.

Acting Governor Tomblin has been Senate President since 1992 so many

lobbyists, legislators, and staff have no memory of a Senate over which he did not preside. On Wednesday, January 12th, that is expected to change with the election of Senator Jeff Kessler as Acting Senate President, pursuant to a change in Senate rules to authorize the election and the title. Senator Kessler has already made the following leadership assignments:

Finance Committee – Chairman Roman Prezioso, Marion (replacing Senator Helmick), Vice Chairman Doug Facemire, Braxton

Judiciary Committee – Chairman Corey Palumbo, Kanawha (replacing Senator Kessler); Vice Chairman Mark Wills, Mercer

Health & Human Resources – Chairman Ron Stollings (replacing Senator Prezioso), Boone; Vice Chairman Dan Foster, Kanawha

Education – Chairman Bob Plymale, Wayne; Vice Chairman Erik Wells, Kanawha (no changes)

Government Organization – Chairman Herb Snyder (replacing retired Senator Bowman), Jefferson; Vice Chairman Mike Green, Raleigh

Leadership Team:

Majority Leader John Unger, Berkeley (replacing Senator Chafin)

Majority Whip Richard Browning, Wyoming

President Pro Tem Brooks McCabe, Kanawha

Governor Tomblin has announced the formation of a working group to develop a proposed constitutional amendment to create the position of lieutenant governor in West Virginia. The proposal is for future vacancies and will not impact the current succession issue that will be heard by the Supreme Court on Tuesday, Jan. 11th.

Look for our Legislative Priorities booklet from the WV Association of Counties in the mail next week and follow the Legislature by keeping up with our fax and email communications. The legislative web site is an excellent resource:

www.legis.state.wv.us

Legislative Calendar 2011

First Day – January 12, 2011 (*WV Const. Art. VI §18*)

Twentieth Day – January 31, 2011; Submission of Legislative Rule-Making Review Bills due.

Forty-first Day – February 21, 2011; Last day to introduce bills in the Senate and the House. Does not apply to originating or supplementary appropriation bills or to resolutions or concurrent resolutions.

Forty-seventh Day – February 27, 2011; Bills due out of committees in house of origin in order to ensure three full days for readings

Fiftieth Day – March 2, 2011; Last day to consider bill on third reading in house of origin. Does not include budget or supplementary appropriation bills.

Sixtieth Day – March 12, 2011; Adjournment at Midnight (*WV Const. Art. VI, §22*)

A GUIDE TO LEGISLATIVE JARGON

Some of the terms used in the language of legislation....

Chambers: the two areas set aside for meetings of the entire membership of the House and Senate (also referred to as "the floor"). "The bill is on the floor" means that it is out of committee and before the entire body of the House or Senate.

Christmas Tree: a bill that has had several amendments added to it. "We had to kill the bill because it got Christmas treed." (Also called "loving a bill to death").

Committee Substitute: an amended version of an introduced bill as recommended by a committee, generally offered when there are numerous amendments or substantial rewriting of an introduced bill (often referred to as a "com sub").

Concur: the action of one body in agreeing to or approving a proposal or action of the other body (as in "the Senate concurs with the House amendments")

Double Referenced: a bill gets assigned to two committees instead of just one

Enrolled Bill: the final version of a bill, as passed by both bodies

House of Origin: the body in which a bill or resolution is introduced

Journal: the formal, written record of floor proceedings printed daily by the clerk of each body (can be picked up outside the Journal Room on the ground floor at the rotunda area; they also contain that's day's agenda for the floor session)

Motion to Lie Over: consider the bill at the next meeting

Motion to Postpone Indefinitely: delay action, usually forever; "PPI'd" usually indicates a dead bill

Readings: the three stages a bill must go through on the floor of a chamber; the first reading is informational, the second reading is amendment stage, and the third reading is passage stage

Title: a concise statement of the contents of a bill; it is a constitutional requirement in WV that the title accurately and completely reflect the content of the bill

Well: the round area at the center of the Capitol Building between the chambers; often used as a meeting place, as in "Meet me at the well."

SB or HB – Senate Bill or House Bill

SR or HR – Senate or House Resolution

SCR or HCR – Senate or House Concurrent Resolution

SJR or HJR – Senate or House Joint Resolution

Com Sub – Committee Substitute



**County Commissioners' Association
of West Virginia**

2309 Washington Street, East
Charleston, West Virginia 25311

E-mail info@ccawv.org (304) 345-4639 Fax (304) 346-3512

January 5, 2011

Attention: All County Commissioners' and Staff:

The County Commissioner' Association of West Virginia invites and encourages you to attend the CCAWV Legislative Association Meeting & Educational Training Series. The meeting is scheduled for January 30, 2011 thru February 1, 2011 at the Marriott Hotel, Charleston, WV.

