

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, FEBRUARY 24, 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

- February 15, 2011 - Board of Review and Equalization - Afternoon Session
- February 17, 2011 - Regular Session
- February 17, 2011 - Public Hearing

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

PRESENTATIONS:

1. 9:45 a.m. - Update on the Blunt Property (WP) - Discussion/Action
(Rescheduled from February 17, 2011)
- Clarification of grant funding Cement Mill Property possible Executive Session regarding contract negotiations for the acquisition of property §6-9A-4 (PN) - Discussion/Action
2. 10:00 a.m. Discuss Water Advisory Committee (WP) - Discussion/Action
(Rescheduled from February 17, 2011)
3. 10:15 a.m. Toni Milbourne and Jimmy Pierson
- Update on financial support for the Jefferson County Fireworks Event
- Discussion/Action

4. 10:30 a.m. Teresa Warnick & Sarah Gabrielson - Family Resource Network for Teen Court Project
- Request that the Commission adopt a mandatory fee of \$5.00 to be assessed on felonies, misdemeanors and local ordinances, traffic violations and moving violations, excluding parking ordinances for the purpose of setting up a Teen Court program for youth offenders who qualify for the program - Discussion/Action
5. 10:45 a.m. Break
6. 11:00 a.m. Michael Alvarez, Jefferson County Emergency Services Agency
- Request for \$25,000 matching funds for consultant to assist with Public Funding Technical Assistance (Grants) as first steps to JCESA Strategic Plan - Discussion/Action
7. 11:15 a.m. Paul Marshall, Jefferson County Parks & Recreation
- Request for Release of Funds from the Parks & Recreation Land Fund for engineering services to develop Hite Road Park - Discussion/Action
8. 11:30 a.m. Stephanie Grove, Assistant Prosecuting Attorney
- Legal Update

NEW BUSINESS:

9. Legislative Update
10. Discuss Roundtable meeting dates and future topics - Discuss/Action
11. Request information regarding process currently being used for allocation of funds and establish a process for final approval prior to expenditure for all departments (PN) - Discussion/Action
12. Approval of County Employee Identification Card sponsored by the West Virginia Association of Counties and the West Virginia Department of Motor Vehicles - Discussion/Action
13. Approval of Joint Resolution of the Jefferson County Development Authority and the Jefferson County Commission in support of the removal of the 1988 liability in the amount of \$200,000 from the Jefferson County Development Authority's financials and the correlating note payable in the amount of \$200,000 from the Jefferson County Commission's financials - Discussion/Action

14. Discussion of acquisition of property to address growing and immediate space needs of Jefferson County - This discussion may require an Executive Session regarding contract negotiations for the acquisition of property §6-9A-4 (PN) - Discussion/Action

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

————AFTERNOON SESSION————

15. 1:30 p.m. Water Advisory Committee Work Session
16. 2:15 p.m. Mark Schiavone, Director, Capital Planning & Management
- Presentation of FY 2012 Capital Improvement Plan -
Discussion/Action
17. 2:30 p.m. Impact Fee Work Session

————EVENING SESSION————

18. 7:00 p.m. Public Hearing
- Proposed Amendments to Article 4B, Wireless Telecommunication Facilities, and Related Sections of the Jefferson County Zoning and Land Development Ordinance

CORRESPONDENCE:

Received from WVACO, The County Legislative Line, Friday, February 11, 2011.

Copies received of Public Service Commission of WV's response to Letters of Complaint sent to Shelley Moore Capito regarding the water rate increase from Jefferson Utilities, Inc. from Nancy Harrington, John M. Fludine, Geneva Oakley, Kelly Daniel, Nels Soebefl, Sandra Kinnaman, Martha Zimmerman, George D. Eary, Jr.

Community Bulletin, February 2011, received from Harpers Ferry National Historical Park.

Copy of response letter from Jennifer Maghan, County Clerk, to Patricia Rucker authorizing a Tea Party in front of the Court House on Friday, April 15, 2011.

Letter received from John Maxey acknowledging that at the end of his term on the Jefferson County Planning Commission next month he will not reapply.

Notice received regarding the Jefferson County Community Center Open House on March 19, 2011.

Weekly settlement reports for the Charles Town Races received from the West Virginia Lottery.

Letter of Credit with Branch Banking and Trust Company in the amount of \$211,866.00 for STaSiS Minor Site Development (File #S10-08) received from Roger L. Goodwin, Chief County Engineer.

RECESS

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

REGULAR TERM: (Board of Review and Equalization)

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

At a session of the Board of Review and Equalization, continued and held at the Courthouse thereof on Tuesday, February 15, 2010, beginning at 1:40 p.m.

PRESENT: Patricia Noland, Commission President;
Lyn Widmyer; Dale Manuel; Commissioners

In re: APPLICATION FOR ASSESSMENT REVIEW - CHICK-FIL-A

A hearing was conducted on an appeal by David Fader, on Map 8E, Parcel 4 in Ranson Corporation. After sworn testimony and presentation of exhibits, motion by Noland, second by Manuel to deny the appeal by the David Fader on Map 8E, Parcel 4 in Ranson Corporation. Motion carried.

In re: APPLICATION FOR ASSESSMENT REVIEW - PTC PHASE 1 LOT 002B, LLC (MCDONALD'S)

A hearing was conducted on an appeal by Dave Conklin on Map 8E, Parcel 002B in Ranson Corporation.

After sworn testimony and presentation of exhibits, motion by Manuel, second by Noland to deny the appeal on Map 8E, Parcel 002B in Ranson Corporation. Motion carried.

In re: APPLICATION FOR ASSESSMENT REVIEW - PTC PHASE 1 LOT 2A, LLC (RITE AID)

A hearing was conducted on an appeal by Dave Conklin on Map 8E, Parcel 2A in Ranson Corporation

After sworn testimony and presentation of exhibits motion by Manuel, second by Noland to deny the appeal on Map 8E, Parcel 2A in Ranson Corporation. Motion carried.

The Commission took a 35 minute break at 2:33 p.m.

In re: APPLICATION FOR ASSESSMENT REVIEW - DONALD J. ORSER

A hearing was conducted on an appeals by Donald J. Orser at which time the Board of Review and Equalization took up and considered the request for review of several Maps and Parcels in the Charles Town District, Kabletown District and the Harpers Ferry District.

After sworn testimony and presentation of exhibits, motion by Morgan, second by Manuel to deny the appeal on Map 12A, Parcels 92, 145, 89, 89, 79, and 83 in the Harpers Ferry District. Motion carried.

Motion Manuel, second by Widmyer to reduce the appraised value of Map 12A, Parcels 172, 173, 169 and 170 in the Harpers Ferry District to \$4,000.00 per parcel. Motion carried.

Motion by Manuel, second by Widmyer to reduce the total appraised value on Map 23G, Parcel 48 in the Charles Town District from \$27,333.00 to \$18,402.00. Motion carried.

Motion by Widmyer to reduce the total appraised value on Map 6H, Parcel 226 in the Kabletown District from \$28,833.00 to \$23,833.00. Motion failed due to lack of a second.

Motion by Noland, second by Widmyer to deny the appeal on the property identified by the taxpayer as Group 30 with the exception of Map 23 G, Parcel 48. Motion carried.

Motion by Widmyer, second by Manuel to deny the appeal on the property identified by the taxpayer as Group 40. Motion carried.

Motion by Noland, second by Manuel to deny the appeal on Map 13B, Parcel 123 in the Harpers Ferry District. Motion carried.

Motion by Noland, second by Manuel to reduce the total appraised value on Map 13C, Parcel 1 in the Harpers Ferry District from \$12,000.00 to \$4,000.00. Motion carried.

Motion by Manuel, second Noland to reduce the total appraised value on the property identified by the taxpayer as Group 70 at the price of \$3,000.00 per parcel. Motion carried.

Motion by Noland, second by Manuel to deny the appeal on Map 8D, Parcel 28 in the Kabletown District. Motion carried.

Motion by Noland, second by Manuel to deny the appeal on Map 12D, Parcel 61 in the Harpers Ferry District. Motion carried 2-1. Commissioner Widmyer voted no.

Motion by Noland, second by Manuel to deny the appeal on the property identified by the taxpayer as Group 100. Motion carried.

The Board of Review and Equalization recessed until Thursday, February 17, 2010, at 1:30 p.m.

PATRICIA A. NOLAND, COMMISSION PRESIDENT

-Minutes

Jefferson County Commission

Thursday, February 17, 2011

A meeting of the Jefferson County Commission was held on Thursday, February 17, 2011 at the Old Charles Town Library meeting room located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Patsy Noland, Lyn Widmyer, Dale Manuel, Frances Morgan and Walt Pellish via telephone without authority to vote; Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant, and Jimmie Eddy, Bailiff. (An audio tape of this February 17, 2011 meeting is available through the Jefferson County Commission Office.)

The meeting was called to order at 9:30 a.m. by Commissioner Noland.

PLEDGE OF ALLEGIANCE

Commissioner Manuel led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Ms. Morgan to approve the Minutes of the February 3, 2011 Board of Review and Equalization meeting Minutes as amended. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the Minutes of the February 8, 2011 Board of Review and Equalization meeting Minutes as presented. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Morgan to approve the Minutes of the February 10, 2011 regular meeting as amended. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF PURCHASE ORDERS

Motion by Ms. Morgan to approve Purchase Orders in the amount of \$110,179.49, being purchase order numbers: 48512, 48954, 49302, 47689, 49511, 49280, 48176, 49099, 49100, 49368, 49369, 49254, 49281, 49282, 49283, 49284, 49286, 49288, 49285, 49287 and 49239 as presented. Motion seconded by Mr. Manuel and unanimously approved.

APPROVAL OF ACCOUNTS PAYABLE

Motion by Ms. Morgan to approve the accounts payable in the amount of \$311,820.97. Motion seconded by Mr. Manuel and unanimously approved.

PUBLIC COMMENT

Paul Rosa, on behalf of the Harpers Ferry Conservancy, objected to the rezoning request of Shenandoah Professional Center, LLC's placement on the Commission's Agenda for discussion and possible action.

PRESENTATIONS:

- 1. Laura Rattenni, Circuit Clerk – request to approve Tammy L. Yokley as a permanent, full time employee in the Circuit Clerk’s Office.**

Motion by Mr. Manuel to approve the hire of Tammy L. Yokley as a permanent, full time employee/bookkeeper in the Circuit Clerk’s Office. Motion seconded by Ms. Widmyer and approved 3 to 1. Ms. Noland voted “no.”

- 2. Randolph Hilton and John Hough on behalf of Friends of Happy Retreat – request to approve Joint Resolution to determine the best method to acquire, restore, develop and operate Happy Retreat.**

Power point presentation by John Hilton and John Hough with a request that the Commission approve and execute a Joint Resolution with the City of Charles Town and City of Ranson to determine the best method to acquire, restore, develop and operate Happy Retreat.

Motion by Ms. Morgan to approve the Joint Resolution with the City of Charles Town and City of Ranson to determine the best method to acquire, restore, develop and operate Happy Retreat and to authorize the Commission President to execute the Joint Resolution on behalf of the Commission. Motion seconded by Ms. Widmyer and unanimously approved.

A JOINT RESOLUTION OF CHARLES TOWN, RANSON AND JEFFERSON COUNTY, WEST VIRGINIA SUPPORTING THE COOPERATIVE EFFORTS OF CHARLES TOWN, RANSON AND JEFFERSON COUNTY RECOGNIZING THE IMPORTANCE OF HAPPY RETREAT AND TO DETERMINE THE BEST MEANS AVAILABLE TO ACQUIRE, RESTORE, DEVELOP AND OPERATE THE HISTORIC HAPPY RETREAT FOR PUBLIC ENJOYMENT AND EDUCATION; FOR ENCOURAGEMENT OF AREA ECONOMIC DEVELOPMENT THROUGH HERITAGE TOURISM; AND FOR THE ENRICHMENT OF COMMUNITY LIFE THROUGH PROGRAMS IN THE ARTS, CULTURE, AND HISTORY.

WHEREAS, Happy Retreat is the estate built by Charles Washington, founder of Charles Town, West Virginia, and President George Washington's youngest brother. Located on the edge of historic Charles Town and listed on the National Register of Historic Places, the property consists of 12 acres, an 18th century mansion, a stone and brick kitchen/smokehouse, and an octagonal wooden schoolhouse.

WHEREAS, The Friends of Happy Retreat, a 501(c)(3) nonprofit organization, was founded in 2006 to respond to concerns of residents of the community about Charles Washington's home, Happy Retreat, and its vulnerability to development in the state's rapidly growing Eastern Panhandle—just 55 miles northwest of Washington, D.C. Since 2006, Friends of Happy Retreat, has been dedicated to "acquiring, preserving, and utilizing the property for public benefit." The current owners of Happy Retreat, have decided to sell the historic estate, but prefer that the property be preserved in its entirety for the enjoyment of future generations.

WHEREAS, among Happy Retreat's first orders of business was a survey to determine the feasibility of the project. This survey found near-unanimous agreement that the Friends' vision for Charles Washington's Happy Retreat as a public resource for education, enjoyment, and economic development through heritage tourism are very important to the city, region, and state.

WHEREAS, the Friends of Happy Retreat have been advocating the importance of acquiring Charles Washington's Happy Retreat and developing it into a center for arts, culture, and heritage and the keystone for area economic development through heritage tourism.

WHEREAS, the City of Charles Town, the City of Ranson and the Jefferson County Commission also all agree that Happy Retreat should be acquired and preserved for the public enjoyment and education of future generations.

NOW THEREFORE BE IT RESOLVED:

Section 1. The City of Charles Town, City of Ranson and the Jefferson County Commission recognize the historical significance of Happy Retreat and the need for its preservation. The governmental entities also realize that Happy Retreat will provide opportunities to enhance and diversify the economy of the community.

Section 2. The City of Charles Town, City of Ranson and the Jefferson County Commission recognize and the acquisition and preservation of Happy Retreat will work cooperatively and in the best interest of the public with the Friends of Happy Retreat to determine the best means available to acquire, restore, develop and operate the historic Happy Retreat for public enjoyment and education; for encouragement of area economic development through heritage tourism; and for the enrichment of community life through programs in the arts, culture, and history.

Section 2. An attested copy of this resolution shall be forwarded to the Friends of Happy Retreat.

Signed and approved this _____ day of _____, 2011.

Peggy Smith
Mayor, City of Charles Town

ATTEST:

Joe Cosentini
City Clerk

Signed and approved this _____ day of _____, 2011.

A. David Hamill
Mayor, City of Ranson

ATTEST:

Ray A. Braithwaite
Recorder

Signed and approved this _____ day of _____, 2011.

Patsy Noland
President, Jefferson County Commission

ATTEST:

Jennifer S. Maghan
County Clerk

The Commission took a 5-minute break at 10:36 a.m.

The Commission reconvened at 10:45 a.m.

3. Appointment and Interviews for the Jefferson County Property Safety Ordinance Enforcement Agency.

Requests to be reappointed to the Jefferson County Property Safety Ordinance Enforcement Agency were submitted by Fred Blackmer and Melinda Keuroglan. Ms. Keuroglan appeared in person and addressed the Commission.

Motion by Ms. Morgan to approve the reappointment of Fred Blackmer and Melinda Keuroglan to the Jefferson County Property Safety Ordinance Enforcement Agency. Motion seconded by Mr. Manuel and unanimously approved.

NEW BUSINESS:

4. Community Participation Grant Contract, Resolution and Agreement for the following:

- **Blue Ridge Mt. Library - \$3,000**
- **Briggs Adoption Center - \$10,000**
- **Shepherd Interfaith Volunteer Caregivers - \$5,000.00**

Motion by Mr. Manuel to support the Grant Contract, Resolution and Agreements for the Blue Ridge Mt. Library - \$3,000, Briggs Adoption Center - \$10,000 and Good Shepherd Interfaith Volunteer Caregivers - \$5,000 and authorize the Commission President to execute same. Motion seconded by Ms. Morgan and unanimously approved.

JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV

RESOLUTION

The County Commission of Jefferson County, met on February 17, 2011 with a quorum present and passed the following Resolution:

WHEREAS, The Jefferson County Commission has agreed to assist the Good Shepherd Interfaith Volunteer Caregivers. The project will include the purchase of computers and related equipment, and durable medical equipment with funds made available through the Governor's Community Participation Grant program in the amount of \$5,000.

NOW, THEREFORE BE IT RESOLVED, that the Jefferson County Commission hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office and to receive and administer grant funds pursuant to provision of the Governor's Community Participation Grant Program.

Date:

Signed:

COUNTY CLERK

09LEDA0226

PRESENTATIONS continued:

5. Stephanie Grove, Assistant Prosecuting Attorney, Legal Update – Shenandoah Professional Center, LLC rezoning request.

Regarding the Shenandoah Professional Center, LLC's rezoning request, Ms. Grove stated that it was her legal opinion from research and review of previous documentation that the Shenandoah Professional Center, LLC had previously withdrawn their rezoning request and it was removed from the Commission's Agenda. Ms. Grove stated that Shenandoah Professional Center, LLC would need to submit a new application to the Planning & Zoning Department and begin the process again.

Ms. Patricia Sanderson of the Shenandoah Professional Center, LLC inquired as to whether or not she would be allowed to speak on behalf of the Center's request for rezoning. The Commissioners were in agreement that the item had not been properly placed on the Agenda for discussion and, therefore, could not be discussed at this meeting. Ms. Noland again advised that Shenandoah Professional Center, LLC should contact the Planning & Zoning Department and commence the process to request a rezoning.

Ms. Grove offered an update on pending Jefferson County legal matters.

Mr. Boyde added that he had spoken to the Berkeley County Commission and the Berkeley County Administrator regarding the possibility of an exchange of attorneys between Berkeley and Jefferson County when needed and Berkeley County was amendable to the exchange.

6. Debra Young, Victim Assistance Program – request to approve and execute VOCA Grant.

Ms. Young updated the Commission on the goals and work of the Victims' Assistance Program and requested that the Commission approve and execute the VOCA Grant. She stated that this year a new signature page has been added. CCR or Central Contractor Registration requires a confirmation that the Program is current and the registration is updated. At present she has not been able to locate this CCR but will search until it is found.

Motion by Mr. Manuel to endorse the VOCA Grant and Resolution and to authorize the Commission President to execute same. Ms. Morgan seconded the motion subject to the required CCR being located and included in the Grant package and the motion was unanimously approved

NEW BUSINESS continued

10. Request to Approve the Community Participation Grant Program for the Jefferson County Sheriff's Department in the Amount of \$23,000.

Details of the Grant were presented by Mr. Boyde. Mr. Boyde explained that the Grant is a "pass through" and Mr. Boyde recommended that the Commission approve and execute the Grant.

Motion by Ms. Widmyer to approve the Community Participation Grant and Resolution in the amount of \$23,000. Motion seconded by Mr. Manuel subject to the 10% in matching funds being deducted from the Sheriff's Department budget. The motion was unanimously approved.

**JEFFERSON COUNTY COMMISSION
CHARLES TOWN, WV**

RESOLUTION

The Jefferson County Commission met on the 17th day of February, 2011 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Community Participation Program in the amount of \$23,000. This project is to assist in the purchase of equipment for the Jefferson County Sheriff's Department.

Dated: _____

PATRICIA A. NOLAND
PRESIDENT
JEFFERSON COUNTY COMMISSION

ATTESTED: _____
County Clerk

11LEDA0129

PRESENTATIONS continued:

- 11. Andrew P. Blake addressed the Commission and requested the approval of the Annexation for the City of Ranson PNGI Charles Town Gaming, LLC Property Parcel consisting of 5.9327 acres.**

Motion by Ms. Morgan to approve the Annexation Order for the City of Ranson PNGI Charles Town Gaming, LLC Property Parcel consisting of 5.9327 acres. Motion seconded by Ms. Widmyer and unanimously approved.

An informal discussion followed regarding TIF with regard to the City of Ranson wherein Mr. Blake asked for the Commission's support on behalf of the Mayor of Ranson.

RECEIVED

FEB 03 2011

ORDINANCE 2011-219
(Uncodified)

Jefferson County Commission

**AN ANNEXATION ORDINANCE ANNEXING 5.9327 ACRES, MORE OR LESS, OWNED BY
PNGI CHARLES TOWN GAMING LIMITED LIABILITY COMPANY (PNGI) INTO THE
CORPORATION OF RANSON, WEST VIRGINIA.**

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

WHEREAS, the Petitioner, PNGI Charles Town Gaming Limited Liability Company (PNGI), is the sole owner of a 5.9327 parcel of real estate situate the Charles Town District, Jefferson County, West Virginia, contiguous to the City of Ranson's municipal boundary and it seeks to have this additional territory annexed into the City of Ranson;

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

WHEREAS, there are no other freeholders or qualified voters residing in the area sought to be annexed;

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

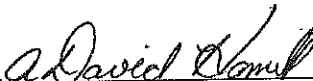
WHEREAS, the additional territory is contiguous with the municipal boundaries of the City of Ranson, and

WHEREAS, the parcel shall be zoned as Rural Reserve (RR) pursuant to Ranson Municipal Code § 19-22(a).

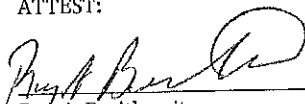
NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the City of Ranson (1) adopts the recitals set forth above as true and correct and hereby incorporates them in the ordinance as if set out in full; (2) finds and is satisfied that the petition is sufficient in every respect; (3) directs that Ranson Municipal Code § 19-20(j) be created as *Rural Reserve (RR)* and subsection (1) be created to read as follows: "PNGI parcel consisting of 5.9327 acres more or less located north of the Baltimore and Ohio Railroad right-of-way, east of WV Route 9, and south and west of Flowing Springs Park and particularly described on a Final Plat of Annexation of the Land of PNGI Charles Town Gaming, LLC, by Greenway Engineering, Inc., dated October 21, 2010; (4) directs the recorder to enter this fact upon the City's journal and forward a certificate to that effect to the County Commission of Jefferson County, West Virginia, requesting that the Commission enter an Order annexing the property described in the petition to the City of Ranson such that after the date of entry of the County Commission's Order, the corporate limits of the City of Ranson shall be modified as set forth therein.

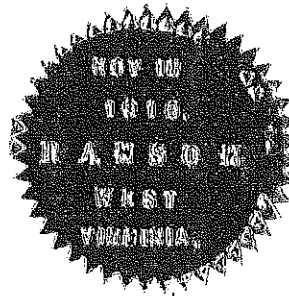
First Read:
Date: 1/4/2011

Second Read:
Date: 1/18/2011


A. David Hamill
Mayor

ATTEST:


Ray A. Braithwaite
Recorder



IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA

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

ORDER

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

A tract or parcel of land situated on the waters of Flowing Springs Run in Charles Town District, Jefferson County, West Virginia and being more particularly described as follows:

BEGINNING at a 5/8" capped rebar set, located along the northern right-of-way line of the Baltimore and Ohio Railroad, being located 473' west of Flowing Springs Road western right-of-way line, and also being a southwestern corner of the City of Ranson Building Commission Park Parcel One, thence leaving the Park Parcel and running with the northern right-of-way line of the Baltimore and Ohio Railroad the following three courses:

With a curve to the left, which has a radius of 2168.79', an arc length of 113.63', chord bearing of N 86° 43' 15"W, and a chord length of 113.62' to a 5/8" capped rebar set, thence;

N 01° 46' 41" E - 10.00' to a 5/8" capped rebar set, thence:

With a curve to the left, which has a radius of 2178.79', an arc length of 648.60', a chord bearing of S 83° 15' 00" W, and a chord length of 646.21' to a 5/8" capped rebar found, said rebar being in the northern right-of-way line of the Baltimore and Ohio Railroad and a point in the eastern right-of-way line of State Route 9, a variable width right-of-way, thence; leaving the railroad right-of-way and running with the eastern right-of-way of State Route 9, passing through a highway monument found at 16.64';

N 23° 44' 19" W - 452.98' in all to a highway monument found, said monument being in the southern line of the Shaeffer Family, LLC property, thence leaving the highway right-of-way and running with the Shaeffer Family, LLC the following course,

N 20° 53' 28" E - 59.57' to a 5/8" capped rebar found, said rebar being in the eastern line of the Shaeffer Family, LLC and a southwestern corner of the City of Ranson Building Commission Park Parcel One, thence leaving the Shaeffer Family, LLC property

and running with the southern line of the City of Ranson Building Commission Park Parcel One along a fence line the following six courses;

S 63° 00' 22" E - 179.53' to a 5/8" capped rebar found, thence;

S 70° 12' 15" E - 221.31' to a stone found in the base of a corner post, thence;

N 21° 43' 45" E - 85.00' to a fence post found, thence crossing over Flowing Springs Run;

S 76° 57' 31" E - 344.33' to a fence post found, thence;

S 86° 50' 48" E - 189.11' to a fence post found, thence; crossing back over Flowing Springs Run;

S 02° 05' 09" W - 245.09' to the point and place of beginning, containing 5.9327 acres, more or less, as surveyed by Greenway Engineering on October 21, 2010, and as shown on a plat entitled, "FINAL PLAT OF ANNEXATION ON THE LAND ON PNGI CHARLES TOWN GAMING, LLC."

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

COUNTY COMMISSION OF JEFFERSON COUNTY,
WEST VIRGINIA

BY: _____
President

Entered: _____

NEW BUSINESS continued:

12. **Tom Bayuzik, Executive Director for the Jefferson County Development Authority requested that the Commission approve the appointment and employment of Elizabeth Wheeler of Shepherdstown, West Virginia to the position of Farmland Protection Administrator, and Ogden Shepherd of Bakerton, West Virginia to the position of Agriculture Development Officer.**

Motion by Ms. Morgan to approve the employment of Elizabeth Wheeler of Shepherdstown, West Virginia as Farmland Protection Administrator. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the employment of Shepherd Ogden of Bakerton, West Virginia as Agriculture Development Officer. Motion seconded by Ms. Widmyer and unanimously approved.

13. **Mark Schiavone provided an update with regard to critical risk factors in Jefferson County's computer system as described in Global Data Consultants' study entitled "Information Assessment and Vulnerability Analysis."**

- Mr. Schiavone is currently in the process of obtaining price quotes, researching, among other things, virtual servers vs. individual servers;
- Waiting for cost proposals from contractors to rewire the courthouse; and
- Advised that the password issue has been resolved.

The Commission took a 5-minute break at 12:15 p.m.

The Commission reconvened at 12:20 p.m

Mr. Manuel commented that the Commission has received responses from several legislators with regard to our correspondence to them concerning the proposed closing of the Millville Post Office. Mr. Manuel suggested that Commission staff forward copies of the letters to the individuals who had signed the Petition to keep the post office open. The Commissioners agreed that this should be done.

Mr. Boyde informed the Commission that he had learned that representatives from Senator Manchin's office were going to be in the county meeting room of the Circuit Courthouse next Thursday, February 24, 2011 from 3:30 p.m. to 4:30 pm. Mr. Boyde recommended that staff enclose an "FYI" with the copies of the letters advising them that they may want to attend and voice their concerns.

14. **Legislative Updates:**

Ms. Noland informed the Commission that she had been advised by Mr. Boyde that Joint Resolution 29 having to do with excess county levies just passed out of the Constitutional Revisions Committee.

Commissioner Manuel:

- ✓ Offered an update on the TIF bills
- ✓ Update on substance abuse funding – public hearing held

- ✓ Update on the Marcellus shale and mineral rights issue -public hearing held
- ✓ The Herbert Henderson Office of Minority Affairs is being created to collect statistics on minority populations and businesses, among other things.

15. Request for the Commission to support legislation to Create Grant Pool for Chesapeake Bay Projects.

Motion by Ms. Morgan to support legislation to Create Grant Pool for Chesapeake Bay Projects. Motion seconded by Mr. Manuel subject to amending the Resolution so that the legislative language includes the Flowing Springs Plant. Motion unanimously approved.

COUNTY ADMINISTRATOR REPORTS:

- Mr. Boyde, along with other individuals, viewed materials at Biz Tech which are available for Jefferson County to purchase at a nominal amount. Among the items viewed were servers, cubicles, computers and other items beneficial to the County. Mr. Boyde requested the Commission to authorize him to execute a document on behalf of the County to enable the County to receive these items.

Motion by Ms. Noland to authorize Mr. Boyde to sign on behalf of the County to receive the items at Biz Tech. Motion seconded by Mr. Manuel and unanimously approved.

COMMISSIONER REPORTS:

Commissioner Widmyer:

- Informed the Commission that she had been elected to serve as chair of the Eastern Panhandle Transportation Authority.
- Attended a budget session with County Staff.

Commissioner Manuel:

- Attended a Parks & Recreation Department meeting and advised that the audit is continuing.
- Attended an Animal Welfare Fundraiser.

Commissioner Morgan:

- Attended a Farmland Protection Board Meeting.
- Participated in a Workforce Investment Board conference call.
- Attended an Animal Welfare Fundraiser.

Commissioner Noland:

- Attended a Council on Aging meeting.
- Participated in the Board of Review and Equalization appeal hearings.
- Attended an Animal Welfare Fundraiser.

There being no further business, motion was made by Ms. Morgan to adjourn. Motion seconded by Ms. Noland and the meeting was adjourned at 12:45 p.m. The Commissioners, Sitting as a Board of Review and Equalization, will convene at 1:30 p.m. this date in the County meeting room in the County Courthouse.

PATRICIA NOLAND, PRESIDENT

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the Old Charles Town Library Ground Floor meeting room thereof on Thursday, February 17, 2010, beginning at 7:00 o'clock p.m.

PRESENT: Patsy Noland, President; Lyn Widmyer;
Dale Manuel, Frances Morgan; Commissioners
Commissioner Walt Pellish participated via conference call.

In re: PUBLIC HEARING - AMEND THE COUNTY ZONING MAP TO CONSIDER URBAN GROWTH BOUNDARIES FOR HARPERS FERRY AND BOLIVAR

Commissioner Noland opened the Public Hearing.

Jennifer Brockman, Director of Planning and Zoning gave a brief summary of the history of the Urban Growth Boundaries in the County.

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

Comments were made by the following: Matt Knott, Pat Morse, Ed Burns, Mayor Robert Hardy, Elizabeth Blake, Lee Snyder, Nance Briscoe, Paul Rosa, Chuck Davis via Paul Rosa, and Nancy Lutz.

The following presented written comments: Ed Burns, Nance Brisco and Chuck Davis.

No decisions were made . The Commission agreed to allow an additional comment period of two weeks ending March 3, 2011. Thereafter, a decision will be made.

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

PATRICIA A. NOLAND, COMMISSION PRESIDENT

**PURCHASE ORDERS TO BE APPROVED
THURSDAY, FEBRUARY 24, 2011**

COUNTY CLERK

PO NO: 49305	495.00	WV SECRETARY OF STATE - Registration fee CC Conference (3)
PO NO: 49306	1,368.64	RAI- Taxes for voter storage building

EMERGENCY COMMUNICATIONS

PO NO: 48896	1,200.00	PANHANDLE ACCIDENT RECONSTRUCTION - Background check for Potts
--------------	----------	---

OTHER BUILDINGS

PO NO: 49289	130.00	ALLIANCE ELECTRIC LLC - Wired two outside units
--------------	--------	--

VARIOUS

PO NO: 49293	263.58	C.A.R.S. - Maintenance & repair for veh. #30, 28, 35 & 64
--------------	--------	--

GRAND TOTAL \$3,457.22

Commission Office Use Only

Date on Agenda: 2/17/11
Appt Time or New Business: 10:30

AGENDA REQUEST FORM

Name: Walt Pellish

Department or Entity: County Commission

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

Date Requested – 1st Choice: 2/17/11

Date Requested – 2nd Choice: _____

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

Subject: **Discussion of the Blunt Property – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information: **Discuss the Blunt Property with Kirk Davis**

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

Attachments:

LAW OFFICES
BROWN AND STURM

260 EAST JEFFERSON STREET
ROCKVILLE, MARYLAND 20850-2333
TELEPHONE (301) 762-2555 • TELECOPIER (301) 762-1928

R. EDWIN BROWN
DENNIS M. ETTLIN

REX L. STURM
OF COUNSEL

February 8, 2011

Mr. Martin Burke
1327 Terrapin Neck Road
Shepherdstown, WV 25443

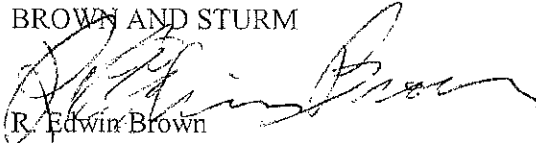
Dear Mr. Burke:

Following our letter of December 15th and recent telephone conversation, I can now advise that Mr. Blunt has authorized a sale of his historic eighteen acre parcel for a net rounded figure at settlement of \$400,000.00. This offer will remain on the table for acceptance without quibble or rejection until the 15th day of June, 2011, subject to the land being devoted to and used for a public purpose and in public ownership within a period of ten (10) years from the settlement date. If you have any questions in the premises, please let me know.

With best personal regards, we are,

Sincerely,

BROWN AND STURM



R. Edwin Brown

REB:m
Cc: Mr. William Lermond

County Commission Use Only

Date on Agenda: 2-24-11

Time on Agenda: New Business

AGENDA REQUEST FORM

Name: Patsy Noland

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: February 24, 2011

Date Requested – 2nd Choice: March 3, 2011

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

Subject: Clarification of grant funding Cement Mill Property (This discussion may require an executive session regarding contract negotiations for the acquisition of property. 6-9A-4

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

I request clarification of the sources of funding for the Cement Mill Property including all funding sources as well as Jefferson County's match for grant funding of Cement Mill Property. Discussion/Action.

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

Motion to be determined after discussion.

Attachments:

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>2/17/11 10:30</u></p> <p>Appt Time or New Business: <u>11/11/11</u></p>

AGENDA REQUEST FORM

Name: Walt Pellish

Department or Entity: County Commission

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

Date Requested – 1st Choice: 2/17/11

Date Requested – 2nd Choice: _____

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

Subject: **Discussion of the Water Advisory Committee – Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information: **Discuss the Water Advisory Committee**

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:

Appt Time or New Business:

AGENDA REQUEST FORM

Name: Toni Milbourne /Jimmy Pierson

Department or Entity: County Fireworks

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

Date Requested – 1st Choice: 2/24/11

Date Requested – 2nd Choice: _____

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

Subject: **Update on Financial Support for the Jefferson County Fireworks Event Discussion/Action**

Please provide the County Commission with a description of your request or presentation, including any background information: **Give a brief update on funding and explanation of the event.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to approve/deny funding request of \$8,000.00 to support the Jefferson County Fireworks Event.**

Attachments:

Commission Office Use Only

Date on Agenda: 2-24-10

Appt Time or New Business:

10:30-11:00

AGENDA REQUEST FORM

Name: Teresa Warnick & Sarah Gabrielson

Department or Entity: Family Resource Network for Teen Court Project

Estimation of amount of time needed for appointment: 30 minutes, with questions and answers

Date Requested – 1st Choice: Feb. 24

Date Requested – 2nd Choice: March 3

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

Subject:

Teen Court – This diversionary program for teen offenders is written into the WV State Code, (ARTICLE 5. JUVENILE PROCEEDINGS, §49-5-13d Teen court program) as an option for counties and municipalities. It is a highly effective youth development program that requires teen offenders to do community service to restore their relationship with the victims and community.

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

The Family Resource Network is requesting that the Commission adopt a mandatory fee of \$5 to be assessed on felonies, misdemeanors and local ordinances, traffic violations and moving violations, excluding parking ordinances as referenced in ARTICLE 5. JUVENILE PROCEEDINGS, §49-5-13d Teen court program, copied below, for the purpose of setting up a Teen Court program for youth offenders who qualify for the program. Information about Teen Court is below.

WHAT IS TEEN COURT?

Teen Court is a unique "second chance" justice program for youth between the ages of 11 and 18 who are alleged to have committed a status offense or an act of delinquency which would be a misdemeanor if committed by an adult. Upon successful completion of the program charges against the defendant are dismissed.

Teen Court is a legally binding alternative system of justice that offers young offenders an opportunity to make restitution for their offenses through community service, educational classes, and jury service. This allows them to avoid fines and sentences handed down by the criminal justice system. Teen Court tries real cases with real consequences. Teen Court is a

"hands on" educational opportunity that allows both offenders and teen volunteers to better understand our system of justice.

In addition to the obvious benefit of interrupting a developing pattern of inappropriate behavior, the Teen Court program helps to reinforce self-esteem, provide motivation for self-improvement and promote a healthy attitude toward authority.

A youth referred to Teen Court has his/her case argued by teenage prosecuting and defense attorneys before a jury of peers, consisting of volunteers from grades seven through twelve of local county schools and returning youth who were previously defendants. The teen jury determines each defendant's sentence based on the nature of the offense committed, and assigns the number of hours of community service to be performed. Each defendant is also sentenced to serve a number of jury terms.

Teen Court is also designed to educate youth about the judicial process. Through direct participation, Teen Court addresses responsibility for one's behavior and accountability to one's community and peers, and enhances respect for the judicial process. Each participant in Teen Court, whether a defendant, juror, bailiff, teen attorney, or adult volunteer; is involved in a positive and meaningful way.

HOW DOES TEEN COURT WORK?

Cases are referred, for offenses that occur primarily within the school and local community, by the circuit court if the court finds the youth a suitable candidate for the program.

Youth who are accepted into the program and appear before a teen jury. They are represented by a teen "defense attorney." The prosecutor is also a teen "attorney" and both attorneys are assisted by adult attorney mentors. Each teen attorney makes an opening statement, the defendant testifies and is cross-examined. Evidence is considered. An adult judge presides and the teen jury deliberates and reaches a verdict and determines the sentence which includes mandatory community service and jury duty in future Teen Courts. Upon completion of the Teen Court sentence the Municipal Court charges against the juvenile are dismissed.

WHO IS ELIGIBLE FOR TEEN COURT?

Youth who are under the age of 18 and who are alleged to have committed a status offense or an act of delinquency which would be considered a misdemeanor if committed by an adult. The decision to extend the option to enter the Teen Court as an alternative procedure is made by the local circuit court if the court finds that the youth is suitable for the program. Also, the youth must consent to participation in the program as must his or her parent or guardian. A youth may only appear in Teen Court once within a two-year period.

HOW ARE THE TEEN JUROR, BAILIFFS, AND ATTORNEYS SELECTED?

Volunteer students from grades seven through twelve from local county schools are selected to serve on Teen Courts. School administrators and teachers may also nominate teens for participation in Teen Court. Teens may also nominate themselves. Parents/guardians must consent to the teens' participation. Mandatory training sessions are held each semester for all interested teens. Teens appointed as attorneys are assigned an adult attorney mentor to assist them in trial preparation. Previously sentenced teens are added to the peer jury pool.

WHAT TYPES OF SENTENCES ARE IMPOSED BY TEEN COURT?

Sentences imposed by teen juries must include community service and participation in future Teen Court sessions as jurors. Sentences may also include restitution to the victim, letters of apology, remedial classes (theft, alcohol education, etc.) and essays. Sentencing is intended to be constructive, and to involve the defendant actively in the community as well as in future Teen Court sessions.

HOW IS TEEN COURT FUNDED?

In counties with Teen Courts, a fee of up to \$5 is added to all traffic violations, all felonies, misdemeanors and local ordinances. Fees are collected by the clerk of courts and deposited into an account specifically for the operation and administration of a teen court program. The clerk of court of the conviction assesses the fees and remits them to the teen court program. Mandatory fees established by the county commission or city council for teen court are paid by the defendant on a judgment of guilty or a nolo contendere plea for each violation committed in the county or municipality of any felony, misdemeanor or any local ordinance, including traffic violations and moving violations but excluding municipal parking ordinances.

WHAT ARE THE BENEFITS OF TEEN COURT?

To the defendant:

- *Interruption of a potential pattern of inappropriate behavior.*
- *Improvement of self-esteem resulting from successful completion of the program.*
- *Reinforcement of positive behavior.*
- *Accountability. An opportunity for a young person to avoid a criminal record.*

To the community:

- *Service to the community benefiting the entire community.*
- *Parent-guardian involvement.*
- *Reduction of the case load in the juvenile justice system.*
- *Dramatic reduction in the number of repeat offenders.*

To the schools:

- *A positive alternative for students who have stepped "off track" for the first time.*

- *Judgment of a teen by their "peers" which in many cases has a more powerful impact than adult discipline.*
- *Real consequences for delinquent behavior in the school environment.*

To the student volunteers:

- *Involvement in redirecting peers.*
- *A better understanding of the judicial system by teens through hands-on participation.*
- *Reinforcement of good citizenship.*
- *Improvement of public speaking and advocacy skills.*

HOW CAN I LEARN MORE?

The Family Resource Network of the Panhandle is working to bring Teen Court to Jefferson and Berkeley Counties. To learn more or give your support, contact Teresa at 304-263-0603, ext. 228 or uwepfrn@comcast.net or Sarah Gabrielson at joyg2009@yahoo.com.

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

The FRN requests that the County Commission approve the addition of a mandatory \$5 fee to be paid by the defendant on a judgment of guilty or a plea of nolo contendere for each violation committed in the county of any felony, misdemeanor or any local ordinance, including traffic violations and moving violations but excluding municipal parking ordinances.

This fee is outlined in (ARTICLE 5. JUVENILE PROCEEDINGS, §49-5-13d Teen court program), reprinted below:

Each county that operates, or wishes to operate, a teen court program as provided in this section is hereby authorized to adopt a mandatory fee of up to five dollars to be assessed as provided in this subsection. Municipal courts may assess a fee pursuant to the provisions of this section upon authorization by the city council of said municipality. Assessments collected by the clerk of the court pursuant to this subsection shall be deposited into an account specifically for the operation and administration of a teen court program. The clerk of the court of conviction shall collect the fees established in this subsection and shall remit the fees to the teen court program.

Any mandatory fee established by a county commission or city council in accordance with the provisions of this subsection shall be paid by the defendant on a judgment of guilty or a plea of nolo contendere for each violation committed in the county or municipality of any felony, misdemeanor or any local ordinance, including traffic violations and moving violations but excluding municipal parking ordinances.

Attachments:
What is Teen Court?
Informational brochure

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- *Reduction of the case load in the juvenile justice system.*
- *Dramatic reduction in the number of repeat offenders.*

To the schools:

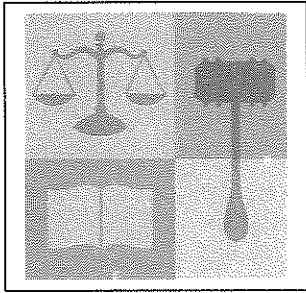
- *A positive alternative for students who have stepped "off track" for the first time.*
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JEFFERSON COUNTY TEEN COURT

The Family Resource Network of the Panhandle

218 West King Street

Martinsburg, WV 25401

What is Teen Court?

The Jefferson County Teen Court program is a community based intervention/prevention program designed to provide an alternative response for the juvenile justice system for first-time, nonviolent, misdemeanor juvenile offenders, in which community youth determine the appropriate sanctions for the offender. The program will hold youthful offenders accountable and provide educational services to offenders and youth volunteers in an effort to promote long-term behavioral change that leads to enhanced public safety.

Benefits of Teen Court

Teen court program benefit the community, offenders, youth volunteers, schools, and the juvenile justice system by;

- Program has a proven track record of low recidivism rates
- Responds more quickly than traditional juvenile court
- Cost Effective
- Reinforces positive behavior
- Interruption of a potential pattern of inappropriate behavior
- Involves youth volunteers in the community and local issues
- Provides youth volunteers a forum to build competencies (conflict resolution, public speaking, and problem solving)
- Judgment of a teen by "peers" which may have a more profound impact than adult discipline
- Positive peer pressure
- Real Consequences for delinquent behavior in the school environment
- Does not further 'clog' the juvenile justice system
- Each case would provide a minimum of 16 hours of community service in Jefferson County
- Youth are held accountable at the first offense
- Saves the juvenile justice system money

Teen Court in West Virginia and around the United States

There are currently 12 counties participating in the teen court model in West Virginia and many more developing programs. Nationwide there are over one thousand teen court programs operating. Teen court programs are supported by volunteers and funded by a \$5 fee added onto traffic citations and any case that pays court fees.

