

AGENDA
JEFFERSON COUNTY COMMISSION
THURSDAY, MARCH 3, 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 10, 2011 - Regular Session - Afternoon Session
- February 24, 2011 - Regular Session
- February 24, 2011 - Public Hearing

APPROVAL OF PURCHASE ORDERS

APPROVAL OF ACCOUNTS PAYABLE

PUBLIC COMMENT

PRESENTATIONS:

1. 10:00 a.m. Al Britton, General Manager, Hollywood Casino at Charles Town Races
- Update on operations at Hollywood Casino at Charles Town Races

2. 10:15 a.m. Alana Hartman, WV Dept. Of Environmental Protection, Potomac Basin Coordinator
- Chesapeake Bay Planning - Discuss commitments made to TMDL and plans for Jefferson County's involvement in 2011
**** Note from Staff - Agenda item cancelled - will be rescheduled for Thursday, March 10, 2011*

3. 10:45 a.m. Break

4. 11:00 a.m. Appointment and Interviews
- HOME Consortium Council - One unexpired term ending June 13, 2013
- Historic Landmarks Commission - One 3-year term ending March 6, 2014

5. 11:15 a.m. Stephanie Grove, Assistant Prosecuting Attorney
- Legal Update

6. 11:30 a.m. Jennifer Maghan, County Clerk
- Presentation of historical data to support recovering the outstanding loan amount of \$200,000 from the Jefferson County Development Authority - Discussion/Action
7. 11:45 a.m. 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

NEW BUSINESS:

8. Legislative Update
9. Change policy regarding signature on checks to require two signatures on all checks issued (PN) - Discussion/Action
10. Letter of Intent on the three properties viewed on the Commission tour (DM) - Discussion/Action
11. Establish policy to appoint alternate Commissioners to committees (PN) - Discussion/Action
12. Decision to be made regarding the request for release of funds from the Parks & Recreation Land Fund for engineering services to develop Hite Road Park - Discussion/Action
13. Direction/Decision on current CD Renewal (PN)

COUNTY ADMINISTRATOR REPORTS

COUNTY COMMISSION REPORTS

DEPARTMENT HEAD WRITTEN REPORTS

- Jefferson County Parks and Recreation

CORRESPONDENCE:

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

Invitation received from Shepherdstown Fire Department to its annual Recognition & Awards Dinner and Dance, Saturday, March 19, 2011.

Open invitation received from the Jefferson County Organization of Homeowners Associations of West Virginia to attend JCOHOA meetings.

Copy of check for \$50,273.72 received from Citizens Communications/Frontier.

Correspondence received from FEMA dated February 15, 2011 in response to a request to make a determination as to if the property described is located within an identified Special Flood Hazard Area.

Correspondence received from the Public Service Commission of West Virginia enclosing copy of letter of Informal Complaint about Jefferson Utilities, Inc., Project No. 11W-0732-PW-CTRAT sent to Honorable Shelley Moore Capito from Walter & Deborah Carswella.

Correspondence received from the Public Service Commission of West Virginia enclosing copy of letter of Informal Complaint about Jefferson Utilities, Inc., Project No. 11W-0732-PW-CTRAT sent to Honorable Shelley Moore Capito from Ann Kelican

Notice received from the National Watershed Coalition regarding the 12th National Watershed Conference on May 15 - 18-2011.

Legislative update received from WVACO "The County Legislative Line" dated Friday, February 18, 2011.

Notice of hearing regarding the Estate of Mildred Olga Valentine, Deceased on Wednesday, March 23, 2011 at 10:00 a.m. at the Commission meeting room located at the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia.

Notice of hearing regarding the Estate of Sallie Shepherd Spaulding, Deceased on Thursday, March 24, 2011 at 11:00 a.m. at the Commission meeting room located at the Old Charles Town Library, 200 E. Washington Street, Charles Town, West Virginia.

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.

Minutes

Jefferson County Commission

Thursday, February 10, 2011 Continued

The Jefferson County Commission, sitting as a County Commission, reconvened at 2:30 p.m. on Thursday, February 10, 2011 in the County Commission Meeting Room at the County Courthouse, 100 E. Washington Street, Charles Town, WV 25414, for the purpose of concluding County business pending from the morning session. Present were Commissioners Patsy Noland, Lyn Widmyer, Dale Manuel and Frances Morgan, Tim Boyde, County Administrator and Debbie Stellato, Administrative Assistant. (An audio tape of this February 10, 2011 afternoon session is available through the Jefferson County Commission Office.)

COMMISSIONER REPORTS:

Commissioner Widmyer:

- Reported that she attended a Region 9 meeting.
- Reported that she attended a Harpers Ferry Conservancy meeting as a guest.
- Reported that she attended a Jefferson County Public Sewer District meeting.

Commissioner Manuel:

- Reported that he sat in for Commissioner Pellish at a Planning Commission meeting.
- Reported that he participated in a tour of possible real estate that might meet the criteria for Jefferson County's growing space needs.