The tentative schedule is as follows:

Saturday, January 29, 2011

4:00 pm – 6:00 pm CCAWV Board of Directors Meeting

Sunday, January 30, 2011

10:00 am – 11:00 am CCAWV Services Review Committee Meeting

12:30 pm – 5:00 pm Registration

1:30 pm – 5:00 pm CCAWV Legislative Briefing & Association Business Meeting

5:30 pm – 6:30 pm Roundtable Discussion of Issues Unique to Growth Counties

7:00 pm Group Dinner

9:00 pm – ??? Networking Room

Monday, January 31, 2011

8:30 am – 1:00 pm Commissioners' Day at the Legislature (go to Capital & visit with Legislators / get introduced during 11:00 am floor session - **(Lunch is on Your Own)**)

1:30 pm – 5:00 pm CCAWV Educational Training Series
Personnel Issues, Sexual Harassment, federal health care implementation, Insurance pool, & Courthouse Facilities

6:30 pm – 8:30 pm **CCAWV Legislative Reception at the Marriott (remember to invite your legislators/we'll also give you invitations to take to them Monday morning when you visit)**

9:00 pm - ??? Networking Opportunities Sponsored by Silling Associates

Tuesday, February 1, 2011

9:00 am-10:30 am Legislative De-Briefing

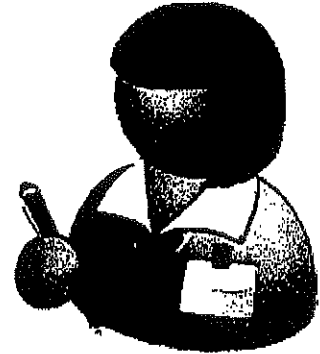


A registration fee of \$195 per county attendee is assessed to cover meeting costs and should be made payable to the County Commissioners' Association of WV. A block of rooms are available at \$119.00 per night by calling the Marriott @ 1-800-228-9290. **The cut-off date for the room rate is January 15, 2010.**

Please call if you have questions (304) 345-4639. We look forward to seeing you there!

CCAWV Legislative Association Meeting & Educational Training Series

Registration Form



Name County

I plan to attend the Legislative Association Meeting & Education Training Series Program January 30, 2011 - February 1, 2011.

Please bill my company for the \$195.00 registration fee (due and payable within 30 days of billing)

My registration fee of \$195.00 is enclosed (payable to County Commissioners Assoc WV)

Please return by mail or fax (304-346-3512) no later than January 21, 2011 to CCAWV.

Cancellation Policy: There will be no penalty for cancellations received in writing on or before January 21, 2011. January 22, 2011 and thereafter, all no-shows will be charged the full registration amount. We apologize for the need to adopt this policy, but on this date, the costs for room rentals, refreshments, etc. are incurred on your behalf even when you cancel and the Association is stuck with covering the cost. Thanks for your cooperation in this matter.

January 4, 2010

Jefferson County Commissioners
Jefferson County, West Virginia
PO Box 250
Charles Town, WV 25414

Dear Honorable Commissioners:

I am writing to you with a concern about a horse in Halltown that stands in a small muddy paddock every day of its life. This small area, around the corner from the Halltown Post Office, has no grass for the horse to graze, no bales of hays for the horse to eat, and no room for the horse to roam.

Today I called the Jefferson County Sheriff Department because I believe these conditions are inhumane. The woman who answered the phone at the Sherriff's office immediately knew the horse I was referring to and said they have received many calls about this horse. I was told that the Sherriff cannot do anything about the small size of the area because there is no law in Jefferson County about what size of an area a horse needs. I am waiting for a form to be mailed to me from the Sheriff's office so I can lodge a written complaint about no hay and no grass for the horse to graze on.

I am writing to you to ask for your help in passing a law that requires a minimum area for keeping one or more horses. West Virginia University has a website about horse management at <http://www.wvu.edu/~agexten/forglvst/index.htm#Horse> with a link to the Virginia Extension Service that states a minimum of 2-3 acres per horse should be provided. Please read: <http://pubs.ext.vt.edu/418/418-105/418-105.pdf>. Since learning this, I am even more appalled at the conditions this horse is being subjected to.

Won't you please take a look into this matter. Even if this horse had one acre, it would be better than the small area it now has. I hope the Commissioners will take a site visit on WV Route 230 by the Halltown Post Office to see for yourselves the conditions this horse must live in. No horse in West Virginia, and especially Jefferson County, should have to live like this.

Thank you for taking my concern under your consideration.

Sincerely,

Kathy Sholl
28 Hidden Valley Circle
Shepherdstown, WV 25443
W: 304-876-7772
H: 304-876-1250 (after 6 p.m.)
kathy_sholl@yahoo.com

JEFFERSON COUNTY, WEST VIRGINIA

Engineering Department

116 East Washington Street

P.O. Box 716

Charles Town, West Virginia 25414

Phone: 304-728-3257

Fax: 304-728-3953

Email: engineering@jeffersoncountywv.org

MEMORANDUM

TO: SANDY SLUSHER McDONALD, DEPUTY COUNTY ADMINISTRATOR
JEFFERSON COUNTY COMMISSION

FROM: ROGER L. GOODWIN, CHIEF COUNTY ENGINEER
ENGINEERING DEPARTMENT



DATE: JANUARY 3, 2011

SUBJECT: WOODS AT WHEATLAND SUBDIVISION - FILE #07-22

Please find enclosed the bond(s) and security for the following project(s):

County Green LLC – Woods at Wheatland Subdivision, Lots 1-7 & Residue, which is secured by Cash-in-Escrow with The Bank of Charles Town located in Charles Town, West Virginia in the amount of \$40,050.00.

The bond(s) is in compliance with the County Bonding Policy. If you have any questions, please give me a call.