Commission Office Use Only
 Date on Agenda: 2-24-11
 Appt Time or New Business: 11:30 AM

AGENDA REQUEST FORM

Name: Michael Awoyer

Department or Entity: JEFFERSON County Emergency Services Agency (JCESA)

Estimation of amount of time needed for appointment: 20 mins

Date Requested - 1st Choice: 02/24/2011

Date Requested - 2nd Choice: 03/03/2011

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

Subject: matching funding for consultant to assist with public funding technical assistance (GRANTS) as first steps to JCESA Strategic Plan Implementation

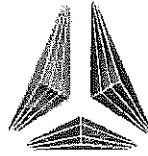
Please provide the County Commission with a description of your request or presentation, including any background information:

JCESA seeks \$25,000 to extend existing contract with Delta Development Group to assist JCESA with submission of three (3) public funding applications to implement JCESA's Strategic Plan.

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

move to provide JCESA \$25,000 matching funding for Delta Development Group to assist JCESA with preparation and submission of three (3) public funding applications.

Attachments:



DELTA | DEVELOPMENT | GROUP
I N C .

January 26, 2011

Doug Pittinger
Director
Jefferson County Emergency Services Agency
419 Sixteenth Ave.
Ranson, WV 25438

RE: JCESA Strategic Plan Implementation – Public Funding Technical Assistance

Dear Doug:

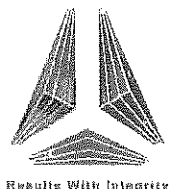
In response to Mike Alvarez's request, I am pleased to submit Delta Development Group's (Delta) proposal to assist the JCESA with pursuing specific state and federal programmatic funding opportunities to support the implementation of the agency's five-year strategic plan. A review of potential funding opportunities is detailed in the attached matrix, which we recently submitted to Mark Schiavone for his consideration with respect to Jefferson County's fiscal year 2012 Capital Improvements Plan. Other funding opportunities may be considered based on their applicability and relevance to the JCESA's strategic plan and funding priorities.

Scope of Services

Delta's public funding technical assistance services will include the following:

- Conduct a kick-off meeting with JCESA Board and staff representatives to identify the agency's top three (3) priority funding requests for calendar year 2011 and fiscal year 2012. Such priorities, as specified in the strategic plan, may include the following:
 - FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant to support the JCESA's staffing plan
 - FEMA Assistance to Firefighters Grant to support improvements to the Jefferson County fire training facility
 - Federal or state technology grant(s) to support the acquisition and installation of the ACS FIREHOUSE Web-based software package
- Assist the JCESA staff with registering the agency through the Department of Homeland Security's Integrated Security and Access Control System and the federal Grants.gov e-grants system (note online registration is necessary to apply for most federal funding programs)

2000 Technology Parkway
Suite 200
Mechanicsburg, PA
17050-9407
(717) 441-9030 Phone
(717) 441-9056 Fax
www.deltaone.com



- Page 2 -

JCESA Strategic Plan Implementation – Public Funding Technical Assistance
January 26, 2011

- Monitor the Notice of Funding Availability (NOFA) announcements for the targeted state and federal funding programs and notify the JCESA of their availability. Monitoring will occur through Delta's RSS (Really Simple Syndication) Feeds and ongoing communications with state and federal officials.
- Assist the JCESA with preparing and submitting a maximum of three (3) public funding applications (state or federal) as authorized by the JCESA and pursuant to specific funding program guidelines. Delta will rely on the JCESA staff to support the data and information collection efforts necessary to support the grant application process.
- Maintain written and verbal communications with local, state, and federal officials and their representatives as required and authorized by the JCESA to obtain appropriate support for the agency's funding applications
- Attend a maximum of five (5) on-site meetings in either Ranson or Charles Town, including the project kick-off meeting

Schedule and Costs


Delta will perform the above scope of services from February 1, 2011, through December 31, 2011, for a total not-to-exceed compensation of \$24,500, plus reasonable and ordinary expenses not to exceed \$500.

Contract Amendment

Should the JCESA Board agree to this proposal, Delta will proceed with the above scope of services upon the enactment of an amendment to the October 20, 2010, agreement between the JCESA and Delta. The amendment will modify the terms of the October 2010 agreement to incorporate the terms of this proposal.

In closing, please feel free to contact me with any questions at 717-441-9030 or at ttruax@deltaone.com.

Sincerely,



Troy D. Truax, AICP
Vice President

Attachment

Commission Office Use Only

Date on Agenda: 2-24-11

Appt Time or New Business: 11:15 am

AGENDA REQUEST FORM

Name: Paul Marshall

Department or Entity: Jefferson County Parks & Recreation Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested -- 1st Choice: 2/24/2011

Date Requested -- 2nd Choice: 3/3/2011

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

Time is of the essence in moving forward with the development of Hite Road park.

Subject: Request for release of funds from the Parks & Recreation Land Fund for engineering services to develop Hite Road park.

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

The Jefferson County Parks and Recreation Commission is working to develop parkland it acquired on Hite Road so that it can be used for recreation. A Master Plan has been prepared (see attached) and recommends a phased approach. Basic engineering services known as site planning need to occur in order to continue the development of this resource. This request, if granted, will fund the provision of this initial step in park development.

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

Motion to release \$210,000 from the Parks & Recreation Land Fund in order to fund the provision of site planning services for the development of Hite Road Park.

Attachments: Master Plan for Hite Road Park, Site Plan for Hite Road Park proposal from LPDA.

Master Plan
for
Hite Road Park
March 2010



Prepared By:



With:

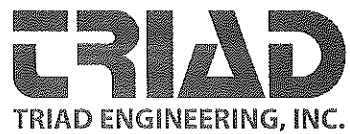
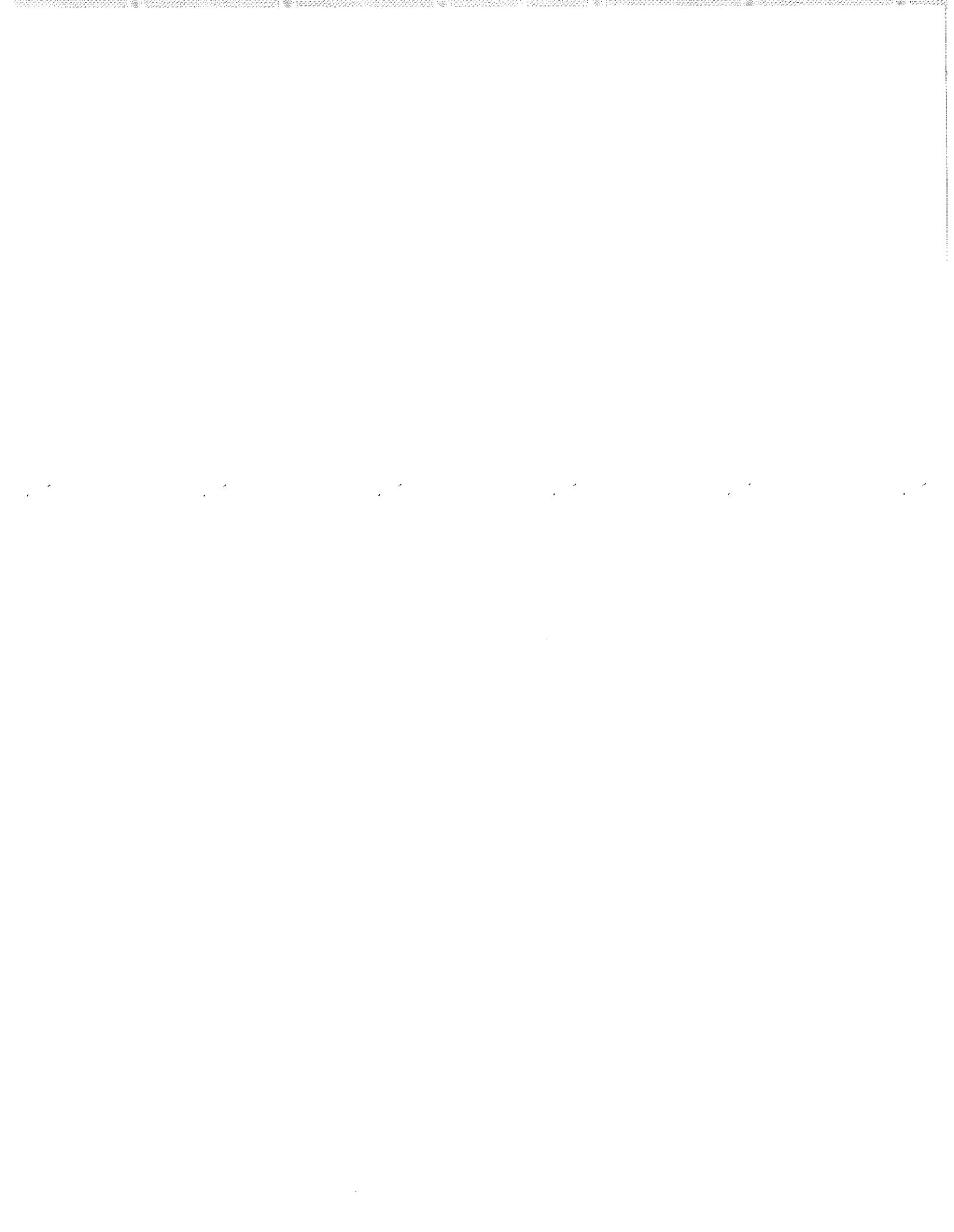




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Cost Estimates & Budgeting	16
Funding Strategy Plan	17
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Acknowledgements

Jefferson County Parks and Recreation Commission

Director

Timothy C. Barr, Director

Jennifer Myers, Assistant Director

Commission Members

Paul Marshall, President

Cheryl D.L. Roberts, Vice President

Matt Knott, Treasurer

Toni Milbourne, Secretary

Mike Jacobs

George Nichols

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Executive Summary

Introduction

This Hite Road Park Master Plan supports the goal of turning the site into a multi-use district park that serves the diverse needs of a growing County population. The report identifies program elements included in the proposed park and contains a summary of the site analyses, an implementation plan that outlines project costs, phasing, and potential funding sources. Included in the appendices are engineering reports, detailed cost estimates, planning graphics, and an overview of the environmental inventory. This narrative is supported by a master plan concept that illustrates the proposed uses for the park.

Summary of Findings

The 119-acre Hite Road Park Property is located on Hite Road, northwest of the City of Charles Town in Jefferson County. The property was purchased by the Jefferson County Parks and Recreation Commission in 2008.

The property is well-suited to become park land, given its rolling topography and current agricultural use as a hay field. The site is uniquely vegetated with stands of mature existing trees within the ridges of karst topography. This characteristic compartmentalizes the site into several zones suitable for development of park uses.

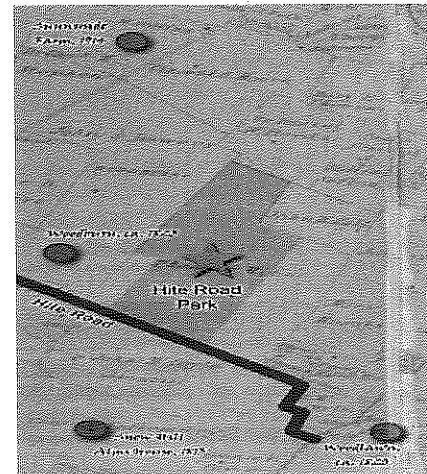
The park program features both passive and active recreation opportunities, as requested by the public in surveys and meetings. Likewise, the public input gathered through the master plan process was consistent with the findings of the 2006 *Report of Open Space and Recreational Needs Assessment Survey for Jefferson County, West Virginia*, requesting needs for more available recreation space for organized sports such as soccer, baseball, and football as well as need for tennis, basketball, skateparks and passive and secondary recreation opportunities.

The park is proposed to be constructed in a series of three phases ranging from immediate implementation to more than 10 years. The timing and content of each phase is dependent on available funding and current County need. The first phase will include construction of the entrance roads, ball fields, trails, and continue that implementation strategy through to construction. One of the immediate goals is to have the Hite Road become a functional park that is open to the public as soon as possible.

Cost estimates were prepared for each area of the master plan program and are included in the Implementation section and Appendices of this report.

The cost estimates provide an idea of how much each phase and each program element might cost using 2009-2010 dollars.

Funding sources for each phase, and each element within the phases, will vary and likely include County tax dollars, grants, bonds, and proffered monies. A breakdown of potential funding sources for each element is also located in the Implementation section of this report.



Historic map showing locations of historic sites in relation to Hite Road Park

Program Elements Include:

- *Trails*
- *Softball & Baseball Fields*
- *Soccer Fields*
- *Basketball Courts*
- *Tennis Courts*
- *Playgrounds*
- *Skate Park*
- *Miniature Golf*
- *Dog Park*
- *Passive Gathering Areas*
 - ~ *Picnic and Event Shelters*
 - ~ *Outdoor Lawn Games*
- *Maintenance Facilities*

Site Analysis & Needs Analysis Summary

Site Analysis Overview

The Hite Road Property is an approximately 119-acre site located in Jefferson County, West Virginia, along Hite Road, a gravel collector road just east of Leetown Road. Likewise the site is located about 2 miles from WV Rt. 9, the a arterial road linking the major cities of the Eastern Panhandle of West Virginia.

The topography is gently rolling and presents primarily as open, grass-covered fields with wooded areas growing along the ridges of karst topography and along the project borders. Site elevations range from 606' above sea level along the eastern property line to 570' in the southwest corner along a draw that runs perpendicular to Hite Road.

The only current access to the site is at the location of the old farm house and barn, which have been removed. Otherwise, access is limited to four-wheel drive vehicles when the current hay farming operation has been recently cut or is out of its growing season.

Throughout most of the site, views demonstrate the rolling pastoral landscape of Jefferson County and remain fairly unimpeded as development in the proximity of the site has remained fairly rural.

Base information from the Master Plan was generated from public sources such as: United States Geological Survey (USGS) mapping, County data, soil surveys, and information relating to the adjacent development project, Jackson's Woods provided by the client.

The northwest corner of the site is bordered by the United States Department of Agriculture (USDA) Appalachian Fruit Research Station (ARS) which conducts research on fruit trees within its property. While the Hite Road Park site is largely buffered from the Center's farming operations, approximately 600-650 feet of the northeast property line is adjacent to groves of fruit trees, and the remaining site borders are largely occupied by large wooded tracts of land or single family housing on large lots.

There is believed to be a grave stone on the site although its location was never confirmed by the Commission or the Consultants after additional field investigations. LPDA did meet with a past resident of the site who believed that the cemetery existed along the southern point of a stand of trees midway along the frontage of Hite Road approximately 600' into the site.

Needs Analysis

LPDA conducted needs analysis utilizing 4 different methods: research of the 2006 *Report of Open Space and Recreational Needs Assessment Survey for Jefferson County, West Virginia*, public surveys distributed at meetings and at the Jefferson County Community Center, input taken by LPDA via the internet, and notes taken during public meetings from citizens.

Public surveys completed for the Needs Analysis showed a high demand for walking and hiking trails, soccer and baseball. Facilities for extreme sports such as skateparks were also of higher importance. Passive recreation facilities for picnic shelters, totlots, and pavilion also ranked high in providing a total user experience at the park for uses beyond recreation.



Ruined structures in wooded area



Limestone outcropping in actively farmed field



Existing stands of vegetation



Typical view of understory vegetation

During the programming process and coordination with the Parks and Recreation Commission there was also discussion of cost sharing opportunities through rentals or land leases for partnerships with private operators within the park for uses such as miniature golf and paintball, although paintball was later voted out by the Commission as a non-desirable land use for this site.

Utility Capacity Overview

Triad Engineering, Inc. (Triad) conducted an overview of the utility capacity for both water and sewer and power and telecomm. The Hite Road Park site is outside of the public service area for both water and sanitary sewer and will require on-site water through wells and on-site sewer through the use of septic and drainfield systems. Telecommunication lines and single phase power is available along Hite Road.

Existing Buildings & Facilities

The Hite Road site currently has no usable buildings. Several of the buildings were raised prior to and following the purchase of the property by the Jefferson County Parks and Recreation Commission. Several ruined buildings exist on the site in the southwest wooded area as well as several building foundations.

Site Access Overview

The Hite Road Park site is accessed only from Hite Road along its southern boundary. The site is approximately 0.5 miles east of Jefferson Crossing Road and 1 mile west of Wiltshire Road, both are paved state roads. Hite Road is currently a gravel and stone dust road in a 30' right of way with a width ranging from 12-14' LPDA and Triad met with the West Virginia Department of Transportation (WVDOT) to determine that the entrance locations would be appropriate for the park entrance. Currently there is no specific pedestrian access along Hite Road or in the proximity of the site. WVDOT is planning a pedestrian trail along the south and west sides of the improvements to Route 9 some 2 miles away. Access from these improvements to Hite Road Park will require easements through neighboring properties.



Looking west across the Hite Road Park site.



Existing Barn



Hite Road looking east



Hite Road looking west

Summary of Public Comment

Needs Analysis

Two public forums and 3 Commission meetings were facilitated or attended by LPDA to obtain comments and feedback from community members. The community also had the opportunity to provide comments via paper survey and on-line survey. The intent of the forum and surveys were to learn what program elements the majority of people living in Jefferson County wanted to see in a new park. The surveys included questions about the perceived strengths and weaknesses of the County parks and recreation system and what types of new facilities would be appreciated.

In general, the responses showed that the public wanted to see a variety of passive and active uses in a new park that would address the needs of a diverse population including team sports participants, families, and walkers/hikers as well as providing quality facilities.

Commission Meetings

LPDA participated in several monthly Commission meetings for both the general commission and facilities meetings to discuss concepts and options for the park. Through the Commission Meeting process the forum allows for public comment. LPDA and the Commission vetted out programmatic elements proposed by the public that either the consultant or a majority of the commission members did not feel were appropriate for this site.

Master Plan Concept

The master plan was presented first in advertised forums in October of 2009 and again in January of 2010. Again, the public had the opportunity to comment at the meeting as well as via paper and on-line surveys. Survey questions asked how the respondents felt about the proposed program elements.

While both meetings were well attended; the January meeting was attended by over 80 citizens. In general, the project and program was embraced by the public as the consensus is that these facilities are needed now to meet the demand in Jefferson County.



Public getting a look at the proposed plans at the January Meeting



Public meeting and comment session



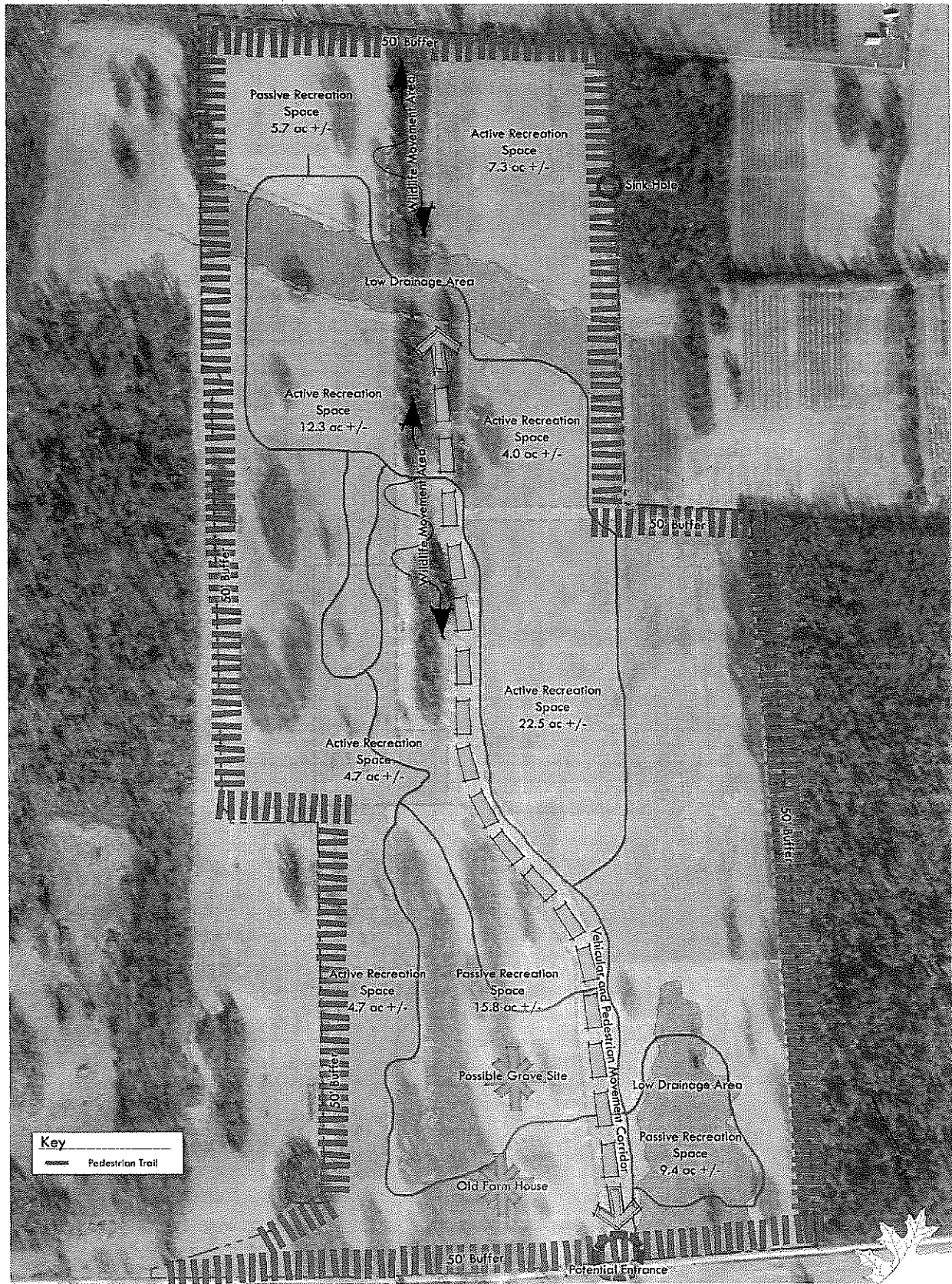
Final public forum

You are invited to a
PUBLIC FORUM
 Tuesday, Jan. 12th, 2010
 7:00 - 8:30pm
 Jefferson County Community Center
 235 Sam Michaels Lane, Shenandoah Junction, WV
 Check out the project information @
www.lpda.net
 under the Public Info Section for
HITE ROAD PARK
 where you can view and download plans for
 information on the proposed
MASTER PLAN
 and find out how YOU can participate!

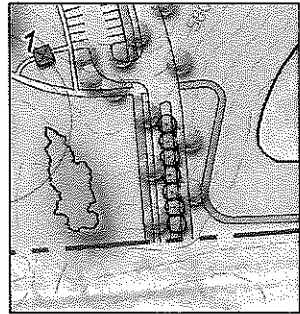
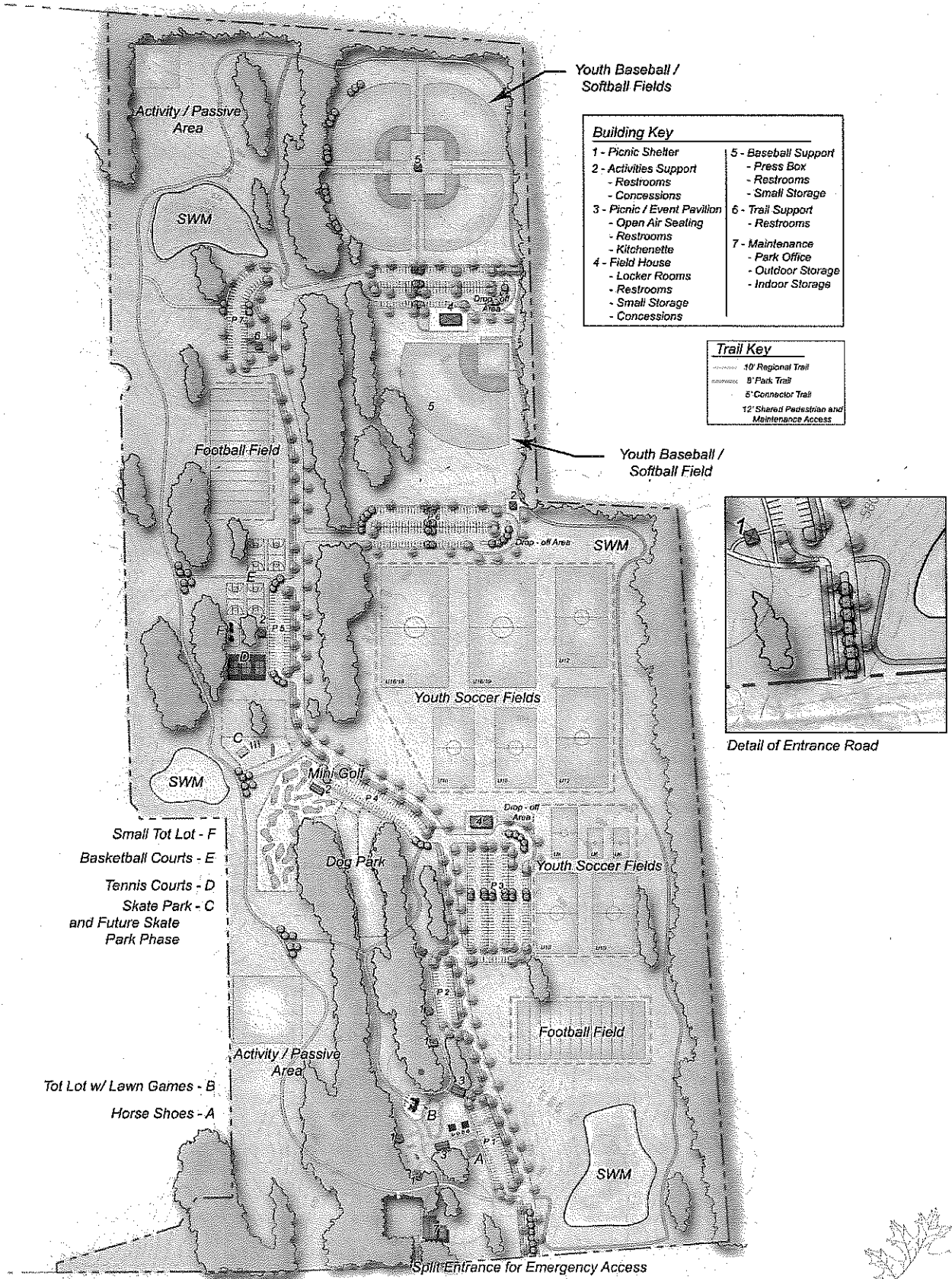
Program includes:
 Trails and Walking Paths
 Picnic Areas
 Tot Lots and Playgrounds
 Youth Soccer Fields
 Youth Football Fields
 Youth Baseball and Softball Fields
 Basketball
 Tennis
 Skate Park
 Mini Golf
 Dog Park

Tell us what you think!
 Email feedback &
 questions to:
zac@lpda.net

Please come out and share YOUR ideas and SUPPORT!



Opportunities and Constraints Map



Detail of Entrance Road

Final Master Plan for Hite Road Park

Design Narrative

Introduction

The program for Hite Road Park meets goals of serving Jefferson county for developing the site as a district park. District parks are typically centrally-located and serve broad purposes such as providing access to open space and various forms of active and passive recreation. Because district parks have a large service area, Hite Road Park has the ability to serve a large portion of Jefferson County.

The section below highlights the main programmatic elements included in the master plan for Hite Road Park. It should be noted that each element is intended to be phased in over time based on funding availability, current need, and available utility capacity. As described in the Phasing section of this report, the entirety of the master plan may not be constructed for more than 10 years.

Park-Wide Amenities

New Entrance and Access Road

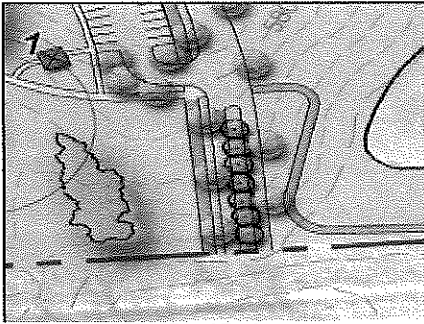
The park will require a new access road to connect to Hite Road. The entrance from Hite Road is proposed to be split by a landscaped median with adequate pavement width for both movements of traffic, inbound and outbound, in the event that an accident blocks either the entrance or exit. Pursuant to discussions with the West Virginia Department of Transportation (WVDOT) improvements will also be likely for Hite Road based on the number of trips anticipated to be generated by the park, although there was no dialog pertaining to how that related to phasing the park's implementation. Likewise, this expanded access area will help control access for big events such as soccer tournaments.

The proposed road is also being used to compartmentalize the site to provide access to the recreation and passive areas. This alignment of the road corridor as it moves through the property should also be utilized as a utility corridor for both water, sanitary and wired utilities such as electric power, internet, and phone. Construction of the road would be asphalt over a aggregate base with shoulder and ditch and will need to be phased to accommodate the park program as different areas develop through construction. Grading should be gently feathered back from the roadway and ditches to allow for off road overflow parking for large events.

Walking Trails

The Hite Road Park master plan features a network of trails to serve as both loop-style exercise trails as well as connectors to get to and from parking areas, buildings, athletic fields and passive recreation areas. Shared access with maintenance vehicles such as Gators will be necessary to access remote or undeveloped areas of the site. The Master Plan was developed utilizing a hierarchy of trails for the following uses:

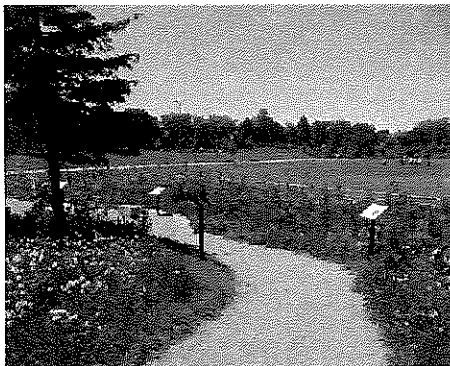
- 12' Shared Pedestrian and Maintenance Access: Due to the location of the maintenance center along Hite Road. The shared access trail will allow light duty trucks and other maintenance equipment to access the site without having to travel on Hite Road. Maintenance and pedestrian conflicts should not be an issue because most of the



Detail plan of Hite Road Park entrance



Walking Trails



Crushed Stone Walking Trail



Playground

maintenance is done when the park has its lowest volume of users, weekdays from 9am to 5pm; however, signage should be provided to let both parties know of potential conflicts.

This portion of the pedestrian trail is the southern extension of the 10' Regional Trail.

- 10' Regional Trail: The 10' Regional Trail is north-south connector running through the western passive areas of the site. This trail would ultimately connect to a large system in the County linking Leetown Park, to Hite Road Park, and ultimately to the Route 9 Regional Trail.
- 8' Park Trail: This trail system would be used primarily for recreational users within the park and would be comprised of an aggregate base topped with a stone dust for wheeled vehicles such as strollers. In wooded areas, this system could be wood chip and laid out on existing grade to protect sensitive root zones of the existing vegetation. Signage warning wheeled vehicles would be necessary warning them of potentially difficult terrain ahead.
- 5' Collector Trail: The collector trail system would function as internal side-walks to, around the park linking parking areas to facilities and buildings. This system will need to be solid surface, either finished concrete or asphalt and fully American with Disabilities Act (ADA) compliant with ramps and striped crosswalks where necessary.

Building Program

The development of Hite Road Park will require construction of support facilities for restrooms, concessions, sporting events, storage, maintenance, and staging and meeting areas, such as locker rooms. The master plan has been developed with a series of buildings with the necessary support facilities as it relates to each area of the park and the specific elements around it. As demonstrated in the exhibit to the right the building program has been designed so that no areas of the park are further than 500' to a restroom facility. This will not only help to make the park accessible, but it will make the facilities function efficiently for large events.

Picnic Shelters

The proposed picnic shelters are 4 to 6 post open air shelters ranging in size usually containing 2-4 tables. For the use levels anticipated at Hite Road Park, LPDA would recommend a steel or aluminum framing system with a standing metal seam or architectural shingled roof. Wooden frame systems may be a cost saving alternative, but may not have the extended life cycle of metal systems.

Activity Support

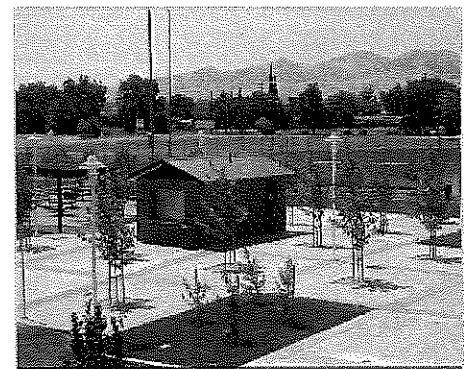
The activity support buildings would be frame or masonry constructed buildings used for the operations, concessions, and restrooms for the skatepark and miniature golf facilities. As these uses have been identified as potentially being cost sharing elements, this building could be leased to the operators under an agreement with the associated with the land.

Event Pavilions

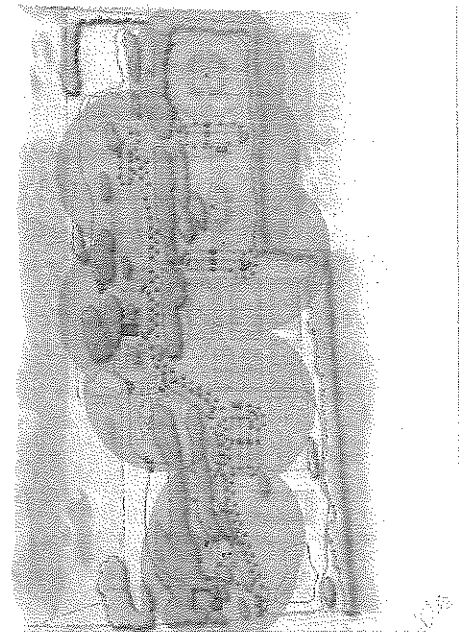
Much like the picnic shelters, the event pavilions would be open air on one end



Rectangular Playing Fields.

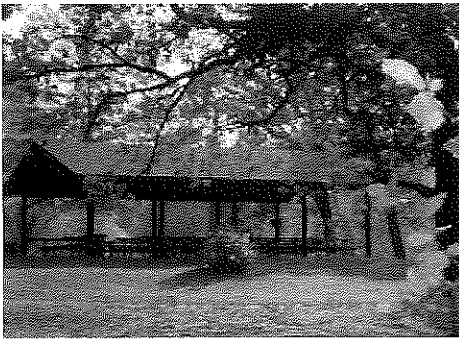


Concession Stand / Restroom Facility

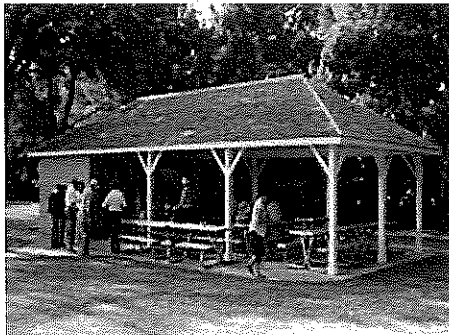


Distance of Facilities Map.

Also See Appendix J



Open-Air Picnic Shelter



Picnic Pavilion with Kitchette

and provide support facilities such as restrooms and kitchenettes on the other end. These facilities should be masonry construction with architectural edges such as stone, brick, or split face block. The kitchenettes should be equipped with basic appliances and counter space to allow for large gatherings such as civic and church events.

Field Houses

There are 2 field houses proposed in the master plan for support of the soccer and baseball facilities. The field houses contain locker rooms with restrooms within, public restrooms, small storage areas for game equipment, and concessions. Construction of the field houses should be block construction with an architectural edge such as split face block or brick and stone accents.

Baseball Support - Press Boxes

There is one press box proposed in the master plan for support of the baseball facilities. The press boxes will be multi level buildings with the top floor for calling and scoring games with restroom facilities and small storage areas on the ground level. Construction of the press boxes should be block construction with an architectural edge such as split face block or brick and stone accents.

Trail Support

One trail support building is sited at the northwest corner of the site. This building would be used to supply restrooms to the western football field, trail network, and passive recreation areas. Construction of this restroom building should be block construction with an architectural edge such as split face block or brick and stone accents.

Maintenance Building

To support the park in its initial phases and at buildout, a maintenance building has been proposed along Hite Road. The maintenance center is sited in the wooded area where the old barn existed to be screened from the primary park uses. Access to the maintenance building will be directly off of Hite Road. The building will be two elements, a large garage or pole barn and finished office space at 2,600 and 960 square feet respectively. While the finished area would need to be masonry construction, the maintenance area could be a manufactured steel building or pole barn.

Passive Recreation Areas

There are several large passive recreation areas throughout the site including 2 large open fields. While a portion of those fields will need to be held for on-site septic, the intent of those locations are to buffer the park from the adjacent neighbors and future development as well as provide large gathering areas for festivals and tournaments.

South Picnic Area

The south picnic area is located adjacent to the wooded areas immediately on the left as you enter the site and along the pond on the right side of the project. Anchored by 2 of the picnic pavilions, this area features smaller shelters, totlots, outdoor games such as chess and horseshoes, a totlot, and

a tricycle race track.

Dog Park

A dog park is proposed in the treed area in the middle of the site. It will contain 2 fenced areas for large and small dog play as well as a hose bib for fresh water.

Athletic Fields

Athletic complexes have been the primary focus of the master plan development for Hite Road Park. Through the public participation process and stakeholder input high regard was placed on increasing the quality and quantity of complexes in the County. Likewise, special care has been conveyed to the layout to group those complexes with like sports and connect them through the pedestrian and trail network as well as the incorporation of the passive areas to create the total family experience.

Football

There are 2 football fields programmed for the site, in the initial phase on the right of the entrance and in the northwest corner of the project.

Soccer

There are 2 large soccer complexes programmed for the site. Given the range of field sizes utilized by Jefferson Youth Soccer the soccer areas have been programmed to allow for layouts of multiple combinations of fields to meet demand and for practice and tournament play. The proposed area 'dome grade' one large field from a high point in the middle down 2% in each direction. This arrangement can also be beneficial to move worn areas out of service for reestablishment of turf and as drainage problem arise. It is anticipated that this area could be lighted for evening and night practice and play.

Baseball

The baseball complex is located in the far northeast corner of the project and features 4 Little League fields and one high school sized field and warm up areas. The 4 Little League fields are laid out in the quad configuration with services and bleachers in the center. It is anticipated that this area will need to be lighted for evening and night practice and play. At site development, further lighting analysis or cooperation with the USDA facility may be necessary to ensure that there is no conflict between the baseball lighting and adjacent orchards

Sport Courts

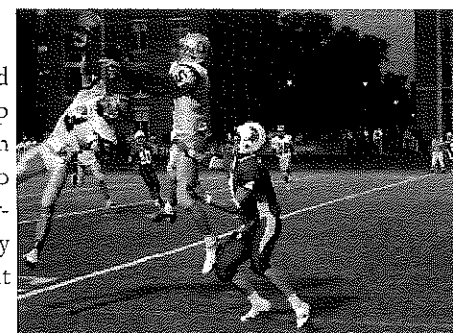
Basketball and tennis have been incorporated into the site program along the center of the site on the west side of the access road. This area will feature 4 basketball courts, 3 tennis courts, a totlot, and activities support building. It is anticipated that this area could be lighted for evening and night practice and play.



Dog Park



Aerial View of Baseball Field Complex



Football Fields

Other Recreational Areas



Skate Park

Skate Park

A large area has been allocated for a skate park along the western side of the access road into the park. Throughout the master plan process there has been specific interest in a skatepark at Hite Road Park. LPDA's research into comparable projects has shown that these parks can be many different forms, from last paved spaces with constructed ramps and jumps to very ornate formed concrete layouts with specialized surfacing, etc. For the purposes of cost estimating, LPDA has assumed a large asphalt pad with pre-fabricated or constructed jumps and trick elements.

Miniature Golf

The miniature golf course is a programmatic element that presents an opportunity for a public-private cooperation with an operator or an opportunity for the County to operate this business on it's own for seasonal, weekend, or camp play. Much like the skate park, construction can range from very ornate configurations of concrete with drastic changes in elevations to more simplified layouts that mimic real putting on a golf course.



Mimi Golf

Grading, Utilities, & Stormwater Management

Grading

Given the rolling topography and Karst formations, grading for Hite Road Park must be done sensitively and within the existing farming operations. Even areas with the gentlest slopes in the park will need to be graded to create level pads for athletic fields and buildings.

The buildings and fields were located on the most level areas of the site: in the eastern portion of the park. Mass grading concepts done as part of this master plan show that these elements can be successfully graded into the topography with very limited importing or exporting of materials. The success of this balancing will depend on phasing of construction as determined by budgets.

See Appendix K for conceptual grading plans.

Final grading, primarily for athletic fields, may require importing top soils if further soils investigations determine the need for more horticulturally suitable materials.

During the site analysis phase of the Master Plan Triad Engineering conducted 14 test pits throughout various locations of the site, particularly areas envisioned to have the highest impact over their current condition. Generally their evaluation found that a backhoe could achieve full depth, about 12', in 12 of the 14 locations. The 2 locations that did not achieve full depth reached bucket refusal, usually a sign of bedrock at 7'.

This evaluation was considered in the grading concept and planning of the site. Likewise, the grading concept worked the site to be able to keep the majority of the existing trees on the perimeter and in the open areas.

LPDA recommends that the Commission acquire a full geotechnical and environmental report before beginning engineering to confirm our preliminary reports as well to test for any contaminants in the soil.

Utilities

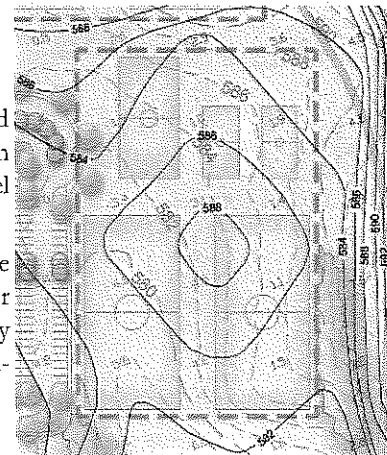
As mentioned in the Site Analysis section of this report, there are currently no public utilities for water and sewer on the Hite Road Park site. Electric power and telecommunications are available along the frontage of Hite Road. Given the natural watersheds created by the site there will likely need to be a Phase I utility system to support the initial impact of the project in the southern part of the property and a Phase II for the northeastern and northern part of the property.

The phasing plans developed by LPDA convey this phasing of both in utility infrastructure and the park program; however, consideration will need to be given to the final phases of the park, primarily the uses along the western edge for the infrastructure as it develops for Phases I & II.

Refer to the Engineering Report in Appendix A of this report for complete utility information.

Stormwater Management & Low-Impact Design Approaches

Stormwater run-off is created by impermeable surfaces that do not allow rain-water to infiltrate into the ground or soils that are already too saturated or compacted to allow natural infiltration. Run-off must be captured in holding



Cut and fill analysis of pre and post development condition

areas, such as retention ponds, or directed into underground pipes and carried to other locations. It is particularly important at the Hite Road Park Site that excess runoff be directed away from the limestone Karst topography, which can become unstable if saturated. Therefore, the master plan shows a system of detention ponds and pipes that collect, treat, and move runoff safely through the site.

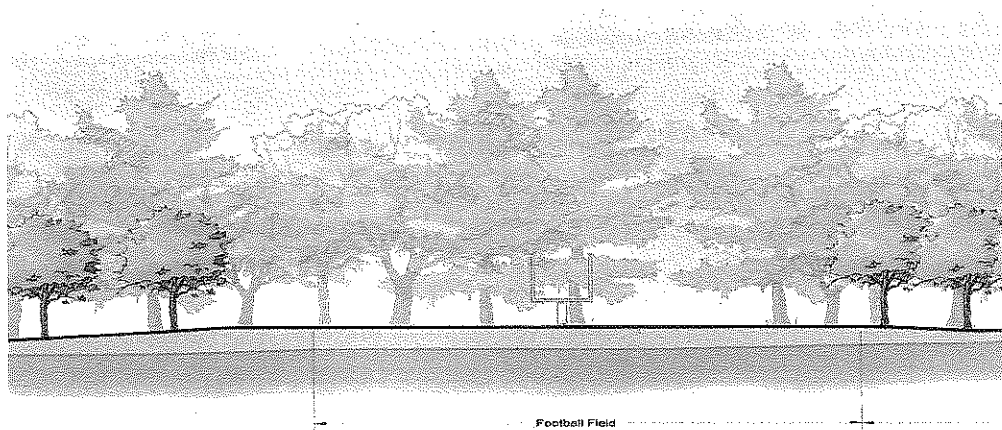
Low-impact design (LID) stormwater management techniques help to protect the environment by limiting impact to a site. The three main principles for LID are to capture water, slow it down, and remove pollutants before the remaining run-off enters the ground. LID techniques that may be appropriate at Hite Road Park include rain gardens; cisterns; managing pipe outfall locations; permeable paving; filter strips; forebays; and reducing the use of underground pipes. Each of these techniques must be vetted on a case-by-case basis to ensure that they are suitable for specific soil types, infiltration rates, and run-off quantity and quality.