Commissioner Morgan:

- Reported that she attended a Board of Health meeting.

Commissioner Noland:

- Reported that she attended the Annual Legislative Meeting of the West Virginia Association of Counties in Charleston, West Virginia.
- Reported that she attended a Jefferson County Extension Service committee meeting.
- Ms. Noland reminded the Commissioners of Jefferson County Day on February 21, 2011.

There being no further business, Ms. Morgan made a motion to adjourn. Mr. Manuel seconded the motion and the meeting was adjourned. The Jefferson County Commission will reconvene as a Board of Review and Equalization at 3:00 p.m. on this date, Thursday, February 10, 2011.

PATRICIA NOLAND, PRESIDENT

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>3-3-11</u></p> <p>Appt Time or New Business: <u>10:00 AM</u></p>
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AGENDA REQUEST FORM

Name: Al Britton, General Manager

Department or Entity: **Hollywood Casino at Charles Town Races**

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1st Choice: March 3, 2011

Date Requested – 2nd Choice: _____

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

Subject: **update on operations at Hollywood Casino at Charles Town Races**

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: Letter from Al Britton, General Manager

HOLLYWOOD Casino

AT CHARLES TOWN RACES

RECEIVED

FEB 18 2011

JEFFERSON COUNTY COMMISSION

February 17, 2011

Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Dear Members of the County Commission:

On July 1, 2010 Hollywood Casino at Charles Town Races opened its first table games to the public. We are writing to provide you an update on what has taken place at our facility leading up to that day and in the months since.

We have made a significant investment in the upgrades to improve our customer experience and complete our roll-out of the Hollywood brand. These upgrades include some spectacular audio visual components, including a 90 foot wide video ribbon wall. We have opened a brand new gourmet steak house, *Final Cut*. We've renovated the food court area to include our new *Zen* noodle bar and added an authentic Asian "pho bar" to our *Epic Buffet*. In the second quarter of this year we will be opening a new "ultra-lounge" with a stage and live entertainment. In addition we will be adding a new sports bar on the second level overlooking the lounge and casino. Upon completion of these projects we will have invested over \$40 million in expanding, upgrading and rebranding the facility. That brings Penn National Gaming's total investment in Hollywood Casino to \$400 million.

In addition to approximately 4,500 slot machines, our expanded gaming floor now features 85 table games which include blackjack, roulette, craps, mini-baccarat, three-and four-card poker, pai-gow poker and more. We have also added a 30-table non-smoking poker room adjacent to the racing grandstand.

During the campaign we promised the addition of 400 to 500 new jobs if table games were approved. To date, we have hired over 600 new employees. Of that number we said we'd hire and train between 350 and 400 dealers. So far we've hired 470 dealers and we're still hiring. During the campaign we estimated the average dealer would earn approximately \$40,000 per year. Dealers are currently earning an average of over \$25 per hour which translates to \$52,000 per year, not including benefits and overtime.

We also promised that these new jobs would go to locals first. We have worked closely and successfully with Blue Ridge CTC to provide training on-site and we continue to recruit and hire locally. Of our current dealers, approximately 150 (32%) are from Jefferson County and 140 (30%) are from Berkley County – over 60% of our new dealers are West Virginians, none of whom had any dealing experience prior to Hollywood Casino at Charles Town Races.

Over the course of the campaign our opponents claimed that table games would hurt slot and racing revenue and negatively impact purses. As we predicted, this has proven to be untrue. In the first half of 2010 slot revenues were down nearly \$20 million and racing revenue about \$750,000 on a year-over-year basis. With the introduction of table games on July 1st the second-half of 2010 slot revenues were up by \$1 million and racing revenue increased \$500,000 compared to the prior year. That equates to an increase of about 9 percent in slots revenues and over 15 percent in racing revenues. The 9 percent increase in slots equated to an additional \$11 million in taxes and assessments.

Table games have generated over \$58 million in revenues through the end of 2010, resulting in an additional \$20 million in tax revenues, not including the \$1.5 million license fee. Locally, table games alone have generated \$1.7 million for schools, \$1.2 million for the county and municipalities and an additional \$1.5 million in purses and \$1.2 million in breeders' funds in just six months.

Hollywood Casino at Charles Town Races now employs 1,800 employees, of which nearly 90% are West Virginian.

We look forward to attending a Commission meeting in the near future to present these results to you and the citizens of Jefferson County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Al Britton', written over a horizontal line.