RLG:rfb

RECEIVED

JAN 05 2011

JEFFERSON COUNTY COMMISSION

NOTICE OF INTENT TO APPOINT

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, January 27, 2011, or as soon thereafter as the Commission may decide:

Jefferson County Development Authority - Unexpired term ending April 5, 2012

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

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

Nichelle Hosby

From: NACo [naco@naco.org]
Sent: Thursday, January 06, 2011 10:00 AM
To: nhosby@jeffersoncountywv.org
Subject: Register NOW for NACo's Legislative Conference, March 5-9

Having trouble viewing this email? [click here](#)



2011 Legislative Conference March 5-9

Marriott Wardman Park Hotel
Washington, D.C.

Registration is Open for NACo's 2011 Legislative Conference

Register by clicking [here](#) today and SAVE \$25.

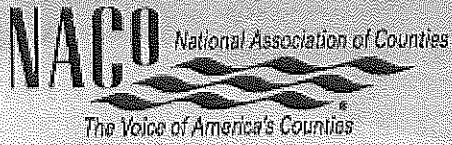
Keep Learning to Produce and Provide Solutions for your County

Featured Keynote Speakers

- Former Congressman **Joe Scarborough**, aka "Morning Joe" of MSNBC, a signer of the Contract with America, will provide an insightful look at today's Congress.
- **Paul Ballew**, Senior Vice President, Nationwide Mutual insurance Company, will discuss the current economic climate and what the near future holds.
- **Dr. David Brown**, Director of Integrative Wellness for the Defense Centers of Excellence (DCoE) will share his knowledge on service member issues related to deployment and re-integration.

Please click [here](#) to view more than 25 educational workshops from which to learn.

Questions? Please contact the NACo Meetings Department by emailing: nacomeetings@naco.org.



Visit NACO's New Website
www.naco.org

Click [here](#) to unsubscribe

25 Massachusetts Avenue, NW, Suite 500, Washington, DC 20001



Friendship Fire Company
P.O. Box 126
Harpers Ferry, WV 25425
Phone: 304-535-2211
Fax: 304-535-1382



*Friendship Fire Company, Inc. of Harpers Ferry, WV
cordially invites you and a guest to attend our
Annual Membership Awards Banquet
on Saturday, February 5, 2011 at the
Moose Lodge in Charles Town, WV*

*Social hour will begin at 6:00 p.m. with dinner being served
at 7:00 p.m., followed by award presentations. Dance will
follow after the awards banquet and will be open to all
fire company members.*

*If you plan to attend, please respond by
January 21, 2011 with the attached form.*

Hope to see you there!

FFC Banquet Committee

RECEIVED

JAN - 7 2011

Jefferson County Commission

Friendship Fire Company, Inc.
P.O. Box 126
Harpers Ferry, WV 25425

I/We plan to attend _____ (number of people attending)
(limit 1 person and guest)

Organization Represented _____

Name(s) _____

Title(s) _____

Jefferson County Public Service District

Jefferson County Public Service District Regular Board Meeting December 6, 2010

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, December 6, 2010 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Secretary, Jim Cummins; Treasurer, Peter Appignani; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; District Legal Counsel, Jim Kelsh and Commission Liaison to the Public Service District, Commissioner Lyn Widmyer.

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

Public Comments

Daniel Hayes introduced himself as the new liaison for the Jefferson County Planning Commission. The Board welcomed Mr. Hayes.

Commissioner Lyn Widmyer reported to the Board that as liaison for the Solid Waste Authority, they are looking into possibly hiring a Recycling Coordinator for Jefferson County. This new employee would take over the Recycling and Hazardous Waste event that Ms. Lawton managed this past summer for the Water Advisory Committee. Commissioner Widmyer praised Ms. Lawton on the excellent job she did on the event.

OLD BUSINESS

Review Minutes of October 4 Regular Board Meeting

The minutes of the October 4, 2010 regular Board meeting were approved as presented.

Action: Motion made by Mr. Cummins and seconded by Mr. Hankins to accept the October 4, 2010 minutes as presented. Approved 2-0. Mr. Appignani abstained from voting.

Review Minutes of November 1 Regular Board Meeting

The minutes of the November 1, 2010 regular Board meeting were approved as presented.

Action: Motion made by Mr. Appignani and seconded by Mr. Hankins to accept the November 1, 2010 minutes as presented. Approved 2-0. Mr. Cummins abstained from voting.

Update on Flowing Springs Wastewater Treatment Plant Project

o Discuss Funding for Easement Acquisition

Mr. Kelsh stated the District had received a recommended decision from the Public Service Commission (PSC) for the Flowing Springs Certificate case, but the decision was suspended for unknown reasons. He expects a possible order in mid-January.

Commissioner Lyn Widmyer informed the Board that one of the interveners had called her stating they were not against the plant, but against the high rates and felt those concerns are not being adequately addressed by the Board. Mr. Hankins stated the Board shares the concerns about the rates, but delaying the project could cost the District grant money and 0% financing. Mr. Cummins agreed with Mr. Hankins and stated the Board has listened to public comments and has tried to keep the costs down.

As far as the NPDES permit, Mr. Summerfield stated the permit has been approved and is currently in the appeal period.