Bioretention basins, rain gardens, forebays, filter strips, and other biofiltration methods work by capturing water and releasing it slowly into the ground or another water detention device. These methods treat water quantity by containing it in one place, such as a basin, or slowing down its arrival to another location. In the same way, they work to treat water quality by slowing down infiltration times and thereby allowing pollutants to settle out before reaching the water table.

Water cisterns are essentially tanks that collect run-off for other uses. Irrigation is the primary use for cistern water, which both reduces the amount and cost and well water that might be used for this purpose.

Managing pipe outfall locations is another important LID technique. Simply put, final designs must make sure that pipes do not outfall into environmentally sensitive areas such as sinkholes. Alternatives to piping should be looked in it appears that outfalls will direct water to these locations.

Ponds were preliminarily placed based on grading and soils conditions from the base information generated to capture outfalling water and to limit the use of pipe. Final design and sizing of these facilities will be dependant on final layout and engineering.



Section demonstrating fill zones for athletic fields

See appendices H&I

Implementation Plan

Action Plan

This Action Plan discusses construction priorities, phasing, and associated costs to clearly define how and when each element of the master plan should be implemented.

Inventories, Assessments, and Engineering

As the project moves forward, the County and Commission should consider obtaining approvals and testing for engineering the site in phases that are in concert with the construction budgets moving forward. Those include but are not limited to:

- Boundary and Topographic Survey flown at 0.5' vertical precision
- Phase I Environmental Reports
- Phase I Archaeological Reports
- Detailed Site Planning, Engineering, and Landscape Architecture
- Detailed Architectural Design for Site Buildings
- Final Engineering

Likewise, these reports and efforts will continue to help the County refine the associated costs of the implementation

Phasing

The master plan is divided into 3 phases based on proximity of each element and logical need for access; spreading out funding needs; and publicly- and County-identified priorities. The phases shown below are intended to serve as a flexible guideline for implementing the total master plan over then next 10 or more years. As funding and priorities change, elements can be moved back and forth between phases.

Phase I (0-3 Years)

This phase is intended to be implemented within the next 3 years. It contains elements that are able to be constructed or improved immediately to ensure the public can be using the park as soon as possible. It contains the core of the passive elements and first recreational section.

Due to traffic and safety requirements WVDOT may require upgrades to Hite Road in this phase.

- Park Entrance
- 1st Phase of the access road
- Maintenance Facility
- Passive Park and Support Buildings
- 1st Field House
- Parking Areas
- Southern Soccer Complex
- Football Field
- Phase I On-Site Septic and Well
- Stormwater Management Pond
- Totlot
- Tricycle Track
- Horseshoes
- Giant Chess

Phasing Highlights...

Phase I (0-3 Years)

- *Southern Passive and Active Complex*

Estimated Costs: \$2,340,000

Phase II (3-5 Years)

- *Northeast Athletic Complex*

Estimated Costs: \$2,800,000

Phase III (5-10 Years)

- *Western Sport Courts and Fields*

Estimated Costs: \$1,750,000

Phase II (3-5 Years)

This phase is intended to be implemented within the next 5 years. It contains the 2nd large soccer complex and the entirety of the baseball fields.

- Large Soccer Complex
- 2nd Phase of the access road
- Support Building
- 2nd Field House
- Parking Areas
- Press Box
- Passive Recreation Area
- Phase II On-Site Septic and Well
- Stormwater Management Pond

Phase III (5-10 Years)

The final phase of the park development includes the remain athletic field and some sport courts. Likewise, this phase presents partnering opportunities for private businesses and operators in the skate park and miniature golf course.

- Tennis
- Basketball
- Support Buildings
- Tot Lot
- Skate Park
- Dog Park
- Miniature Golf

Cost Estimates

The purpose of the cost estimates is to give the County enough information to guide planning and budgeting efforts throughout all phases of the master plan. Detailed cost estimates and designs will need to be prepared for each program element.

Cost estimates were prepared for each phase of the master plan as described in the Action Plan. Within each phase, costs were developed for individual elements such as earthwork, new buildings, infrastructure and athletic components. The costs were developed using 2009 dollars and may fluctuate depending on material and labor costs at the actual time of installation. Costs were based on recent prices for completed projects in the region, various DOT bid tabulations, and RS Means cost data. The full cost estimate is shown on

Appendix B.

Phasing of both engineering cost and physical reporting costs can will vary given the size of each phase. It is the recommendation of LPDA to do conduct these studies for the whole property versus phase by phase to save cost; however, keep in mind that many approvals have expirations dates, such as a Jurisdictional Determination for wetlands for the United States Army Corps of Engineers is only good for 5 years. Please determine that the approval can be exercised for construction within the allotted time period.

Likewise, construction costs can vary significantly with the economic conditions and availability of specialized contractors with the region.

Cost Breakdown

*Engineering, Entitlements,
and Approvals*
\$800,000 - 900,000

*On Site Infrastructure
(Utilities)*
\$1.05mil - \$1.19mil

Park Elements
\$5.6mil - 6.3 mil

Hite Road Upgrades
\$247,134 Chip & Seal
\$754,460 Fully Paved

Potential Funding Sources

There are several sources available to the JCPRC for financially facilitating this park.

Potential funding sources for Hite Road Park include:

- Capital Improvement Program Budget
- User and Impact Fees
- Cost Sharing with local athletic clubs
- Corporate Sponsorships
- Bonds
- Parks & Recreation Commission Budget
- State Grants
- Proffers
- Fundraisers & Volunteer Labor

Most likely, the County will need to rely on a mix of funding sources in order to implement any one element. It will be up to the County Administration, Parks & Recreation Commission, and other County staff to determine the appropriate and successful mix.

Capital Improvement Program Budget

The Capital Improvement Program for Jefferson County could utilize funds for parks and recreation through impact fees and taxes allocated through the general fund.

Bonds

Bonds should be used to fund big-ticket construction items such as infrastructure grading and park related building elements.

Parks & Recreation Maintenance Budget

Smaller-scale elements that can be done in-house by Parks & Recreation staff can be assigned to the Parks & Recreation budget. These elements include the dog park fencing, trail construction, shelter construction, and other light engineering improvements.

State Grants

West Virginia state agencies may offer grants to local jurisdictions to facilitate the construction and maintenance of parks.

Proffers

Jefferson County has the ability to accept proffers from private developers. The County determines the amount that a developer can proffer based on what the new development will cost the County in terms of new infrastructure and public facilities, such as sewer lines and schools. The developer can offset these costs by proffering cash or project work that the County would normally have to pay for themselves. For instance, a residential developer who is building a subdivision could offer to pay for a park related construction to offset the cost that would be incurred by bringing additional residents into the County.

Fundraisers and Volunteer Labor

Fundraisers and volunteer labor are appropriate for smaller projects, particularly those that will be of greater use to a specific group. For example, local skating enthusiasts could be called upon to raise money for and help build the skatepark at Hite Road Park. Another example would be local social clubs, such as the Rotary or Ruritan Club, that help raise money for and build playgrounds.

Sponsorship/Partnerships

Sponsorships and partnerships garner the support of local businesses, patrons, and donors who could relieve some of the financial burden of building Hite Road Park from County taxpayers. This form of funding also helps to build a sense of local ownership and engenders community pride.

Sponsorships are typically done through advertising in program guides, sports fields, or facility naming; this would mesh well with the athletic facilities and games envisioned at Hite Road Park.

Partnerships could be formed through non-profit entities, for-profit event companies, park foundations, and vendor contracts. Partnerships could generate revenue for the park to help defray the cost of implementation or operations.

Appendix A - Engineering

A.1 - Overview

A.2 - Capacity Proposed

A.3 - Existing Facilities

A.4 - Water

A.5 - Sewer

A.6 - Phone / Power

A.7 - Transportation

A.8 - Conclusion

Appendix B - Detailed Cost Estimate

Appendix C - Regional Map of Jefferson County and Hite Road Park Site

Appendix D - Base Aerial and Existing Site Conditions

Appendix E - Soils Mapping and Topography

Appendix F - Opportunities and Constraints Mapping

Appendix G - Master Plan Conceptual Design

Appendix H - Master Plan Conceptual Design North to South Sections

Appendix I - Master Plan Conceptual Design East to West Sections

Appendix J - Facilities Distance Map

Appendix K - Preliminary Grading Master Plan

Appendix L - Implementation Phasing Plan

Appendix M - EDR GeoCheck Report

Appendix N - EDR NEPA Check Report

Appendix

Appendix A

INFRASTRUCTURE ANALYSIS

HITE ROAD PARK

JEFFERSON COUNTY, WV

TRIAD PROJECT NO. 07-09-0323

Prepared for:

Land Planning & Design Associates
22630 Davis Drive, Suite 175
Sterling, VA 20166

Prepared by:

Triad Engineering, Inc.
200 Aviation Drive
Winchester, VA 22602

February, 2010

TRIAD
TRIAD ENGINEERING, INC.

I. OVERVIEW

The Hite Road Park development is a proposed 119 acre recreational park consisting of fitness and walking trails, baseball, softball, soccer, and football fields, basketball and tennis courts, tot lots and playgrounds, a skate park, a dog park, a mini golf course, and supporting facilities located on Hite Road in Jefferson County, WV.

The existing site is comprised of mostly open fields with sparse woods. The soils found on the site are Hagerstown and Frederick cherty silt loams (HfB, HfC), very rocky silt loams (HgC), very rocky silty clay loams (HhC3), and Huntington silt loam (Ho).

The Hagerstown, Frederick and Huntington soils have bedrock at a depth of 48 to 120 inches which may influence the location of underground utilities. Soils HfC, HhC3 and Ho have moderate limitations and HgC has severe limitations with regards to septic tank drainfields principally due to rock outcrops. Given these limitations special care should be taken when locating septic tank drainfields to avoid areas of rocks.

Access to the Park is provided from Hite Road, which runs along the southern property limits. Hite Road ultimately connects to Wiltshire Road to the east, and Jefferson Crossing Road to the west.

Triad Engineering, Inc. (Triad) evaluated the existing conditions of the Hite Road Park property and explored water, wastewater, transportation, and power and phone options for the proposed development of the property.

II. CAPACITY PROPOSED

A. Water

The proposed development of the Hite Road Park includes the following capacity using features listed below in Table 1. The water demands for each feature were calculated using West Virginia Department of Health guidelines. Estimated potable water peak demand requirements for the features are included in Appendix B. Simultaneous use of the facilities is unlikely therefore a maximum fixture demand of 180 gpm is used as the peak demand for the possible usage scenarios.

Table 1: Capacity Using Features

Description	Flow (gpd) Per Person	Estimated Usage (LPDA)	Number Facilities	Water Demand (gpd)
Activity Support Bldg.	5	100	3	1,500
Picnic / Event Pavilion	5	100	2	1,000
Field House	30	250	2	15,000
Baseball Support Bldg.	5	100	1	500
Trail Support	5	65	1	325
Maintenance Bldg.	20	20	1	400
TOTAL				18,725

B. Sewer

The sewer demands for each feature were calculated using West Virginia Department of Health guidelines. The calculations are provided below in Table 2. Estimated Unit Sewage Design Flows requirements for the features are included in Appendix B.

Table 2: Design Loads Sewage Treatment

Description	Sewage Design Flow (gpd) Per Person	Five-Day BOD (lbs/day) Per Person	Estimated Usage (LPDA)	Number Facilities	Five-Day BOD (lbs/day)	Sewage Design Flow (gpd)
Activity Support Bldg.	5	0.01	100	3	3	1,500
Picnic / Event Pavilion	5	0.01	100	2	2	1,000
Field House	30	0.05	250	2	25	15,000
Baseball Support Bldg.	5	0.01	100	1	1	500
Trail Support	5	0.01	65	1	0.65	325
Maintenance Bldg.	20	0.03	20	1	0.6	400
TOTAL					32	18,725

- Average Daily Flow = 18,725 gpd
- Peak Factor = 2.5
- Design Flow = 18,725 gpd x 2.5 = 46,813 gpd

C. Transportation

The estimated amount of traffic generated by the Hite Road Park was determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual for a County Park land use. The results tabulated below reflect average vehicle daily trips (ADT) for each specified day. For clarity, a single vehicle entering and exiting the park equates to 2 ADT.

- Weekday: 119 acres * 2.28 ADT/acre = 271 ADT
- Saturday: 119 acres * 12.14 ADT/acre = 1445 ADT
- Sunday: 119 acres * 4.13 ADT/acre = 491 ADT

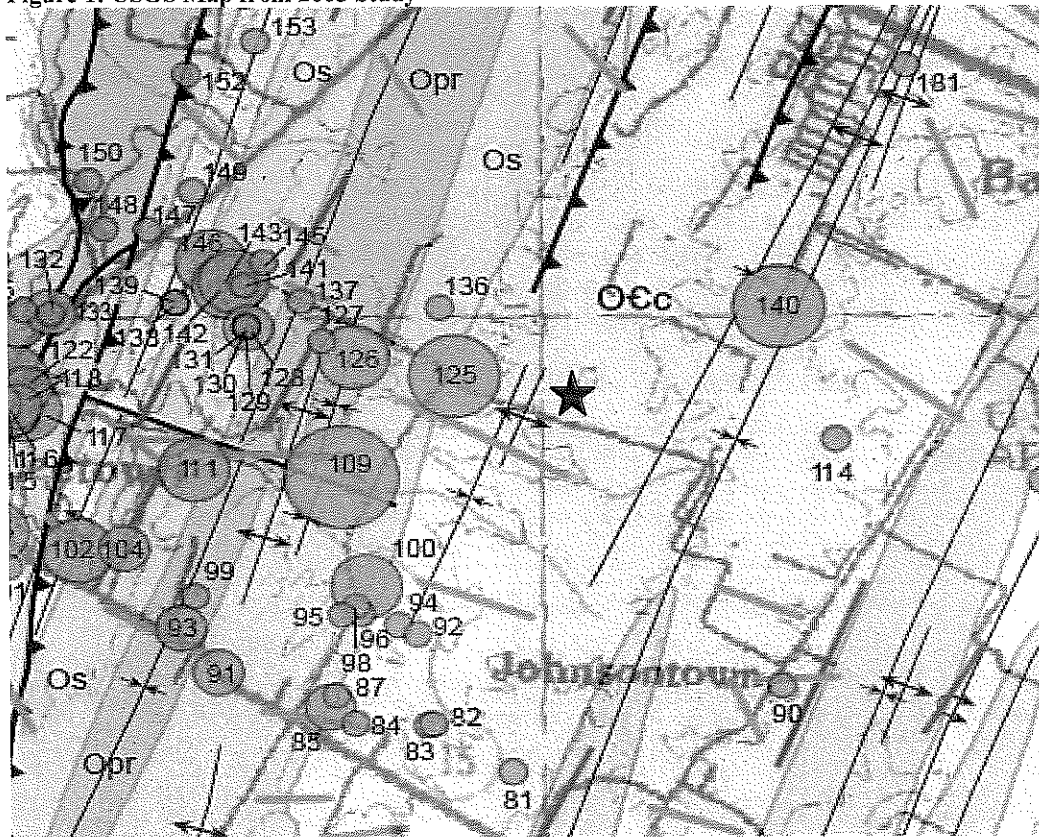
Hite Road Park Infrastructure Analysis
 Jefferson County, WV

III. EXISTING FACILITIES





A. Water

The following information regarding groundwater resources was taken from the 2005 USGS study done by McCoy, Podwysoki, Crider and Weary, named "Fracture Trace Map and Single Well Aquifer in Jefferson County WV". Additional information was also taken from "Geohydrology, Water Availability and Water Quality of Jefferson County, WV" by USGS 1991.

Figure 1: USGS Map from 2005 Study



Key

-  Cross Strike Fractures
-  Strike-Parallel Fracture Trace
-  Thrust Faults
-  Wells

The 2005 study states “Wells located adjacent to geologic features are likely to produce a wide range of yields.” The study suggests the specific location of individual fractures should be investigated by field verification in carbonate aquifers in Jefferson County, and transmissivity values for the area should be used for internal comparisons only. The study also states “Thrust faults in carbonate areas are capable of yielding 100 gpm, but are susceptible to contamination.”

A summary of 8 wells nearby the site from this study is included below in Table 3. The depths of the wells vary from 61 ft to 265 ft and the discharge varied from 4.6 gpm to 14.8 gpm.

Table 3: USGS Well Data from 2005 Study

WELL NO.	WELL DEPTH (FT. BELOW SURFACE)	CASING DEPTH (FT.)	WELL DIAM. (IN.)	TRANSMISSIVITY (FT ² /DAY)	SPECIFIC GRAVITY (GPM/FT)	STATIC WATER LEVEL (FT BELOW SURFACE)	AQUIFER UNIT	PUMPING DISCHARGE (GPM)	DRAWDOWN (FT)	PUMP TEST DURATION (MIN)
109	61	20	6	40000	134.55	6.96	STONEHENGE LIMESTONE	14.8	0.11	100
114	139	39	6	10	0.48	68.32	CONOCOHEA GUE LIMESTONE	8.1	16.81	31
125	115	59	6	20000	35.24	40.46	CONOCOHEA GUE LIMESTONE	11.6	0.33	30
126	150	93	6	10000	14.54	9.95	ROCKDALE RUN FORMATION & PINESBURG STATION DOLOMITE	14.1	0.97	106
127	260	38.5	6	30	0.8	15.53	ROCKDALE RUN FORMATION & PINESBURG STATION DOLOMITE	13	16.79	100
136	265	19	6	40	0.16	57.38	STONEHENGE LIMESTONE	6.1	38.95	25
137	135	-	6	7	0.21	39.40	ROCKDALE RUN FORMATION & PINESBURG STATION DOLOMITE	4.6	21.54	30
140	200	-	8	30000	46.98	59.78	CONOCOHEA GUE LIMESTONE	14.6	0.31	30

According to the 1991 USGS study “The carbonate aquifer underlies the central 86 percent of the county. The aquifer is recharged primarily by precipitation; surface runoff is negligible even though the overlying soils are moderately permeable. Ground-water levels in the carbonate and noncarbonated areas fluctuate in response to recharge or discharge from the aquifers and the depth of water will vary with geologic and topographic setting.” Figure 7 of the 1991 USGS study located in Appendix C, estimates the water table for the site to be below 500 ft.

According to data shown in Table 4 of the 1991 USGS study located in Appendix C, the West Virginia DOH reported 37 wells in Conococheague Formation. Of the wells none are 0-100 ft in depth, 70% are 101-399 ft in depth and 30% were 400 to 800 ft deep. The well flows were as follows: 43% had yields between 1 to 10 gpm, 54% had yields between 11 to 50 gpm, and 3% had yields between 51 to 100 gpm.

USGS GWSI data covering the same formation is also shown in Table 4 of the 1991 USGS study. The GWSI studied 135 wells in this formation. Of the wells 46% are 0-100 ft in depth, 46% are 101-399 ft in depth and 8% were 400 to 800 ft deep. The well flows were as follows: 40% had yields between 1 to 10 gpm, 36% had yields between 11 to 50 gpm, 11% had yields between 51 to 100 gpm and 13% had yields between 101 to 600 gpm.

The 2005 and 1991 studies suggest that well yields in the area would be sufficient to meet the needs of the proposed development.

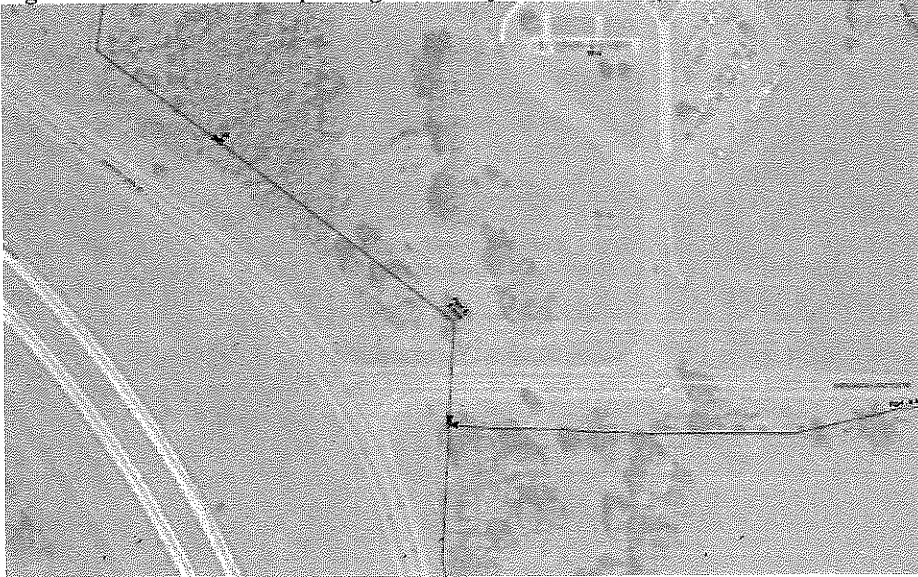
Jefferson Utilities Inc has an 8" water line running approximately 100 ft off the south side of Wiltshire Road (County Route 8) in front of the 911 Building. Direct connection to this line would require crossing USDA land and approximately 4-5,000 ft of water line. The USDA facility is used for research and being granted permission for construction on the land is not likely.

B. Sewer

A map of the existing sewer systems in Jefferson County was taken from the Jefferson County Comprehensive Plan and is contained in Appendix C. Jefferson County Public Service District has a collection line along WV 9, serving Burr/Bardane, Lowery Elementary School, Jefferson High School and the Job Corps Center. Connecting into the existing collection line would not be feasible.

A map provided by Jefferson County Public Service District has been included in Appendix C showing the location of the collection line mentioned above.

Figure 2: JCPSD Sewer Map Along WV 9 Adjacent to Lowery Elementary



C. Power / Phone

Existing overhead power lines and phone run along the north side of Hite Road from Wiltshire Road (County Route 8) to Jefferson Orchard Road.

D. Transportation

Access to the Park is provided from Hite Road, which runs along the southern property limits. Hite Road is an existing stone-surfaced roadway, which ranges in width between 12'-14'. Hite Road is contained within a 30' right-of-way, and the actual stone travelway appears to be centered within this existing right-of-way. The subject site is approximately one-mile from Wiltshire Road to the east, and approximately 0.5-mile from Jefferson Crossing Road to the west.

IV. WATER

At least two Class II wells will be required for a total yield of 19,000 gpd as calculated in Table 1 of Section II. WVDOH requires all groundwater systems serving 500 people or more must provide a minimum of two good sources of water, with sufficient capacity so with the largest producing source out of service the remaining source can produce sufficient quantity to produce average daily flows. A 10,000 gallon storage tank and a 180 gpm booster pump would also be required to provide for peak flow demands. Geological surveying will be required to determine suitable locations for the well. A summary of the estimated costs associated with these improvements can be found below in Table 4.

Table 4: Water Cost Estimate

Description	Estimated Cost
Two Class II Wells	\$40,000
Storage Tank	\$20,000
Pumps	\$100,000
On-site Water Lines	\$175,000 (3500 Ft x \$50 LF)
Subtotal	\$335,000
25% Contingency	\$83,750
15% Engineering	\$50,250
TOTAL	\$469,000

V. SEWER

Two septic tank drainfield systems will be required to meet the sewage design flows calculated in Table 2 of Section II. Since a maximum practical size of 10,000 gpd is recommended, a 10,000 gpd and 5,500 gpd system should be utilized. Given the flatness of the site and shallow bedrock depth, gravity sewer will most likely not be an option. Geological surveying will be required to determine suitable locations for the systems. A summary of the estimated cost can be found below in Table 5.

Table 5: Sewer Cost Estimate

Description	Estimated Cost
Drainfield (10,000 and 5,500 gpd)	\$112,500
Force Main	\$175,000 (\$50/LF x 3500 Ft)
Pump Station	\$35,000
Subtotal	\$322,500
25% Contingency	\$80,625
15% Engineering	\$48,375
TOTAL	\$451,500

VI. POWER / PHONE

All structures on the site as well as some athletic fields will require power. Phone service will be provided to the office and the field houses only. Two cost estimates have been provided in the tables below, one with all underground electrical and phone line and another with a combination of underground and overhead. There is a significant increase in cost and repair time for underground lines; their obvious advantage is aesthetics.

Table 6: Power/Phone Option 1 Cost Estimate

Description	Estimated Cost
Underground Electric / Phone	\$20,000 (\$50/LF x 400 Ft)
Overhead Electric / Phone	\$72,000 (\$20/LF x 3,600 Ft)
Subtotal	\$92,000
25% Contingency	\$23,000
15% Engineering	\$13,800
TOTAL	\$128,800

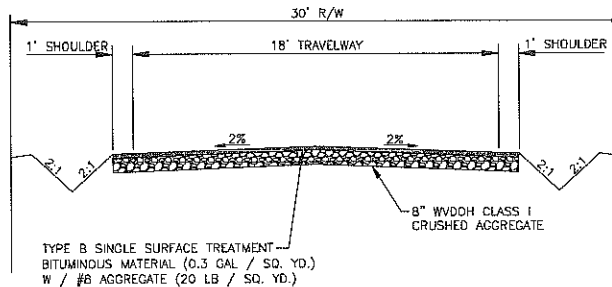
Table 7: Power/Phone Option 2 Cost Estimate

Description	Estimated Cost
Underground Electric / Phone	\$200,000 (\$50/LF x 4,000 Ft)
Subtotal	\$200,000
25% Contingency	\$50,000
15% Engineering	\$30,000
TOTAL	\$280,000

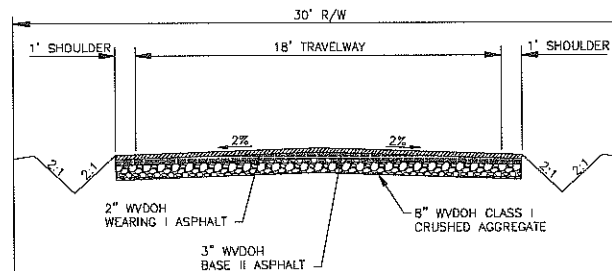
VII. TRANSPORTATION

Given the amount of traffic projected for the development of the Park and the current condition of Hite Road, there are some expected roadway improvements required for Hite Road. An entrance permit for the Park will be required from the West Virginia Department of Highways, and an acceptable level of service will need to be shown for Hite Road to obtain this permit. Preliminary discussions with representatives from the Department of Highways have resulted in roadway upgrades to satisfy these requirements. Two possible options are shown below in Figure 3. Option 1 incorporates surface treatment only, while Option 2 includes bituminous asphalt layers.

Figure 3: Proposed Hite Road Typical Cross-Sections



HITE ROAD OPTION 1



HITE ROAD OPTION 2

Two cost estimates have been provided for each option in the tables below. There is a significant difference between options, with Option #2 being the most durable and long-term solution. However, all roadway design is subject to the Dept. of Highways review and approval, so final determination of proposed roadway section cannot be made until formal design on the Park is complete. The cost of roadway improvements would be bore directly by the Developer of the Park property. Alternative funding sources would include a cost-sharing program with adjacent properties, or via private/government funding programs. The West Virginia Dept. of Highways will not provide funding assistance for this project.

Table 8: Hite Road Option 1 Cost Estimate

Description	Estimated Cost
WVDOH Class I Aggregate	\$101,650
Type B Bituminous Material	\$42,240
WVDOH #8 Aggregate	\$4,400
Ditch Construction	\$47,520
Subtotal	\$195,810
25% Contingency	\$48,953
15% Engineering	\$29,372
TOTAL	\$274,134

Table 9: Hite Road Option 2 Cost Estimate

Description	Estimated Cost
WVDOH Wearing I Asphalt	\$181,830
WVDOH Base II Asphalt	\$207,900
WVDOH Class I Aggregate	\$101,650
Ditch Construction	\$47,520
Subtotal	\$538,900
25% Contingency	\$134,725
15% Engineering	\$80,835
TOTAL	\$754,460

VIII. CONCLUSION

The water needs for the park will be met most effectively in the form of on-site wells. As the 2005 and 1991 studies suggest, groundwater resources should be sufficient to provide well yields that will meet the demands of the proposed park and supporting facilities. A permit from West Virginia Department of Health will be required and the wells must meet all local and state construction and water quality standards.

Onsite septic tanks and drainfields will be the most effective method of wastewater treatment and disposal. Special care should be taken when locating septic tank drainage fields to avoid areas of rocks. A permit from West Virginia Department of Health will be required and the septic tanks and drainfields must meet all local and state construction and water quality standards.

The most economical option for power and phone will be to run overhead lines down the east side of the main road from the existing overhead lines along Hite Road. Some underground lines will be required given the current configuration of some of the fields.

The transportation demands for the Park will require improvements to the existing Hite Road corridor. These improvements will likely include widening the existing travelway, addition of aggregate/asphalt materials, and modifications to the roadside stormwater drainage system. An entrance permit from the West Virginia Department of Highways will be necessary.

Appendix B -				
Hite Road Park - Master Plan Concept Cost Estimate				
Hite Road Park, Jefferson County, West Virginia				3/1/2010
Sitework & Mobilization	Unit	Quantity	Cost	Total
Mobilization, Permits, etc.	EA	1.00	\$7,500.00	\$7,500.00
Soil to Cut and Remove	CY	1800	\$5.00	\$9,000.00
Erosions & Sediment Control Measures	LS	1	\$10,000.00	\$10,000.00
			Subtotal	\$26,500.00
Earth Work - Grading				
Large Area Site Grading	SY	184,292.70	\$0.69	\$127,161.96
Parking Lots and Entrance Road	SY	39,706.61	\$0.88	\$34,941.82
Soccer Playing Area - Large Area Grading	SY	65,508.56	\$0.69	\$45,200.91
Football Playing Area - Large Area Grading	SY	18,096.00	\$0.69	\$12,486.24
Baseball Fields - Large Area Grading	SY	32,243.22	\$0.69	\$22,247.82
			Subtotal	\$242,038.75
Existing Trees to Demo				
Clearing and Grubbing of up to 24" Trees	AC	1.1	\$11,600.00	\$13,108.00
If Buring is Allowed Subtract 40%				\$5,243.20
			Subtotal	\$7,864.80
			Section Subtotal	\$276,403.55
Hardscape	Unit	Quantity	Cost	Total
Crushed Stone Trail				
6" Thick Crushed Stone	TONS	1,492.0	\$35.00	\$52,220.00
Fine Grading - 12" Multi-use Park Trail	SY	44,750.0	\$1.32	\$59,070.00
			SubTotal	\$111,290.00
10' Asphalt Trail				
4" Thick Asphalt - includes 6" stone base, 2" binder course	TONS	2,436.0	\$100.00	\$243,600.00
Fine Grading - 10" Asphalt Trail	SY	12,184.4	\$1.32	\$16,083.46
			SubTotal	\$259,683.46
5' Connector Trail				
4" Thick Asphalt - includes 6" stone base, 2" binder course	TONS	808.0	\$100.00	\$80,800.00
Fine Grading - 5' Connector Asphalt Trail	SY	12,184.4	\$1.32	\$16,083.46
			SubTotal	\$96,883.46
Concrete Areas				
4" Gravel base - #21	TONS	868.0	\$35.00	\$30,380.00
4" Broom Finished Sidewalk	SF	40,178.0	\$5.00	\$200,890.00
			SubTotal	\$231,270.00
Entrance Road				
6" Thick Asphalt - includes 6" stone base, 2" binder course	TONS	3,402.0	\$100.00	\$340,200.00
Pavement Markings - Lane Divider	LF	3,005.0	\$0.44	\$1,322.20
			SubTotal	\$341,522.20
Parking Lots				
4" Thick #21 Gravel - For Phase I Parking	TONS	5,796.0	\$35.00	\$202,860.00
4" Thick Asphalt	TONS	5,966.0	\$100.00	\$596,600.00
Precast Concrete Parking Bumpers - 6" x 10" x 6"	EA	708.0	\$66.00	\$46,728.00
Parking Stall Paint - Based on per stall cost	EA	708.0	\$10.30	\$7,292.40
			Subtotal	\$853,480.40
Hite Road Improvements - Option 1				
WVDOH Class I Aggregate	LS	1.0	\$101,650.00	\$101,650.00
Type B Bituminous Material	LS	1.0	\$42,240.00	\$42,240.00
WVDOH #8 Aggregate	LS	1.0	\$4,400.00	\$4,400.00
Ditch Construction	LS	1.0	\$47,520.00	\$47,520.00
			SubTotal	\$195,810.00
* For Option 2 Hite Road Improvements Totals - See Below				
			Section Subtotal	\$2,089,939.52

Utilities	Unit	Quantity	Cost	Total
Wells				
Two Class II Wells	EA	2.0	\$20,000.00	\$40,000.00
Storage Tank	EA	1.0	\$20,000.00	\$20,000.00
Pumps	EA	1.0	\$100,000.00	\$100,000.00
On-Site Waterlines	LF	3,500.0	\$50.00	\$175,000.00
			SubTotal	\$335,000.00
Sewer				
Drainfield	EA	1.0	\$112,500.00	\$112,500.00
Force Main	LF	3,500.0	\$50.00	\$175,000.00
Pump Station	EA	1.0	\$35,000.00	\$35,000.00
			SubTotal	\$322,500.00
Power / Phone				
Underground Electric / Phone	LF	400.0	\$50.00	\$20,000.00
Overhead Electric / Phone	LF	3,600.0	\$20.00	\$72,000.00
			SubTotal	\$92,000.00
* For Option 2 Power / Phone Totals - See Below				
			Section Subtotal	\$749,500.00
Recreation Fields / Activities				
	Unit	Quantity	Cost	Total
Soccer Playing Area				
Fine Grading	SY	65508.56	\$1.32	\$86,471.30
Hydro-Seeding	MSF	590	\$49.00	\$28,910.00
Soccer Goals	EA	22	\$3,075.00	\$67,650.00
			Subtotal	\$183,031.30
Football Playing Area				
Fine Grading	SY	18096	\$1.32	\$23,886.72
Hydro-Seeding	MSF	162.86	\$49.00	\$7,980.14
Goal Posts	EA	4	\$3,925.00	\$15,700.00
			Subtotal	\$47,566.86
Baseball Fields				
Fine Grading	SY	32243.22	\$1.32	\$42,561.05
Hydro-Seeding	MSF	290	\$49.00	\$14,210.00
6" Infield Mix	TONS	2320.33	\$40.00	\$92,813.20
6" High Fencing	LF	4450	\$17.20	\$76,540.00
BackStops - 30' Wide, 12' High & 1 Overhang	EA	5	\$4,300.00	\$21,500.00
Aluminum Bleachers - 4 Rows	EA	10	\$2,000.00	\$20,000.00
Scoreboard - Minimum	EA	5	\$4,475.00	\$22,375.00
			Subtotal	\$289,999.25
Basketball Courts				
Fine Grading	SY	2089	\$1.32	\$2,757.48
4" Thick Asphalt - includes 6" base, 2" binder	TONS	418.0	\$35.00	\$14,630.00
Basketball Goals	EA	4.0	\$2,400.00	\$9,600.00
			Subtotal	\$26,987.48
Tennis Courts				
Fine Grading	SY	936	\$1.32	\$1,235.52
Asphalt Courts - includes base	SY	936.0	\$22.53	\$21,088.08
10' High Fencing	LF	550	\$26.50	\$14,575.00
Wire Mess with Pair of Ends (Nets)	EA	3.0	\$2,425.00	\$7,275.00
			Subtotal	\$44,173.60
Skate Park				
Fine Grading	SY	1,579.0	\$1.32	\$2,084.28
4" Gravel base - #21	TONS	308.0	\$35.00	\$10,780.00
4" Finished Pad	SF	14,211.0	\$3.96	\$56,275.56
Skate Park Trick Elements	EA	5.0	\$2,500.00	\$12,500.00
			Subtotal	\$81,639.84
Playground Equipment Area				
Ages 2 - 5	EA	1.0	\$15,000.00	\$15,000.00
Ages 5 - 12	EA	1.0	\$20,000.00	\$20,000.00
Wood Chip Mulch - 6" Deep	SF	5,425.0	\$2.29	\$12,423.25
Large Chess Set	EA	2.0	\$2,000.00	\$4,000.00
			Subtotal	\$51,423.25
			Section Subtotal	\$724,821.58

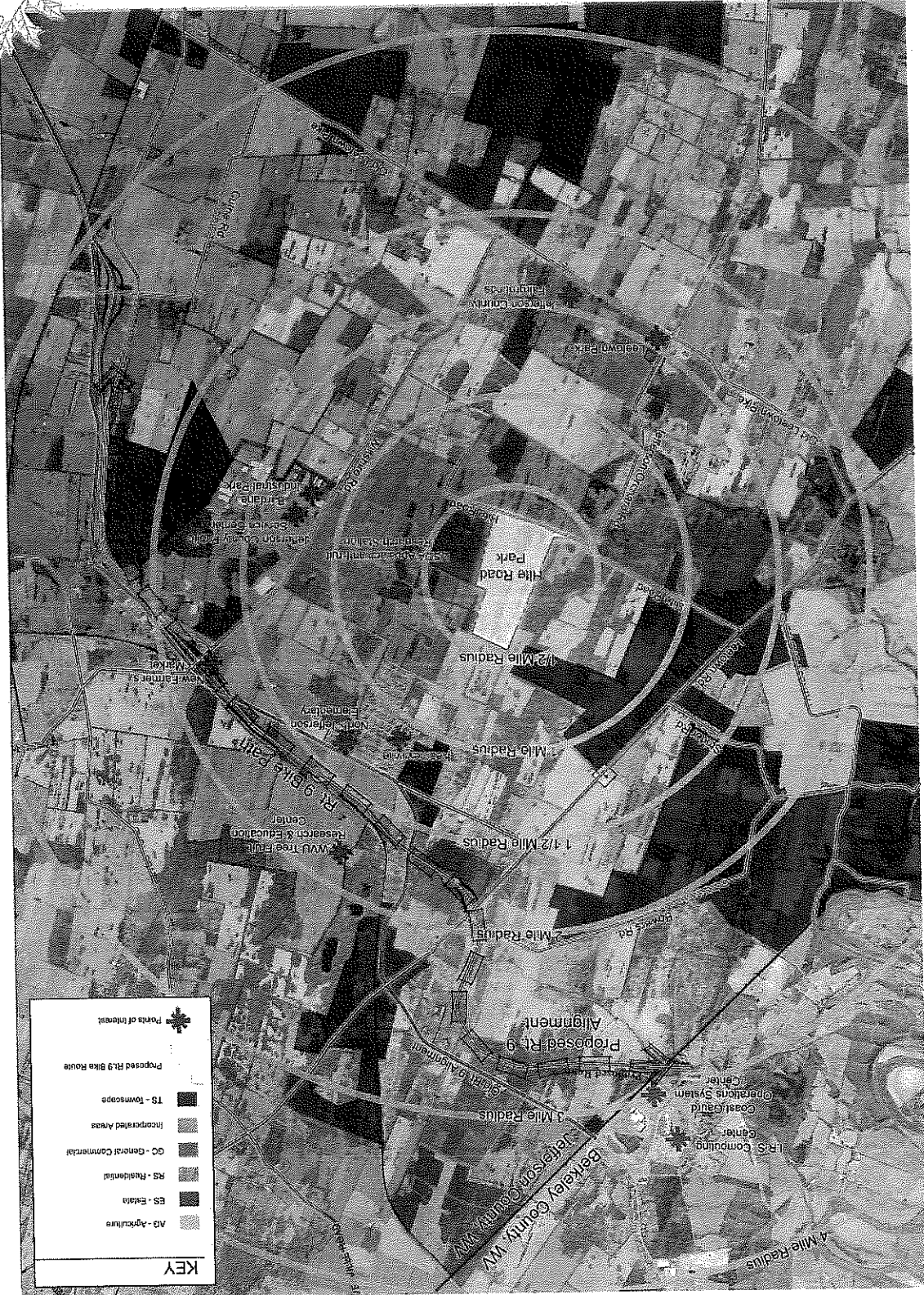
Landscaping	Unit	Quantity	Cost	Total
Proposed Landscaping				
Large Deciduous Tree	EA	180.0	\$450.00	\$81,000.00
Ornamental Tree	EA	89.0	\$375.00	\$33,375.00
			Subtotal	\$114,375.00
Storm Water Management Area				
Hydro-seeding, with mulch and fertilizer	MSF	141.3	\$60.00	\$8,478.60
			Subtotal	\$8,478.60
Site Seeding				
Tractor Spreader - Turf Mix 4#	MSF	1,658.6	\$20.50	\$34,001.92
			Subtotal	\$34,001.92
			Section Subtotal	\$156,855.52
Park Buildings				
Maintenance Building				
Office Area	SF	960.0	\$175.00	\$168,000.00
Pole Shed - Maintenance / Storage Area	SF	2,600.0	\$60.00	\$156,000.00
			Subtotal	\$324,000.00
Mini Golf Operations Building				
<i>Includes: Restrooms, Concessions, Mini-golf Rental Support</i>	SF	900.0	\$175.00	\$157,500.00
			Subtotal	\$157,500.00
Field House / Changing Rooms - 2 Total				
<i>Includes: Restrooms, Locker rooms, Storage Area, etc.</i>	SF	4,160.0	\$175.00	\$728,000.00
			Subtotal	\$728,000.00
Press Box / Concessions - 2 story				
<i>Includes: Restrooms, Small concessions, Storage Area, etc.</i>	SF	800.0	\$175.00	\$140,000.00
			Subtotal	\$140,000.00
Restrooms - 3 Total Buildings				
<i>Includes: Men's, Women's and Family Restrooms</i>	SF	1,200.0	\$200.00	\$240,000.00
			Subtotal	\$240,000.00
Large Picnic Pavilions				
Restroom portion	SF	800.0	\$200.00	\$160,000.00
Shelter portion	SF	1,200.0	\$60.00	\$72,000.00
			Subtotal	\$232,000.00
20' x 20' Picnic Shelter - 6 shelters	SF	2,400.0	\$60.00	\$144,000.00
			Subtotal	\$144,000.00
			Section Subtotal	\$1,965,500.00
Misc. (Fencing, etc.)				
Dog Park				
8' High Fencing	LF	1,256.0	\$17.20	\$21,603.20
			Subtotal	\$21,603.20
Maintenance Area				
6" Gravel base - #21	TONS	356.0	\$35.00	\$12,460.00
10' High Fencing	LF	420	\$26.50	\$11,130.00
			Subtotal	\$23,590.00
Site Furnishings				
Trash Receptacles	EA	50.0	\$750.00	\$37,500.00
Bike Racks	EA	10.0	\$750.00	\$7,500.00
Benches	EA	25.0	\$1,000.00	\$25,000.00
Signage	EA	40.0	\$800.00	\$32,000.00
			Subtotal	\$102,000.00
Lighting				
Street Lights	EA	200.0	\$3,000.00	\$600,000.00
Misc. Lights	EA	100.0	\$3,000.00	\$300,000.00
			Subtotal	\$900,000.00
			Section Subtotal	\$1,047,193.20
			TOTAL	\$7,010,213.36
			Engineering and Approvals @ 12%	\$841,225.60
			10% Contingency	\$701,021.34
			GRAND TOTAL	\$8,552,460.30

Optional Add-Ons				
Power / Phone - Option 2				
Underground Electric / Phone	LF	4,000.0	\$50.00	\$200,000.00
			SubTotal	\$200,000.00
Hite Road Improvements - Option 2				
WVDOH Wearing I Asphalt	LS	1.0	\$181,830.00	\$181,830.00
WVDOH Base II Asphalt	LS	1.0	\$207,900.00	\$207,900.00
WVDOH Class I Aggregate	LS	1.0	\$101,650.00	\$101,650.00
Ditch Construction	LS	1.0	\$47,520.00	\$47,520.00
			SubTotal	\$538,900.00



Jefferson County Parks & Recreation
 Hite Road Park
 Jefferson County, West Virginia

Appendix C - Regional Map



KEY

- AG - Agriculture
- ES - Estate
- RS - Residential
- GC - General Commercial
- Incorporated Areas
- TS - Townscape
- Proposed RT 9 Bike Route
- Parts of Interest



Appendix D - Base Information

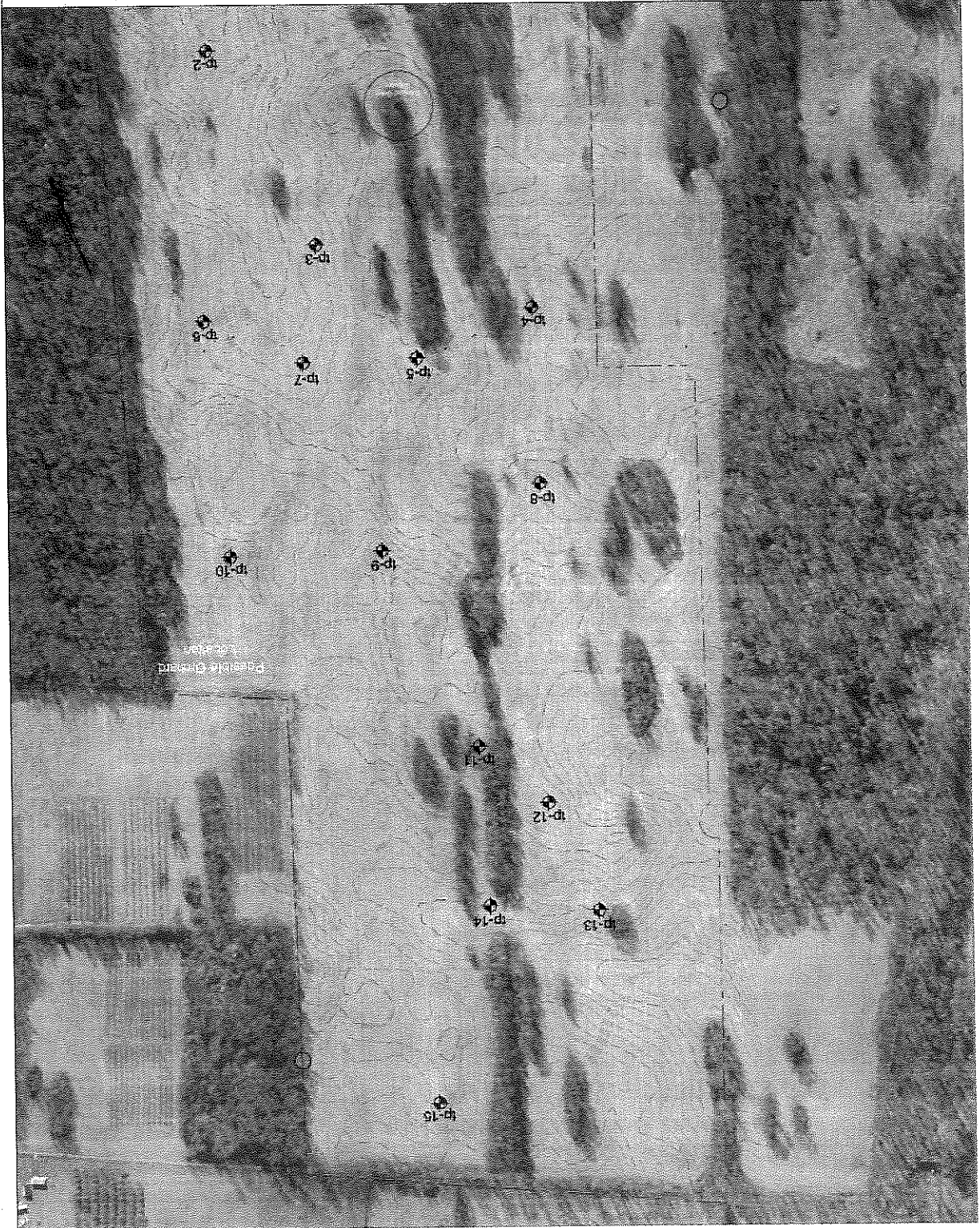
Jefferson County Parks & Recreation
Hite Road Park
Jefferson County, West Virginia



ADDITIONAL FEATURES
ADDITIONAL FEATURES

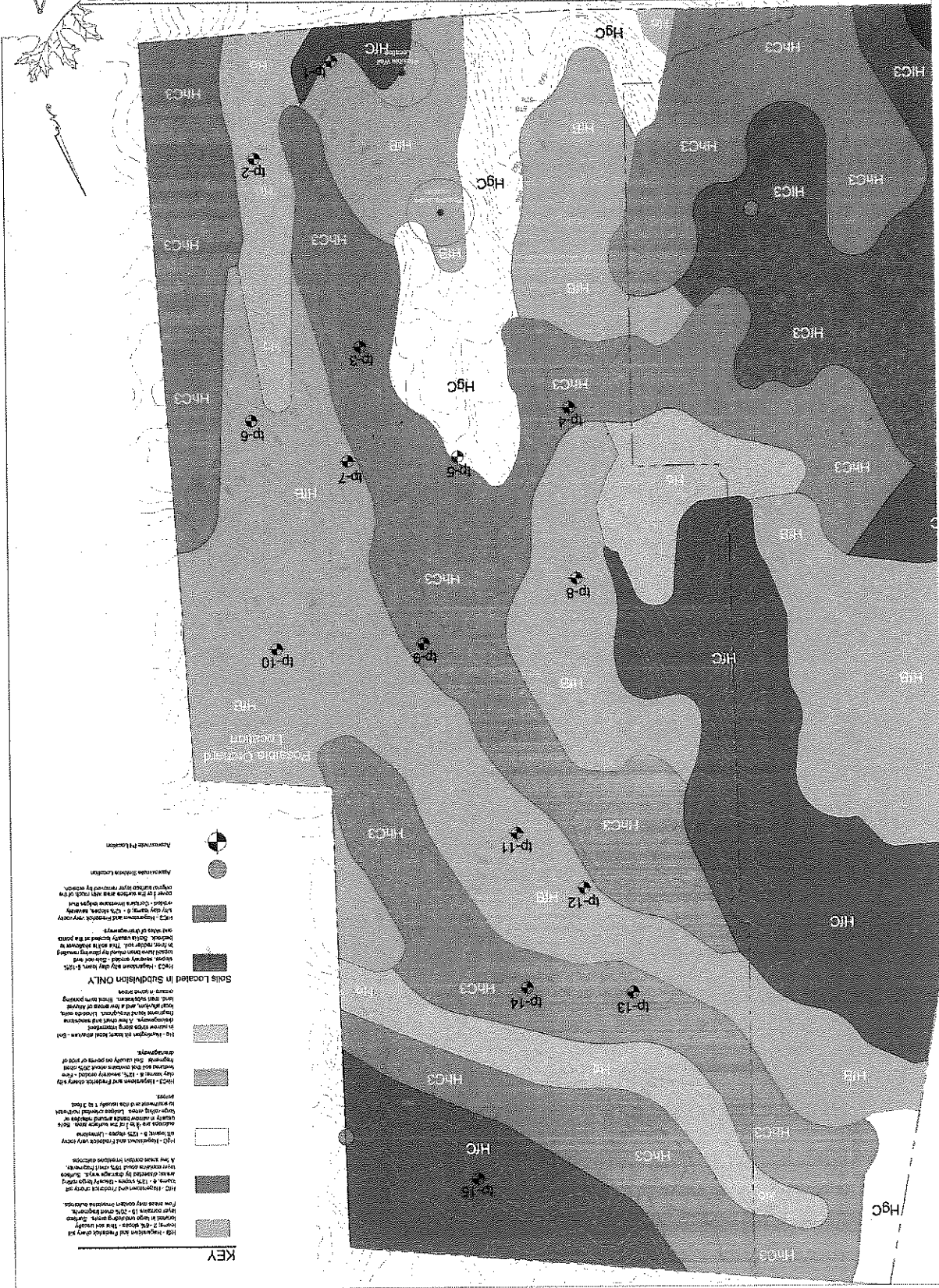


KEY





Appendix E - Base Information



KEY

IP - Impervious and Pervious Areas
 IP-1 - Impervious and Pervious Areas (Total)
 IP-2 - Impervious Areas (Total)
 IP-3 - Pervious Areas (Total)
 IP-4 - Impervious Areas (Total)
 IP-5 - Pervious Areas (Total)
 IP-6 - Impervious Areas (Total)
 IP-7 - Pervious Areas (Total)
 IP-8 - Impervious Areas (Total)
 IP-9 - Pervious Areas (Total)
 IP-10 - Impervious Areas (Total)
 IP-11 - Pervious Areas (Total)
 IP-12 - Impervious Areas (Total)
 IP-13 - Pervious Areas (Total)
 IP-14 - Impervious Areas (Total)
 IP-15 - Pervious Areas (Total)

Soils Located in Subdivision ONLY

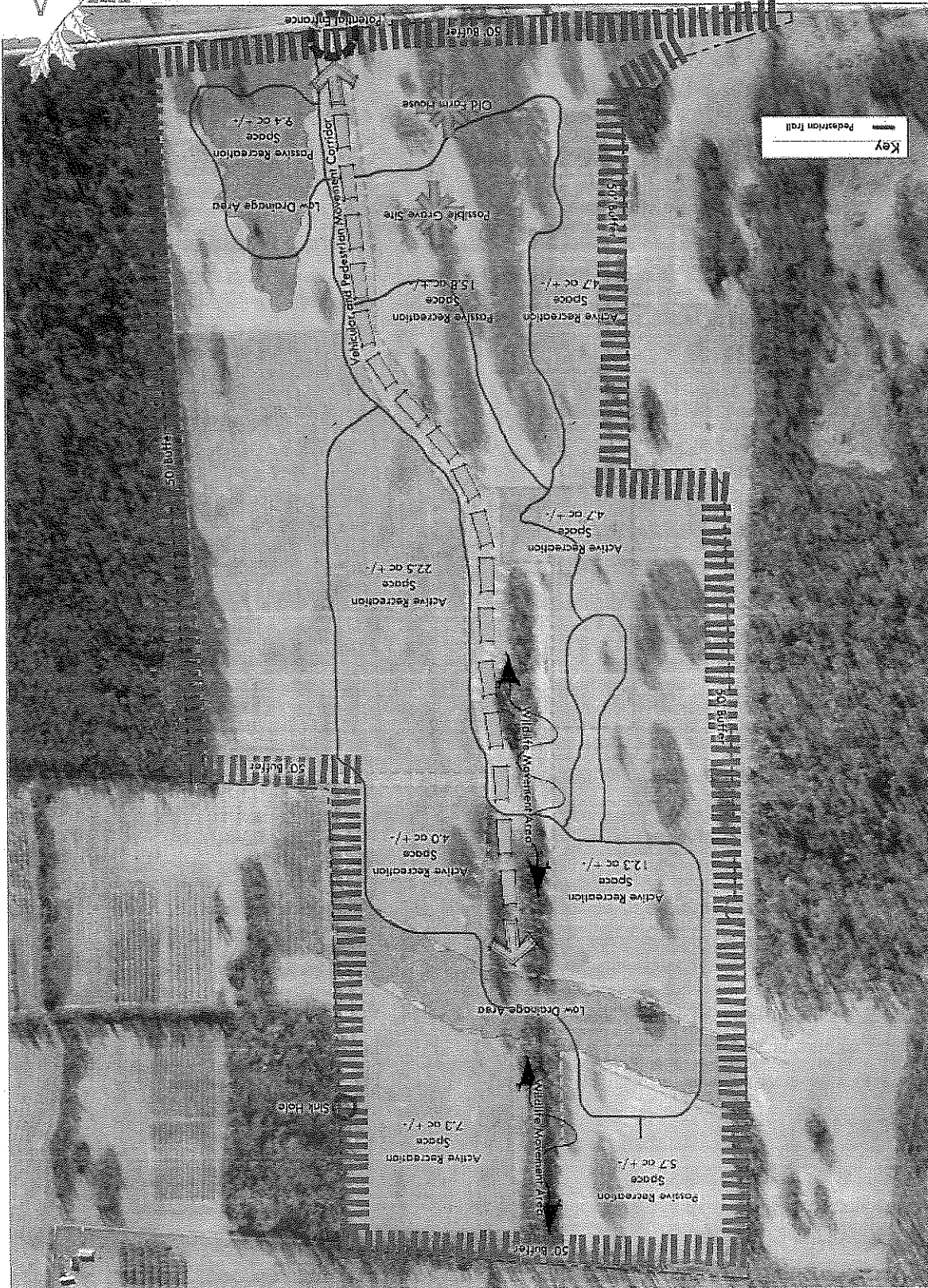
H1C - Impervious and Pervious Areas (Total)
 H1D - Impervious and Pervious Areas (Total)
 H1E - Impervious and Pervious Areas (Total)
 H1F - Impervious and Pervious Areas (Total)
 H1G - Impervious and Pervious Areas (Total)
 H1H - Impervious and Pervious Areas (Total)
 H1I - Impervious and Pervious Areas (Total)
 H1J - Impervious and Pervious Areas (Total)
 H1K - Impervious and Pervious Areas (Total)
 H1L - Impervious and Pervious Areas (Total)
 H1M - Impervious and Pervious Areas (Total)
 H1N - Impervious and Pervious Areas (Total)
 H1O - Impervious and Pervious Areas (Total)
 H1P - Impervious and Pervious Areas (Total)
 H1Q - Impervious and Pervious Areas (Total)
 H1R - Impervious and Pervious Areas (Total)
 H1S - Impervious and Pervious Areas (Total)
 H1T - Impervious and Pervious Areas (Total)
 H1U - Impervious and Pervious Areas (Total)
 H1V - Impervious and Pervious Areas (Total)
 H1W - Impervious and Pervious Areas (Total)
 H1X - Impervious and Pervious Areas (Total)
 H1Y - Impervious and Pervious Areas (Total)
 H1Z - Impervious and Pervious Areas (Total)

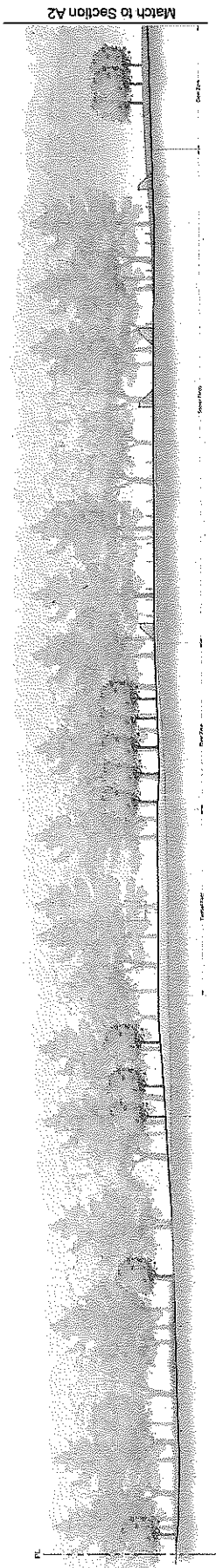
Antennae Placement

Antennae Placement (Total)

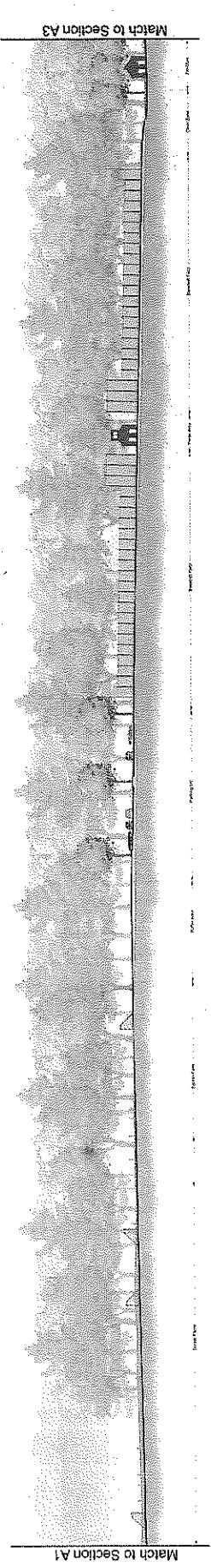


Appendix F - Opportunities and Constraints

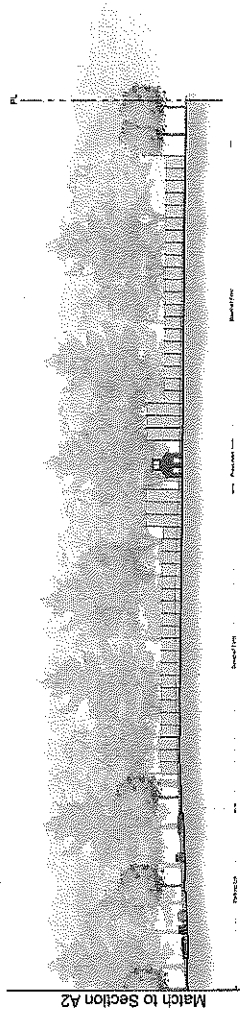




Section A1 - Southern Property Line to Soccer Fields

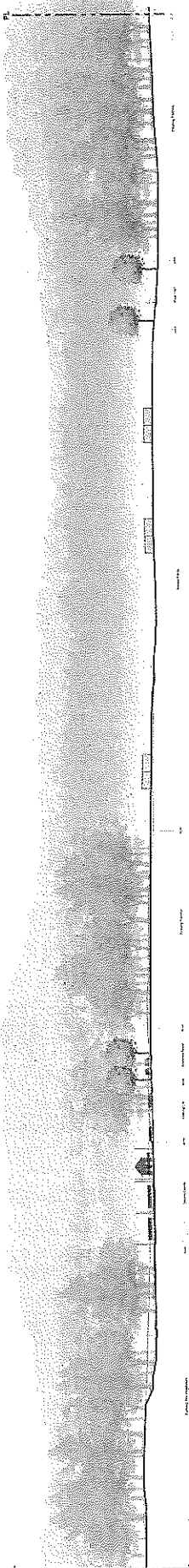


Section A2 - Soccer Fields to Field House



Section A3 - Field House to Northern Property Line





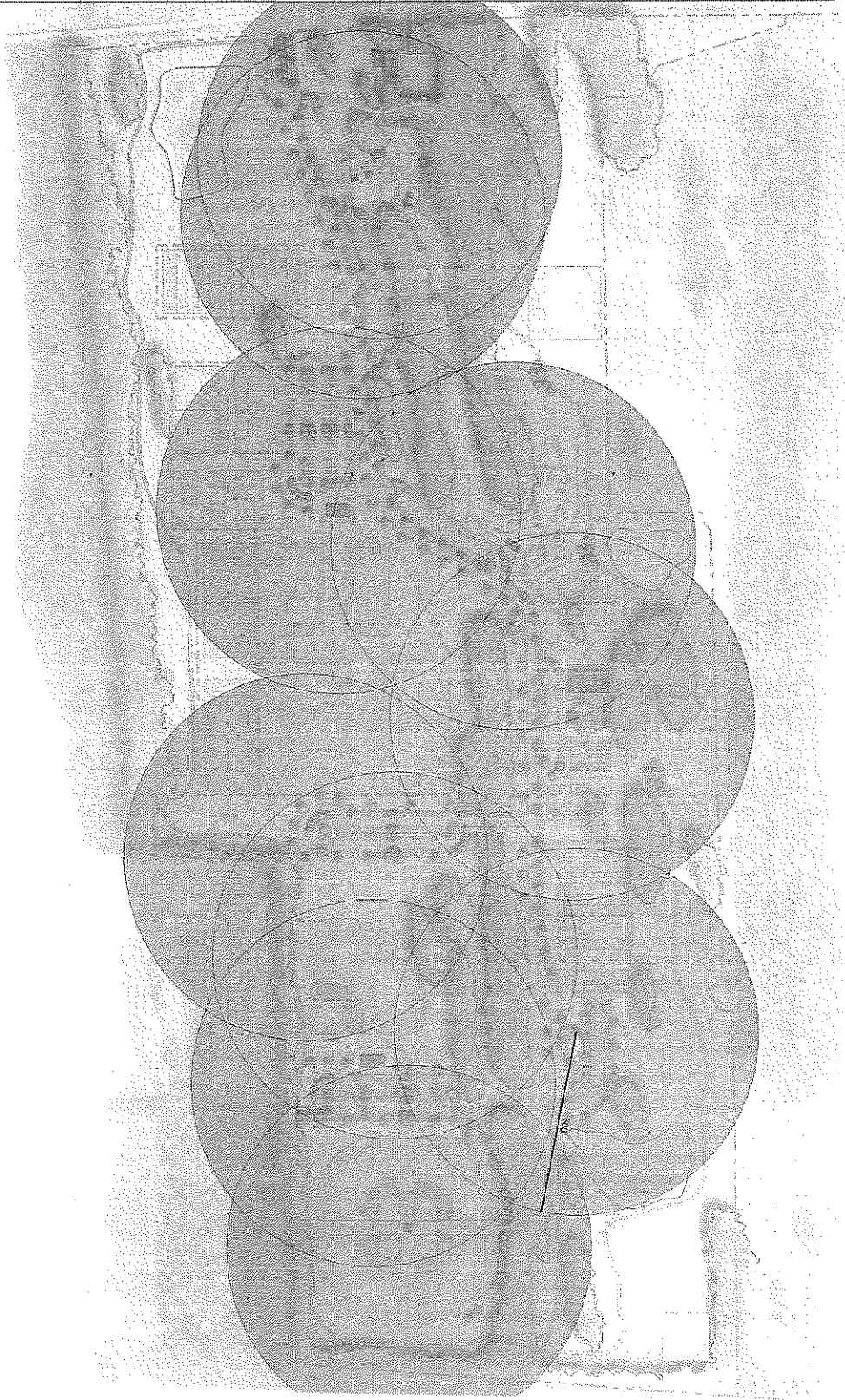
Section B - Eastern Property Line to Western Property Line

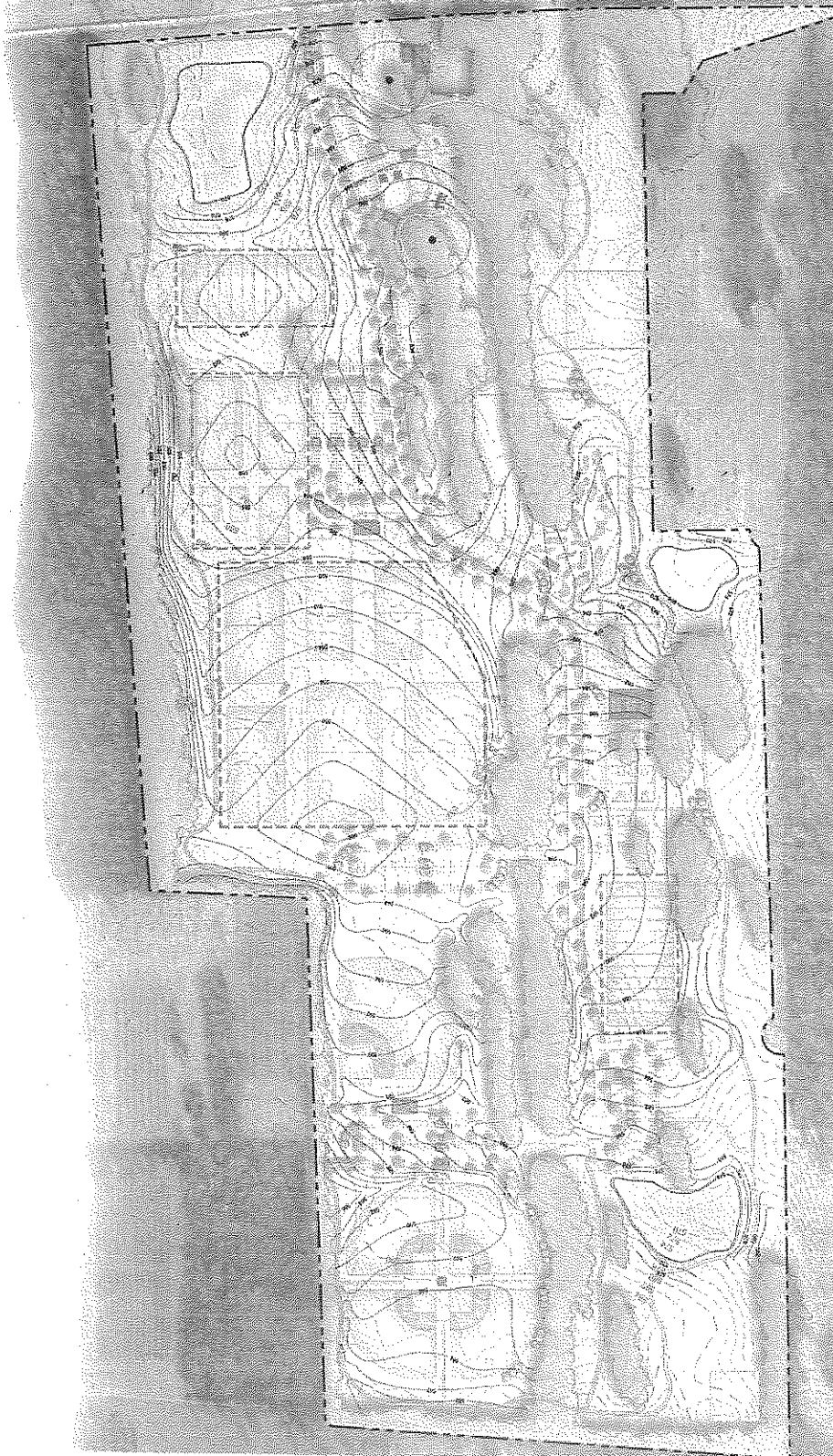


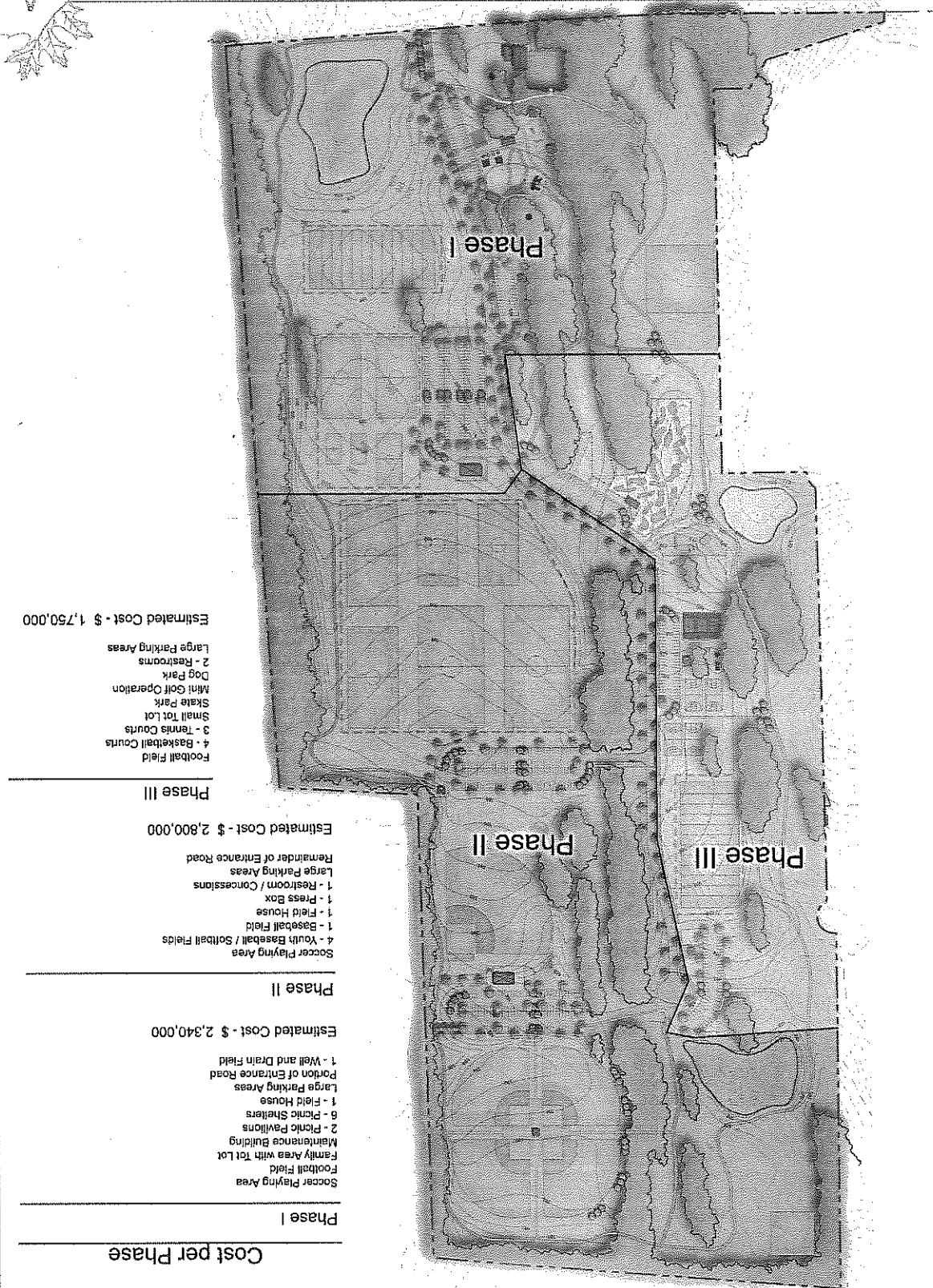
Appendix I - Site Sections

Jefferson County Parks & Recreation
Hite Road Park
 Jefferson County, West Virginia









Cost per Phase

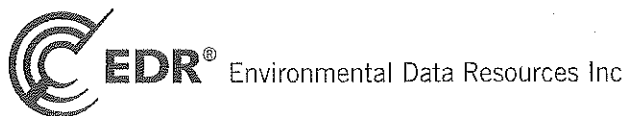
Phase	Estimated Cost	Estimated Cost - \$
Phase I	<ul style="list-style-type: none"> Soccer Playing Area Football Field Family Area with Tot Lot Maintenance Building 2 - Picnic Pavilions 6 - Picnic Shelters 1 - Field House Large Parking Areas Portion of Entrance Road 1 - Well and Drain Field 	2,340,000
Phase II	<ul style="list-style-type: none"> Soccer Playing Area 4 - Youth Baseball / Softball Fields 1 - Baseball Field 1 - Field House 1 - Press Box 1 - Restroom / Concessions Large Parking Areas Remainder of Entrance Road 	2,800,000
Phase III	<ul style="list-style-type: none"> Football Field 4 - Basketball Courts 3 - Tennis Courts Small Tot Lot Skate Park Mini Golf Operation Dog Park 2 - Restrooms Large Parking Areas 	1,750,000

Hite Road Park
Hite Road
Leetown, WV 25430

Inquiry Number: 2523617.1s
June 19, 2009

The EDR Radius Map™ Report with GeoCheck®

Appendix M



440 Wheelers Farms Road
Milford, CT 06461
Toll Free: 800.352.0050
www.edrnet.com

TABLE OF CONTENTS

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Detail Map	3
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 <u>GEOCHECK ADDENDUM</u>	
Physical Setting Source Addendum	A-1
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Physical Setting Source Map	A-7
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Physical Setting Source Records Searched	A-21

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-05) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

HITE ROAD
LEETOWN, WV 25430

COORDINATES

Latitude (North): 39.356700 - 39° 21' 24.1"
Longitude (West): 77.896500 - 77° 53' 47.4"
Universal Transverse Mercator: Zone 18
UTM X (Meters): 250423.7
UTM Y (Meters): 4360155.0
Elevation: 613 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 39077-C8 MIDDLEWAY, WV
Most Recent Revision: 1978

North Map: 39077-D8 MARTINSBURG, WV
Most Recent Revision: 1997

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL..... National Priority List
Proposed NPL..... Proposed National Priority List Sites
NPL LIENS..... Federal Superfund Liens

Federal CERCLIS list

CERCLIS..... Comprehensive Environmental Response, Compensation, and Liability Information System

EXECUTIVE SUMMARY

Federal CERCLIS NFRAP site List

CERC-NFRAP..... CERCLIS No Further Remedial Action Planned

Federal RCRA CORRACTS facilities list

CORRACTS..... Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF..... RCRA - Transporters, Storage and Disposal

Federal RCRA generators list

RCRA-LQG..... RCRA - Large Quantity Generators
RCRA-SQG..... RCRA - Small Quantity Generators
RCRA-CESQG..... RCRA - Conditionally Exempt Small Quantity Generator

Federal institutional controls / engineering controls registries

US ENG CONTROLS..... Engineering Controls Sites List
US INST CONTROL..... Sites with Institutional Controls

Federal ERNS list

ERNS..... Emergency Response Notification System

State- and tribal - equivalent CERCLIS

SHWS..... This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State and tribal landfill and/or solid waste disposal site lists

SWF/LF..... List of M.S.W. Landfills/Transfer Station Listing

State and tribal leaking storage tank lists

LUST..... Leaking Underground Storage Tanks
INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

UST..... Underground Storage Tank Database
INDIAN UST..... Underground Storage Tanks on Indian Land

State and tribal institutional control / engineering control registries

INST CONTROL..... Sites with Institutional Controls

State and tribal voluntary cleanup sites

INDIAN VCP..... Voluntary Cleanup Priority Listing
VCP..... Voluntary Remediation Sites

EXECUTIVE SUMMARY

State and tribal Brownfields sites

BROWNFIELDS..... Brownfields Sites Listing

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

ODI..... Open Dump Inventory
DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands

Local Lists of Hazardous waste / Contaminated Sites

US CDL..... Clandestine Drug Labs
CDL..... Drug Lab Site Locations

Local Land Records

LIENS 2..... CERCLA Lien Information
LUCIS..... Land Use Control Information System

Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System
SPILLS..... Spills Listing

Other Ascertainable Records

RCRA-NonGen..... RCRA - Non Generators
DOT OPS..... Incident and Accident Data
DOD..... Department of Defense Sites
FUDS..... Formerly Used Defense Sites
CONSENT..... Superfund (CERCLA) Consent Decrees
UMTRA..... Uranium Mill Tailings Sites
MINES..... Mines Master Index File
TRIS..... Toxic Chemical Release Inventory System
TSCA..... Toxic Substances Control Act
FTTS..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing
SSTS..... Section 7 Tracking Systems
ICIS..... Integrated Compliance Information System
PADS..... PCB Activity Database System
MLTS..... Material Licensing Tracking System
RADINFO..... Radiation Information Database
FINDS..... Facility Index System/Facility Registry System
RAATS..... RCRA Administrative Action Tracking System
DRYCLEANERS..... Listing of Drycleaner Locations

EXECUTIVE SUMMARY

NPDES..... Wastewater Discharge Permits Listing
AIRS..... Permitted Facility and Emissions Listing
INDIAN RESERV..... Indian Reservations
SCRD DRYCLEANERS..... State Coalition for Remediation of Drycleaners Listing

EDR PROPRIETARY RECORDS

EDR Proprietary Records

Manufactured Gas Plants..... EDR Proprietary Manufactured Gas Plants

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in *bold italics* are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

STANDARD ENVIRONMENTAL RECORDS

Federal Delisted NPL site list

Delisted NPL: The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

A review of the Delisted NPL list, as provided by EDR, and dated 02/02/2009 has revealed that there is 1 Delisted NPL site within approximately 1 mile of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<i>LEETOWN PESTICIDE</i>	<i>ROAD 15/1 MIDDLEWAY ARE</i>	<i>WSW 1/2 - 1 (0.943 mi.)</i>	<i>1</i>	<i>7</i>

ADDITIONAL ENVIRONMENTAL RECORDS

Other Ascertainable Records

ROD: Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid the cleanup.

A review of the ROD list, as provided by EDR, and dated 04/23/2009 has revealed that there is 1 ROD

EXECUTIVE SUMMARY

site within approximately 1 mile of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<i>LEETOWN PESTICIDE</i>	<i>ROAD 15/1 MIDDLEWAY ARE</i>	<i>WSW 1/2 - 1 (0.943 mi.)</i>	<i>1</i>	<i>7</i>







EXECUTIVE SUMMARY




Due to poor or inadequate address information, the following sites were not mapped:

<u>Site Name</u>	<u>Database(s)</u>
LIBERTY BUSINESS PARK RESUBDIVISIO	NPDES
MCKEE CROSSING	VCP
BERKELEY SANITATION	CERC-NFRAP
LEETOWN ABANDONED CHEM DRUM	CERC-NFRAP
HARRY F CATROW	LUST, UST
HARDING'S SERVICE STATION	LUST, UST
JEFFERSON CO HEADQUARTERS 05191	LUST, UST
MIDDLEWAY CASH & CARRY	LUST
SHEETZ INC STORE #137	LUST, UST
CRAIG'S MIDDLEWAY STOP	LUST, UST
HIGH'S DAIRY STORE 314	LUST, UST
NICK'S GROCERY	UST
YOULER'S GROCERY	UST
MIDDLEWAY CASH & CARRY	UST
7 SEAS CONVIENCE STORE	UST
HUDDLE CLUB	UST
NATIONAL FISHERIES RESEARCH CENT	UST
SERVICE STATION/E J THOMPSON	UST
7-ELEVEN #18665	RCRA-SQG
SHEETZ STORE #137	RCRA-SQG
ROGERS GARAGE	FINDS, RCRA-NonGen
TEES AND MORE	FINDS, RCRA-NonGen
CENTERVILLE CONCRETE	FINDS, RCRA-NonGen
LAWRENCE CROUSE WORKSHOP	FINDS, RCRA-NonGen
WAYDE HOLMES PROPERTY	RCRA-NonGen
TRI COUNTY AUTOMOTIVE	FINDS, RCRA-CESQG
S & C GARAGE	FINDS, RCRA-CESQG
OPEQUON AUTOMOTIVE	FINDS, RCRA-CESQG
WVU-EHS EXP FARM & KEARNEYSVILLE	FINDS, RCRA-CESQG
GREEN ACRES MOBILE HOME PARK	FINDS
GREEN ACRES MOBILE HOME PARK	ICIS
7 ELEVEN STORE NO 18665	MANIFEST

OVERVIEW MAP - 2523617.1s



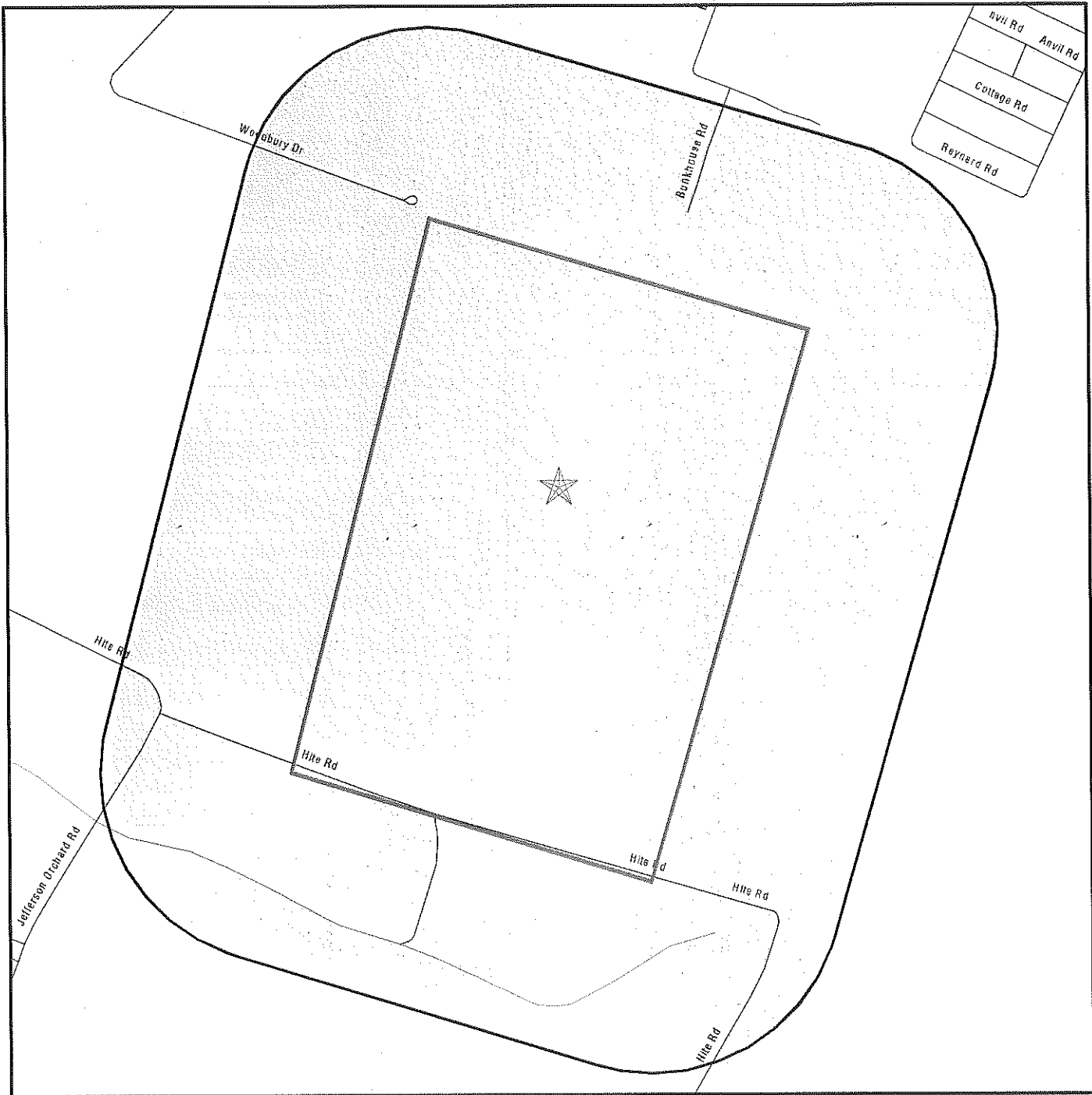
-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  National Priority List Sites
-  Dept. Defense Sites








-  Indian Reservations BIA
-  Oil & Gas pipelines
-  National Wetland Inventory



SITE NAME: Hite Road Park
 ADDRESS: Hite Road
 Leetown WV 25430
 LAT/LONG: 39.3567 / 77.8965

CLIENT: Land Plan. & Design Assoc., Inc.
 CONTACT: Zac Lette
 INQUIRY #: 2523617.1s
 DATE: June 19, 2009 3:17 pm

DETAIL MAP - 2523617.1s



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  Sensitive Receptors
-  National Priority List Sites
-  Dept. Defense Sites

-  Indian Reservations BIA
-  Oil & Gas pipelines



<p>SITE NAME: Hite Road Park ADDRESS: Hite Road Leetown WV 25430 LAT/LONG: 39.3567 / 77.8965</p>	<p>CLIENT: Land Plan.&Design Assoc.,Inc. CONTACT: Zac Lette INQUIRY #: 2523617.1s DATE: June 19, 2009 3:17 pm</p>
--	--

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
<i>Federal NPL site list</i>								
NPL		1.000	0	0	0	0	NR	0
Proposed NPL		1.000	0	0	0	0	NR	0
NPL LIENS		TP	NR	NR	NR	NR	NR	0
<i>Federal Delisted NPL site list</i>								
Delisted NPL		1.000	0	0	0	1	NR	1
<i>Federal CERCLIS list</i>								
CERCLIS		0.500	0	0	0	NR	NR	0
<i>Federal CERCLIS NFRAP site List</i>								
CERCLIS-NFRAP		0.500	0	0	0	NR	NR	0
<i>Federal RCRA CORRACTS facilities list</i>								
CORRACTS		1.000	0	0	0	0	NR	0
<i>Federal RCRA non-CORRACTS TSD facilities list</i>								
RCRA-TSDF		0.500	0	0	0	NR	NR	0
<i>Federal RCRA generators list</i>								
RCRA-LQG		0.250	0	0	NR	NR	NR	0
RCRA-SQG		0.250	0	0	NR	NR	NR	0
RCRA-CESQG		0.250	0	0	NR	NR	NR	0
<i>Federal institutional controls / engineering controls registries</i>								
US ENG CONTROLS		0.500	0	0	0	NR	NR	0
US INST CONTROL		0.500	0	0	0	NR	NR	0
<i>Federal ERNS list</i>								
ERNS		TP	NR	NR	NR	NR	NR	0
<i>State- and tribal - equivalent CERCLIS</i>								
SHWS		N/A	N/A	N/A	N/A	N/A	N/A	N/A
<i>State and tribal landfill and/or solid waste disposal site lists</i>								
SWF/LF		0.500	0	0	0	NR	NR	0
<i>State and tribal leaking storage tank lists</i>								
LUST		0.500	0	0	0	NR	NR	0
INDIAN LUST		0.500	0	0	0	NR	NR	0
<i>State and tribal registered storage tank lists</i>								
UST		0.250	0	0	NR	NR	NR	0
INDIAN UST		0.250	0	0	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
State and tribal institutional control / engineering control registries								
INST CONTROL		0.500	0	0	0	NR	NR	0
State and tribal voluntary cleanup sites								
INDIAN VCP		0.500	0	0	0	NR	NR	0
VCP		0.500	0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS		0.500	0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS		0.500	0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
ODI		0.500	0	0	0	NR	NR	0
DEBRIS REGION 9		0.500	0	0	0	NR	NR	0
INDIAN ODI		0.500	0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US CDL		TP	NR	NR	NR	NR	NR	0
CDL		TP	NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2		TP	NR	NR	NR	NR	NR	0
LUCIS		0.500	0	0	0	NR	NR	0
Records of Emergency Release Reports								
HMIRS		TP	NR	NR	NR	NR	NR	0
SPILLS		TP	NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA-NonGen		0.250	0	0	NR	NR	NR	0
DOT OPS		TP	NR	NR	NR	NR	NR	0
DOD		1.000	0	0	0	0	NR	0
FUDS		1.000	0	0	0	0	NR	0
CONSENT		1.000	0	0	0	0	NR	0
ROD		1.000	0	0	0	1	NR	1
UMTRA		0.500	0	0	0	NR	NR	0
MINES		0.250	0	0	NR	NR	NR	0
TRIS		TP	NR	NR	NR	NR	NR	0
TSCA		TP	NR	NR	NR	NR	NR	0
FTTS		TP	NR	NR	NR	NR	NR	0
HIST FTTS		TP	NR	NR	NR	NR	NR	0
SSTS		TP	NR	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
ICIS		TP	NR	NR	NR	NR	NR	0
PADS		TP	NR	NR	NR	NR	NR	0
MLTS		TP	NR	NR	NR	NR	NR	0
RADINFO		TP	NR	NR	NR	NR	NR	0
FINDS		TP	NR	NR	NR	NR	NR	0
RAATS		TP	NR	NR	NR	NR	NR	0
DRYCLEANERS		0.250	0	0	NR	NR	NR	0
NPDES		TP	NR	NR	NR	NR	NR	0
AIRS		TP	NR	NR	NR	NR	NR	0
INDIAN RESERV		1.000	0	0	0	0	NR	0
SCRD DRYCLEANERS		0.500	0	0	0	NR	NR	0

EDR PROPRIETARY RECORDS

EDR Proprietary Records

Manufactured Gas Plants		1.000	0	0	0	0	NR	0
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NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

N/A = This State does not maintain a SHWS list. See the Federal CERCLIS list.