Ms. Lawton informed the Board that the District can no longer use operating funds to purchase easements for the Flowing Springs wastewater treatment plant. She suggested transferring \$60,500 from

the Cambridge Sinking Fund account into Sewer Operating account for easement attainment. This will allow the District to continue to purchase easements for the wastewater treatment plant. Mr. Kelsh stated he has not reviewed the agreements the District has with Cambridge, but does not see a problem with the District using the money from this account. Mr. Kelsh suggested the Board allow him to file with the PSC a new case which would give the District authorization to use the CIF/CAF funds for costs related to the Flowing Springs project.

Action: Motion made by Mr. Cummins and seconded by Mr. Appignani to approve the use of the money from the Cambridge Sinking Fund account to the sum of \$60,500 for easement acquisition, subject to legal counsel's review of the existing agreements with Cambridge. Unanimously approved.

Action: Motion made by Mr. Cummins and seconded by Mr. Appignani to direct Counsel to file an additional case to the Public Service Commission for the use of CIF/CAF funds for Flowing Springs project related costs. Unanimously approved.

NEW BUSINESS

Consider Approval of Draft Financial Statement 6/30/10 Presentation by Chuck Young of CoxHollida Price

Chuck Young from CoxHollida Price LLP, a certified public accounting and consultant firm out of Martinsburg, WV, presented a draft of the annual audit for the fiscal year of July 1, 2009 to June 30, 2010. The District had 66% coverage for the year which does not meet the 115% required for Bond coverage. There were 2 reportable findings.

Action: Motion made by Mr. Cummins and seconded by Mr. Appignani to approve the draft Financial Statement ending 6/30/10 as adjusted with discussions noted. Unanimously approved.

Consider Waiver Capital Assurance Fee Agreement with the Development Authority for the Bardane Farmer's Market

Tom Bayuzik, Executive Director of the Jefferson County Development Authority (JCDA), requested from the Board a waiver to use 1 of the 133.33 EDUs the JCDA recently purchased from the District under the Capacity Assurance Agreement (CAA). Mr. Bayuzik would like the Board to grant JCDA use of 1 EDU for a year-round Farmers (Bardane) Market adjacent to the original Burr Park property on the corner of Wiltshire Road and Route 9. In the CAA it specifies that EDUs are to be used for property within the Burr/Bardane Industrial Park and are not transferable for other parcels, but it also states that District shall consider a request for waiver of any of the terms of the agreement for good cause shown. The Farmers Market building and the house next door currently share a septic system and they would be required to connect to public sewer before the new Farmers Market could open for business. Ms. Lawton informed the Board that the District has been working with the JCDA to determine the best solution and most cost effective way to serve both the market building and the house next door. Mr. Bayuzik is only requesting to use 1 EDU for the Market and the property owner of the house will pay for the CIF and other fees for the house. The Board felt the waiver is reason for good cause and would like to grant the JCDA 1 EDU from the 133.33 EDU's for the Farmers Market. Ms. Lawton stated that by the District Board approving this waiver, Mr. Bayuzik will now take this information to the Development Authority Board to ask for approval of the project. If their Board gives approval, the District Board will then have to approve an Alternate Mainline Extension Agreement for the project.

Action: Motion made by Mr. Cummins to approve the waiver to allow the Jefferson County Development Authority to use 1 EDU from the Capacity Assurance Agreement for the Farmers Market at the intersection of Old Rt. 9 and Wiltshire Road. In the event the Farmers Market project doesn't move forward, the waiver will be renounced. This motion fails due to lack of a second.

Action: After a brief discussion, a motion was made by Mr. Cummins and seconded by Mr. Appignani to approve the waiver of the offsite use restriction of the

Capacity Assurance Agreement with the Jefferson County Development Authority and allow a 1 EDU drawdown of the previously paid capacity for the Farmers Market at the intersection of Old Rt. 9 and Wiltshire Road. In the event the Farmers Market project doesn't move forward, the waiver will be renounced. Unanimously approved.

Discuss and Consider Action on Chesapeake Bay Funding Legislation

Mr. Hankins attended a meeting in Berkeley County to discuss the 1st draft of Senator Herb Snyder's legislation regarding funding for the Chesapeake Bay compliance costs. Mr. Kelsh and Mr. Hankins had concerns with the first draft of the bill, specifically the discussions on the amount of lottery funds for the upgrades. In the bill it discusses an 8 million fund from which 4 million are from the States excess lottery revenue and 4 million from a fee charged to utility customers to cover grants from the Water Development Authority (WDA). Mr. Kelsh and Mr. Hankins have drafted revisions to Senator Snyder's first draft of the bill. In their draft the fund has been increased to 10 million, the fee charged to customers has been removed, and they have clarified that the Infrastructure and Jobs Development Council (IJDC) would supply the grants instead of WDA. Mr. Kelsh and Mr. Hankins would like the funds to come strictly from grant funding rather than a fee charged to utility customers. They also suggest sewer projects with a median household income of higher than 1.5% with nutrient reduction projects would be eligible for this grant funding for upgrades. Mr. Kelsh has forwarded the revised draft to Senator Snyder for the next interim meeting on December 13th.

Step toe and Johnson's nutrient coalition will be lobbying in support of Senator Snyder's legislative bill. The coalition has asked Mr. Hankins if the District would like to join the lobbying effort for a fee of \$2500. The Board would like to wait for the revised bill before making any decisions on supporting. This will be tabled until next month.

Action: No action taken by the Board.

Consider USGS Contract Extension for Rocky Marsh Streamgages

Ms. Lawton informed the Board that for the past two years the District has partnered with the Conservation Fund, at no cost to the District, to fund ½ of a streamgage on Rocky Marsh Run. USGS pays the other ½ of the costs. The yearly contract is now up for renewal. The Conservation Fund has agreed to pay for the District's portion of the costs for another year.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the USGS contract extension for the Rocky Marsh Streamgages. Unanimously approved.

Final Review by Board of the Sewer Use Ordinance

Staff has been working on revisions to the document for the past few months. Suggestions from the Board, engineer, legal counsel, and the Jefferson County Health Department have all been considered in the revised document. Ms. Lawton informed the Board that the document was posted on the District's website since the November Board meeting, but received no public comments.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the Sewer Use Ordinance as presented tonight with the exception of 1 minor grammatical error. Unanimously approved.

Consider Payroll Procedure Change

- o Consider Direct Deposit for Employee Pay
- o Consider Change of Employee Payday

Ms. Lawton along with other District staff members would like to start direct deposit of employee paychecks. This would also change the payday from Monday to Friday. The Board has no problem with the staff's requests, but would like to make sure all timesheets are being signed and dated when submitted to the Finance Manager.

Action: Motion made by Mr. Cummins and seconded by Mr. Appignani to approve the payroll procedure changes as presented with the requirement of employee signatures on timesheets. Unanimously approved.

Discussion of any expenses over budget

There were no expenses over budget.

Action: No action taken by the Board.

Approve Transfer of \$2,805.20 from Sewer Security Deposit Account to Sewer Operating for Security

Deposit Refunds

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$2,805.20 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Unanimously approved.

Approve Transfer of \$128.81 from Glen Haven Security Deposit Account into Glen Haven Operating Account for Security Deposit Refunds

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$128.81 from Glen Haven Security Deposit Account into Glen Haven Operating Account for Security Deposit Refunds. Unanimously approved.

Approve Transfer of \$3,867.40 from Renewal & Replacement Account to Sewer Operating Account for a New Pump at 4-5

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$3,867.40 from Renewal & Replacement Account into Sewer Operating Account for a new pump at 4-5. Unanimously approved.

Approve Transfer of \$60,500 from Cambridge Sinking Fund into Sewer Operating Account for Flowing Springs Wastewater Treatment Plant Easement Attainment

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$60,500 from Cambridge Sinking Fund Account into Sewer Operating Account for Flowing Springs wastewater treatment plant easement attainment subject to Legal Counsels approval after reviewing current agreements with Developer. Unanimously approved.

Approve Transfer of \$38,400 from Future Needs Account into Sewer Operating Account for District Disbursements

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of \$38,400 from Future Needs Account into Sewer Operating Account for District Disbursements. Unanimously approved.

General Manager's Report

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

- Pump Station 4-7 - Staff is having problems with pumps getting clogged from grease and solids at this particular pump station. Mr. Summerfield will work with staff to try to solve this problem.
- 340 Corridor Gateway Enhancement Study – Ms. Lawton has been invited to be one of the members of the group to plan this study. She attended the first meeting last month.

Disbursements

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to approve disbursements for Cavaland water expenses in the amount of \$1,224.12, Glen Haven water expenses in the amount of \$1,420.78, and for the Public Service District expenses in the amount of \$164,514.65. Unanimously approved.

Correspondence

Mr. Hankins had submitted a 2nd round of comments on the review of the Draft Total Maximum Daily Load for the Chesapeake Bay. A copy of the comments were included in the Board books.

Public Comment
None.

- Action:** Motion made by Mr. Appignani and seconded by Mr. Cummins to convene in executive session for the purpose of discussing litigation and contract negotiations. Unanimously approved.
- Action:** Motion made by Mr. Cummins and seconded by Mr. Appignani to return to public session. Unanimously approved.
- Action:** Motion made by Mr. Appignani and seconded by Mr. Hankins to adjourn. Unanimously approved.

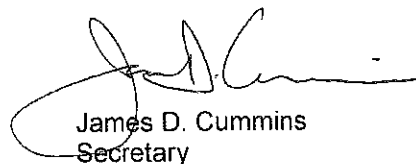
There being no further business at this time, the meeting was adjourned at 10:27PM

The next regular meeting is scheduled for January 4, 2011 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Joseph A. Hankins
Chairman



James D. Cummins
Secretary



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

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

January 4, 2011

To Whom It May Concern:

By letter, dated December 22, 2010, the Draft 2011-2016 Statewide Transportation Improvement Program (STIP) was widely distributed for federally required public review and comment. However, it has been brought to my attention that the West Virginia Division of Public Transit's capital investment projects were omitted from the document. This letter has been sent to inform you that an amended copy of the 2011-2016 STIP has been made available for public comment. A copy of the amended document may be viewed and/or downloaded on the web at www.transportation.wv.gov, or may be viewed at Division of Highways (DOH) headquarters in Charleston or District offices in Charleston, Huntington, Parkersburg, Clarksburg, Burlington, Moundsville, Weston, Elkins, Lewisburg or Princeton and at the offices of Metropolitan Planning Organizations and Regional Planning and Development Councils throughout the State. If you cannot access the web and would like to receive a digital copy of the document, you may send a request to the address below.