Map ID
 Direction
 Distance
 Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
 EPA ID Number

1 LEETOWN PESTICIDE
WSW ROAD 15/1 MIDDLEWAY AREA
 1/2-1 LEETOWN, WV 25430
 0.943 mi.
 4979 ft.

CERCLIS 1000418130
FINDS WVD980693402
 Delisted NPL
 ROD
 US ENG CONTROLS

Relative: CERCLIS:
Lower Site ID: 0303045
 Federal Facility: Not a Federal Facility
Actual: NPL Status: Deleted from the Final NPL
 Non NPL Status: Not reported

CERCLIS Site Contact Name(s):

Contact Name: RICHARD M. FETZER
 Contact Tel: (215) 814-3263
 Contact Title: On-Scene Coordinator (OSC)

Contact Name: ANTHONY IACOBONE
 Contact Tel: (215) 814-5237
 Contact Title: Remedial Project Manager (RPM)

CERCLIS Site Alias Name(s):

Alias Name: ROBINSON PROPERTY
 Alias Address: ROAD 15/1 MIDDLEWAY AREA
 NEAR LEETOWN, WV 25430

Alias Name: LEETOWN PESTICIDE
 Alias Address: Not reported
 JEFFERSON, WV

Alias Name: LEETOWN PESTICIDE
 Alias Address: RD 15/1 MIDDLEWAY AREA
 NEAR LEETOWN, WV 25430

Alias Name: LEETOWN PESTICIDE
 Alias Address: ROAD 15/1 MIDDLEWAY AREA
 LEETOWN, WV 25430

Site Description: The Leetown Site is located in extreme northeastern West Virginia approximately 8 miles south of Martinsburg, West Virginia. The "site" is actually composed of a number of areas of concern relative to surface disposal of pesticides, agricultural use of pesticides, and landfilling. The study area has been defined as the Bell Spring Run and Blue and Gray Spring Run watersheds from the areas of contamination to the points of interest (i.e. potential receptors). Land use in the study area is predominantly agricultural, dedicated to pasture or forage/row-crop production for dairy cattle operations. This is in contrast to orchards, which were the prevalent land use in the area in the past. Habitat suitability for terrestrial wildlife and avifauna is restricted by the agricultural development. The upper reaches of the Bell Spring Run watershed are predominantly dedicated to pasture and row-crop production. This portion of the study area also encompasses the potential sources of environmental contamination. Fencerows located within the developed agricultural areas, as well as areas not presently being managed for pasture or crop production, frequently support dense growths of brambles that provide food, nesting, and escape cover for small mammals. Small woodlots (less than 50 acres) may be found in the lower reaches of the watershed. In this vicinity they are accompanied by the most significant wetlands found in the study area. The latter are found on the lower reaches of Bell Spring Run, near National Fisheries Center (NFC) Reservoir A, and in the vicinity of Gray Spring Run. These wetlands have been mapped by the West Virginia Department of Natural Resources, Wildlife Resources Division (WVDNR WRD), as Marsh No. 75, or the Hopewell Marsh, although they do not communicate. The northern component of the marsh occupies an area of 17 to

Map ID
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Distance
Elevation

Site

MAP FINDINGS

Database(s)

EDR ID Number
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LEETOWN PESTICIDE (Continued)

1000418130

20 acres on Bell Spring Run, while the southern component is a more nondescript area within the immediate recharge zone of Gray Spring. The occurrence of potential sources of contamination in the Leetown area may be associated with one or more of three distinct activities: 1) agricultural use of pesticides; 2) pesticide disposal; and 3) landfilling activities. A total of eight specific areas of waste disposal or accumulation were actually identified during initial Remedial Investigation (RI) study. Of these eight areas, two were the result of alleged disposal of pesticide-contaminated debris from a fire that occurred in 1975 at the Miller Chemical Company in nearby Ranson, West Virginia. These included the former pesticide pile area and the suspected pesticide landfarm area. Four of the contaminant sources are associated with former use of the land for orchard production. The Jefferson Orchard formerly occupied an area of approximately 170 acres on both sides of Route 15/1. This orchard was operated by Mr. John F. Ambrose from its purchase in 1937 until the late 1950s or early 1960s. The segment of the orchard to the east of Route 15/1 was sold to John F. and Luola G. Robinson in 1966. The present ownership of the tract to the west of Route 15/1 is held by the U.S. Fish & Wildlife Service (USF&WS), represented locally by the Leetown National Fisheries Center. A pesticide mixing shed was located at the intersection of Route 15/1 and Bell Spring Run, at the extreme southwestern corner of what is now the Robinson property. This shed was used during the active operation of the Jefferson Orchard to formulate pesticides. One of the apparent reasons for its proximity to Bell Spring Run was to provide a ready source of water with which to slurry the powdered pesticides for spray application. A second abandoned orchard, the Crimm Orchard, was located on lands now belonging to Mr. Lyle C. Tabb III. A former orchard packing shed presently stands approximately in the middle of Area 6 and has itself been identified as Area 7. In addition to serving as a packing shed for processing of the crop from the orchard, the eastern portion of this shed was apparently used for formulation of pesticides for application at the Crimm Orchard. The EPA was first made aware of the presence of drummed materials in the shed during the summer of 1984 by its present owner, Mr. Lyle C. Tabb III. The two remaining sites are active landfills. Area 3 is the Jefferson County Landfill, which has been in active operation since 1967 and has been under the control of the Jefferson County Commission since 1972. The landfill presently occupies about 37 acres, about 70 percent of which has been backfilled and reclaimed to vegetation. The operation is advancing from west to east and, while its estimated life in 1984 was only 5 years, expansion onto adjacent land owned by Jefferson County could extend its life for another 30 years or more. The second landfill within the study area has been noted as Area 8 and is associated with the West Virginia Department of Highways (WVDOH) maintenance garage at the intersection of Routes 15 and 15/1. Although this area may have been a local dump prior to the development of the Jefferson County Landfill, its use is presently restricted to the WVDOH. Access is controlled via a chain-link fence. The access gate is locked whenever the maintenance garage is closed. With the exception of residential parcels along roadways, most of the land in the interior of the watershed is presently held by the U.S. Fish & Wildlife Service (USF&WS), represented locally by the Leetown National Fisheries Center (NFC), Julian and Luola Robinson, Jefferson County, Willard Lloyd, William Edwards, and Lyle C. Tabb III. Most of the land is devoted to pasture or to the production of grain and/or silage corn and small grains in rotation for dairy cattle feed. Historically, agricultural use of pesticides refers primarily to the use of DDT as a spray application to control insect damage to fruit. Two orchards existed in the watershed at one time. The largest of these was the Jefferson Orchard, operated by Mr. John F. Ambrose on lands now belonging to the USF&WS and the Robinsons. Mr. Ambrose purchased plot 26 on December 10, 1937. According to local accounts, the orchard was limited to this tract of land, on both sides of Jefferson Road (Route 15/1). A pesticide mixing shed was

Map ID
Direction
Distance
Elevation

Site

MAP FINDINGS

Database(s)

EDR ID Number
EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

located at the intersection of Jefferson Road and Bell Spring Run on the eastern side of the roadway. Present remains of this shed include the stone foundation (approximate dimensions: 50 feet square) for the first floor and a 12-foot square concrete pad on the southern end of the foundation. The northern exposure of the foundation is keyed into the topography, while a wall consisting of 10 courses of concrete blocks separates the foundation from the concrete pad. No superstructure for the building persists, although steel pipes, approximately 8 feet on-center, protrude slightly from the concrete wall adjacent to the pad. This mixing shed was apparently used to formulate all of the pesticides used the Jefferson Orchard. In the late '50's or early '60's the Jefferson Orchard was abandoned. At that time Mr. Amrose apparently pastured beef cattle on the property before selling the portion of plot 26 to the west of Jefferson Road to Mr. Arthur Dodson, Sr., and plot 26.2 to John F. and Luola G. Robinson. Both of these transactions took place on October 27, 1966. Mr. Dodson operated the property as a dairy farm until his death, at which time the operation of the farm was taken over by his nephew, Mr. Roy F. Dodson. Mr. Arthur Dodson's son, Arthur, Jr., presently resides on plot 26.7, acquired in 1974. Plot 26 was purchased by Albert M. and Felicidad C. Boholst on December 20, 1977, from the Dodsons, who subsequently conveyed the parcel to the Nature Conservancy on April 30, 1980 and to the USF&WS on March 6, 1984. Mr. Roy Dodson continues to operate the dairy farm, leasing the land from the USF&WS through the NFC. The second orchard in the watershed was the former Crimm Orchard, purchased as plot 23 by George R. Crimm on January 29, 1951. A packing shed was located on a hilltop in the central portion of this tract. The timber structure still remains, and is used by Mr. Lyle C. Tabb III as a storage building for hay and straw. Mr. Tabb purchased plot 23 from Mr. Crimm on August 24, 1966. The Crimm Orchard Packing Shed was apparently used for pesticide formulation, as well as for preparation of the crop for shipment. Drums containing liquid pesticide formulations, and bags of powdered materials such as guthion and dinitro-ortho-cresol were discovered by Mr. Tabb in the eastern portion of the structure in the summer of 1984. Mr. Tabb notified EPA of his finding. In response to this notification, the U.S. EPA conducted an assessment for removal action at this packing shed. After careful analysis and considering recommendations from the Centers for Disease Control, the EPA determined that no immediate threat was presented by the contamination and no removal action was warranted. Subsequently, this area was added to the "Leetown Site" for remedial consideration, since it was within the boundaries of the study area. Pesticide disposal areas are distinguished from areas of agricultural application of pesticides within the watershed. Residue containing pesticides was allegedly disposed at the Former Pesticide Pile Area on the Robinson property and at the Suspected Pesticide Landfarm, presently located on property owned by Willard Lloyd. Both disposal activities allegedly took place sometime prior to the spring of 1981 and allegedly may have involved pesticides and other debris from a 1975 fire at the Miller Chemical Company in Ranson, West Virginia, approximately five miles southeast of the Bell Spring Run watershed. Local accounts of the disposal activities agree only in that Mr. Arthur Dodson, Sr., was the principal. At the time of the alleged incident, Mr. Dodson was operated a dairy farm in the area, as noted above. One account indicates that spreadable debris from the Miller Chemical fire were landfarmed in 1975 on a tract of approximately 100 acres. This tract was being leased at the time of the disposal by Mr. Dodson from Mr. Jeffrey Sagel, and is now owned by Mr. Willard Lloyd. This account further indicates that debris which could not be spread was dumped on the Robinson property, also being leased at the time by Mr. Dodson. A second account suggests that the pesticide pile on the Robinson property, while originating from the Miller Chemical facility, consisted only of lime slag and fine material cleaned from the facility during normal housekeeping operations, and had little to do with the fire. The second

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number
EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

account does not refer to any landfarming of pesticides on the Lloyd property. Irrespective of the means by which the pesticide pile was placed on the Robinson property, initial concern was raised by representatives of the Leetown NFC, based on analyses of the pile done in 1981. These analyses showed elevated levels of pesticides. During a subsequent site inspection by the West Virginia Department of Natural Resources (WVDNR) on August 26, 1981, it was determined that an area of about 1,000 square feet had been covered to a depth of about 4 feet with a crystalline material. Samples of the material and its immediate surroundings taken by the WVDNR on October 27, 1981, showed elevated levels of alpha-BHC pesticides (186,000 parts per billion [ppb]) as well as DDT (37,000 ppb) and DDE (63,300 ppb). In 1982 the Miller Chemical Company agreed to cooperate in removing the pile, but continued to maintain that the pile did not contain pesticides from the fire at its facility. Between April and June 1983 the Miller Chemical Company removed about 160 cubic yards of waste and soil material from the pile area. Two ongoing landfills represent the only significant, known activity of this type with the watershed. Historically, the first of these landfills occupies land presently owned by the West Virginia Department of Highways (WVDOH), and is located immediately north of their maintenance facility at the intersection of Routes 6 (Darke Lane), 15, and 15/1. The solid waste landfill, as well as an associated road kill disposal area and limestone quarry, are operated solely for the use of the WVDOH, and are presently secured from unauthorized vehicle access by a chain link fence. According to a local resident, however, this landfill operated prior to development of the Jefferson County Landfill, discussed below, as a refuse disposal area for local residents. In particular, aerosol canisters of DDT produced by the Dixie-Narco Company in Charles Town were disposed of in the landfill. These canisters are known locally as DDT bombs, and were used for topical application of DDT to cattle to control flies. Typical waste handling practices at the landfill at the time of DDT bomb disposal included burning the refuse. A number of the canisters allegedly exploded during this process. The Jefferson County Landfill is located immediately east of the WVDOH maintenance garage, across Route 15/1. This municipal and industrial waste disposal facility has been active since 1967, with the Jefferson County Commission assuming responsibility for its operation in 1972. In 1981 the State Department of Health gave permission for the 3-M plant in Middleway, West Virginia, to place one truckload (approximately 5 cubic yards) of sludge in the landfill daily. However, this approval was rescinded when approximately 600 cubic yards of the sludge was deposited in the landfill during the first two days of the project. The Jefferson County Landfill has been listed in West Virginia's Open Dump Inventory as a potential candidate for further investigation relative to listing on the National Priorities List. The first step in this process, development of a Preliminary Assessment (PA), was undertaken by the WVDNR, Division of Water Resources, on April 4, 1984. It is anticipated that this process will continue, with ultimate ranking of the Jefferson County Landfill using the Hazard Ranking System (HRS), and evaluation of the possibility of inclusion of the site on the NPL. Since this was known to be the case, the actual investigation of the landfill focused on the potential offsite migration of contaminants throughout the groundwater and surface water systems, rather than on characterization of the landfill itself. The primary purpose of this was to determine the overall quality of the drinking water source (aquifer) in the Leetown Area, and, if any contamination was found, to pinpoint sources of that contamination to mitigate the problem. Similarly, the WVDOH landfill is part of an active facility and the responsibility for maintenance and safe operation of the landfill rests with the WVDNR. The RI attempted to define the potential for contaminant migration from this landfill via direct contact with landfill soils, but did not attempt to fully characterize the contents of the landfill. A sitewide Record of Decision (Operable Unit 01) was completed in

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Direction
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Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

March of 1986.

CERCLIS Assessment History:

Action: DISCOVERY
Date Started: Not reported
Date Completed: 05/01/1981
Priority Level: Not reported

Action: PRELIMINARY ASSESSMENT
Date Started: Not reported
Date Completed: 09/01/1981
Priority Level: Low priority for further assessment

Action: SITE INSPECTION
Date Started: 10/01/1981
Date Completed: 10/01/1981
Priority Level: Higher priority for further assessment

Action: HAZARD RANKING SYSTEM PACKAGE
Date Started: Not reported
Date Completed: 12/01/1982
Priority Level: Not reported

Action: PROPOSAL TO NATIONAL PRIORITIES LIST
Date Started: Not reported
Date Completed: 12/30/1982
Priority Level: Not reported

Action: Notice Letters Issued
Date Started: Not reported
Date Completed: 04/05/1983
Priority Level: Not reported

Action: REMOVAL
Date Started: 04/14/1983
Date Completed: 05/31/1983
Priority Level: Stabilized

Action: FINAL LISTING ON NATIONAL PRIORITIES LIST
Date Started: Not reported
Date Completed: 09/08/1983
Priority Level: Not reported

Action: REMEDIAL INVESTIGATION/FEASIBILITY STUDY WORKPLAN APPROVAL BY HQ
Date Started: Not reported
Date Completed: 10/15/1984
Priority Level: Not reported

Action: ISSUE REQUEST LETTERS (104E)
Date Started: Not reported
Date Completed: 10/01/1985
Priority Level: Not reported

Action: ISSUE REQUEST LETTERS (104E)
Date Started: Not reported
Date Completed: 02/11/1986
Priority Level: Not reported

Map ID
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MAP FINDINGS

Site

Database(s)

EDR ID Number
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LEETOWN PESTICIDE (Continued)

1000418130

Action:	NATIONAL PRIORITIES LIST RESPONSIBLE PARTY SEARCH
Date Started:	Not reported
Date Completed:	02/15/1986
Priority Level:	Search Complete, No Viable PRPs
Action:	ECOLOGICAL RISK ASSESSMENT
Date Started:	Not reported
Date Completed:	03/01/1986
Priority Level:	Not reported
Action:	COMBINED REMEDIAL INVESTIGATION/FEASIBILITY STUDY
Date Started:	03/12/1984
Date Completed:	03/31/1986
Priority Level:	Not reported
Action:	TECHNICAL ASSISTANCE
Date Started:	09/27/1985
Date Completed:	03/31/1986
Priority Level:	Not reported
Action:	RECORD OF DECISION
Date Started:	Not reported
Date Completed:	03/31/1986
Priority Level:	Not reported
Action:	REMEDIAL DESIGN/REMEDIAL ACTION NEGOTIATIONS
Date Started:	05/15/1986
Date Completed:	08/15/1986
Priority Level:	Not reported
Action:	REMEDIAL DESIGN
Date Started:	12/22/1986
Date Completed:	05/15/1987
Priority Level:	Not reported
Action:	REMEDIAL DESIGN
Date Started:	03/06/1987
Date Completed:	04/24/1988
Priority Level:	Not reported
Action:	REMEDIAL ACTION
Date Started:	04/03/1987
Date Completed:	06/08/1988
Priority Level:	Not reported
Action:	REMOVAL ASSESSMENT
Date Started:	05/24/1990
Date Completed:	05/24/1990
Priority Level:	Not reported
Action:	RISK/HEALTH ASSESSMENT
Date Started:	Not reported
Date Completed:	08/08/1990
Priority Level:	Not reported
Action:	INFORMATION REPOSITORY ESTABLISHED
Date Started:	Not reported

Map ID
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MAP FINDINGS

Site

Database(s)

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EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

Date Completed: 02/06/1992
Priority Level: Not reported

Action: REMEDIAL ACTION
Date Started: 06/03/1988
Date Completed: 04/07/1992
Priority Level: Not reported

Action: CLOSE OUT REPORT
Date Started: Not reported
Date Completed: 04/07/1992
Priority Level: Not reported

Action: RECORD OF DECISION AMENDMENT
Date Started: Not reported
Date Completed: 04/07/1992
Priority Level: Final Remedy Selected at Site

Action: DELETION FROM NATIONAL PRIORITIES LIST
Date Started: 06/14/1996
Date Completed: 08/29/1996
Priority Level: Not reported

Action: COMMUNITY INVOLVEMENT
Date Started: 03/01/1990
Date Completed: 08/29/1996
Priority Level: Not reported

FINDS:

Other Pertinent Environmental Activity Identified at Site

Registry ID: 110009318871

CERCLIS (Comprehensive Environmental Response, Compensation, and Liability Information System) is the Superfund database that is used to support management in all phases of the Superfund program. The system contains information on all aspects of hazardous waste sites, including an inventory of sites, planned and actual site activities, and financial information.

Delisted NPL:

EPA ID: WVD980693402
Site ID: 0303045
EPA Region: 03
Federal: No
Deleted Date: 8/29/1996

Category Details:

NPL Status: Deleted from the Final NPL
Category Description: Depth To Aquifer-> 25 And <= 50 Feet
Category Value: 27

NPL Status: Deleted from the Final NPL
Category Description: Distance To Nearest Population-> 0 And <= 1/4 Mile

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s) EDR ID Number
EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

Category Value: 150

Site Details:

Site Name: LEETOWN PESTICIDE
Site Status: Deleted
Site Zip: 25430
Site City: LEETOWN
Site State: WV
Federal Site: No
Site County: JEFFERSON
EPA Region: 03
Date Proposed: 12/30/82
Date Deleted: 8/29/1996
Date Finalized: 09/08/83

Substance Details:

NPL Status: Deleted from the Final NPL
Substance ID: Not reported
Substance: Not reported
CAS #: Not reported
Pathway: Not reported
Scoring: Not reported

NPL Status: Deleted from the Final NPL
Substance ID: A023
Substance: DDE
CAS #: 72-55-9
Pathway: SURFACE WATER PATHWAY
Scoring: 2

NPL Status: Deleted from the Final NPL
Substance ID: U060
Substance: DDD
CAS #: 72-54-8
Pathway: NO PATHWAY INDICATED
Scoring: 1

NPL Status: Deleted from the Final NPL
Substance ID: U061
Substance: DDT
CAS #: 50-29-3
Pathway: GROUND WATER PATHWAY
Scoring: 3

NPL Status: Deleted from the Final NPL
Substance ID: U061
Substance: DDT
CAS #: 50-29-3
Pathway: SURFACE WATER PATHWAY
Scoring: 3

NPL Status: Deleted from the Final NPL
Substance ID: U091
Substance: DIMETHOXYBENZIDINE, 3,3'
CAS #: 119-90-4
Pathway: NO PATHWAY INDICATED

Map ID
Direction
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MAP FINDINGS

Site

Database(s) EDR ID Number
EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

Scoring: 1

NPL Status: Deleted from the Final NPL
Substance ID: U127
Substance: HEXACHLOROBENZENE
CAS #: 118-74-1
Pathway: GROUND WATER PATHWAY
Scoring: 3

NPL Status: Deleted from the Final NPL
Substance ID: U127
Substance: HEXACHLOROBENZENE
CAS #: 118-74-1
Pathway: SURFACE WATER PATHWAY
Scoring: 4

NPL Status: Deleted from the Final NPL
Substance ID: U129
Substance: LINDANE
CAS #: 58-89-9
Pathway: GROUND WATER PATHWAY
Scoring: 3

NPL Status: Deleted from the Final NPL
Substance ID: U129
Substance: LINDANE
CAS #: 58-89-9
Pathway: SURFACE WATER PATHWAY
Scoring: 3

Summary Details:

Conditions at listing December 1982): The Leetown Pesticide Site in Leetown, Jefferson County, West Virginia, may be a case of midnight dumping. A pile containing about 1,200 cubic yards of material is contaminated with several pesticides. Contamination of ground water, the only source of drinking water for the area, is the major concern. Possible contamination of Bells Spring, which supplies the Federal Fish Hatchery and National Fish Research Laboratory, is also of concern. Status July 1983): In April 1983, the contaminated pile was removed and properly disposed of by a potentially responsible party. The removal was conducted under the supervision of the State and EPA. Further testing is underway to check for possible residual contamination.

Site Status Details:

NPL Status: Deleted
Proposed Date: 12/30/1982
Final Date: 09/08/1983
Deleted Date: 08/29/1996

Narratives Details:

NPL Name: LEETOWN PESTICIDE
City: LEETOWN
State: WV

ROD:

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

Full-text of USEPA Record of Decision(s) is available from EDR.

US ENG CONTROLS:

EPA ID: WVD980693402
Site ID: 0303045
Name: LEETOWN PESTICIDE
Address: ROAD 15/1 MIDDLEWAY AREA
LEETOWN, WV 25430
EPA Region: 03
County: JEFFERSON
Event Code: Not reported
Actual Date: Not reported

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 3/31/1986
Planned Complet. date: 3/31/1986
Operable Unit: 01
Contaminated Media : Groundwater
Engineering Control: Monitoring

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 3/31/1986
Planned Complet. date: 3/31/1986
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Bioremediation Treatment, (N.O.S.)

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 3/31/1986
Planned Complet. date: 3/31/1986
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Consolidate

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 3/31/1986
Planned Complet. date: 3/31/1986
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Disposal

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 3/31/1986
Planned Complet. date: 3/31/1986
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Excavation

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 3/31/1986
Planned Complet. date: 3/31/1986

MAP FINDINGS

Map ID
Direction
Distance
Elevation

Site

Database(s)

EDR ID Number
EPA ID Number

LEETOWN PESTICIDE (Continued)

1000418130

Operable Unit: 01
Contaminated Media : Solid Waste
Engineering Control: Excavation

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 3/31/1986
Planned Complet. date: 3/31/1986
Operable Unit: 01
Contaminated Media : Solid Waste
Engineering Control: Incineration

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
BERKELEY	1003866244	BERKELEY SANITATION	5 M W OF HEDGESVILLE NW RTE 9	25430	CERC-NFRAP
COUNTY	S108426785	MCKEE CROSSING	ROUTE 9, WEST OF KEARNEYSVILLE	25430	VCP
KEARNEYSVILLE	U003348112	HARRY F CATROW	RT #1 BOX 95	25430	LUST, UST
KEARNEYSVILLE	1004802554	TRI COUNTY AUTOMOTIVE	RT 1 BOX 748	25430	FINDS, RCRA-CESQG
KEARNEYSVILLE	1004802776	S & C GARAGE	RT 1 BOX 209	25430	FINDS, RCRA-CESQG
KEARNEYSVILLE	U003436226	HARDING'S SERVICE STATION	RT 1 BOX 312	25430	LUST, UST
KEARNEYSVILLE	U003436256	NICK'S GROCERY	RT 1 BOX 327R	25430	UST
KEARNEYSVILLE	U003760751	JEFFERSON CO HEADQUARTERS 06191	RT 15 BOX 259	25430	LUST, UST
KEARNEYSVILLE	1007117213	7-ELEVEN #18665	RT 2 BOX 467	25430	RCRA-SQG
KEARNEYSVILLE	U003436220	YOULE'S GROCERY	RT 2 BOX 530 F	25430	UST
KEARNEYSVILLE	S104817274	MIDDLEWAY CASH & CARRY	RT 480 LEETOWN SUMMIT PT PIKE	25430	LUST
KEARNEYSVILLE	U003436257	MIDDLEWAY CASH & CARRY	RT 480 LEETOWN SUMMIT PT PIKE	25430	UST
KEARNEYSVILLE	1004802395	OPEQUON AUTOMOTIVE	RTE 9	25430	FINDS, RCRA-CESQG
KEARNEYSVILLE	1004802934	ROGERS GARAGE	RT 9 PO BOX 192	25430	FINDS, RCRA-NonGen
KEARNEYSVILLE	1004803672	TEES AND MORE	RTE 9 & RTE 480 W CORNER	25430	FINDS, RCRA-NonGen
KEARNEYSVILLE	1005419053	CENTERVILLE CONCRETE	RT 9	25430	FINDS, RCRA-NonGen
KEARNEYSVILLE	U003848399	7 SEAS CONVENIENCE STORE	RT 9 E FOX GLEN SUBDIVISION	25430	UST
KEARNEYSVILLE	U003989071	HUDDLE CLUB	RT 9	25430	UST
KEARNEYSVILLE	U003360661	NATIONAL FISHERIES RESEARCH CENT	COUNTY RT 1 KEARNEYSVILLE RD B	25430	UST
KEARNEYSVILLE	1008375790	SHEETZ STORE #137	INTERSECTION OF RT 9 & RT 480	25430	RCRA-SQG
KEARNEYSVILLE	U003760742	SHEETZ INC STORE #137	INTERSECTION RT 9 & RT 480	25430	LUST, UST
KEARNEYSVILLE	1011534930	GREEN ACRES MOBILE HOME PARK	INTERSECTION RT 9 & RT 480	25430	ICIS
KEARNEYSVILLE	1006257333	GREEN ACRES MOBILE HOME PARK	3 MILES W OF CHARLES TOWN ON C	25430	FINDS
KEARNEYSVILLE	1005419063	LAWRENCE CROUSE WORKSHOP	3 MILES W OF CHARLES TOWN ON C	25430	FINDS, RCRA-NonGen
KEARNEYSVILLE	1010338352	WAYDE HOLMES PROPERTY	.2 N OF RT 9	25430	FINDS, RCRA-NonGen
KEARNEYSVILLE	U003760756	CRAIG'S MIDDLEWAY STOP	OFF RT 9, EAST	25430	LUST, UST
KEARNEYSVILLE	S109244640	7 ELEVEN STORE NO 18665	RFD 1 RT 51	25430	LUST, UST
KEARNEYSVILLE	S108042724	LIBERTY BUSINESS PARK RESUBDIVISIO	WV ROUTE 9	25430	MANIFEST
KEARNEYSVILLE	U000676618	SERVICE STATION/E J THOMPSON	WV RT 9	25430	NPDES
KEARNEYSVILLE	U003760755	HIGH'S DAIRY STORE 314	ST RT 2	25430	UST
KEARNEYSVILLE	1000880506	WVU-EHS EXP FARM & KEARNEYSVILLE	WV RT 9	25430	LUST, UST
LEETOWN	1003866533	LEETOWN ABANDONED CHEM DRUM	9 MI S OF RT 81 AT MARTINSBURG, COUNTY RTE 15	25430	FINDS, RCRA-CESQG CERC-NFRAP

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 02/02/2009	Source: EPA
Date Data Arrived at EDR: 02/12/2009	Telephone: N/A
Date Made Active in Reports: 03/30/2009	Last EDR Contact: 04/20/2009
Number of Days to Update: 46	Next Scheduled EDR Contact: 07/27/2009
	Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
Telephone: 415-947-4246

EPA Region 10
Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 04/23/2009	Source: EPA
Date Data Arrived at EDR: 04/28/2009	Telephone: N/A
Date Made Active in Reports: 05/19/2009	Last EDR Contact: 04/20/2009
Number of Days to Update: 21	Next Scheduled EDR Contact: 07/27/2009
	Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991	Source: EPA
Date Data Arrived at EDR: 02/02/1994	Telephone: 202-564-4267
Date Made Active in Reports: 03/30/1994	Last EDR Contact: 05/17/2009
Number of Days to Update: 56	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal Delisted NPL site list

DELISTED NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 02/02/2009	Source: EPA
Date Data Arrived at EDR: 02/12/2009	Telephone: N/A
Date Made Active in Reports: 03/30/2009	Last EDR Contact: 04/20/2009
Number of Days to Update: 46	Next Scheduled EDR Contact: 07/27/2009
	Data Release Frequency: Quarterly

Federal CERCLIS list

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System

CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 01/09/2009	Source: EPA
Date Data Arrived at EDR: 01/30/2009	Telephone: 703-412-9810
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 05/29/2009
Number of Days to Update: 101	Next Scheduled EDR Contact: 07/13/2009
	Data Release Frequency: Quarterly

Federal CERCLIS NFRAP site List

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Date of Government Version: 12/03/2007	Source: EPA
Date Data Arrived at EDR: 12/06/2007	Telephone: 703-412-9810
Date Made Active in Reports: 02/20/2008	Last EDR Contact: 06/15/2009
Number of Days to Update: 76	Next Scheduled EDR Contact: 09/14/2009
	Data Release Frequency: Quarterly

Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 03/25/2009	Source: EPA
Date Data Arrived at EDR: 04/02/2009	Telephone: 800-424-9346
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 06/01/2009
Number of Days to Update: 39	Next Scheduled EDR Contact: 08/31/2009
	Data Release Frequency: Quarterly

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Transporters, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 11/12/2008
Date Data Arrived at EDR: 11/18/2008
Date Made Active in Reports: 03/16/2009
Number of Days to Update: 118

Source: Environmental Protection Agency
Telephone: 800-438-2474
Last EDR Contact: 04/23/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Quarterly

Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 11/12/2008
Date Data Arrived at EDR: 11/18/2008
Date Made Active in Reports: 03/16/2009
Number of Days to Update: 118

Source: Environmental Protection Agency
Telephone: 800-438-2474
Last EDR Contact: 04/23/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 11/12/2008
Date Data Arrived at EDR: 11/18/2008
Date Made Active in Reports: 03/16/2009
Number of Days to Update: 118

Source: Environmental Protection Agency
Telephone: 800-438-2474
Last EDR Contact: 04/23/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 11/12/2008
Date Data Arrived at EDR: 11/18/2008
Date Made Active in Reports: 03/16/2009
Number of Days to Update: 118

Source: Environmental Protection Agency
Telephone: 800-438-2474
Last EDR Contact: 04/23/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

Federal institutional controls / engineering controls registries

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 03/31/2009
Date Data Arrived at EDR: 04/22/2009
Date Made Active in Reports: 05/05/2009
Number of Days to Update: 13

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 03/30/2009
Next Scheduled EDR Contact: 06/29/2009
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 03/31/2009	Source: Environmental Protection Agency
Date Data Arrived at EDR: 04/22/2009	Telephone: 703-603-0695
Date Made Active in Reports: 05/05/2009	Last EDR Contact: 03/30/2009
Number of Days to Update: 13	Next Scheduled EDR Contact: 06/29/2009
	Data Release Frequency: Varies

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/31/2008	Source: National Response Center, United States Coast Guard
Date Data Arrived at EDR: 01/30/2009	Telephone: 202-267-2180
Date Made Active in Reports: 05/19/2009	Last EDR Contact: 05/12/2009
Number of Days to Update: 109	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Annually

State- and tribal - equivalent CERCLIS

SHWS: This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: N/A	Source: Department of Environmental Protection
Date Data Arrived at EDR: N/A	Telephone: 304-926-0455
Date Made Active in Reports: N/A	Last EDR Contact: 06/15/2009
Number of Days to Update: N/A	Next Scheduled EDR Contact: 09/14/2009
	Data Release Frequency: N/A

State and tribal landfill and/or solid waste disposal site lists

SWF/LF: List of M.S.W. Landfills/Transfer Station Listing

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 10/24/2006	Source: Division of Environmental Protection
Date Data Arrived at EDR: 10/25/2006	Telephone: 304-926-0499
Date Made Active in Reports: 11/30/2006	Last EDR Contact: 04/20/2009
Number of Days to Update: 36	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

State and tribal leaking storage tank lists

LUST: Leaking Underground Storage Tanks

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 01/09/2009	Source: Division of Environmental Protection
Date Data Arrived at EDR: 03/24/2009	Telephone: 304-558-4253
Date Made Active in Reports: 05/08/2009	Last EDR Contact: 03/24/2009
Number of Days to Update: 45	Next Scheduled EDR Contact: 06/22/2009
	Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 06/04/2009	Source: EPA Region 10
Date Data Arrived at EDR: 06/05/2009	Telephone: 206-553-2857
Date Made Active in Reports: 06/17/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 12	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Quarterly

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 12/15/2008	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2008	Telephone: 415-972-3372
Date Made Active in Reports: 03/16/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 90	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Quarterly

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 03/24/2009	Source: EPA Region 7
Date Data Arrived at EDR: 05/20/2009	Telephone: 913-551-7003
Date Made Active in Reports: 06/17/2009	Last EDR Contact: 05/20/2009
Number of Days to Update: 28	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 05/20/2009	Source: EPA Region 6
Date Data Arrived at EDR: 05/20/2009	Telephone: 214-665-6597
Date Made Active in Reports: 05/29/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 9	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 02/24/2009	Source: EPA Region 4
Date Data Arrived at EDR: 03/03/2009	Telephone: 404-562-8677
Date Made Active in Reports: 05/05/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 63	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Semi-Annually

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 02/19/2009	Source: EPA Region 1
Date Data Arrived at EDR: 02/19/2009	Telephone: 617-918-1313
Date Made Active in Reports: 03/16/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 25	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 06/01/2009	Source: EPA Region 8
Date Data Arrived at EDR: 06/03/2009	Telephone: 303-312-6271
Date Made Active in Reports: 06/17/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 14	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

State and tribal registered storage tank lists

UST: Underground Storage Tank Database

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 10/14/2008	Source: Division of Environmental Protection
Date Data Arrived at EDR: 10/15/2008	Telephone: 304-759-0515
Date Made Active in Reports: 11/20/2008	Last EDR Contact: 05/12/2009
Number of Days to Update: 36	Next Scheduled EDR Contact: 06/22/2009
	Data Release Frequency: Annually

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 06/04/2009	Source: EPA Region 10
Date Data Arrived at EDR: 06/05/2009	Telephone: 206-553-2857
Date Made Active in Reports: 06/17/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 12	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Quarterly

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 12/15/2008	Source: EPA Region 9
Date Data Arrived at EDR: 12/16/2008	Telephone: 415-972-3368
Date Made Active in Reports: 03/16/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 90	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Quarterly

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 06/01/2009	Source: EPA Region 8
Date Data Arrived at EDR: 06/03/2009	Telephone: 303-312-6137
Date Made Active in Reports: 06/17/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 14	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Quarterly

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 04/01/2008	Source: EPA Region 7
Date Data Arrived at EDR: 12/30/2008	Telephone: 913-551-7003
Date Made Active in Reports: 03/16/2009	Last EDR Contact: 05/22/2009
Number of Days to Update: 76	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 05/20/2009	Source: EPA Region 6
Date Data Arrived at EDR: 05/20/2009	Telephone: 214-665-7591
Date Made Active in Reports: 05/29/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 9	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 09/08/2008	Source: EPA Region 5
Date Data Arrived at EDR: 09/19/2008	Telephone: 312-886-6136
Date Made Active in Reports: 10/16/2008	Last EDR Contact: 05/17/2009
Number of Days to Update: 27	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 02/24/2009	Source: EPA Region 4
Date Data Arrived at EDR: 03/03/2009	Telephone: 404-562-9424
Date Made Active in Reports: 05/05/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 63	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Semi-Annually

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 02/19/2009	Source: EPA, Region 1
Date Data Arrived at EDR: 02/19/2009	Telephone: 617-918-1313
Date Made Active in Reports: 03/16/2009	Last EDR Contact: 05/17/2009
Number of Days to Update: 25	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

INST CONTROL: Sites with Institutional Controls
Sites that have institutional controls in place.

Date of Government Version: 12/01/2008	Source: Department of Environmental Protection
Date Data Arrived at EDR: 01/06/2009	Telephone: 304-558-2508
Date Made Active in Reports: 02/27/2009	Last EDR Contact: 06/16/2009
Number of Days to Update: 52	Next Scheduled EDR Contact: 09/14/2009
	Data Release Frequency: Varies

State and tribal voluntary cleanup sites

VCP: Voluntary Remediation Sites
Sites involved in the Voluntary Remediation Program.

Date of Government Version: 12/01/2008	Source: Department of Environmental Protection
Date Data Arrived at EDR: 01/06/2009	Telephone: 304-558-2745
Date Made Active in Reports: 02/27/2009	Last EDR Contact: 06/16/2009
Number of Days to Update: 52	Next Scheduled EDR Contact: 09/14/2009
	Data Release Frequency: Semi-Annually

INDIAN VCP R7: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008	Source: EPA, Region 7
Date Data Arrived at EDR: 04/22/2008	Telephone: 913-551-7365
Date Made Active in Reports: 05/19/2008	Last EDR Contact: 04/20/2009
Number of Days to Update: 27	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 04/02/2008
Date Data Arrived at EDR: 04/22/2008
Date Made Active in Reports: 05/19/2008
Number of Days to Update: 27

Source: EPA, Region 1
Telephone: 617-918-1102
Last EDR Contact: 04/20/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

State and tribal Brownfields sites

BROWNFIELDS: Brownfields Sites Listing

Brownfields are abandoned, idle or underused commercial or industrial properties, where the expansion or redevelopment is hindered by real or perceived contamination. Brownfields vary in size, location, age, and past use -- they can be anything from a five-hundred acre automobile assembly plant to a small, abandoned corner gas station.

Date of Government Version: 12/29/2008
Date Data Arrived at EDR: 12/29/2008
Date Made Active in Reports: 02/27/2009
Number of Days to Update: 60

Source: Department of Environmental Protection
Telephone: 304-926-0455
Last EDR Contact: 05/26/2009
Next Scheduled EDR Contact: 06/29/2009
Data Release Frequency: Varies

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites

Included in the listing are brownfields properties addresses by Cooperative Agreement Recipients and brownfields properties addressed by Targeted Brownfields Assessments. Targeted Brownfields Assessments-EPA's Targeted Brownfields Assessments (TBA) program is designed to help states, tribes, and municipalities--especially those without EPA Brownfields Assessment Demonstration Pilots--minimize the uncertainties of contamination often associated with brownfields. Under the TBA program, EPA provides funding and/or technical assistance for environmental assessments at brownfields sites throughout the country. Targeted Brownfields Assessments supplement and work with other efforts under EPA's Brownfields Initiative to promote cleanup and redevelopment of brownfields. Cooperative Agreement Recipients-States, political subdivisions, territories, and Indian tribes become Brownfields Cleanup Revolving Loan Fund (BCRLF) cooperative agreement recipients when they enter into BCRLF cooperative agreements with the U.S. EPA. EPA selects BCRLF cooperative agreement recipients based on a proposal and application process. BCRLF cooperative agreement recipients must use EPA funds provided through BCRLF cooperative agreement for specified brownfields-related cleanup activities.