All written comments are to be received no later than February 8, 2011, and should be addressed to:

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

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

Very truly yours,

Robert L. Pennington, P. E., Director
Program Planning and Administration Division

RECEIVED

RLP:Cb

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

Jefferson County Commission

JAN - 7 2011

NOTICE OF PUBLIC HEARING

Petition for Closing Unused Roads, Streets and Travel Ways

The County Commission of Jefferson County will hold a Public Hearing on Thursday, January 20, 2011, at 11:00 a.m. in the Old Charles Town Library Meeting Room on the ground floor of the Library, 200 East Washington Street, Charles Town, WV 25414.

The purpose of the hearing is to receive public input regarding the Petition filed by Martin Wayne and Brenda Diane Lookingbill for Closing Unused Roads, Streets and Travel Ways.

Anyone wishing to provide written or oral comment may do so at this meeting.

**By Order of The County
Commission of Jefferson County
Patricia A. Noland, President**

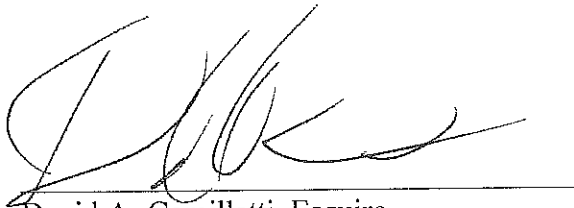
8. The closure would assist a local ongoing business in its effort to renovate the property and promote additional rental spaces for businesses;

9. The above mentioned statute allows for the County Court of any county to close and vacate any part or all of any such unused road, street or other designated travel way;

10. Petitioners request that the County Court set this matter for a hearing on the Court's next available date and time.

Respectfully submitted,

Martin Wayne Lookingbill and
Brenda Diane Lookingbill, Petitioners
By Counsel



David A. Camilletti, Esquire
WV State Bar ID No. 599
103 W. Liberty Street
Charles Town, WV 25414
304-725-0937
304-725-1039 facsimile

VERIFICATION

STATE OF MARYLAND,

COUNTY OF CARROLL, to-wit:

I, Martin Wayne Lookingbill, swear and affirm that the information in the above Petition, which has been supplied by me, is the truth to the best of knowledge and belief.

Martin Wayne Lookingbill
Martin Wayne Lookingbill

I, CATHY G. MESZAROS a Notary in and for the aforesaid County and

State do hereby certify that Martin Wayne Lookingbill, has this day signed his seal to the Petition and Verification on this the 25th day of October, 2010.

Cathy G. Meszaros
NOTARY PUBLIC

My Commission expires: 4-21-2013.

VERIFICATION

STATE OF MARYLAND,

COUNTY OF CARROLL, to-wit:

I, Brenda Diane Lookingbill, swear and affirm that the information in the above Petition, which has been supplied by me, is the truth to the best of knowledge and belief.


Brenda Diane Lookingbill

I, CATHY C. MESZAROS a Notary in and for the aforesaid County and

State do hereby certify that Brenda Diane Lookingbill, has this day signed her seal to the Petition and Verification on this the 25th day of October, 2010.

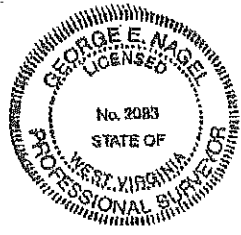

NOTARY PUBLIC

My Commission expires: 4-21-2013.

NOTES: NO TITLE REPORT FURNISHED FOR THIS SURVEY.

I HEREBY CERTIFY THAT THE POSITION OF EXISTING IMPROVEMENTS SHOWN HEREON HAVE BEEN CAREFULLY ESTABLISHED USING ACCEPTED FIELD PRACTICES.

DB W, PG.195



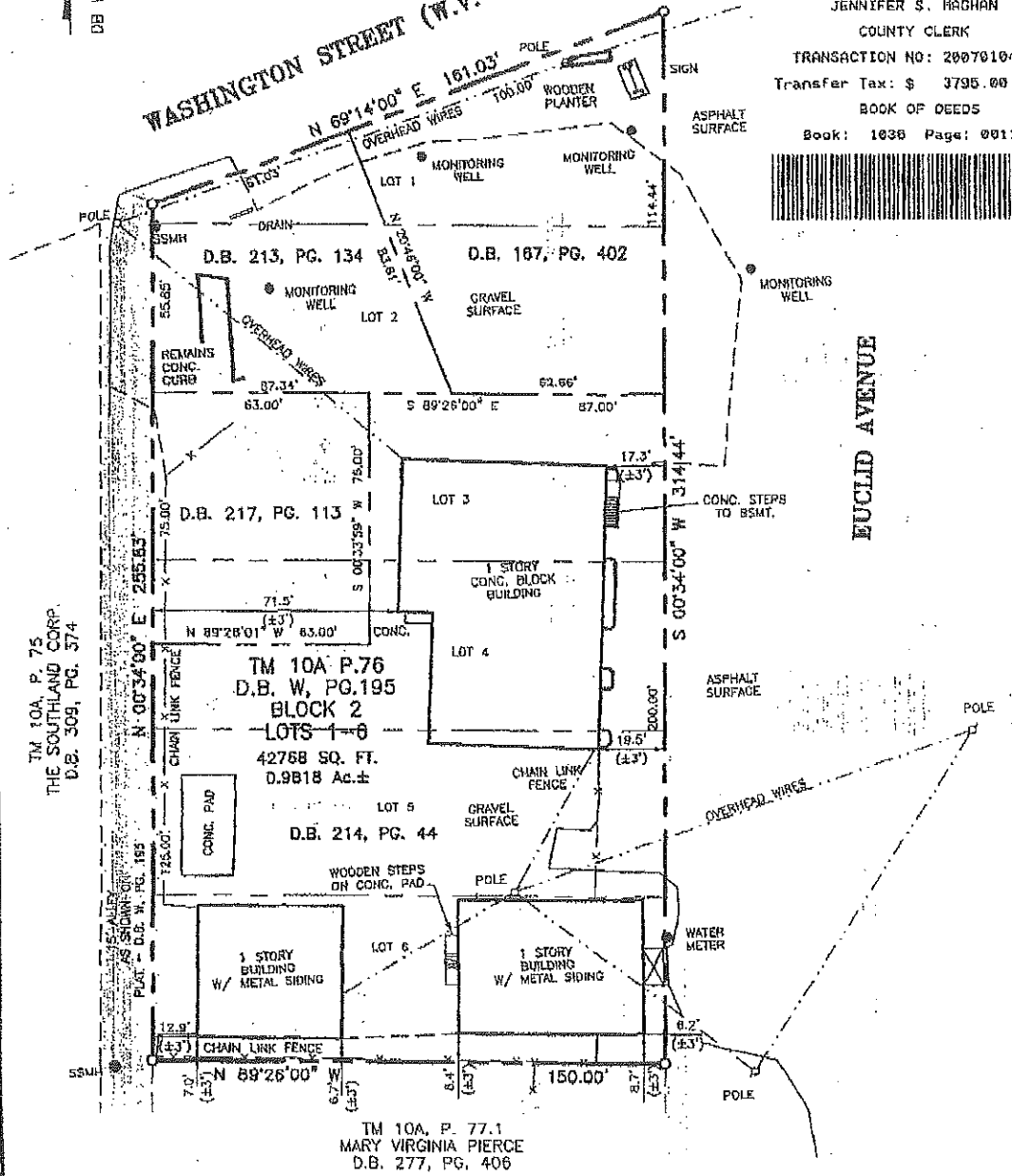
DATE 04/11/07
GEORGE E. NAGEL
PROFESSIONAL LAND SURVEYOR
WEST VIRGINIA REGISTRATION NUMBER 2083

JEFFERSON COUNTY, WV
FILED
May 10, 2007 10:16:59
JENNIFER S. HAGHAN
COUNTY CLERK
TRANSACTION NO: 2007010403
Transfer Tax: \$ 3795.00
BOOK OF DEEDS
Book: 1036 Page: 00111



WASHINGTON STREET (W.V. RT. 51)

EUCLID AVENUE



TM 10A, P. 75
THE SOUTHLAND CORP.
D.B. 309, PG. 374

PLAT - D.B. W, PG. 195

TM 10A P.76
D.B. W, PG.195
BLOCK 2
LOTS 1-6
42768 SQ. FT.
0.9B18 Ac.±

TM 10A, P. 77.1
MARY VIRGINIA PIERCE
D.B. 277, PG. 406



George E. Nagel
& ASSOCIATES, INC.

LAND SURVEYORS
21822 Ringgold Pike 1 Hagerstown, Maryland 21742
(301) 416-2225 1 Fax (301) 416-2738

LOCATION SURVEY
FOR
LOTS 1 - 6, BLOCK 2
(PLAT - D.B. W, PG. 195)
CHARLES TOWN DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA
SCALE 1"=40' APRIL, 2007

A-0787

NOTICE OF PUBLIC HEARING

AMEND THE COUNTY ZONING MAP TO CONSIDER URBAN GROWTH BOUNDARIES FOR HARPERS FERRY AND BOLIVAR

The County Commission of Jefferson County will hold a Public Hearing on Thursday, January 27, 2011, at 7:00 p.m. in the Old Charles Town Library Meeting Room on the ground floor of the Library, 200 East Washington Street, Charles Town, WV 25414.

The purpose of the hearing is to receive public input to consider proposed Urban Growth Boundaries for the Towns of Harpers Ferry and Bolivar and determine whether to amend the County Zoning Map to include the changes.

Anyone wishing to provide written or oral comment may do so at this meeting. A copy of the proposed information may be obtained at Jefferson County Planning and Zoning Department, 116 E. Washington Street, Charles Town, WV, or on the County website at: www.jeffersoncountywv.org

No decisions will be made at this meeting.