Date of Government Version: 10/01/2008
Date Data Arrived at EDR: 11/14/2008
Date Made Active in Reports: 12/23/2008
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 202-566-2777
Last EDR Contact: 05/20/2009
Next Scheduled EDR Contact: 07/13/2009
Data Release Frequency: Semi-Annually

Local Lists of Landfill / Solid Waste Disposal Sites

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 03/25/2008
Date Data Arrived at EDR: 04/17/2008
Date Made Active in Reports: 05/15/2008
Number of Days to Update: 28

Source: EPA, Region 9
Telephone: 415-972-3336
Last EDR Contact: 04/07/2009
Next Scheduled EDR Contact: 06/22/2009
Data Release Frequency: Varies

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands
Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52

Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 05/26/2009
Next Scheduled EDR Contact: 08/24/2009
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 07/01/2008
Date Data Arrived at EDR: 10/31/2008
Date Made Active in Reports: 12/23/2008
Number of Days to Update: 53

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 03/26/2009
Next Scheduled EDR Contact: 06/22/2009
Data Release Frequency: Quarterly

CDL: Drug Lab Site Locations

A listing of clandestine drug lab site locations.

Date of Government Version: 04/07/2009
Date Data Arrived at EDR: 04/10/2009
Date Made Active in Reports: 05/08/2009
Number of Days to Update: 28

Source: Department of Environmental Protection
Telephone: 304-926-0499
Last EDR Contact: 06/08/2009
Next Scheduled EDR Contact: 09/07/2009
Data Release Frequency: Varies

Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 05/29/2009
Date Data Arrived at EDR: 06/03/2009
Date Made Active in Reports: 06/17/2009
Number of Days to Update: 14

Source: Environmental Protection Agency
Telephone: 202-564-6023
Last EDR Contact: 05/18/2009
Next Scheduled EDR Contact: 08/17/2009
Data Release Frequency: Varies

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 12/09/2005
Date Data Arrived at EDR: 12/11/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 31

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 06/08/2009
Next Scheduled EDR Contact: 09/07/2009
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 03/31/2009	Source: U.S. Department of Transportation
Date Data Arrived at EDR: 04/16/2009	Telephone: 202-366-4555
Date Made Active in Reports: 05/29/2009	Last EDR Contact: 04/16/2009
Number of Days to Update: 43	Next Scheduled EDR Contact: 07/13/2009
	Data Release Frequency: Annually

SPILLS: Spills Listing

A listing of spills and releases reported to the Office of Emergency Services, they do not include any TRI information.

Date of Government Version: 05/22/2008	Source: Office of Emergency Services
Date Data Arrived at EDR: 08/20/2008	Telephone: 304-558-5380
Date Made Active in Reports: 08/29/2008	Last EDR Contact: 05/18/2009
Number of Days to Update: 9	Next Scheduled EDR Contact: 08/17/2009
	Data Release Frequency: Varies

Other Ascertainable Records

RCRA-NonGen: RCRA - Non Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 11/12/2008	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/18/2008	Telephone: 800-438-2474
Date Made Active in Reports: 03/16/2009	Last EDR Contact: 04/23/2009
Number of Days to Update: 118	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

DOT OPS: Incident and Accident Data

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 05/14/2008	Source: Department of Transportation, Office of Pipeline Safety
Date Data Arrived at EDR: 05/28/2008	Telephone: 202-366-4595
Date Made Active in Reports: 08/08/2008	Last EDR Contact: 05/27/2009
Number of Days to Update: 72	Next Scheduled EDR Contact: 08/24/2009
	Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005	Source: USGS
Date Data Arrived at EDR: 11/10/2006	Telephone: 703-692-8801
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 05/08/2009
Number of Days to Update: 62	Next Scheduled EDR Contact: 08/03/2009
	Data Release Frequency: Semi-Annually

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 12/31/2007	Source: U.S. Army Corps of Engineers
Date Data Arrived at EDR: 09/05/2008	Telephone: 202-528-4285
Date Made Active in Reports: 09/23/2008	Last EDR Contact: 03/30/2009
Number of Days to Update: 18	Next Scheduled EDR Contact: 06/29/2009
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 01/27/2009	Source: Department of Justice, Consent Decree Library
Date Data Arrived at EDR: 04/23/2009	Telephone: Varies
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 04/21/2009
Number of Days to Update: 18	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 04/23/2009	Source: EPA
Date Data Arrived at EDR: 04/28/2009	Telephone: 703-416-0223
Date Made Active in Reports: 05/19/2009	Last EDR Contact: 03/30/2009
Number of Days to Update: 21	Next Scheduled EDR Contact: 06/29/2009
	Data Release Frequency: Annually

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 01/05/2009	Source: Department of Energy
Date Data Arrived at EDR: 05/07/2009	Telephone: 505-845-0011
Date Made Active in Reports: 05/08/2009	Last EDR Contact: 06/15/2009
Number of Days to Update: 1	Next Scheduled EDR Contact: 09/14/2009
	Data Release Frequency: Varies

MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 02/19/2009	Source: Department of Labor, Mine Safety and Health Administration
Date Data Arrived at EDR: 03/24/2009	Telephone: 303-231-5959
Date Made Active in Reports: 05/05/2009	Last EDR Contact: 03/24/2009
Number of Days to Update: 42	Next Scheduled EDR Contact: 06/22/2009
	Data Release Frequency: Semi-Annually

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2007	Source: EPA
Date Data Arrived at EDR: 04/09/2009	Telephone: 202-566-0250
Date Made Active in Reports: 06/17/2009	Last EDR Contact: 06/16/2009
Number of Days to Update: 69	Next Scheduled EDR Contact: 09/14/2009
	Data Release Frequency: Annually

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2002	Source: EPA
Date Data Arrived at EDR: 04/14/2006	Telephone: 202-260-5521
Date Made Active in Reports: 05/30/2006	Last EDR Contact: 04/14/2009
Number of Days to Update: 46	Next Scheduled EDR Contact: 07/13/2009
	Data Release Frequency: Every 4 Years

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 06/15/2009
Next Scheduled EDR Contact: 09/14/2009
Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act) A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 06/15/2009
Next Scheduled EDR Contact: 09/14/2009
Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2006
Date Data Arrived at EDR: 03/14/2008
Date Made Active in Reports: 04/18/2008
Number of Days to Update: 35

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 05/18/2009
Next Scheduled EDR Contact: 07/13/2009
Data Release Frequency: Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 03/20/2009	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/20/2009	Telephone: 202-564-5088
Date Made Active in Reports: 05/05/2009	Last EDR Contact: 04/13/2009
Number of Days to Update: 46	Next Scheduled EDR Contact: 07/13/2009
	Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 02/26/2009	Source: EPA
Date Data Arrived at EDR: 05/20/2009	Telephone: 202-566-0500
Date Made Active in Reports: 05/29/2009	Last EDR Contact: 05/04/2009
Number of Days to Update: 9	Next Scheduled EDR Contact: 08/03/2009
	Data Release Frequency: Annually

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/02/2009	Source: Nuclear Regulatory Commission
Date Data Arrived at EDR: 04/24/2009	Telephone: 301-415-7169
Date Made Active in Reports: 05/19/2009	Last EDR Contact: 03/30/2009
Number of Days to Update: 25	Next Scheduled EDR Contact: 06/29/2009
	Data Release Frequency: Quarterly

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 04/28/2009	Source: Environmental Protection Agency
Date Data Arrived at EDR: 04/29/2009	Telephone: 202-343-9775
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 04/29/2009
Number of Days to Update: 12	Next Scheduled EDR Contact: 07/27/2009
	Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 04/28/2009	Source: EPA
Date Data Arrived at EDR: 05/01/2009	Telephone: (215) 814-5000
Date Made Active in Reports: 05/19/2009	Last EDR Contact: 03/30/2009
Number of Days to Update: 18	Next Scheduled EDR Contact: 06/29/2009
	Data Release Frequency: Quarterly

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 04/17/1995
Date Data Arrived at EDR: 07/03/1995
Date Made Active in Reports: 08/07/1995
Number of Days to Update: 35

Source: EPA
Telephone: 202-564-4104
Last EDR Contact: 06/02/2008
Next Scheduled EDR Contact: 09/01/2008
Data Release Frequency: No Update Planned

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2007
Date Data Arrived at EDR: 02/19/2009
Date Made Active in Reports: 05/22/2009
Number of Days to Update: 92

Source: EPA/NTIS
Telephone: 800-424-9346
Last EDR Contact: 06/08/2009
Next Scheduled EDR Contact: 09/07/2009
Data Release Frequency: Biennially

DRYCLEANERS: Listing of Drycleaner Locations

A listing of drycleaners which use perchloroethylene.

Date of Government Version: 03/12/2009
Date Data Arrived at EDR: 03/13/2009
Date Made Active in Reports: 05/08/2009
Number of Days to Update: 56

Source: Department of Environmental Protection
Telephone: 304-926-0475
Last EDR Contact: 06/08/2009
Next Scheduled EDR Contact: 09/07/2009
Data Release Frequency: Varies

NPDES: Wastewater Discharge Permits Listing

A listing of wastewater discharge permits.

Date of Government Version: 02/11/2009
Date Data Arrived at EDR: 02/12/2009
Date Made Active in Reports: 02/27/2009
Number of Days to Update: 15

Source: Department of Environmental Protection
Telephone: 304-926-0495
Last EDR Contact: 05/11/2009
Next Scheduled EDR Contact: 08/10/2009
Data Release Frequency: Varies

AIRS: Permitted Facility and Emissions Listing

Permitted facility and emissions information listing.

Date of Government Version: 03/10/2009
Date Data Arrived at EDR: 03/17/2009
Date Made Active in Reports: 05/08/2009
Number of Days to Update: 52

Source: Department of Environmental Protection
Telephone: 304-926-0499
Last EDR Contact: 05/18/2009
Next Scheduled EDR Contact: 08/17/2009
Data Release Frequency: Varies

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 12/08/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 34

Source: USGS
Telephone: 202-208-3710
Last EDR Contact: 05/08/2009
Next Scheduled EDR Contact: 08/03/2009
Data Release Frequency: Semi-Annually

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 04/13/2009
Date Data Arrived at EDR: 04/14/2009
Date Made Active in Reports: 06/17/2009
Number of Days to Update: 64

Source: Environmental Protection Agency
Telephone: 615-532-8599
Last EDR Contact: 06/08/2009
Next Scheduled EDR Contact: 08/10/2009
Data Release Frequency: Varies

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 02/06/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 339

Source: U.S. Geological Survey
Telephone: 888-275-8747
Last EDR Contact: 05/08/2009
Next Scheduled EDR Contact: 08/03/2009
Data Release Frequency: N/A

EDR PROPRIETARY RECORDS

EDR Proprietary Records

Manufactured Gas Plants: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

NJ MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2008
Date Data Arrived at EDR: 05/05/2009
Date Made Active in Reports: 05/22/2009
Number of Days to Update: 17

Source: Department of Environmental Protection
Telephone: N/A
Last EDR Contact: 05/05/2009
Next Scheduled EDR Contact: 08/03/2009
Data Release Frequency: Annually

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 01/27/2009
Date Data Arrived at EDR: 02/25/2009
Date Made Active in Reports: 03/12/2009
Number of Days to Update: 15

Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 05/27/2009
Next Scheduled EDR Contact: 08/24/2009
Data Release Frequency: Annually

PA MANIFEST: Manifest information
Hazardous waste manifest information.

Date of Government Version: 12/31/2007
Date Data Arrived at EDR: 09/11/2008
Date Made Active in Reports: 10/02/2008
Number of Days to Update: 21

Source: Department of Environmental Protection
Telephone: N/A
Last EDR Contact: 06/08/2009
Next Scheduled EDR Contact: 09/07/2009
Data Release Frequency: Annually

RI MANIFEST: Manifest information
Hazardous waste manifest information

Date of Government Version: 12/31/2008
Date Data Arrived at EDR: 02/12/2009
Date Made Active in Reports: 03/11/2009
Number of Days to Update: 27

Source: Department of Environmental Management
Telephone: 401-222-2797
Last EDR Contact: 06/15/2009
Next Scheduled EDR Contact: 09/14/2009
Data Release Frequency: Annually

WI MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2007
Date Data Arrived at EDR: 08/22/2008
Date Made Active in Reports: 09/08/2008
Number of Days to Update: 17

Source: Department of Natural Resources
Telephone: N/A
Last EDR Contact: 04/07/2009
Next Scheduled EDR Contact: 07/06/2009
Data Release Frequency: Annually

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Electric Power Transmission Line Data

Source: PennWell Corporation
Telephone: (800) 823-6277

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Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:

Source: American Hospital Association, Inc.
Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes

Source: National Institutes of Health
Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Day Care Center List

Source: Office of Social Services

Telephone: 304-558-7980

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 and 2005 from the U.S. Fish and Wildlife Service.

STREET AND ADDRESS INFORMATION

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GEOCHECK® - PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

HITE ROAD PARK
HITE ROAD
LEETOWN, WV 25430

TARGET PROPERTY COORDINATES

Latitude (North):	39.35670 - 39° 21' 24.1"
Longitude (West):	77.8965 - 77° 53' 47.4"
Universal Transverse Mercator:	Zone 18
UTM X (Meters):	250423.7
UTM Y (Meters):	4360155.0
Elevation:	613 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	39077-C8 MIDDLEWAY, WV
Most Recent Revision:	1978
North Map:	39077-D8 MARTINSBURG, WV
Most Recent Revision:	1997

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

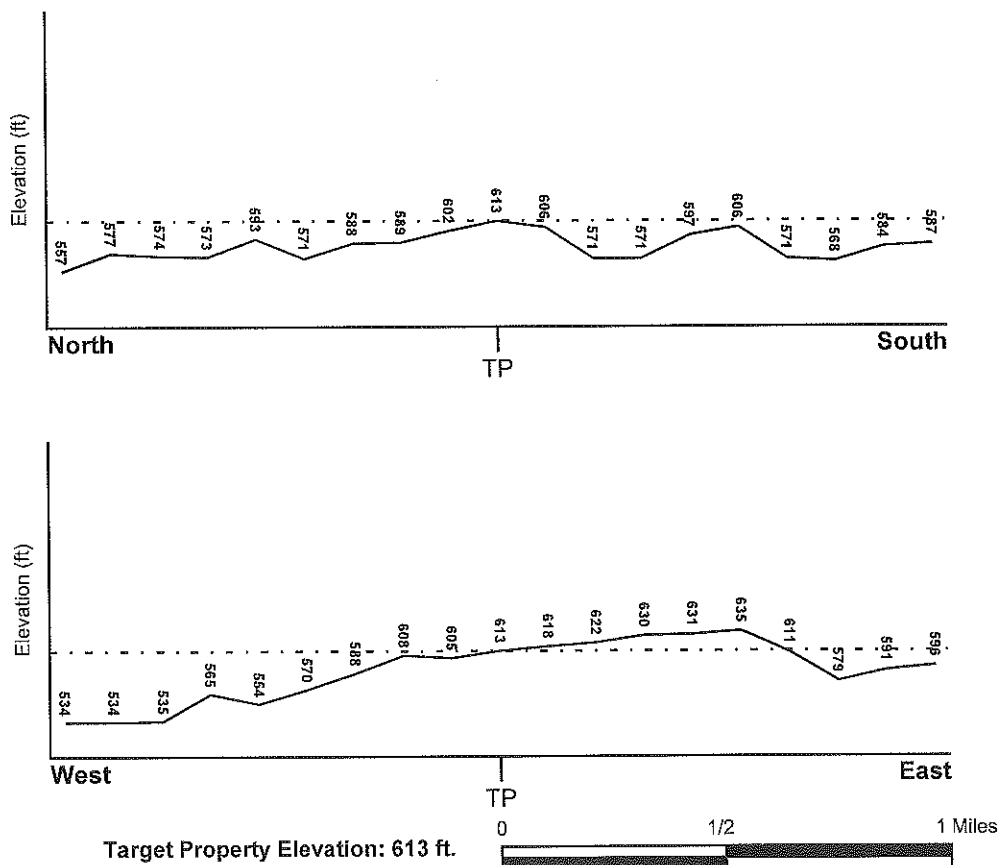
TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General SSW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

<u>Target Property County</u>	<u>FEMA Flood Electronic Data</u>
JEFFERSON, WV	Not Available

Flood Plain Panel at Target Property: Not Reported

Additional Panels in search area: Not Reported

NATIONAL WETLAND INVENTORY

<u>NWI Quad at Target Property</u>	<u>NWI Electronic Data Coverage</u>
MIDDLEWAY	YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<u>MAP ID</u>	<u>LOCATION FROM TP</u>	<u>GENERAL DIRECTION GROUNDWATER FLOW</u>
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

Era: Paleozoic
System: Ordovician
Series: Ordovician
Code: O (*decoded above as Era, System & Series*)

GEOLOGIC AGE IDENTIFICATION

Category: Stratified Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps. The following information is based on Soil Conservation Service STATSGO data.

Soil Component Name: HAGERSTOWN

Soil Surface Texture: silt loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained. Soils have intermediate water holding capacity. Depth to water table is more than 6 feet.

Hydric Status: Soil does not meet the requirements for a hydric soil.

Corrosion Potential - Uncoated Steel: MODERATE

Depth to Bedrock Min: > 60 inches

Depth to Bedrock Max: > 80 inches

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Permeability Rate (in/hr)	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	8 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 6.00 Min: 0.60	Max: 6.50 Min: 4.50
2	8 inches	20 inches	clay	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 2.00 Min: 0.60	Max: 7.30 Min: 4.50
3	20 inches	72 inches	clay	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit 50% or more), Fat Clay.	Max: 2.00 Min: 0.60	Max: 7.30 Min: 5.10

OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures: silty clay loam

Surficial Soil Types: silty clay loam

Shallow Soil Types: silt loam

Deeper Soil Types: channery - silt loam
stratified loam
unweathered bedrock

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

<u>DATABASE</u>	<u>SEARCH DISTANCE (miles)</u>
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
2	USGS2220194	1/4 - 1/2 Mile WSW
A3	USGS2220050	1/4 - 1/2 Mile East
A4	USGS2220052	1/4 - 1/2 Mile East
5	USGS2220259	1/2 - 1 Mile SSW
6	USGS2220041	1/2 - 1 Mile West
7	USGS2220153	1/2 - 1 Mile WSW
8	USGS2220082	1/2 - 1 Mile West
B9	USGS2220267	1/2 - 1 Mile SE
C10	USGS2220162	1/2 - 1 Mile WSW
C11	USGS2220161	1/2 - 1 Mile WSW
13	USGS2220040	1/2 - 1 Mile East
D14	USGS2220177	1/2 - 1 Mile WSW
D15	USGS2220178	1/2 - 1 Mile WSW
16	USGS2220042	1/2 - 1 Mile West

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

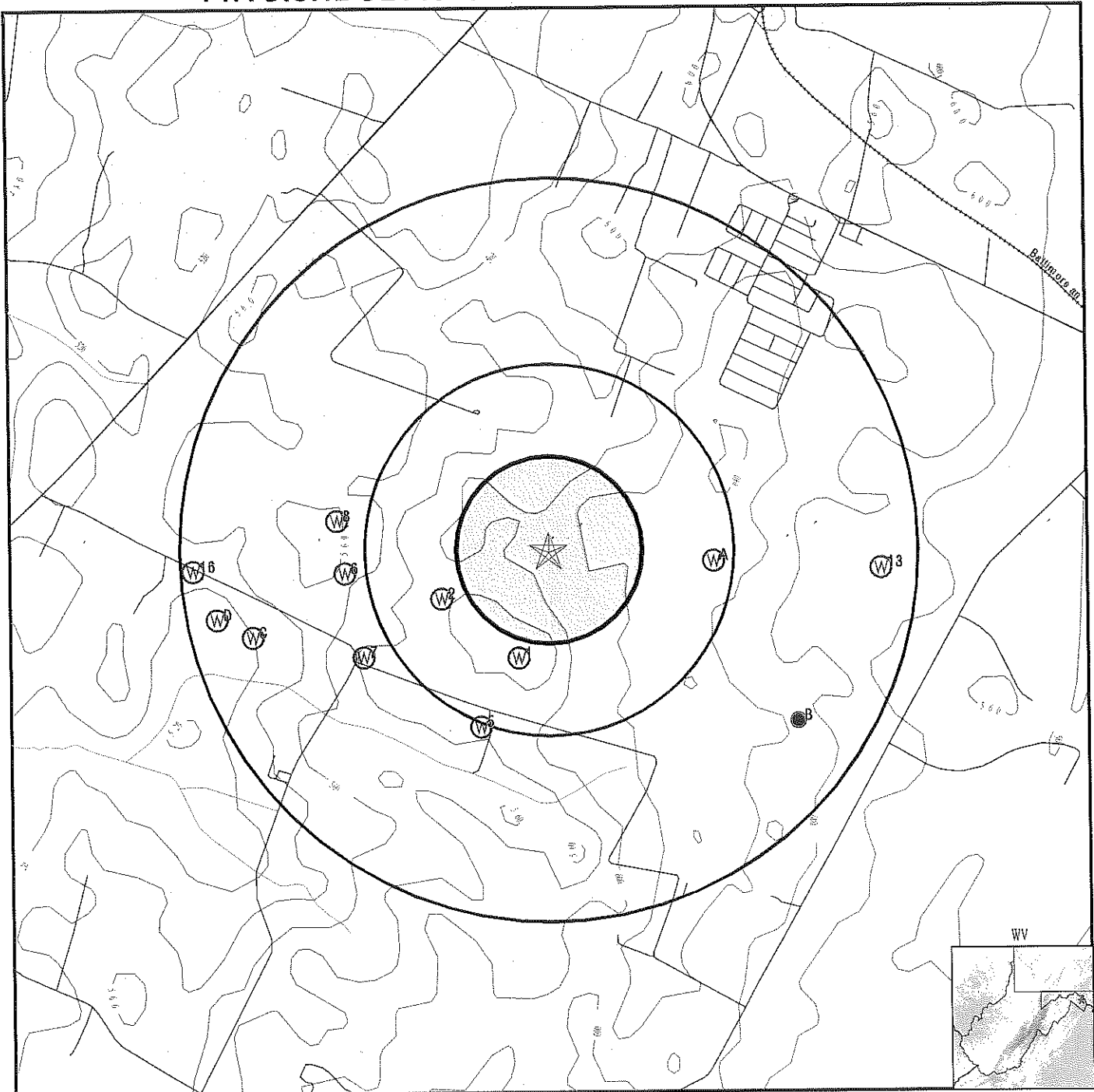
MAP ID	WELL ID	LOCATION FROM TP
No PWS System Found		

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

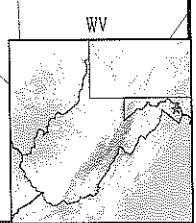
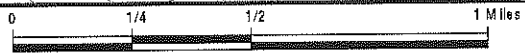
MAP ID	WELL ID	LOCATION FROM TP
1	WVWELL0715	1/4 - 1/2 Mile SSW
B12	WVWELL1699	1/2 - 1 Mile ESE

PHYSICAL SETTING SOURCE MAP - 2523617.1s



- County Boundary
- Major Roads
- Contour Lines
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons

- Groundwater Flow Direction
- Indeterminate Groundwater Flow at Location
- Groundwater Flow Varies at Location
- Oil, gas or related wells



<p>SITE NAME: Hite Road Park ADDRESS: Hite Road Leetown WV 25430 LAT/LONG: 39.3567 / 77.8965</p>	<p>CLIENT: Land Plan.&Design Assoc.,Inc. CONTACT: Zac Lette INQUIRY #: 2523617.1s DATE: June 19, 2009 3:17 pm</p>
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GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database EDR ID Number

1
SSW
1/4 - 1/2 Mile
Lower

WV WELLS WVWELL0715

Id number:	2025	Pwsid:	WV3301908
Sys name:	FOX GLEN UTILITIES		
Facility id:	564067		
Fac name:	WELL #2		
City:	KEARNEYSVILLE	County:	JEFFERSON
Act status:	A	Water type:	Groundwater
Owner type:	Private	Daily prod:	0
Sys popula:	683	Sys type:	Community
Latitude:	39.3525	Longitude:	-77.898056
Elevation:	0	Updated:	Not Reported
Wdate:	Not Reported		
Descriptio:	Not Reported		
User initi:	Not Reported	Gudi statu:	Nd
Sourcetype:	Karst	Whp radius:	2000
Prod gpd:	0	Conv fact:	0
Calc pop:	0	Seasonbeg:	Not Reported
Season end:	Not Reported	Facility type:	Well

2
WSW
1/4 - 1/2 Mile
Lower

FED USGS USGS2220194

Agency cd:	USGS	Site no:	392117077540801
Site name:	Jef-0332		
Latitude:	392117	Dec lat:	39.35482268
Longitude:	0775408	Coor meth:	M
Dec lon:	-77.90194076	Latlong datum:	NAD27
Coor accr:	S	District:	54
Dec latlong datum:	NAD83	County:	037
State:	54	Land net:	Not Reported
Country:	US	Map scale:	Not Reported
Location map:	Not Reported		
Altitude:	500.00		
Altitude method:	Interpolated from topographic map		
Altitude accuracy:	10		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Hillside (slope)		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	Not Reported	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	Not Reported		
Well depth:	Not Reported	Hole depth:	Not Reported
Source of depth data:	Not Reported		
Project number:	Not Reported		
Real time data flag:	Not Reported	Daily flow data begin date:	Not Reported
Daily flow data end date:	Not Reported	Daily flow data count:	Not Reported
Peak flow data begin date:	Not Reported	Peak flow data end date:	Not Reported

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Peak flow data count: Not Reported
 Water quality data end date: Not Reported
 Ground water data begin date: Not Reported
 Ground water data count: Not Reported

Water quality data begin date: Not Reported
 Water quality data count: Not Reported
 Ground water data end date: Not Reported

Ground-water levels, Number of Measurements: 0

A3
East
1/4 - 1/2 Mile
Higher

FED USGS USGS2220050

Agency cd:	USGS	Site no:	392122077531901
Site name:	Jef-0336		
Latitude:	392122		
Longitude:	0775319	Dec lat:	39.35621155
Dec lon:	-77.88832937	Coor meth:	M
Coor accr:	S	Latlong datum:	NAD27
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	Not Reported	Map scale:	Not Reported
Altitude:	625.00		
Altitude method:	Interpolated from topographic map		
Altitude accuracy:	10		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Hilltop		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	Not Reported	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	CONOCOCHIEAGUE FORMATION		
Well depth:	80.0	Hoie depth:	Not Reported
Source of depth data:	Not Reported		
Project number:	Not Reported		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	1974-09-01	Ground water data end date:	1974-09-01
Ground water data count:	1		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
1974-09-01	70.00	

A4
East
1/4 - 1/2 Mile
Higher

FED USGS USGS2220052

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Agency cd:	USGS	Site no:	392123077531701
Site name:	Jef-0604		
Latitude:	392122.6		
Longitude:	0775317.0	Dec lat:	39.35627778
Dec lon:	-77.88805556	Coor meth:	G
Coor accr:	1	Latlong datum:	NAD83
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	Middleway	Map scale:	24000
Altitude:	586		
Altitude method:	Global Positioning System		
Altitude accuracy:	.1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Hilltop		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	20040701	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	CONOCOCHAEAGUE FORMATION		
Well depth:	200	Hole depth:	200
Source of depth data:	driller		
Project number:	2486BC100		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2004-07-01	Ground water data end date:	2004-07-01
Ground water data count:	1		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
2004-07-01	59.78	

5
SSW
1/2 - 1 Mile
Lower

FED USGS USGS2220259

Agency cd:	USGS	Site no:	392059077540101
Site name:	Jef-0317		
Latitude:	392059		
Longitude:	0775401	Dec lat:	39.34982275
Dec lon:	-77.89999626	Coor meth:	M
Coor accr:	S	Latlong datum:	NAD27
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	Not Reported	Map scale:	Not Reported
Altitude:	570.00		
Altitude method:	Interpolated from topographic map		
Altitude accuracy:	20		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Hillside (slope)		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	Not Reported	Mean greenwich time offset:	EST

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	BEEKMANTOWN GROUP		
Well depth:	40.0	Hole depth:	Not Reported
Source of depth data:	other reported		
Project number:	Not Reported		
Real time data flag:	Not Reported	Daily flow data begin date:	Not Reported
Daily flow data end date:	Not Reported	Daily flow data count:	Not Reported
Peak flow data begin date:	Not Reported	Peak flow data end date:	Not Reported
Peak flow data count:	Not Reported	Water quality data begin date:	Not Reported
Water quality data end date:	Not Reported	Water quality data count:	Not Reported
Ground water data begin date:	Not Reported	Ground water data end date:	Not Reported
Ground water data count:	Not Reported		

Ground-water levels, Number of Measurements: 0

6

West
1/2 - 1 Mile
Lower

FED USGS

USGS2220041

Agency cd:	USGS	Site no:	392121077542401
Site name:	Jef-0650		
Latitude:	392121.0	Dec lat:	39.35583333
Longitude:	0775424.6	Coord meth:	G
Dec lon:	-77.90683333	Latlong datum:	NAD83
Coord accr:	1	District:	54
Dec latlong datum:	NAD83	County:	037
State:	54	Land net:	Not Reported
Country:	US	Map scale:	24000
Location map:	Middleway		
Altitude:	560		
Altitude method:	Global Positioning System		
Altitude accuracy:	1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Undulating		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	20040430	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	BEEKMANTOWN GROUP		
Well depth:	265	Hole depth:	265
Source of depth data:	reporting agency (generally USGS)		
Project number:	2486BCI00		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2004-04-30	Ground water data end date:	2004-04-30
Ground water data count:	1		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
2004-04-30	60.80	

7

WSW
1/2 - 1 Mile
Lower

FED USGS USGS2220153

Agency cd:	USGS	Site no:	392109077542101
Site name:	Jef-0660		
Latitude:	392109.2		
Longitude:	0775421.3	Dec lat:	39.35255556
Dec lon:	-77.90591667	Coor meth:	G
Coor accr:	1	Latlong datum:	NAD83
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	Middleway	Map scale:	24000
Altitude:	551		
Altitude method:	Global Positioning System		
Altitude accuracy:	1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Hillside (slope)		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	20040621	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	BEEKMANTOWN GROUP		
Well depth:	115	Hole depth:	115
Source of depth data:	driller		
Project number:	2486BC100		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2004-06-21	Ground water data end date:	2004-06-21
Ground water data count:	1		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
2004-06-21	40.47	

8

West
1/2 - 1 Mile
Lower

FED USGS USGS2220082

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Agency cd:	USGS	Site no:	392128077542701
Site name:	Jef-0340		
Latitude:	392128		
Longitude:	0775427	Dec lat:	39.35787819
Dec lon:	-77.90721866	Coor meth:	M
Coor accr:	S	Latlong datum:	NAD27
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	Not Reported	Map scale:	Not Reported
Altitude:	545.00		
Altitude method:	Interpolated from topographic map		
Altitude accuracy:	10		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Hilltop		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	Not Reported	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	Not Reported		
Well depth:	270	Hole depth:	Not Reported
Source of depth data:	owner		
Project number:	Not Reported		
Real time data flag:	0		
Daily flow data end date:	0000-00-00	Daily flow data begin date:	0000-00-00
Peak flow data begin date:	0000-00-00	Daily flow data count:	0
Peak flow data count:	0	Peak flow data end date:	0000-00-00
Water quality data end date:	1974-09-18	Water quality data begin date:	1974-09-18
Ground water data begin date:	1974-09-01	Water quality data count:	1
Ground water data count:	1	Ground water data end date:	1974-09-01

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
1974-09-01	50.00	

B9
SE
1/2 - 1 Mile
Higher

FED USGS USGS2220267

Agency cd:	USGS	Site no:	392100077530501
Site name:	Jef-0494		
Latitude:	392100.0		
Longitude:	0775304.9	Dec lat:	39.35
Dec lon:	-77.88469444	Coor meth:	G
Coor accr:	1	Latlong datum:	NAD83
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	Middleway	Map scale:	24000
Altitude:	653		
Altitude method:	Global Positioning System		
Altitude accuracy:	1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Hilltop		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	20040701	Mean greenwich time offset:	EST

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Local standard time flag: Y
 Type of ground water site: Single well, other than collector or Ranney type
 Aquifer Type: Not Reported
 Aquifer: CONOCOCHEAGUE FORMATION
 Well depth: 139 Hole depth: 139
 Source of depth data: reporting agency (generally USGS)
 Project number: 2486BCI00
 Real time data flag: 0
 Daily flow data end date: 0000-00-00
 Peak flow data begin date: 0000-00-00
 Peak flow data count: 0
 Water quality data end date: 0000-00-00
 Ground water data begin date: 2004-07-01
 Ground water data count: 1
 Daily flow data begin date: 0000-00-00
 Daily flow data count: 0
 Peak flow data end date: 0000-00-00
 Water quality data begin date: 0000-00-00
 Water quality data count: 0
 Ground water data end date: 2004-07-01

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
2004-07-01	68.32	

C10
WSW
1/2 - 1 Mile
Lower

FED USGS USGS2220162

Agency cd:	USGS	Site no:	392112077544102
Site name:	Jef-0600		
Latitude:	392112.1		
Longitude:	0775441.4	Dec lat:	39.35336111
Dec lon:	-77.9115	Coor meth:	G
Coor accr:	1	Latlong datum:	NAD83
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	middleway	Map scale:	24000
Altitude:	509.30		
Altitude method:	Level or other surveying method		
Altitude accuracy:	.1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Undulating		
Site type:	Ground-water other than Spring	Date construction:	20030715
Date inventoried:	20030715	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	ROCKDALE RUN FORMATION		
Well depth:	79	Hole depth:	90
Source of depth data:	reporting agency (generally USGS)		
Project number:	2486A3000		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2003-07-21	Ground water data end date:	2005-03-17
Ground water data count:	21		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Ground-water levels, Number of Measurements: 21

Date	Feet below Surface	Feet to Sealevel	Date	Feet below Surface	Feet to Sealevel
2005-03-17	12.08		2005-02-17	12.04	
2005-01-26	10.43		2005-01-04	10.83	
2004-11-16	12.60		2004-10-21	12.96	
2004-09-20	14.15		2004-08-23	13.40	
2004-07-20	11.87		2004-06-22	8.44	
2004-05-25	8.08		2004-04-21	4.82	
2004-03-24	8.01		2004-02-23	4.51	
2004-01-16	8.12		2003-12-30	4.77	
2003-11-18	10.97		2003-10-28	11.49	
2003-09-23	9.98		2003-08-19	11.59	
2003-07-21	8.50				

C11

WSW

1/2 - 1 Mile

Lower

FED USGS

USGS2220161

Agency cd:	USGS	Site no:	392112077544101
Site name:	Jef-0588		
Latitude:	392112.1	Dec lat:	39.35336111
Longitude:	0775441.4	Coord meth:	G
Dec lon:	-77.9115	Latlong datum:	NAD83
Coord accr:	1	District:	54
Dec latlong datum:	NAD83	County:	037
State:	54	Land net:	Not Reported
Country:	US	Map scale:	24000
Location map:	middleway		
Altitude:	512.58		
Altitude method:	Level or other surveying method		
Altitude accuracy:	.1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Undulating		
Site type:	Ground-water other than Spring	Date construction:	20030911
Date inventoried:	20030911	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	ROCKDALE RUN FORMATION		
Well depth:	150	Hole depth:	220
Source of depth data:	reporting agency (generally USGS)		
Project number:	2486A3O00		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2003-09-23	Ground water data end date:	2005-03-17
Ground water data count:	19		

Ground-water levels, Number of Measurements: 19

Date	Feet below Surface	Feet to Sealevel	Date	Feet below Surface	Feet to Sealevel
2005-03-17	15.35		2005-02-17	15.31	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Ground-water levels, continued.

Date	Feet below Surface	Feet to Sealevel	Date	Feet below Surface	Feet to Sealevel
2005-01-26	13.72		2005-01-04	14.10	
2004-11-16	15.85		2004-10-21	16.20	
2004-09-20	17.40		2004-08-23	16.66	
2004-07-20	15.13		2004-06-22	11.69	
2004-05-25	11.33		2004-04-21	8.09	
2004-03-24	11.24		2004-02-23	8.15	
2004-01-16	11.35		2003-12-30	8.01	
2003-11-18	14.24		2003-10-28	14.75	
2003-09-23	13.24				

B12
ESE
1/2 - 1 Mile
Lower

WV WELLS WWWELL1699

Id number:	716	Pwsid:	WV9919002
Sys name:	APPALACHIAN FRUIT AND BERRY		
Facility id:	565663		
Fac name:	WELL		
City:	KEARNEYSVILLE	County:	JEFFERSON
Act status:	A	Water type:	Groundwater
Owner type:	Federal	Daily prod:	0
Sys popula:	100	Sys type:	Non Transient Non Community
Latitude:	39.35	Longitude:	-77.883333
Elevation:	0	Updated:	Not Reported
Wdate:	Not Reported		
Descriptio:	Not Reported		
User initi:	Not Reported	Gudi statu:	No
Sourcetype:	Karst	Whp radius:	2000
Prod gpd:	5000	Conv facto:	50
Calc pop:	100	Seasonbegi:	Not Reported
Season end:	Not Reported	Facility type:	Well

13
East
1/2 - 1 Mile
Lower

FED USGS USGS2220040

Agency cd:	USGS	Site no:	392121077524801
Site name:	Jef-0474		
Latitude:	392121	Dec lat:	39.35593378
Longitude:	0775248	Coor meth:	M
Dec lon:	-77.87971807	Latlong datum:	NAD27
Coor accr:	F	District:	54
Dec latlong datum:	NAD83	County:	037
State:	54	Land net:	Not Reported
Country:	US	Map scale:	24000
Location map:	MIDDLEWAY		
Altitude:	590.00		
Altitude method:	Interpolated from topographic map		
Altitude accuracy:	10		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Valley flat		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	19850516	Mean greenwich time offset:	EST

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	BEEKMANTOWN GROUP		
Well depth:	Not Reported	Hole depth:	Not Reported
Source of depth data:	Not Reported		
Project number:	445405800		
Real time data flag:	Not Reported	Daily flow data begin date:	Not Reported
Daily flow data end date:	Not Reported	Daily flow data count:	Not Reported
Peak flow data begin date:	Not Reported	Peak flow data end date:	Not Reported
Peak flow data count:	Not Reported	Water quality data begin date:	Not Reported
Water quality data end date:	Not Reported	Water quality data count:	Not Reported
Ground water data begin date:	Not Reported	Ground water data end date:	Not Reported
Ground water data count:	Not Reported		

Ground-water levels, Number of Measurements: 0

D14

WSW

1/2 - 1 Mile

Lower

FED USGS

USGS2220177

Agency cd:	USGS	Site no:	392115077544801
Site name:	Jef-0589		
Latitude:	392114.6		
Longitude:	0775447.9	Dec lat:	39.35405556
Dec lon:	-77.91330556	Coor meth:	G
Coor accr:	1	Latlong datum:	NAD83
Dec latlong datum:	NAD83	District:	54
State:	54	County:	037
Country:	US	Land net:	Not Reported
Location map:	middleway	Map scale:	24000
Altitude:	516.76		
Altitude method:	Level or other surveying method		
Altitude accuracy:	0.1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Undulating		
Site type:	Ground-water other than Spring	Date construction:	20030922
Date inventoried:	20030922	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	ROCKDALE RUN FORMATION		
Well depth:	260	Hole depth:	260
Source of depth data:	reporting agency (generally USGS)		
Project number:	2486A3000		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2003-09-23	Ground water data end date:	2005-03-17
Ground water data count:	19		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Ground-water levels, Number of Measurements: 19

Date	Feet below Surface	Feet to Sealevel	Date	Feet below Surface	Feet to Sealevel
2005-03-17	20.70		2005-02-17	20.63	
2005-01-26	19.06		2005-01-04	19.43	
2004-11-16	21.19		2004-10-21	21.42	
2004-09-20	22.51		2004-08-23	21.89	
2004-07-20	20.48		2004-06-22	16.89	
2004-05-25	16.59		2004-04-21	13.6	
2004-03-24	16.62		2004-02-23	13.48	
2004-01-16	16.60		2003-12-30	13.36	
2003-11-18	19.59		2003-10-28	19.01	
2003-09-23	18.33				

D15
WSW
1/2 - 1 Mile
Lower

FED USGS USGS2220178

Agency cd:	USGS	Site no:	392115077544802
Site name:	Jef-0598		
Latitude:	392114.6	Dec lat:	39.35405556
Longitude:	0775447.9	Coord meth:	G
Dec lon:	-77.91330556	Latlong datum:	NAD83
Coord accr:	1	District:	54
Dec latlong datum:	NAD83	County:	037
State:	54	Land net:	Not Reported
Country:	US	Map scale:	24000
Location map:	middleway		
Altitude:	515.43		
Altitude method:	Level or other surveying method		
Altitude accuracy:	.1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Undulating		
Site type:	Ground-water other than Spring	Date construction:	20030716
Date inventoried:	20030716	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	ROCKDALE RUN FORMATION		
Well depth:	41.5	Hole depth:	42
Source of depth data:	reporting agency (generally USGS)		
Project number:	2486A3O00		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2003-07-21	Ground water data end date:	2005-03-17
Ground water data count:	21		

Ground-water levels, Number of Measurements: 21

Date	Feet below Surface	Feet to Sealevel	Date	Feet below Surface	Feet to Sealevel
2005-03-17	19.37		2005-02-17	19.29	
2005-01-26	17.73		2005-01-04	18.10	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Ground-water levels, continued.

Date	Feet below Surface	Feet to Sealevel	Date	Feet below Surface	Feet to Sealevel
2004-11-16	19.86		2004-10-21	20.11	
2004-09-20	21.18		2004-08-23	20.58	
2004-07-20	19.16		2004-06-22	15.59	
2004-05-25	15.27		2004-04-21	12.32	
2004-03-24	15.23		2004-02-23	11.90	
2004-01-16	15.28		2003-12-30	12.08	
2003-11-18	18.53		2003-10-28	18.69	
2003-09-23	17.01		2003-08-19	18.86	
2003-07-21	15.75				

16
West
1/2 - 1 Mile
Lower

FED USGS USGS2220042

Agency cd:	USGS	Site no:	392121077545201
Site name:	Jef-0623		
Latitude:	392121.4	Dec lat:	39.35594444
Longitude:	0775452.2	Coor meth:	G
Dec lon:	-77.9145	Lalong datum:	NAD83
Coor accr:	1	District:	54
Dec latlong datum:	NAD83	County:	037
State:	54	Land net:	Not Reported
Country:	US	Map scale:	24000
Location map:	middleway		
Altitude:	541		
Altitude method:	Global Positioning System		
Altitude accuracy:	1		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	ConococheagueOpequon. Maryland, Pennsylvania, Virginia, West Virginia. Area = 2250 sq.mi.		
Topographic:	Undulating		
Site type:	Ground-water other than Spring	Date construction:	Not Reported
Date inventoried:	20040517	Mean greenwich time offset:	EST
Local standard time flag:	Y		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	CONOCOCHAEAGUE FORMATION		
Well depth:	135	Hole depth:	135
Source of depth data:	reporting agency (generally USGS)		
Project number:	2486BC100		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	2004-05-17	Ground water data end date:	2004-05-17
Ground water data count:	1		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
2004-05-17	39.40	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

AREA RADON INFORMATION

EPA Region 3 Statistical Summary Readings for Zip Code: 25430

Number of sites tested: 138.

Maximum Radon Level: 101.0 pCi/L.

Minimum Radon Level: 1.2 pCi/L.

pCi/L <4	pCi/L 4-10	pCi/L 10-20	pCi/L 20-50	pCi/L 50-100	pCi/L >100
48 (34.78%)	50 (36.23%)	18 (13.04%)	18 (13.04%)	2 (1.45%)	2 (1.45%)

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

HYDROLOGIC INFORMATION

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 and 2005 from the U.S. Fish and Wildlife Service.

HYDROGEOLOGIC INFORMATION

AQUIFLOW^R Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Services, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

West Virginia Water Well Information

Source: Bureau of Public Health

Telephone: 304-558-6765

OTHER STATE DATABASE INFORMATION

West Virginia Oil and Gas Well Database

Source: Department of Environmental Protection

Telephone: 304-926-0450

Oil and Gas well locations in the state.

RADON

Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

EPA Region 3 Statistical Summary Readings

Source: Region 3 EPA

Telephone: 215-814-2082

Radon readings for Delaware, D.C., Maryland, Pennsylvania, Virginia and West Virginia.

OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STREET AND ADDRESS INFORMATION

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

Name: _____ County Commission _____

Department or Entity: County Commission _____

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: _____

Date Requested – 2nd Choice: _____

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

Subject: Legislative Update

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

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

Attachments:

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

Name: Sandy Slusher McDonald, Deputy County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: February 24, 2011

Date Requested – 2nd Choice: _____

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

Subject: **Roundtable Meetings**

Please provide the County Commission with a description of your request or presentation, including any background information: **Discuss and provide dates for Roundtable meetings and future topics to be discussed**

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

Attachments: Calendar for March, April, May

March 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<h1>May 2011</h1>						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Commission Use Only

Date on Agenda: 2-24-11

Appt Time or New Business: new Business

AGENDA REQUEST FORM

Name: Patsy Noland

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 20 minutes

Date Requested – 1st Choice: February 24, 2011

Date Requested – 2nd Choice: March 3, 2011

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

Subject: Discussion of process for expenditure of funds. Action Item.

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

Request information regarding process currently being used for allocation of funds and establish a process for final approval prior to expenditure for all departments.

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

Attachments:

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

AGENDA REQUEST FORM

Name: Nichelle Hosby

Department or Entity: County Commission

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

Date Requested – 1st Choice: 2/24/2011

Date Requested – 2nd Choice: _____

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

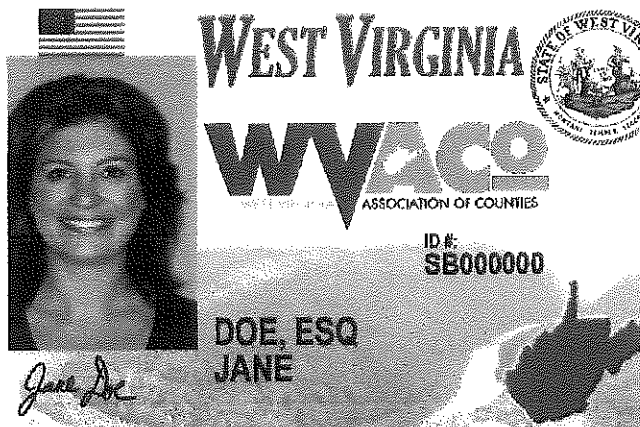
Subject: **Opportunity for County Identification Cards**

Please provide the County Commission with a description of your request or presentation, including any background information: **The WV Association of Counties and the WV Department of Motor Vehicles will be offering Identification cards at the Cost of \$5.00 per ID. The ID will assist with Identification and are valuable for county employees to obtain government discounts which often require a photo ID.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to approve county employees to submit their names and information to receive a ID card at the WV Department of Motor Vehicles at the cost of \$5.00 paid for by any employee who wishes to obtain the card, which is not required.**

Attachments:

AN OPPORTUNITY FOR COUNTY IDENTIFICATION CARDS!



The West Virginia Association of Counties in collaboration with the WV Department of Motor Vehicles (DMV) has created a program for county officials and employees to obtain official identification cards. In this day and time, ID cards are becoming more important and they are more authoritative when they are created with the state seal and an ID number. It is especially important for any county employees who work outside the courthouse and must identify themselves to members of the public. It's also valuable for county employees to obtain government discounts which often require a photo ID!

Here are the simple steps to follow if your county would like to provide ID cards:

(1) Your county will provide the list of county officials and employees who will be authorized to get ID cards to:

Lois Holstine
DOT - Division of Motor Vehicles
5707 MacCorkle Avenue SE
Charleston, West Virginia 25317

The list of county employees should be on county letterhead and signed by the President of the County Commission. The list should include the name, phone number and e-mail of an authorized contact person in your county. Please include the name, title, date of birth, and social security # of those requesting a card.

(2) Everyone who is authorized to get an ID card made will go to their nearest DMV regional office. They will need to have \$5 for payment of the card and other ID with them, such as a valid driver's license or ID card, in order to get the county ID, and their name will have to be on the authorized list from the county.

(3) There are three lines that will be printed on the cards and each line contains 20 characters. The first line will be the name, second line should be title and the third line will be the county name.

IMPORTANT POINTS:

It is incumbent upon employers to require the ID card to be returned in the event of termination, resignation or retirement of an employee.

The information submitted by each employee for an ID card will be restricted and confidential due to privacy concerns. Lists of names and other personal information will not be available to the WV Association of Counties or any business or organization.

THE ID CARDS WILL HAVE THREE LINES. IT IS RECOMMENDED THAT THE FIRST LINE BE USED FOR THE NAME, SECOND LINE FOR THE TITLE, AND THIRD LINE FOR THE COUNTY.

Social Security numbers will not be printed on the card.

Thank you! We encourage you to take advantage of this valuable service from the WV Association of Counties and the WV Department of Motor Vehicles! Feel free to contact the WVACO for more information, 304-346-0591.

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>2-24-11</u></p> <p>Appt Time or New Business: _____</p>

AGENDA REQUEST FORM

Name: Tim Boyde, County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: February 24, 2011

Date Requested – 2nd Choice: _____

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

Subject: Jefferson County Development Authority - Joint Resolution regarding 1988 liability on the Development Authority

Please provide the County Commission with a description of your request or presentation, including any background information: **Joint Resolution of the Jefferson County Development Authority and the Jefferson County Commission in support of the removal of the 1988 liability in the amount of \$200,000 from the Jefferson County Development Authority's financials and the correlating note payable in the amount of \$200,000 from the Jefferson County Commission's financials**

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

Attachments: Resolution

**Board of
Directors
2011-2012**

Mark Dyck
Interim President

Howard Mills
Vice President

Ann Paonessa
Secretary/Treasurer

James D. Campbell
Linda Case
William H. Chesley
Helen Dettmer
Paul Espinosa
Ira Hale

Conrad C. Hammann
Dale Manuel
Howard Mills
P. David Mills
James A. Tolbert

Staff

Thomas Bayuzik, Jr.
Executive Director

Whitney Barrett
Research Assistant

Lane Donley
Administrative
Assistant

PO BOX 237
CHARLES TOWN
WV25414

304.728.3255
f: 304.725.3133

WWW.JCDA.NET

JEFFERSON COUNTY
DEVELOPMENT AUTHORITY

February 16, 2011

RECEIVED

FEB 17 2011

JEFFERSON COUNTY COMMISSION

The Honorable Patsy Noland
President
Jefferson County Commission
P.O. Box 250
Charles Town, WV 25414

Dear Commissioner Noland:

On behalf of the Jefferson County Development Authority Board, I am writing to request your support for the attached joint resolution to resolve the issues surrounding a \$200,000 debt to the Jefferson County Commission, which has been carried as a liability on the Development Authority's books since 1988. The Development Authority Board approved this resolution at its February 15, 2011 meeting.

As the Commission is aware, the Development Authority received a finding on its most recent audit due to the fact that no formal documents existed to substantiate this debt and that the County Commission's financials reflected no correlating note payable. The Development Authority understands that, as a result, the Commission also received a finding on its most recent audit and the debt was returned to the Commission's books as a note payable. Efforts have been made by members of the County's staff and me to uncover records to substantiate the debt with little result. The former Executive Director of the Development Authority, Jane Peters, believes a loan was made in 1988 by the Commission to the Development Authority to resolve a water and sewer infrastructure issue in the Burr Industrial Park, allowing for its development. The Commission's minutes from 1988 conflict with this recollection, however, and the Public Service District can find no records from that same time period that show a payment from the County Commission or the Development Authority in similar amounts. The Commission's minutes from 1988 do show a land purchase in the amount of \$200,000 for a portion of the Burr farm which was later deeded to the Development Authority. There is no mention of the transaction being regarded as a loan to the Development

Authority, however, and no formal agreement exists to this effect.

The Board wishes to work with the Commission to resolve this issue, correct its financials and avoid future audit findings. Since there are no documents to fully substantiate the loan, the Board respectfully requests that the Commission agree, through support for the attached joint resolution, to permanently remove the debt from its books, allowing the Development Authority to do the same.

We look forward to resolving this issue with you and are open to alternate suggestions. Please contact me with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Bayuzik', written in a cursive style.

Thomas Bayuzik
Executive Director

Enclosure

A JOINT RESOLUTION OF THE JEFFERSON COUNTY DEVELOPMENT AUTHORITY AND THE JEFFERSON COUNTY COMMISSION IN SUPPORT OF THE REMOVAL OF THE 1988 LIABILITY IN THE AMOUNT OF \$200,000 FROM THE JEFFERSON COUNTY DEVELOPMENT AUTHORITY'S FINANCIALS AND THE CORRELATING NOTE PAYABLE IN THE AMOUNT OF \$200,000 FROM THE JEFFERSON COUNTY COMMISSION'S FINANCIALS.

WHEREAS, the Jefferson County Development Authority (JCDA) has carried a \$200,000 debt to the Jefferson County Commission (JCC) as a liability on its financials since 1988; and

WHEREAS, the JCDA received a finding on its most recent audit due to the fact that no formal documents existed to substantiate this debt and that the JCC's financials reflected no correlating note payable; and

WHEREAS, the JCC also received a finding on its most recent audit due to the fact that its financials did not reflect a \$200,000 note payable from the JCDA; and

WHEREAS, the \$200,000 note payable from the JCDA has been returned to the JCC's financials to correct the audit finding; and

WHEREAS, no formal documents exist from 1988 to substantiate a loan from the JCC to the JCDA; and

WHEREAS, efforts by both the JCDA and the JCC to obtain any documentation from 1988 substantiating the loan have failed to provide any clarity; and

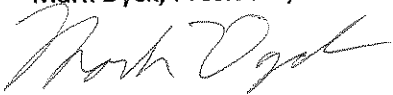
WHEREAS, any funds that may have been loaned to the JCDA by the JCC to foster development of Burr Industrial Park in 1988 have been well invested and resulted in a thriving business park that now includes more than 60 companies employing well over 1,000 employees and has generated more than millions of dollars in property taxes over the years; and

WHEREAS, it is in the best interest of the JCDA and the JCC to formally and collaboratively resolve this matter in writing, thereby creating a record;

NOW, THEREFORE, BE IT RESOLVED THAT THE JEFFERSON COUNTY DEVELOPMENT AUTHORITY AND THE JEFFERSON COUNTY COMMISSION DO HEREBY SUPPORT THE REMOVAL OF THE 1988 LIABILITY IN THE AMOUNT OF \$200,000 FROM THE JEFFERSON COUNTY DEVELOPMENT AUTHORITY'S FINANCIALS AND THE CORRELATING NOTE PAYABLE IN THE AMOUNT OF \$200,000 FROM THE JEFFERSON COUNTY COMMISSION'S FINANCIALS.

Signed and approved this 17 day of FEBRUARY, 2011

Mark Dyck, President, Jefferson County Development Authority



Signed and approved this _____ day of _____, 2011

Patricia A. Noland, President, Jefferson County Commission

Commission Office Use Only

Date on Agenda: 2-24-11

Appt Time or New Business: new Business

AGENDA REQUEST FORM

Name: Patsy Noland

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 20 minutes (Executive Session required regarding to discussion contract negotiations for the acquisition of property.

Date Requested – 1st Choice: February 24, 2011

Date Requested – 2nd Choice: February 24, 2011

If a specific date is needed, please provide reason for specific date: Time is of the essence.

Subject: Acquisition of property

Please provide the County Commission with a description of your request or presentation, including any background information: Discussion of acquisition of property to address growing and immediate space needs of Jefferson County.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I move to acquire properties to address the growing and immediate space needs of Jefferson County.

Attachments:

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

Name: County Commission

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 45 min

Date Requested – 1st Choice: 2-24-11

Date Requested – 2nd Choice: _____

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

Subject: **Water Advisory Committee Work Session**

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

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

Attachments:

<p>Commission Office Use Only</p> <p>Date on Agenda: 2/24/11</p> <p>Appt Time or New Business: 10:15 AM</p>

AGENDA REQUEST FORM

Name: F. Mark Schiavone

Department or Entity: DCPM

Estimation of amount of time needed for appointment: 15 min

Date Requested – 1st Choice: 24 February 2011

Date Requested – 2nd Choice: 3 March 2011

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

Subject: Presentation of FY 2012 Capital Improvement Plan

Please provide the County Commission with a description of your request or presentation, including any background information: The CIP is presented prior to budget deliberations. It presents the 6-year capital needs for Schools, Law Enforcement, Fire & EMS, Parks & Recreation, and County Government.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): Move to accept the Capital Improvement Plan for FY 2012

Attachments: FY 2012 CIP (comb-bound document)

NOTICE OF PUBLIC HEARING

PROPOSED AMENDMENTS TO ARTICLE 4B, WIRELESS TELECOMMUNICATION FACILITIES, AND RELATED SECTIONS OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE

The County Commission of Jefferson County will hold a Public Hearing on Thursday, February 24, 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 on the proposed Amendments to Article 4B, Wireless Telecommunication Facilities, and related sections of the Jefferson County Zoning and Land Development Ordinance.

Anyone wishing to provide written or oral comment may do so at this meeting. A copy of the proposed ordinance 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

Related Zoning Ordinance Amendments for Review and Adoption Concurrent with Article 4B

[2.2 Definitions]

Comment [SB1]: Four existing definitions to be deleted and replaced with new definitions.

Collocation

The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

[AMENDED BY ACT OF THE COUNTY COMMISSION, EFFECTIVE JULY 1, 1998]

Monopole

A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

[AMENDED BY ACT OF THE COUNTY COMMISSION, EFFECTIVE FEBRUARY 11, 1998]

Wireless Telecommunications

A facility consisting of the telecommunications or radio transmitting those signals unit with the land-based

[AMENDED BY ACT OF THE

involved in receiving radio communications source and router which connects the mobile

EFFECTIVE FEBRUARY 11, 1998]

Wireless Telecommunications

A structure intended to support telecommunications signal structures.

[AMENDED BY ACT OF THE

transmit and/or receive and lattice construction steel

EFFECTIVE FEBRUARY 11, 1998]

Public Hearing 2/24/11 Agenda 7pm

[4.3, Nonconforming Uses Section]

4.3 (h) Nonconforming commercial wireless telecommunications antenna, commercial wireless telecommunications equipment shelter(s), commercial wireless telecommunications facility(s) and commercial wireless telecommunications tower(s) cannot expand under this provision while Article 1, Section 1.6 is in effect. [AMENDED BY ACT OF THE COUNTY COMMISSION, EFFECTIVE FEBRUARY 11, 1998]

Comment [SB2]: Sec. 1.6 not in effect.

[4.4, Prohibited Uses Section]

4.4 J Commercial wireless telecommunications antenna, commercial wireless telecommunications equipment shelter, commercial wireless telecommunications facility and commercial wireless telecommunications tower while Article 1, Section 1.6 is in effect. [AMENDED BY ACT OF THE COUNTY COMMISSION, EFFECTIVE FEBRUARY 11, 1998]

Comment [SB3]: Sec. 1.6 not in effect

[4.7, Essential Utility Equipment]

Essential utility equipment, as defined in Section 2.2, shall be permitted in any district, as authorized and regulated by law and ordinances of Jefferson County, it being the intention hereof to exempt such essential utility equipment from the application of this ordinance. ~~Communication~~ Wireless telecommunication towers, however, shall conform to the setback requirements and be surrounded by a fence of Article 4B.

[4.11, Landscaping, Screening, and Buffer Yard Requirements]

~~Section 4.11~~

- (i) ~~All wireless telecommunications antennas, towers, and facilities shall have a buffer yard pursuant to Article 4, Section 4.11(d)1-4.~~
~~[AMENDED BY ACT OF THE COUNTY COMMISSION, EFFECTIVE JULY 1, 1998]~~

Comment [SB4]: Duplicative. All landscaping requirements should be addressed in Article 4B.

[9.2 Building Height Limitations]

Commercial wireless communications facilities shall comply with Section ~~Article~~ 4B.7(a).

Comment [SB5]: Correct reference for height exception.

ARTICLE 4B. WIRELESS TELECOMMUNICATION FACILITIES

Section 4B.1 Purpose and Legislative Intent

The purpose of Article 4B, Wireless Telecommunication Facilities, is to balance the needs of residents of and visitors to Jefferson County for reliable access to wireless telecommunication networks and services with the community's desire to preserve the County's rural, historic and agricultural character and the quality of its residential neighborhoods.

To accomplish these objectives and to ensure that the placement, construction or modification of wireless telecommunication facilities complies with the provisions of the Telecommunications Act of 1996 and other Federal laws, and is consistent with Jefferson County's land use policies and Comprehensive Plan, this Article is intended to regulate the construction, placement and operation of wireless telecommunication facilities within Jefferson County. When any provision of this article is in conflict with any provision of the Jefferson County Zoning Ordinance or the Jefferson County Subdivision and Land Development Regulations, the stricter regulation shall apply.

This Article establishes parameters for the siting of Wireless Telecommunication Facilities. It is Jefferson County's intent to:

- A. Ensure access to reliable and robust wireless communications services throughout Jefferson County consistent with the aforementioned objectives;
- B. Encourage the use of existing structures such as buildings, water towers, silos, church steeples, monopoles, lattice towers, utility poles, electric distribution and transmission structures and other existing structures for the co-location of Wireless Telecommunication Facilities;
- C. Encourage the location of new Wireless Telecommunication towers in non-residential areas, with taller towers limited to the Industrial-Commercial zoning district;
- D. Minimize the number of new Wireless Telecommunication Towers that would otherwise need to be constructed by providing incentives for the use of existing structures;
- E. Encourage the location of new Wireless Telecommunication Towers, to the greatest extent possible, in areas where the adverse impact on the community will be minimal; and by encouraging the use of camouflage or concealment to create structures such as silos, faux trees and flagpoles that mimic elements that typically are found on Jefferson County's agricultural landscape and that appear in scale and context with their surroundings.

- F. Minimize or mitigate the potential adverse visual effects associated with the construction of Wireless Telecommunication Towers through the implementation of reasonable design, landscaping and construction practices;
- G. Ensure public health, safety, welfare, and convenience; and
- H. Conform to Federal and State laws that allow certain antennas to be exempt from local regulations.

2.2 Definitions

Accessory Equipment	Any equipment serving or being used in conjunction with a Wireless Telecommunications Facility. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.
Alternative Structure	For antenna-mounting purposes, a structure which is not primarily constructed for the purpose of holding antennas but on which one or more antennas may be mounted. The term Alternative Structure includes, but is not limited to, buildings, silos, water tanks, pole signs, lighting standards, steeples and electric distribution, electric transmission or other utility poles.
Antenna	Any structure or device used to collect or radiate electromagnetic waves for the provision of cellular, paging, Personal Communications Services (PCS) and microwave communications. Such structures and devices include, but are not limited to, directional antennas, such as panels, microwave dishes and satellite dishes, and omni-directional antennas, such as whip antennas.
Antenna Array	Two or more antennas that operate as components of a complete antenna suite for a single Wireless Telecommunication Facility.
Antenna, Concealed	An antenna that is designed and/or erected on or in a building or alternative structure in such a way that it blends in with the existing façade and/or is located in such a way that it is not readily visible or discernible to the average individual at the adjacent street level.
Appalachian Trail Overlay District	For purposes of the Wireless Telecommunication Facilities Ordinance, the area within one mile of the centerline of the Appalachian Trail.
Broadcast Tower	A structure situated on a lot that is intended for transmitting television or AM/FM radio signals.

Cell on Wheels “COW”	A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle- mounted and contains a telescoping boom as the antenna support structure.
Co-location	For purposes of regulating commercial wireless telecommunication facilities, co-location means the placement of additional antennas or antenna arrays on an existing or approved telecommunication tower or support structure (or alternative structure), or otherwise sharing a common location by two or more FCC licensed providers of personal wireless services. Co-location includes antennas, combiners, transmitters, receivers and related electronic equipment, cabling, wiring, equipment enclosures and other components or improvements associated with a wireless telecommunication facility.
Commercial Wireless Service Provider	Persons or entities who operate radio systems requiring an FCC license and who employ those facilities to provide point-to-point microwave links for wireline communication services (or connectivity between adjacent antenna sites), fixed wireless (including microwave), or mobile wireless communication services to third parties for compensation. Commercial Wireless Service Providers include, but are not limited to Cellular, Personal Communication Services (PCS), Specialized Mobile Radio (SMR), Enhanced Specialized Mobile Radio (ESMR), paging, Competitive Local Exchange Carriers (CLEC) utilizing point-to-point microwave, and other point-to-point microwave links for wireline communication services.
Department	The Jefferson County Planning and Zoning Department.
Discernible	Capable of being distinguished with the eye or mind from its surroundings as a telecommunications tower.
Electric Distribution Poles	Metal, wooden or concrete towers and poles used to suspend wires transporting electricity between substations at the terminus of transmission lines and individual customer premises.
Electric Transmission Towers	Metal, wooden or concrete towers and poles used to suspend wires transmitting electricity between generating plants and substations supplying electricity to distribution and feeder lines.
Equipment Enclosure	For purposes of regulating Wireless Telecommunication Facilities, equipment enclosure means a building, cabinet or shelter used to house transmitters, receivers and other electronic equipment and accessories.

FAA	Federal Aviation Administration.
FCC	Federal Communications Commission.
Functionally Equivalent Services	FCC licensed providers of Commercial Mobile Radio Services (CMRS) classified as Cellular, Personal Communication Services (PCS), Paging, Specialized Mobile Radio (SMR) and Enhanced Specialized Mobile Radio (ESMR).
Governmental User	Federal, state or local governments, or agencies or instrumentalities thereof, volunteer fire departments or rescue squads which operate radio systems (including microwave) requiring an FCC license, and which employ those facilities exclusively for intra-governmental or inter-governmental public service, public safety or administrative purposes.
Harpers Ferry Overlay District	For purposes of regulating Wireless Telecommunication Facilities, an area bounded on the north by a line running west from the Potomac River shore to and along Engle Switch Road to its intersection with Route 230; thence south along Route 230 to its intersection with the CSX Railroad Valley Line; thence south along said railroad to Milepost 4 on the railroad at its intersection with Millville Road; thence east from that point to and across the Shenandoah River to a point 1000 feet distant on the eastern shore of the said Shenandoah River; then following a line 1000 feet inland from that opposite shore of the Shenandoah River to its confluence with the Potomac River; then along a line 1000 feet inland from the Potomac river shore running east to the Virginia state line; thence north to the Potomac River shore; thence west along the shore of the Potomac River to the point of origin. This district excludes the area within the jurisdictional boundaries of the town of Harpers Ferry and the town of Bolivar.
Historic Resource	A site, structure, area, or district possessing historic importance as defined by the U.S. Department of Interior, West Virginia State Historic Preservation Office, Jefferson County Historic Landmarks Commission, or other governmental agency.
Lattice Tower	A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation to the top.
Monopole	A support structure constructed of a self-supporting hollow metal tube securely anchored to a foundation.
Neighborhood	An area generally confined to a one-mile radius from the perimeter of a proposed development.

PCS	Personal Communication Services.
Primary Public Safety Provider	An FCC licensed governmental user that uses wireless telecommunication facilities to provide primary communications for law enforcement, fire, ambulance or related emergency services. Primary Public Service Provider does not include Commercial Wireless Service Providers, or Competitive Local Exchange Carriers (CLEC), who provide telecommunication services on a commercial basis to Primary Public Service Providers, or who deliver emergency calls or messages from its customers to a Public Safety Answering Point (PSAP).
Private Business User	Persons or entities which operate radio facilities (including microwave) requiring an FCC license solely for intra-company communications and who do not employ those facilities to offer fixed or mobile wireless communication services, or point-to-point microwave links for commercial wireline communication services, to third parties for compensation.
Support Structure	A structure designed to support Wireless Telecommunication Facilities including, but not limited to, monopoles, lattice towers, utility poles and other freestanding self-supporting structures.
Tower Base	The foundation, usually concrete, on which a telecommunication tower is situated. For measurement calculations, the tower base is the actual or geometric center of the tower. For structures lacking a foundation the tower base is the ground elevation of the structure.
Tower Height	The vertical distance measured from the tower base to the highest point on a telecommunication tower, including any antennas or other equipment affixed thereto, but excluding any lightning protection rods extending above the tower and attached equipment.
Tower Site	The land area (including any associated easement areas) that contains, or will contain, any proposed telecommunication tower, related equipment enclosures and other improvements; together with any tower fall zone.
Utility Poles	Metal, wooden or concrete poles used to suspend wires or cables for electric, telephone or television cable services.
Visible	Capable of being seen by the unaided eye in the daylight.
Wireless Telecommunication Antenna	The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

Wireless Telecommunication Equipment Shelter	The structure in which the electronic receiving, transmitting and relay equipment for a wireless telecommunications facility is housed.
Wireless Telecommunication Facility	A facility consisting of the equipment and structures involved in transmitting or receiving telecommunications or radio signals to or from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.
Wireless Telecommunication Facility, Co-Located	See Co-location.
Wireless Telecommunication Facility, Concealed	A wireless telecommunication facility with all antennas camouflaged to match or complement the color and architectural treatment of the surface of an existing structure upon which they are mounted; or which have all facility components concealed behind a façade or parapet wall, or inside a radome on a monopole that does not exceed the diameter of the monopole, or interlaced within or atop an electric distribution tower.
Wireless Telecommunication Facility, Temporary	A vehicle-mounted or portable wireless telecommunication facility including portable towers, antennas, equipment enclosures, generators and associated electronics, cabling, wiring and hardware. Such a facility may include, but is not limited to, "cell on wheels" mobile equipment.
Wireless Telecommunication Tower	A structure intended to support equipment and antennas used to transmit and/or receive telecommunications signals including monopoles, guyed and lattice construction steel structures.
Wireless Telecommunication Tower, Speculative	A Wireless Telecommunications Tower developed without binding commitments from one or more FCC licensees to utilize the tower within six (6) months of issuance of a certificate of occupancy for the Tower.

Section 4B.2 Classification of Wireless Telecommunication Facilities and Development Review Process

For purposes of administering this Article, Wireless Telecommunication Facilities (hereafter "Facilities" or "Facility") shall be classified as follows:

1. Exempt Facilities as specified in Section 4B.3
2. Concealed Wireless Telecommunication Facilities
3. Co-located Wireless Telecommunication Facilities
4. Temporary Wireless Telecommunication Facilities
5. Wireless Telecommunication Towers

Exempt Facilities are allowed by right. Prior to the issuance of a Zoning Certificate, all other types of new Wireless Telecommunications Facilities listed above require approval of a Minor Site Plan as described in the Jefferson County Subdivision and Land Development Regulations and also meeting the submittal and design requirements of this Article. Additionally, Wireless Telecommunication Towers shall require submittal of a Concept Plan and a public hearing to allow for an analysis of demonstration of need, neighborhood compatibility, impact on cultural and historic resources, and visual mitigation.

Within ten (10) days of receiving a Concept Plan application for a Facility the Department shall notify the applicant in writing (1) that the application is sufficient or (2) the particular information needed as required by the provisions of this Article and the Jefferson County Subdivision and Land Development Regulations, to constitute a sufficient application. Once the additional information is received and the application is found to be sufficient, the Department shall notify the applicant of that finding.

Section 4B.3 Exempt Facilities Allowed by Right

This section covers antennas other than those associated with commercial wireless telecommunication facilities, such as facilities associated with governmental users, television and radio broadcast facilities, and private business users requiring an antenna support structure of twelve feet or less. Antennas allowed by right subject to special requirements of this section include:

- A. Amateur radio facilities mounted on supporting structures less than 100 feet in height provided however, that commercial wireless providers and private business users may not co-locate antennas on an amateur radio tower irrespective of its height.
- B. Residential antennas for receiving television or AM or FM radio broadcast signals.
- C. Residential or business customer premise antennas for receiving microwave, satellite or broadcast television signals, provided such antennas are less than one meter (39.4 inches) in diameter and are mounted on a support structure less than twelve (12) feet in height.

Section 4B.4 Concealed Wireless Telecommunication Facilities

Concealed Facilities are permitted in all zoning districts. The Department may issue a Zoning Certificate for a Concealed Facility consistent with the following terms and conditions:

- A. Concealed Facilities are permitted on buildings and alternative structures (other than telecommunication towers).
- B. For purposes of this section antennas mounted on electric transmission towers shall qualify as Concealed Facilities provided that antennas associated with such facilities do not extend more than twenty (20) feet above the top of the supporting structure. Equipment enclosures associated with such facilities may be mounted on the structure, placed underground or on the ground. If placed on the ground, equipment enclosures shall be placed on a concrete pad, metal skid or platform, or other foundation and screened so as to make them unobtrusive.
- C. For purposes of this section antennas mounted on an electric distribution pole, utility or street lighting pole or traffic light pole shall qualify as a Concealed Facility provided antennas associated with such facilities shall not extend more than twenty (20) feet above the top of the existing support structure.
- D. Utility poles may be extended up to twenty (20) feet in height to accommodate antennas for a Concealed Facility.
- E. For any utility pole height increases in the Harpers Ferry Overlay District, the Department shall refer the application to the Jefferson County Historic Landmarks Commission for review and comment before issuing a Zoning Certificate.
- F. Applications for such utility pole height extensions in the Appalachian Trail Overlay District shall be referred by the Department to the Appalachian Trail Conservancy and the National Park Service for review and comment prior to issuance of a Zoning Certificate.
- G. Antennas associated with Concealed Facilities, if flush-mounted on the side of a building or alternative structure, shall be camouflaged to match or complement the color and architectural texture of the surface.
- H. Antennas associated with a Concealed Facility shall not be co-located on a tower or other support structure developed as an Exempt Facility pursuant to this Article for the use of an amateur radio operator.
- I. Equipment enclosures associated with Concealed Facilities may be placed inside a building or, if placed on a rooftop, all equipment enclosures shall be mounted behind a parapet wall or façade which is camouflaged to match or complement the color and architectural treatment of the building. If antennas are placed on a structure other than a building, equipment enclosures associated with the facility may be mounted on the structure or placed underground or at ground level on a concrete pad, metal skid or platform, or other foundation. If placed at ground level, such equipment enclosures shall be screened so as to make them unobtrusive.
- J. All cabling and wiring connecting antennas, equipment enclosures, and other components of Concealed Facilities shall be colored or concealed in a manner that renders them unobtrusive.

- K. Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance of a generator shall only take place on weekdays between 8:00 a.m. and 7:00 p.m.
- L. Equipment associated with a Concealed Facility not located in a public right-of-way must meet the setback requirements for the zoning district in which it is located.

Section 4B.5 Co-located Wireless Telecommunication Facilities

Co-located Wireless Telecommunications Facilities are permitted within all zoning districts. Co-location includes the placement of additional antennas or antenna arrays on an existing or approved telecommunication tower or support structure (or alternative structure or Concealed Telecommunication Support Structure), or otherwise sharing a common location by two or more FCC licensed providers of personal wireless services. The Department may issue a Zoning Certificate for a Co-located Facility consistent with the following terms and conditions:

- A. Antennas associated with a Co-located Facility shall not be co-located on a support structure developed as an Exempt Facility pursuant to this Article for the use of an amateur radio operator.
- B. Co-located Facilities shall meet the following design standards:
 1. Antennas associated with a Co-located Facility located on a monopole shall, where practical, be mounted so as to present the smallest possible silhouette, profile or cross-section. Preferred antenna mounting scenarios are, in order of descending preference:
 - a. Antennas within a cylindrical radome matching the diameter of a monopole;
 - b. Antennas mounted at the end of straight or curved davit arms or brackets extending from the sides of the tower.
 - c. Antennas mounted as an array arranged around a platform extending from the monopole.
 2. All equipment enclosures and other improvements accessory to a co-located Facility shall be architecturally designed to blend in with the surrounding environment and shall be maintained in good appearance and repair. No equipment enclosure may exceed twelve (12) feet in height.
 3. Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance of a generator shall only take place on weekdays between the hours of 8:00 a.m. and 7:00 p.m.
 4. Equipment enclosures and other improvements shall be enclosed within a security fence consisting of chain link fencing at least eight (8) feet in height. The Department may require as a condition of approval that the fencing be screened by a landscaped buffer of at least 10 feet in width planted along the entire exterior perimeter of the fence. Such a buffer must contain at least one row of native vegetation and form a continuous screen at least 6 feet in height. All buffer yards shall be maintained by the

property owner. It will be the responsibility of the property owner to maintain the buffer yard and to replace any trees or shrubs that die. The landscaping requirements of this section do not apply to an application for co-location on a site with an approved site plan. The Department may waive or modify the fencing requirement upon a determination that doing so will enhance the overall appearance of the facility without any compromise in safety or security.

5. Signage at any ground-based portion of a Co-located Facility site shall conform to FCC and FAA standards. No commercial signage is permitted.
6. Before an application for a Co-located Facility can be processed, a copy of the applicant's FCC license must accompany its application. If FCC licenses for the applicant have been provided to the Jefferson County Department of Planning & Zoning in conjunction with previous wireless facility applications, the applicant may certify that such licenses remain in full force and effect.

Section 4B.6 Temporary Wireless Telecommunication Facilities

Temporary Facilities are permitted in all zoning districts. The Department may issue a Zoning Certificate for a Temporary Facility consistent with the following terms and conditions:

- A. Temporary Facilities, including but not limited to Cell on Wheels (COW), may be placed at or near the location of an existing, proposed or approved Facilities for periods up to seventy-two (72) hours for equipment or signal propagation testing purposes or, where an existing facility is temporarily unavailable due to scheduled or unscheduled maintenance, without any requirement for a permit. Where scheduled or unscheduled maintenance will extend beyond seventy-two (72) hours, the wireless provider must obtain a Zoning Certificate. The Department may issue such a certificate for up to thirty (30) days upon a showing of good cause by the applicant. Such certificate may be extended for an additional thirty (30) day period if the applicant can demonstrate that extenuating circumstances necessitate an extension.
- B. In the event of a natural disaster, catastrophic event or public emergency that either renders an existing Facility unusable, or creates an urgent need for supplemental capacity to manage the emergency, temporary facilities may be placed in any area as necessary to provide coverage or capacity for longer periods upon the authority of the Director of the Office of Homeland Security and Emergency Management, with notification to the Director of the Planning and Zoning Department.
- C. Permits may be issued by the Department for up to one week for temporary facilities needed in conjunction with scheduled special events at specific locales that are likely to generate a need for additional capacity at the event which is expected to exceed existing installed capacity.
- D. Fees for permits for Temporary Facilities shall be in accordance with the Department of Planning and Zoning schedule of fees and charges.

Section 4B.7 Wireless Telecommunication Towers

Wireless Telecommunication Towers (hereafter “Tower” or “Towers”) are permitted in all zoning districts subject to the provisions of this section. The provisions of this section apply to an application for a new Tower, as well as for a major modification to an existing Facility or Support Structure that results in a substantial change to the facility or structure, including but not limited to a height extension of more than twenty (20) feet or ten percent (10%) of the current height of a facility or structure, whichever is greater, and/or replacement of the structure.

This section is not applicable to co-location of a new antenna array on an existing structure.

A. Site Plan Required

A minor site plan shall be required for all new Towers, as well as for Major Modifications to an existing Facility or Support Structure resulting in a substantial change to the Facility or Structure. In addition to the site plan review requirements of the Subdivision and Land Development Regulations, the site plan shall include all elements of a Concept Plan as established in Subsection B, and shall address conditions established by the Planning Commission in its review of the Concept Plan.

B. Concept Plan Submittal and Public Hearing Required

In addition to the requirements for a minor site plan, a proposed Tower shall require the submittal of a Concept Plan, subject to the following requirements:

1. Required elements for a Wireless Telecommunications Tower Concept Plan shall be the same as for a site plan as established in the Subdivision and Land Development Regulations, Appendix A, Sec. 1.3A, with the exception of Subsections 1.3A.20-22, 24-29, 31-35.
2. The following additional elements must be submitted:
 - a. Outside dimensions, use, and setbacks of all existing and proposed buildings, structures, towers, antennas, utility lines, driveways, and parking areas
 - b. Height of the proposed tower measured from ground level at the center of the proposed structure, and height comparison to any nearby buildings or trees, or other applicable structures and natural landforms part of the site’s background and foreground landscape
 - c. Elevations and Cross-Section: Display topography with all proposed facilities including tower, equipment shelter and existing buildings
 - d. Number, size and location of proposed and existing antennas; number of co-locations possible
 - e. Method of camouflage (if any)
 - f. Locations of known historic structures
 - g. A description of the anticipated construction and installation schedule
 - h. Documentation verifying compliance with applicable Federal Communications Commission (FCC) standards and requirements to provide the proposed services

- i. Narrative addressing the design criteria of this section
 - j. Dates, address list, and notice for Balloon Test
 - k. Balloon Test exhibits as required in subsection G of this section
 - l. Propagation maps as required in subsection F of this section
 - m. Any other relevant information
 - n. Additional application requirements of subsection H of this section.
3. Submittal and review of a Concept Plan shall follow the review process and timeline established in Sections Sec. 24.119 – 24.122 of the Subdivision and Land Development Regulations, with the following exceptions:
- a. The application shall be exempt from 24.120A, Agency Reviews, and 24.120D, WVDOH, except as otherwise provided in this subsection.
 - b. Following the Department's determination of the sufficiency of a Concept Plan application,
 - i. the Department shall notify the Jefferson County Historic Landmarks Commission of an application filing.
 - ii. the Applicant shall provide a copy of the completed Concept Plan application to the Appalachian Trail Conservancy and the National Park Service, if required by the Cultural and Historic Resources Review standards of this section.
 - c. The Concept Plan shall be reviewed at a public hearing conducted at a scheduled Planning Commission meeting. The scope of this public hearing shall include a demonstration of need as required under this article, neighborhood compatibility, impact on cultural and historic resources, visual mitigation, the submittal and design criteria of this article, and the compatibility of the facility proposal with the Comprehensive Plan, as well as any relevant information presented by any person that addresses the purpose and intent of this Article. The Planning Commission shall review the proposed Tower for compliance with the standards in this article and, if applicable, provide conditions relevant to the scope of the public hearing and/or unique characteristics of the proposed development site, to be addressed in the Department's approval of the site plan.
 - d. Before the Department may approve a site plan for a Tower, the Planning Commission must find, by a majority vote, that the Concept Plan application complies with this article, and that the application is consistent with the Comprehensive Plan.

C. Retention of Consultants

The Department may elect to retain outside consultants or professional services to review a Concept Plan or site plan application for a Tower and to make recommendations on relevant issues including, but not limited to, verification of the applicant's compliance with the provisions of this article, analysis of alternatives, conditions of approval, and compliance with State and Federal rules and regulations at the applicant's expense.

D. Applicant's Burden of Proof

The applicant for a site plan for any Tower bears the burden of demonstrating by substantial evidence in a written record that a *bona fide* need exists for the proposed structure at its proposed height and location-as required in subsection F, "Demonstration of Need, and that it has met all submittal and design criteria in this Article.

E. Proof of Eligibility

Speculative Towers are prohibited. Before an application for a Tower can be processed, a copy of the applicant's FCC license must accompany its application. If the applicant is not an FCC licensee, the applicant must demonstrate that it has binding commitments from one or more FCC licensees to utilize the tower within six (6) months of issuance of a certificate of occupancy for the Tower. Such demonstration shall include submittal of an affidavit by the FCC licensee(s), and a copy of each wireless provider's FCC license. If such FCC licenses have been provided to the Department in conjunction with previous tower applications, the applicant may certify that such licenses remain in full force and effect.

F. Demonstration of Need

As part of its application submission for a Concept Plan and for a site plan the applicant shall be required to submit propagation maps demonstrating a technical need for its proposed Tower and justifying the height of its antennas on the structure. One propagation map shall depict existing coverage without the proposed site and another depicting coverage with the proposed site. Such maps shall identify all adjacent sites whether existing, approved or proposed, and each map shall be accompanied by an engineer's affidavit attesting to the parameters or variables used to create the map.

Such propagation studies shall be submitted in both hard copy and in electronic format to facilitate information sharing, inclusion on the county's web site and to otherwise maximize public awareness.

G. Balloon Test

1. An applicant shall conduct a balloon or crane test to simulate the maximum height of the proposed Tower. Following the test, the applicant shall submit color photo simulations showing the proposed structure as it would appear viewed from the closest residential property or properties and from adjacent roadways. Photographs should be taken from appropriate locations on abutting properties, along each publicly used road from which the balloon is visible, and from up to five significant structures or locations identified by the Department. A map shall be supplied identifying the location of each photo. Before and after photo exhibits will be presented.
2. Notice of the dates and times of such tests shall be mailed to all property owners within a one-quarter mile (1320 feet radius) from the proposed location, in addition to the Historic Landmarks Commission at least ten (10) days prior to such tests. The applicant shall utilize address and owner

information on file at the Jefferson County Assessor's Office. Such notices shall designate a primary date and an alternate date in case of inclement weather. Notices shall state that there is an application to the Planning Commission for a Wireless Telecommunication Tower on the property and provide the file number. The Department shall review and approve the sufficiency of the notice and the list of addresses prior to mailing. An affidavit of mailing accompanied by a list of recipients and addresses shall be included in the application file.

3. Such notice shall also be published in the legal advertisements section of a newspaper of general circulation in Jefferson County at least ten (10) days prior to such tests. Such notices shall designate a primary date and an alternate date in case of inclement weather. The newspaper's affidavit of publication shall be submitted as part of the application file.
4. In the event the applicant seeks to increase the height of the proposed Tower, or move its location more than one hundred (100) feet laterally, from that stated in its original notices, additional notice shall be required to be given consistent with the above requirements.

H. Preferred Structures and Locations Policy

1. Co-location Encouraged. Prior to the approval of the construction of a new Tower, it is the policy of Jefferson County to encourage co-location of wireless facilities in the following locations:
 - a. Co-location of antennas on existing electric transmission towers.
 - b. Co-location and the use of existing or approved towers, buildings or alternative structures such as buildings, water towers, silos, church steeples, and utility poles more than fifty (50) feet in height within a one-quarter mile radius of a proposed Tower, where appropriate.
2. Preferred Support Structures. In light of Jefferson County's agricultural, and increasingly residential character, it is the policy of Jefferson County that for Facilities located outside the Industrial-Commercial zoning district, support structures for antennas are desired in the following descending order of preference:
 - a. Silos
 - b. Other Alternative Structures
 - c. Monopoles
 - d. Lattice Towers
3. Preferred Locations. For new Towers, it is the policy of Jefferson County to encourage use of the following facilities or locations, in descending order of priority:
 - a. The Industrial - Commercial District
 - b. Non-residential areas screened by existing vegetation and located outside of the Industrial - Commercial District

4. Application Requirements. In furtherance of the Preferred Structures and Locations Policy in this Article, the following provisions shall apply to an application for a site plan for a Tower:
- a. The application must demonstrate that the proposed Tower is designed structurally, electrically, mechanically and in all other respects to accommodate additional wireless users unless the applicant demonstrates that structure height, topography, or other factors render this requirement unfeasible. An application must include an affidavit from the tower owner affirming that, subject to exceptions for structure height, topography, or other factors which make co-location unfeasible, the tower is available for co-location.
 - b. A site plan for a Tower shall not be approved if an electric transmission tower with capacity of 230 kV or less is located above, or within twenty-five (25) feet below, the ground elevation of, and within a one quarter mile radius laterally, of a proposed Tower, unless the applicant can demonstrate that:
 - (1) Sufficient easements or other interests in real property cannot be obtained to accommodate the Facility on the electric transmission tower;
 - (2) The electric utility owning the electric transmission tower is unwilling to allow its use for wireless facilities;
 - (3) Reasonable terms, rates, or conditions cannot be negotiated with the electric utility;
 - (4) The location of the tower will not allow the applicant to meet coverage or capacity requirements; or
 - (5) Other unforeseen reasons make it infeasible to locate the planned telecommunications equipment upon existing or approved towers.
 - c. Where suitable electric transmission towers are not available for co-location of antennas, a site plan for a Tower located outside the Industrial-Commercial zoning district shall not be approved unless the applicant demonstrates that the equipment planned for the proposed Tower cannot be accommodated on existing or approved towers, buildings, silos or other alternative structures more than fifty (50) feet in height within a one-quarter mile radius of the proposed Tower due to one or more of the following reasons:
 - (1) The planned equipment would exceed the structural capacity of the existing or approved tower, building or alternative structures, as documented by a qualified and licensed professional engineer, and the existing or approved tower, building or structure cannot be reinforced modified or replaced to accommodate planned or functionally equivalent equipment at a reasonable cost;
 - (2) Existing and approved towers, buildings or other structures within the search radius, or combinations thereof, cannot accommodate the planned equipment at a height necessary

- to function reasonably, as documented by a qualified and licensed professional engineer;
 - (3) Reasonable terms, rates, or conditions cannot be negotiated with the owner of the structure and/or property;
 - (4) The location of the structure will not allow the applicant to meet coverage or capacity requirements; or
 - (5) Other unforeseen reasons make it infeasible to locate the planned telecommunications equipment upon existing or approved towers, buildings or alternative structures.
- d. Antennas associated with an application for a Facility may not be co-located on a tower or other support structure developed as an Exempt Facility pursuant to this Article for the use of an amateur radio operator.

I. Cultural and Historic Resources Review

1. In addition to the notification requirements of this Section, an application for a Tower shall comply with the following:
- a. An application for a proposed tower within the Harpers Ferry Overlay District shall be provided, by the applicant, to the National Park Service for review and comment, and the applicant will provide the Department an affidavit certifying delivery.
 - b. An application for a proposed tower located within one mile of the Appalachian Trail shall be provided, by the applicant, to the Appalachian Trail Conservancy and the National Park Service for review and comment, and the applicant will provide the Department an affidavit certifying delivery.

J. Design Criteria

Wireless Telecommunication Towers shall comply with the following design criteria:

1. Antenna Mounting Preferences

Antennas associated with a Tower shall, where practical, be mounted so as to present the smallest possible silhouette, profile or cross-section. Preferred antenna mounting scenarios are, in order of descending preference:

- a. Antennas within a cylindrical radome matching the diameter of a monopole.
- b. Antennas mounted at the end of straight or curved davit arms or brackets extending from the sides of the tower.
- c. Antennas mounted as an array arranged around a platform extending from the monopole.

2. Height Restrictions

- a. Towers in the Industrial-Commercial zoning district shall not exceed 199 feet. Towers in all other zoning districts shall not exceed 100 feet. If a silo is used for a support structure for antennas, the height of the silo shall not exceed 120 feet.
- b. Antennas may extend up to twenty (20) feet above the height of existing electric transmission towers if such height extensions are preferable to placement of a new Tower.

3. Fall Zone

- a. With the exception of silos, Towers shall be set back from all property lines a distance equal to 110% of tower height measured from the base of the structure to its highest point. Additional easements may be acquired on adjacent properties to meet the fall zone requirement.
- b. No residential dwellings may be located in the fall zone on either the primary parcel or in any easement area on adjacent parcels.

4. Signage

Signage at any ground-based portion of a Facility site shall conform to FCC and FAA standards. No commercial signage is permitted.

5. Lighting & Marking

Towers shall not be lighted or marked unless required by the FCC or by the FAA.

6. Electrical Supply

Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance of a generator shall only take place on weekdays between the hours of 8:00 a.m. and 7:00 p.m.

7. Fencing

Towers, equipment enclosures and other improvements shall be enclosed within a security fence consisting of chain link fencing at least eight (8) feet in height. The Planning Commission may require as a condition of approval that the fencing be screened by a landscaped buffer of at least 10 feet in width planted along the entire exterior perimeter of the fence. Such a buffer must contain at least one row of native vegetation and form a continuous screen at least 6 feet in height at planting. All buffer yards shall be maintained by the property owner. It will be the responsibility of the property owner to maintain the buffer yard and to replace any trees or shrubs that die.

The Planning Commission may waive or modify the fencing requirement upon a determination that doing so will enhance the overall appearance of the facility without any compromise in safety or security.

8. Tower Color

Towers shall have a flat gray or galvanized finish unless the Planning Commission determines that another color scheme would be a preferable alternative to address visual mitigation and such scheme is consistent with FCC and FAA standards for antenna structure marking.

Section 4B.11 Maintenance & Removal Bonds

Prior to issuance of a Zoning Certificate, each applicant for a Facility shall be required to execute a standard Maintenance / Removal agreement binding the applicant and its successors and assigns to properly maintain the exterior appearance of, and to ultimately remove such facilities, upon abandonment or cessation of operations. The applicant shall be required to post a bond for this purpose in accordance with the Department of Planning & Zoning schedule of fees and charges. The applicant shall be required to continue such bond or other security until such time as the facility has been removed and all other requirements of the Maintenance/Removal agreement have been satisfied. Private business users operating a single Facility at their principal place of business and Governmental Users are exempt from this bond requirement.

Section 4B.12 Abandonment & Removal

- A. Any Facility or Support Structure that is not operated for a period of twelve (12) consecutive months may be referred to the Property Safety Enforcement Agency Board for a determination of the structural soundness of the Facility or Structure.
- B. If a structure is determined to be unsound, it will be considered abandoned.
- C. The owner or operator of any Facility or Support Structure shall remove the Facility pursuant to the requirements of the Jefferson County Property Safety Ordinance.

RECEIVED
FEB 10 2011
JEFFERSON COUNTY
CIRCUIT CLERK

TO: ALL MEMBERS of the WEST VIRGINIA ASSOCIATION OF
COUNTIES
FROM: PATTI HAMILTON



- 5 co's
- JCS D
- Co. Clerk
- Co. Comm
- Assessor
- Pros. Atty

THE COUNTY LEGISLATIVE LINE
Friday, February 11th, 2011
HAPPY VALENTINE'S DAY!

Capitol Quotes:

2-11-11
-BC
"I'm not one who wants to legalize a knee in the groin. When I see this on TV, I have to turn my head." Del. Talbott on a bill that would allow mixed martial arts in WV

"It's the only time you can vote twice in one day legally." Kanawha County Clerk Vera McCormick on the overlap of early voting for the Charleston city primary and the special gubernatorial primary

"So, back in my day, you would take your best girl and go park somewhere and the phrase was 'put out or get out.' Would that be considered a crime under this law?" Del. Ireland's question to counsel regarding Celena's Law

"No sir, because you wouldn't be restraining her. You'd be giving her the option to get out of the car." Counsel's response

"Our OPEB liability continues to remain the 600 lb gorilla in the room." Senator Laird in his remarks at the annual meeting

"It will provide a little relief to the counties who provide so much to the State." Senator Palumbo in his remarks at the annual meeting, referring to SB 242, additional 5% coal severance tax to producing counties

"I'm Chairman of the powerful Enrolled Bills committee." Senator Ron Miller, in his self-effacing remarks as a freshman Senator, noting that Sen. Palumbo once was chairman of Enrolled Bills and is now Judiciary Chairman

"The pot-stirrer....how do you take their spoon?" Chuck Stump, answering a question after his presentation at the annual meeting, "Politics is a Contact Sport"

"Teamwork really only functions if there's a leader in the group." Oliver Luck, WVU Athletic Director, in his keynote speech at annual meeting

Thursday, Feb. 10th marked the halfway point of the session! Thanks to all who attended the 2011 WVACO Annual Meeting. We had a great turnout with over 350 participants from 49 counties and 40 exhibitors.

The West Virginia Association of Counties appointed a "Marcellus Shale" Work Group to follow the legislation and identify issues that are of importance to counties and make recommendations. Marcellus Shale drilling regulation and other aspects will be the "hot topic" for the second half of the session now that the gubernatorial election is settled and will continue into future sessions.

HB 2927/SB 96 is an initiative of the WV Association of Counties to clean up the outdated salary schedules and old, unnecessary language in Chapter 7, Article 7. A committee worked several hours on this effort. One of the initial provisions of the introduced bill was to make prosecutors full-time as of Jan 1, 2013, grandfathering in all of the 8 currently part-time prosecutors for as long as they were in office. That provision is now out of the bill entirely, since the full-time/part-time issue is largely addressed in 7-7-4a which is unchanged by this bill. As it was described in Senate Government Organization committee, it is "a very large technical clean-up."

Please make calls to Senate Finance to run SB 266 (counties keep the transfer tax they currently send to the State, amounting to about \$8 million statewide) and SB 242 (coal-producing counties receive 5% additional coal severance tax from the state).

The "Silenced Majority Amendment" (HJR 29) is on House Constitutional Revisions Committee for Wednesday, Feb. 16th. Please make calls in support of this constitutional revision that would allow levies to pass by a simple majority rather than a "super majority." The same amendment, SJR 9, passed out of Senate Judiciary on Thursday. Calls of support need to be made to Senate Finance.

HB 2843 that will free up funds for Records Management passed out of House Gov Org today. Calls of support need to be made to House Finance!

The following Senate & House bills of interest to counties were introduced from Friday, Feb. 4th through Wednesday, Feb. 9th:

SB 420	Wills	Clarify county commissioners must reside in district they represent for entire term of office	Gov Org Judiciary
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SB 423	Beach	Increase size limit of voting precincts to 5,000	Jud Fin
SB 426	Kessler	Require judge's permission before release of juror information after trial	Judiciary
SB 428	Kessler	Increase fee charged by circuit clerk for med mal actions from \$260 to \$280; goes to county revenue	Judiciary Finance
SB 430	Kessler	Filing civil petition rather than motion for expungement of certain criminal records	Judiciary
SB 431	Palumbo	WV State Police administer DNA identification	Jud Fin
SB 432	Laird	Reconfigure sheriffs' salaries; tax commission deemed part of salary	Judiciary Finance
SB 444	Kessler	Relating to protection of nonfamily or nonhousehold members from sexual offenses	Judiciary Finance
SB 449	McCabe	21 st Century Business Technologies Property Valuation Act (salvage value)	Econ Dev Finance
SB 450	McCabe	Permit county commission designate additional community voting locations for early voting; permit the two major parties to appeal locations only on basis of neutrality; decrease early voting period from 20 to 13 days before election day	Judiciary Finance
SB 461	Laird	Provide criminal penalty for violating restraining order entered upon conviction for stalking/harass	Judiciary
SB 470	Unger	Create misdemeanor offense of unlawful use of nonvoice communication while driving-text/email	Trans&Inf Judiciary
SB 478	Minard	Prohibit public body from charging fee for electronic copy or public record	Judiciary Finance
SB 479	Barnes	Exempt antique motor vehicles from personal property tax	Trans&Inf Finance

3014	Marshall	Increase limit on size of voting precincts to 5,000	Jud Fin
3029	L. Phillips	Relating to computer/electronic crimes	HHR Fin
3032	Miley	Clarify Secretary of State's authority for emergency procedures in elections in case of national emergency; provide notice to overseas voters	Judiciary
3036	Lawrence	Permit electronically transmitted voter signatures & an electronic voter registration system. Permits specified persons to register in person up to & including election day; establishes criminal penalties for any person who exerts improper influence regarding right to register & for any person who	Lawrence

		copies certain information in voter registration application of another person (Sec of State bill)	
3038	Barker	Clarify inconsistencies in election code (Sec of State)	Jud Fin
3040	Skaff	21 st Century Business Technologies Property Valuation Act (salvage value)	Energy Finance
3041	Fleischauer	Protect nonfamily or nonhousehold members from sexual offenses, stalking; criminal penalties	Judiciary Finance
3044	D. Poling	Civil forfeiture actions related to criminal activity	Jud Fin
3054	Miley	State police administer DNA data collection & collection of DNA generally	Judiciary Finance
3058	Miley	Electronic voting systems; Sec of State bill	Jud Fin
3065	Miley	Eligibility requirements, processes and assistance of absentee voting	Judiciary Finance
3066	Morgan	Prevent business from adopting trade name already in use; clarify types of certificates for which county clerks must maintain indices; Sec of State bill	Judiciary
3067	Fleischauer	Enhance funding for civil legal services for poor; \$100 fee for docketing any civil appeals including appeals from Family Court to be paid to Legal Aid	Judiciary Finance
3084	Varner	Substitute term firearm for handgun with regard to concealed weapons permits	Judiciary

Legislative Calendar 2011

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*)

Go to www.legis.state.wv.us for bill text and to create personal bill-tracking lists. We also have hard copies of all bills at the office.

*Public Service Commission
Of West Virginia*

201 Brooks Street, P. O. Box 812
Charleston, West Virginia 25323



Phone: (304) 340-0300
FAX: (304) 340-0325

February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Nancy Harrington - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0507-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated January 27, 2011, and received in this Division on January 31, 2011, concerning your constituent, Ms. Nancy Harrington's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Ms. Harrington has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 that was held at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the

RECEIVED

FEB 14 2011

Jefferson County Commission

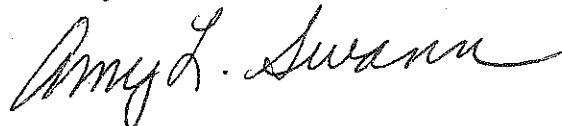
The Honorable Shelley Moore Capito
Project No. 11W-0507-PW-CTRAT
February 9, 2011
Page 2

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Thank you for allowing the Public Service Commission of West Virginia to help you on this matter. If we can provide more information or be of further assistance, please contact James F. Aucremanne at (800) 344-5113, extension 379 between the hours of 8:00 a.m. – 5:00 p.m., Monday thru Friday.

Sincerely,



Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

cc: Michael A. Albert, Chairman, Public Service Commission of West Virginia
Susan Small, Director of Federal Programs, Public Service Commission of West Virginia
Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
Jefferson County Commission
Jefferson Utilities, Inc.

Public Service Commission
Of West Virginia

201 Brooks Street, P. O. Box 812
Charleston, West Virginia 25323



Phone: (304) 340-0300
FAX: (304) 340-0325

February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: John M. Fludine - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0625-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated February 2, 2011, 2011, and received in this Division on February 7, 2011, concerning your constituent, Mr. John M. Fludine's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Mr. Fludine has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 that was held at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the

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Jefferson County Commission

The Honorable Shelley Moore Capito
Project No. 11W-0625-PW-CTRAT
February 10, 2011
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public. Therefore, the Commission will now review the case file and make its own decision on the case.

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Sincerely,



Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

cc: Michael A. Albert, Chairman, Public Service Commission of West Virginia
Susan Small, Director of Federal Programs, Public Service Commission of West Virginia
Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
Jefferson County Commission
Jefferson Utilities, Inc.

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February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Geneva Oakley
Jefferson Utilities, Inc.
Project No. 11W-0508-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated January 19, 2011, and received in this Division on January 31, 2011, concerning your constituent, Ms. Kelly Daniel's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Ms. Oakley has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the

FEB 14 2011

Jefferson County Commission

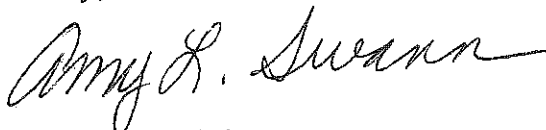
The Honorable Shelley Moore Capito
Project No. 11W-0508-PW-CTRAT
February 10, 2011
Page 2

public. Therefore, the Commission will now review the case file and make its own decision on the case.

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Sincerely,



Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

cc: Michael A. Albert, Chairman, Public Service Commission of West Virginia
Susan Small, Director of Federal Programs, Public Service Commission of West Virginia
Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
Jefferson County Commission
Jefferson Utilities, Inc.

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February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Kelly Daniel - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0482-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated January 19, 2011, and received in this Division on January 31, 2011, concerning your constituent, Ms. Kelly Daniel's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Ms. Daniel has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full

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Jefferson County Commission

The Honorable Shelley Moore Capito
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February 10, 2011
Page 2

Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the public. Therefore, the Commission will now review the case file and make its own decision on the case.

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Sincerely,



Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

cc: Michael A. Albert, Chairman, Public Service Commission of West Virginia
Susan Small, Director of Federal Programs, Public Service Commission of West Virginia
Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
Jefferson County Commission
Jefferson Utilities, Inc.

*Public Service Commission
Of West Virginia*

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February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Nels Soebefl - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0514-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated January 27, 2011, and received in this Division on January 31, 2011, concerning your constituent, Mr. Nels Soebefl's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Mr. Soebefl has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 that was held at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the

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FEB 14 2011

Jefferson County Commission

The Honorable Shelley Moore Capito
Project No. 11W-0514-PW-CTRAT
February 10, 2011
Page 2

public. Therefore, the Commission will now review the case file and make its own decision on the case.

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Sincerely,



Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

cc: Michael A. Albert, Chairman, Public Service Commission of West Virginia
Susan Small, Director of Federal Programs, Public Service Commission of West Virginia
Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
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February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Sandra Kinnaman - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0477-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated January 19, 2011, and received in this Division on January 31, 2011, concerning your constituent, Ms. Sandra Kinnaman's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010 which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Ms. Kinnaman has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 that was held at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full Commission. To date, there have been exceptions filed by the Commission Staff, JUI and the

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FEB 14 2011

The Honorable Shelley Moore Capito
Project No. 11W-0477-PW-CTRAT
February 10, 2011
Page 2

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Sincerely,



Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

cc: Michael A. Albert, Chairman, Public Service Commission of West Virginia
Susan Small, Director of Federal Programs, Public Service Commission of West Virginia
Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
Jefferson County Commission
Jefferson Utilities, Inc.

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Charleston, West Virginia 25323



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February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Martha Zimmerman - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0624-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated February 2, 2011, 2011, and received in this Division on February 7, 2011, concerning your constituent, Ms. Martha Zimmerman's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Ms. Zimmerman has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 that was held at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full

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Jefferson County Commission

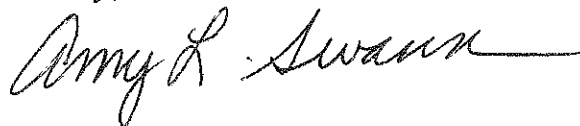
The Honorable Shelley Moore Capito
Project No. 11W-0624-PW-CTRAT
February 10, 2011
Page 2

Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the public. Therefore, the Commission will now review the case file and make its own decision on the case.

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Sincerely,



Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

cc: Michael A. Albert, Chairman, Public Service Commission of West Virginia
Susan Small, Director of Federal Programs, Public Service Commission of West Virginia
Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
Jefferson County Commission
Jefferson Utilities, Inc.

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February 10 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: George D. Eary, Jr. - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0483-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated January 25, 2011, and received in this Division on January 31, 2011, concerning your constituent, Mr. George D. Eary's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 2010. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Mr. Eary, Jr. has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 that was held at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the

Jefferson County Commission

The Honorable Shelley Moore Capito
Project No. 11W-0483-PW-CTRAT
February 10, 2011
Page 2

public. Therefore, the Commission will now review the case file and make its own decision on the case.

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Amy L. Swann, Director
Water and Wastewater Division

ALS/JFA:nat

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Jerry Bird, Director of Government Relations, Public Service Commission of West Virginia
Jefferson County Commission
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February 10, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Mark and Lisa Fresch - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0620-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated February 2, 2011, 2011, and received in this Division on February 7, 2011, concerning your constituent, Mr. and Mrs. Mark Fresch's protest about the proposed water rate increase from the Jefferson Utilities, Inc.

My Staff has reviewed your letter and discussed the situation with Mr. Lee Snyder, President for the Jefferson Utilities, Inc. (JUI). He has advised my staff that the utility has filed a formal case under Case No.: 10-1329-W-42T on August 20, 201. The Commission issued a Procedural Order on October 6, 2010, which suspended the proposed rates until 12:01 am on February 19, 2011. The Commission must enter an Order on this case prior to that suspension date. Your letter on behalf of Mr. and Mrs. Fresch has already been forwarded to the Executive Secretary's office to be included in the case file for review.

Because the case is now pending before the Commission, I can not provide further informal assistance at this time. The Commission Staff which was assigned to the case has completed its investigation and review and filed a final recommendation. The Administrative Law Judge (ALJ) conducted a hearing on Wednesday, December 1, 2010 and Thursday, December 2, 2010 that was held at the City of Ranson Building, Council Chambers, at 312 South Mildred Street, Ranson, WV beginning at 9:30 am each day. After conducting the hearing and receiving all the evidence from the public, the utility and the Commission Staff, the ALJ issued a Recommended Decision on January 7, 2011. If the Recommended Decision is in error regarding a finding of fact or conclusion of law, any party to the rate case may file exceptions with the full

Jefferson County Commission

The Honorable Shelley Moore Capito
Project No. 11W-0620-PW-CTRAT
February 10, 2011
Page 2

Commission. To date, there have been exceptions filed by the Commission Staff, the JUI and the public. Therefore, the Commission will now review the case file and make its own decision on the case.

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Sincerely,



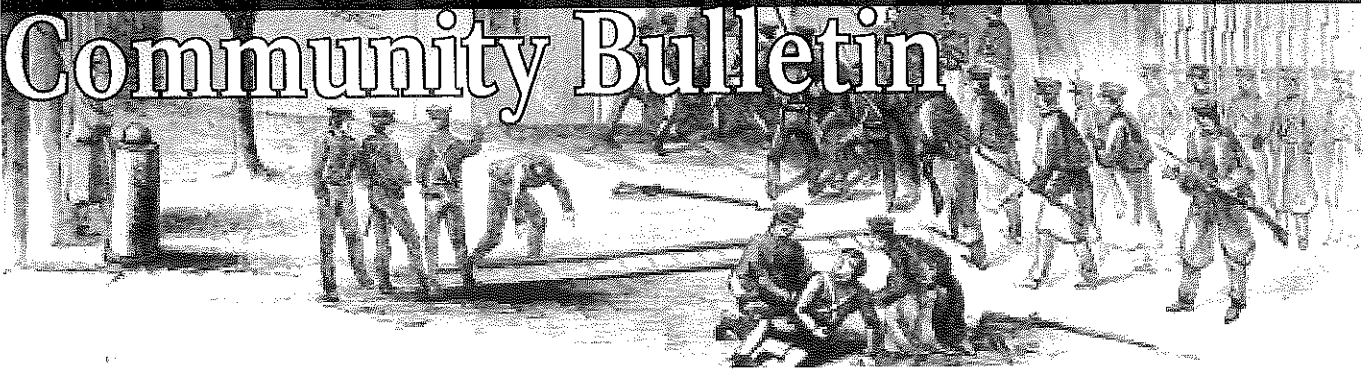
Amy L. Swann, Director
Water and Wastewater Division

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Jefferson County Commission
Jefferson Utilities, Inc.



Community Bulletin



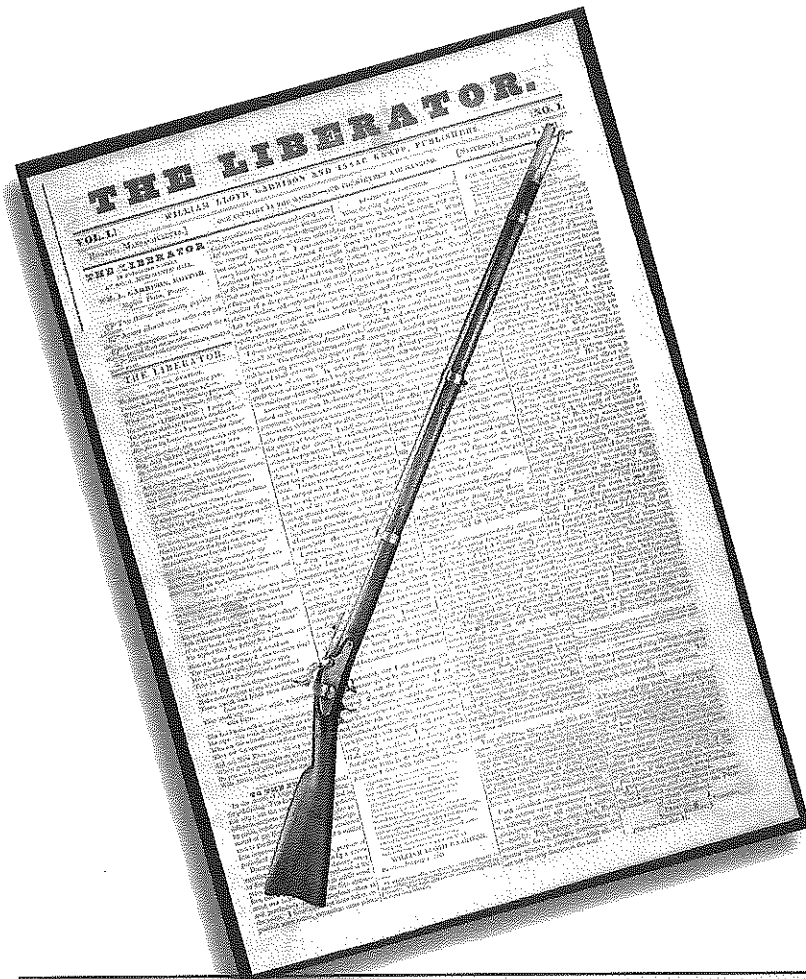
Beyond John Brown: The Abolitionist Movement Goes to War

In conjunction with Black History Month, Harpers Ferry National Historical Park is pleased to announce its February 2011 schedule of events. Throughout the month a special exhibit entitled, *Beyond John Brown: The Abolitionist Movement Goes to War*, will focus on the fight to end the institution of slavery after John Brown's 1859 raid on Harpers Ferry.

This special exhibit will open on Sunday, February 6, 2011, at 2:00 p.m. on the second floor of the John Brown Museum on Shenandoah Street in Harpers Ferry, West Virginia. The exhibit will highlight Osborne Perry Anderson, Martin Delaney, Frederick Douglass, Mary Ann Shadd, Harriet Tubman and the United States Colored Troops and their determination to provide freedom to all Americans.

The program will feature a showing of the documentary, *Breaking the Ice, the Story of Mary Ann Shadd*, followed by a ribbon-cutting ceremony and light refreshments.

The documentary will be shown every Saturday and Sunday, throughout the month of February, at 2:00 p.m. on the second floor of the John Brown Museum.



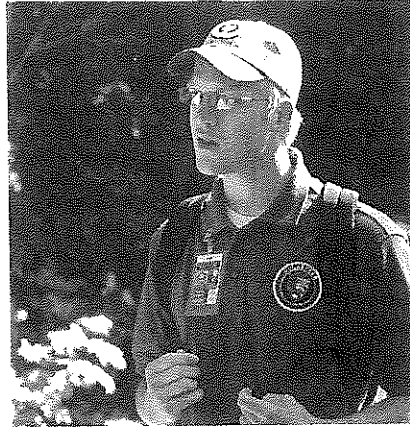
The movement to abolish slavery swelled in the thirty years prior to the Civil War. Abolitionist organizations, local and national, aggressively called for the end of slavery. Newspapers, such as William Lloyd Garrison's *The Liberator*, assailed

slavery as a moral and political evil. In October of 1859, John Brown's raid on Harpers Ferry, Virginia, thrust slavery into the nation's limelight, forcing the country to choose sides.

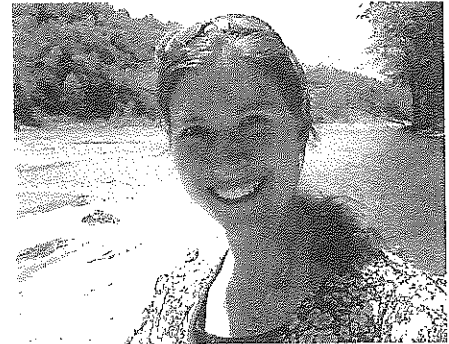
Education Branch Welcomes New Interns



Anna Rusk, from Lawrence, Michigan, graduated from Beloit College in 2008, and earned an MA in history and museum studies from the University of Delaware in 2010. Anna has participated in Civil War reenactments and living history most of her life, and her historical interests range from military studies to foodways. She enjoys camping, canoeing, music, and cooking.



Casimer Rosiecki was born and raised in Hoosierdom, not far from the banks of Lake Michigan. In December 2010, he graduated from Purdue University, West Lafayette, with a Bachelor of Arts in Communication and minors in Anthropology and English. During the summer of 2010, Cas was an intern with Visitor Services here at Harpers Ferry NHP. Cas enjoys all things Civil War.



Stephanie Salomon interned with Harpers Ferry's Living History program in the summer of 2009 and is now interning with both Education and Living History. Originally from southern California, she graduates in May with a B.A. in History from Patrick Henry College in Purcellville, VA. She earned her EMT-B in 2009 and is currently taking Firefighter I & II. In her spare time, she enjoys reading, sewing, gardening, and hiking.

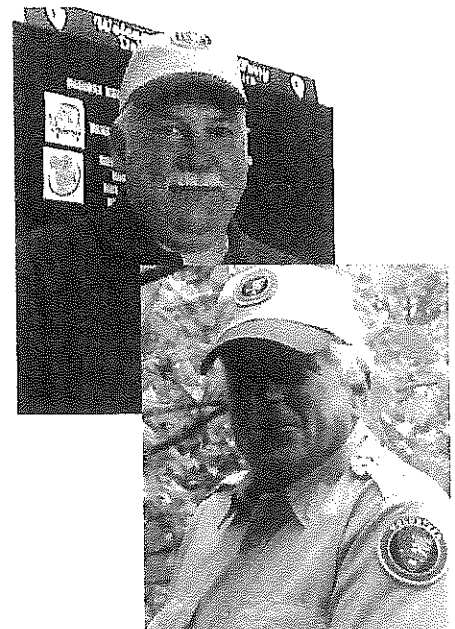
January Volunteers of the Month

Harpers Ferry National Historical Park would like to recognize the volunteer contributions of Jim Prentice and Howard Feldstein, volunteers with the park's visitor service staff.

The partnership of Jim Prentice and Howard Feldstein is an example of the right people in the right place at the right time. Jim and Howard, we salute you!

We can always count on Howard and Jim to do anything for the Visitor Services staff, and do it with a smile, but their favorite thing to do is give tours to the public, together. The best day for both of them to volunteer is on Sunday because they both have full time jobs, so their time at Harpers Ferry receives extra appreciation from Park staff.

Howard works for Arlington County, Virginia, helping unemployed people find work. Jim has his own construction company in Fairfax, Virginia. They have both presented tours in the Lower Town by themselves, but this year they discovered a mutual interest in the "Harpers Ferry from the Top Down" tour. They collaborated on a well-received tag team approach to the Top Down tour every Sunday during the spring, summer and fall.



Visitor Services Volunteers, Jim Prentice (L) and Howard Feldstein (R)



National Park Service
U.S. Department of the Interior

The history of Harpers Ferry has few parallels in the American drama. It is more than one event, one date, or one individual. It is multi-layered, involving a diverse number of people and events, decisions and actions that influenced the course of our nation's history. Visit Harpers Ferry and step into history.

Harpers Ferry National Historical Park
P.O. Box 65
Harpers Ferry, West Virginia 25425

Visitor Center
304-535-6029

Harpers Ferry Historical Association Bookshop
304-525-6881

Harpers Ferry NHP Home Page
www.nps.gov/hafe/

The National Park Service cares for the special places saved by the American people so that all may experience our heritage.



Jennifer S. Maghan
Jefferson County Clerk

F.V.D.

February 15, 2011

Mrs. Patricia Rucker
We the People of Jefferson County, WV
perucker@yahoo.com 304-724-6161

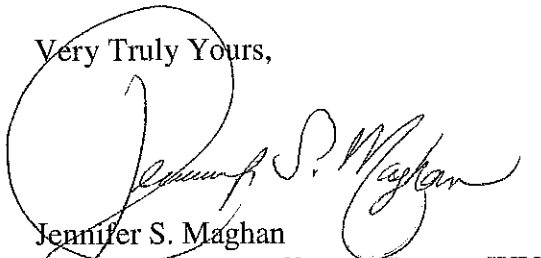
COPY

Dear Mrs. Rucker

The Jefferson County Courthouse was built by the people and for the people and therefore seems to be a suitable location for the public to gather. Therefore, your request for permission to hold a Tea Party and gather in front of the Court House on Friday, April 15, 2011 from 11:00 am – 2:00 pm for a peaceful and orderly demonstration is hereby granted.

Please contact Police Chief for the City of Charles Town regarding any required permits that may be needed.

Very Truly Yours,


Jennifer S. Maghan
County Clerk of Jefferson County, WV

RECEIVED

FEB 15 2011

Jefferson County Commission

February 15, 2011

John Maxey
335 Old Shenandoah Trail
Harpers Ferry, WV 25425

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

RE: Planning Commission Appointment

Dear Commissioner Noland,

My three year term as a member of the Jefferson County Planning Commission will expire at the end of next month. I will not be applying for reappointment.

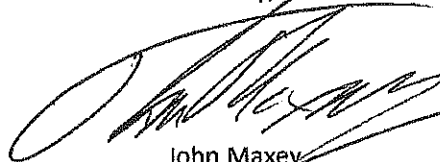
I have enjoyed my time on the board and would like to take this opportunity to thank the County Commission for allowing me the opportunity to serve our community. I would like to also thank members of the Planning Department staff and members of the public, all of whom have had the patience to work with me as I learned some fraction of the complex issues that the Planning Commission has been tasked with.

I encourage interested citizens to apply and serve on the Planning Commission, or any of the many volunteer boards that play such a crucial role in our county. The opportunity to bring your ideas forward and effect change on public policy is very real – but equally important is the change that goes in the other direction. Service on a volunteer board provides citizens an opportunity to influence government – but it also creates better citizens by making us more aware of the many different sides of these complex issues. I have learned more about the process of planning and development, and about how local government works at the ground level, than I could possibly have learned in any other way.

The more citizen participation in county boards that we have, the better off we will be as a community. No single individual has a monopoly on good ideas - and yet many people may be afraid to step forward if others with longer tenure appear to have greater knowledge of the issues. What we are in constant need of is a fresh and new perspective.

The Commission's past preference for reappointment of board members whose terms have expired should be discontinued. County residents have a vast array of different experiences – both here in Jefferson County and in jurisdictions across the country. We need to find ways of encouraging more of them to step forward and offer their own unique ideas for addressing the problems that we face.

Sincerely,



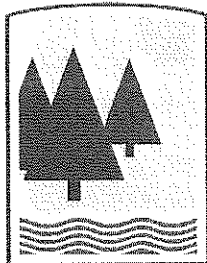
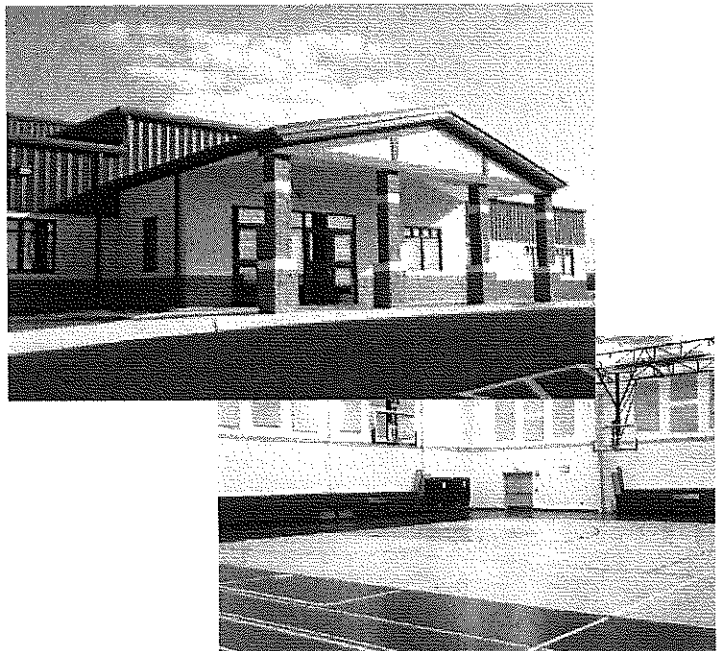
John Maxey

JOIN US FOR THE Jefferson County Community Center OPEN HOUSE!

Stop by the front desk
for info about WHAT's NEW
March 19th, 10:00 am-1:00 pm

FREE EVENTS:

Entertainment
Give-Aways
Special Program Discounts
Open Gym
Punch-Pass Sale
Refreshments
Class Demonstrations
Kids Crafts & Activities
...and MORE!



*For more information, contact the Jefferson
County Parks & Recreation Commission at
304-728-3207 or www.jcprc.org.*

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

Week Ending Date	Week Ending February 12, 2011
To be Deposited on:	February 18, 2011
Amount Played	76,898,942.39
Amount Won	68,847,221.87
Amount Promo	209,132.00
MWAP Contribution	<u>33,348.89</u>
Adjusted Gross Terminal Revenue	<u>7,809,239.63</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>312,369.59</u>
Net Terminal Revenue	<u>7,496,870.04</u>
Surcharge @ 10%	749,687.00
State Share Excess @ 58%	434,818.46
Track Share of Capital Reinvestment @ 42%	314,868.54
<i>Track Share of Capital Reinvestment @ 42% - 96%</i>	\$ 302,273.80
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	\$ 12,594.74
Adjusted Net Terminal Revenue	<u>6,747,183.04</u>
Racetrack @ 46.50% / 42%	2,833,816.88
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,766,345.00
Race Track Purses @ 7% / 14% / 8%	539,774.64
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	33,735.92
Greyhound Development @ .75%	50,603.87
Thoroughbred Development @ .75%	50,603.87
Racing Commission @ 1%	67,471.84
County/Municipality @ 2%	134,943.68
3% Funds:	
Tourism Promotion Fund @ 1.375%	92,773.77
Development Office Promotion Fund @ .375%	25,301.94
Research Challenge Fund @ .5%	33,735.92
Capitol Renovation and Improvement Fund @ .6875%	46,386.88
2004 Capitol Complex Parking Garage Fund @ .0625%	4,216.99
1% Funds:	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	0.00
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>67,471.84</u>
	<u>6,747,183.04</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	\$ 3,590.05
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	\$ 144,920.06	\$ 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	\$ 138,823.00	\$ 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	\$ 2,748.06	\$ 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	\$ 22,676.56	\$ 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
01/08/11	\$ 108,602.60	\$ 54,301.30	\$ 54,301.30	\$ 6,744.22	\$ 18,766.53	\$ 1,982.00	\$ 19,048.89	\$ 7,759.66
01/15/11	\$ 108,011.80	\$ 54,005.90	\$ 54,005.90	\$ 6,707.53	\$ 18,664.44	\$ 1,971.22	\$ 18,945.27	\$ 7,717.44
01/22/11	\$ 121,849.48	\$ 60,924.74	\$ 60,924.74	\$ 7,566.85	\$ 21,055.59	\$ 2,223.75	\$ 21,372.40	\$ 8,706.15
01/29/11	\$ 96,073.88	\$ 48,036.94	\$ 48,036.94	\$ 5,968.19	\$ 16,601.57	\$ 1,753.35	\$ 16,851.35	\$ 6,864.48
02/05/11	\$ 121,554.88	\$ 60,777.44	\$ 60,777.44	\$ 7,548.56	\$ 21,004.68	\$ 2,218.38	\$ 21,320.72	\$ 8,685.09
02/12/11	\$ 134,943.68	\$ 67,471.84	\$ 67,471.84	\$ 8,380.00	\$ 23,318.27	\$ 2,462.72	\$ 23,669.12	\$ 9,641.73
Subtotal	\$ 4,467,064.90	\$ 2,689,564.19	\$ 1,777,500.71	\$ 220,765.57	\$ 614,304.25	\$ 64,878.80	\$ 623,547.21	\$ 254,004.88

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

VIDEO LOTTERY REPORT
FY 2009

FY 2010

FY 2011

Table Game Revenues
FY 2011

FY 2009		FY 2010		FY 2011		Table Game Revenues FY 2011	
Date	Amount	Date	Amount	Date	Amount	Date	Amount
7/5/2008 *	169,912.56	7/4/2009 *	128,262.42	7/3/2010	115,402.58		
7/12/2008	176,592.38	7/11/2009	168,815.08	7/10/2010	205,731.64		
7/19/2008	160,344.08	7/18/2009	160,652.98	7/17/2010	161,386.76		
7/26/2008	162,982.74	7/25/2009	158,869.08	7/24/2010	160,368.28		
8/2/2008	178,171.04	8/1/2009	174,493.08	7/31/2010	157,802.08		
8/9/2008	123,538.04	8/8/2009	138,408.80	8/7/2010	136,494.98		
8/16/2008	82,482.89	8/15/2009	81,222.14	8/14/2010	78,376.68		
8/23/2008	76,426.18	8/22/2009	76,260.31	8/21/2010	76,199.02		
8/30/2008	89,459.86	8/29/2009	80,472.92	8/28/2010	72,460.03	July/Aug 10	154,185.68
9/6/2008	91,644.46	9/5/2009	80,798.15	9/4/2010	76,362.84		
9/13/2008	79,729.93	9/12/2009	86,286.92	9/11/2010	82,969.36		
9/20/2008	71,269.36	9/19/2009	70,010.15	9/18/2010	67,638.78		
9/27/2008	79,735.73	9/26/2009	69,316.87	9/25/2010	70,435.06	Sept. 2010	94,247.84
10/4/2008	75,186.22	10/3/2009	72,286.04	10/2/2010	71,013.86		
10/11/2008	77,139.04	10/10/2009	69,650.63	10/9/2010	69,311.50		
10/18/2008	80,668.26	10/17/2009	73,560.21	10/16/2010	75,234.62		
10/25/2008	64,379.44	10/24/2009	67,581.66	10/23/2010	70,290.80		
11/1/2008	68,352.42	10/31/2009	64,528.30	10/30/2010	65,615.04	Oct-10	105,903.60
11/8/2008	70,823.02	11/7/2009	63,741.59	11/6/2010	61,337.62		
11/15/2008	65,565.50	11/14/2009	65,959.64	11/13/2010	64,595.28		
11/22/2008	63,883.80	11/21/2009	59,547.05	11/20/2010	56,010.08		
11/29/2008	69,850.12	11/28/2009	72,399.98	11/27/2010	71,170.90	Nov-10	108,717.67
12/6/2008	55,696.68	12/5/2009	51,006.51	12/4/2010	53,215.08	Dec-10	118,721.11
12/13/2008	60,178.04	12/12/2009	52,460.58	12/11/2010	46,944.00		
12/20/2008	52,189.19	12/19/2009	32,834.39	12/18/2010	42,076.76		
12/27/2008	72,205.91	12/26/2009	53,406.34	12/25/2010	50,450.28		
1/3/2009	96,504.65	1/2/2010	92,980.40	1/1/2011	85,152.12		
1/10/2009	53,286.62	1/9/2010	55,020.46	1/8/2011	54,301.30		

1/17/2009	56,068.87	1/16/2010	60,551.28	1/15/2011	54,005.90	
1/24/2009	71,474.63	1/23/2010	69,943.53	1/22/2011	60,924.74	
1/31/2009	61,089.80	1/30/2010	48,527.75	1/29/2011	48,036.94	
2/7/2009	83,539.63	2/6/2010	37,155.14	2/5/2011	60,777.44	
2/14/2009	76,054.44	2/13/2010	44,334.00	2/12/2011	67,471.84	
2/21/2009	91,838.41	2/20/2010	76,946.12			
2/28/2009	80,806.88	2/27/2010	72,024.40			
3/7/2009	48,837.13	3/6/2010	76,936.85			
3/14/2009	96,025.39	3/13/2010	71,007.37			
3/21/2009	79,002.82	3/20/2010	74,335.38			
3/28/2009	79,250.83	3/27/2010	69,941.88			
4/4/2009	75,968.30	4/3/2010	70,636.28			
4/11/2009	75,964.94	4/10/2010	69,692.79			
4/18/2009	80,598.22	4/17/2010	69,335.92			
4/25/2009	75,571.46	4/24/2010	68,714.11			
5/2/2009	73,957.05	5/1/2010	68,799.06			
5/9/2009	76,697.22	5/8/2010	67,403.54			
5/16/2009	71,925.70	5/15/2010	70,186.32			
5/23/2009	81,395.43	5/22/2010	64,695.71			
5/30/2009	82,161.55	5/29/2010	67,157.40			
6/6/2009	74,895.74	6/5/2010	77,371.80			
6/13/2009	67,327.23	6/12/2010	66,106.29			
6/20/2009	75,500.53	6/19/2010	64,888.48			
6/27/2009	67,354.10	6/26/2010	63,950.29			
6/30/2009 ***	32,059.58	6/30/2010	29,667.19			
TOTALS 4403564.04						
				4041141.56	2689564.19	687965.11

Jan-11 106,189.21

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

RECEIVED

FEB 17 2011

DATE: FEBRUARY 15, 2011

JEFFERSON COUNTY COMMISSION

SUBJECT: STaSIS - FILE #S10-08

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

STaSIS Minor Site Development (File #S10-08), which is secured by Letter of Credit #00228-52-0009237 with Branch Banking and Trust Company, located in Charles Town, West Virginia in the amount of \$211,866.00.

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

RLG:rfb