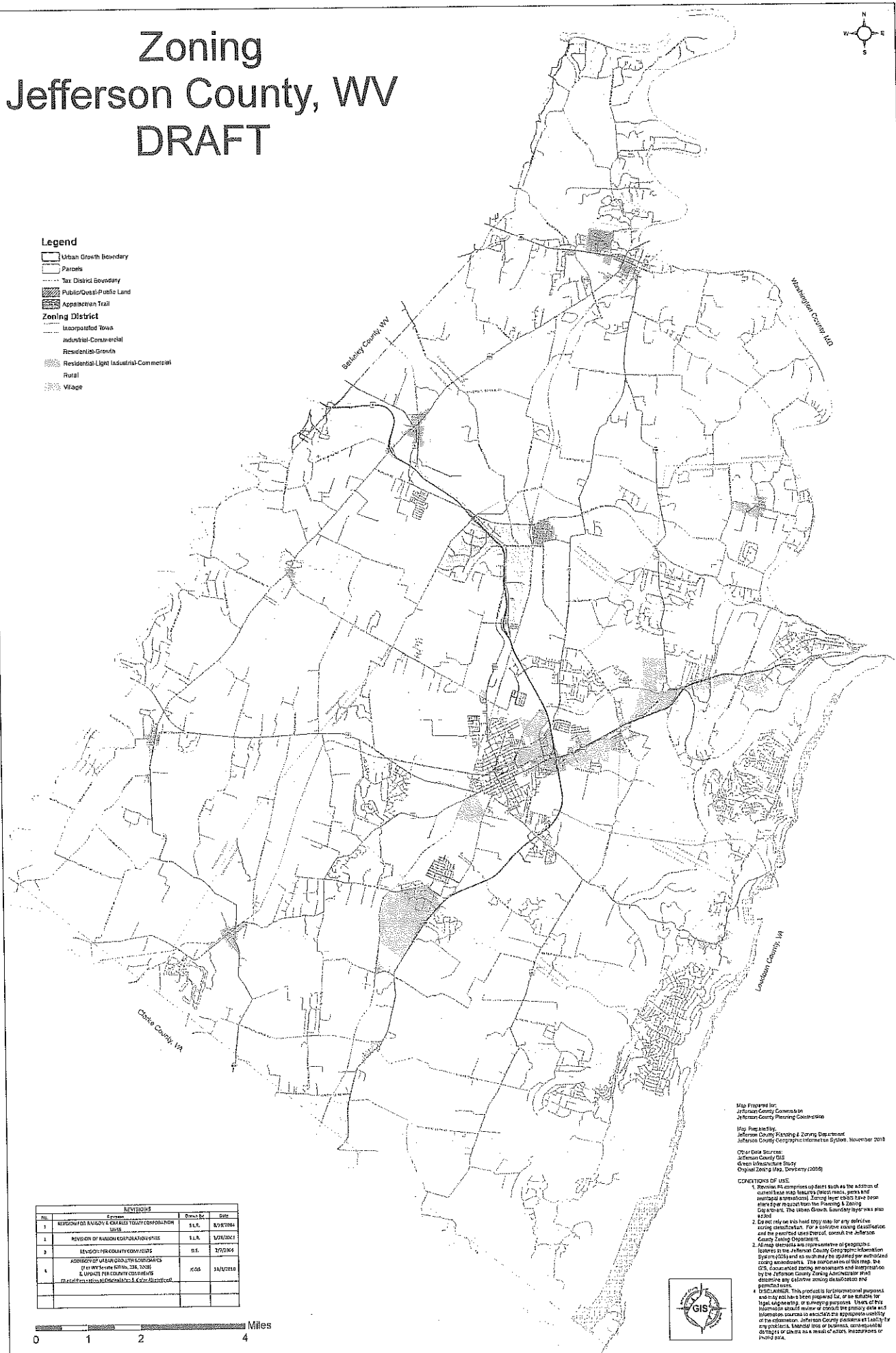
By Order of The County
Commission of Jefferson County
Patricia A. Noland, President

Zoning Jefferson County, WV DRAFT

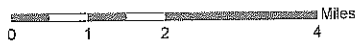


Legend

- Urban Growth Boundary
- Parcels
- Tax District Boundary
- Public/Quasi-Public Land
- Appalachian Trail
- Zoning District**
- Incorporated Town
- Industrial-Commercial
- Residential-Growth
- Residential-Light Industrial-Commercial
- Rural
- Village



REVISIONS			
No.	Change	Date	By
1	REVISION FOR KANAWHA & CHARLES COUNTY INFORMATION	11.11.	12/18/2011
2	REVISION FOR KANAWHA & CHARLES COUNTY INFORMATION	11.11.	12/18/2011
3	REVISION FOR KANAWHA & CHARLES COUNTY INFORMATION	11.11.	12/18/2011
4	REVISION FOR KANAWHA & CHARLES COUNTY INFORMATION	11.11.	12/18/2011



Map Prepared for:
Jefferson County Commission
Jefferson County Planning Commission

Map Prepared by:
Jefferson County Planning & Zoning Department
Jefferson County Geographic Information System, November 2011

Other Data Sources:
Jefferson County GIS
USGS National Water Survey
Ordnance Survey, Devonshire (2005)

- CONVENTIONS OF USE:**
1. This map is prepared up to date such as the addition of current base map, parcel boundaries, and other information. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes.
 2. Do not rely on this map for any other purpose. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes.
 3. All map data is the property of Jefferson County. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes.
 4. This project is for informational purposes only and has not been prepared for, or is suitable for, legal proceedings or other purposes. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes.