Al Britton
General Manager
Hollywood Casino at Charles Town Races

<p>Commission Office Use Only</p> <p>Date on Agenda: 3/3/11 3/3/11</p> <p>Appt Time or New Business: 10:15 am</p>
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AGENDA REQUEST FORM

Name: Alana Hartman, Potomac Basin Coordinator

Department or Entity: WVDEP

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

Date Requested – 1st Choice: March 3, 2011

Date Requested – 2nd Choice: _____

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

Subject Chesapeake Bay cleanup

Please provide the County Commission with a description of your request or presentation, including any background information: **Discuss what commitments made it to the TMDL and discuss plans for involvement in 2011.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **No motion necessary.**

Attachments:

Sandy McDonald

From: "Hartman, Alana C" <Alana.C.Hartman@wv.gov>
To: "Sandy McDonald" <sandy@jeffersoncountywv.org>
Sent: Thursday, February 10, 2011 3:05 PM
Subject: agenda request

Hi Sandy, Stephanie reminded me that e-mailing you was the way to go:

Could I and/or team members working on Chesapeake Bay planning appear before the commission on March 3? This would be to review with them what commitments made it into the TMDL, and discuss plans for their involvement in 2011.

Sincerely,

Alana C. Hartman
WV Dept. of Environmental Protection, Potomac Basin Coordinator
HC 63 Box 2545 Romney, WV 26757 (304) 822-7266 alana.c.hartman@wv.gov

SECTION 7E. Non-regulated Sectors – Developed Lands

The land uses and sources (considered by the Chesapeake Bay Watershed Model (CBWM)) considered in this section include high- and low-intensity pervious urban, high- and low-intensity impervious urban, and septic systems. Successful reduction of priority pollutants from the non-regulated sector of developed lands depends on voluntary adoption of new land use practices, adoption of new laws and ordinances by state and local governments and an increase in both personnel and financial resources to enable implementation and enforcement. As this non-regulated sector has limited capacity to either deliver programs or enforce actions, we are not calling for a reduction from it at the current time. This section of the WIP will stress holding the line, i.e. no net increase in nutrients generated by new development. However, the need to reduce loads from this sector to meet our Cap Load obligations may necessitate a move from voluntary to mandatory practices in the future, effectively moving some non-regulated lands into the regulated arena. Actions that will be taken in the event that the non-regulated developed lands sector fails to meet the “no net increase” goal are discussed below in the Contingencies section. Any reductions made by this sector on existing developed lands will help offset loads from future development, ultimately aiding in meeting the “no net increase” goal.

West Virginia is well suited to enable success through voluntary action. It is very effective at building partnerships across the spectrum of government and non-government organizations. The relative small size of the WV Potomac Basin facilitates outreach as well. Outreach efforts made, for example, at one high school, will, in many cases, reach that age group and many of their families for an entire county.

7E.a. Current Programs and Capacity

Laws and Regulations

West Virginia’s Land Use Planning regulations provide for regional planning entities that cross jurisdictional boundaries. Regular updates of Comprehensive Plans are required as well by these regulations. The counties in the Eastern Panhandle have a limited number of regulations designed to protect water quality. Only Morgan, Berkeley, and Hampshire Counties have stormwater ordinances.

Staffing & Technical Capacity

The WIP is being developed and will be implemented by professional staff from a wide range of state and local governments and NGOs. These will include: WVDEP, West Virginia Conservation Agency (WVCA), West Virginia Department of Agriculture (WVDA), Cacapon Institute, Freshwater Institute, as well as county/municipality planning & engineering staff. Within state agencies, staff dedicated to the WIP effort include:

- The Potomac Basin Coordinator, funded by WV's State Implementation Grant, facilitates the partnership of agencies, non-profits, and other entities that implement these strategies and report to the Chesapeake Bay Program Office. That position has also been able to focus mainly on the Eastern Panhandle counties, where developed lands are expected to increase, and to focus on the developed lands sector and septic systems.
- The Environmental Specialists at WVCA are vital positions to these efforts as well, serving many functions, including 319 Implementation and coordinating with Conservation Districts and individual property owners for on-the-ground implementation.

Programs

West Virginia's current programs include voluntary outreach and education. There is limited financial and limited technical support to get developed lands Best Management Practices (BMPs) on the ground. Specific examples are outlined below. The BMPs installed with these programs and the associated load reductions will help to achieve a no net increase in nitrogen and phosphorus from non-regulated developing lands.

- West Virginia's Section 319 program supports a volunteer monitoring coordinator who conducts several workshops and special monitoring projects in the Potomac Basin annually. His outreach to school groups, watershed associations, and other communities results in better understanding about best practices for landscapes and stream corridors. The 319 program also makes funding available for nonpoint source pollution reduction in streams, through Incremental grants and other opportunities described below. The Potomac Basin Coordinator is the local representative for this program in the Potomac Basin.
- In several priority watersheds, fecal coliform bacteria TMDLs have enabled agencies and partners to apply 319 Incremental funding to incentives for homeowners to pump, repair and replace septic systems. These watersheds include Sleepy Creek, Mill Creek of the South Branch Potomac, Mill Creek of Opequon, Tuscarora Creek of Opequon, Elks Run, and Lost River. These actions are reducing nitrogen reaching surface water in some cases. Note: to the extent that these actions rehabilitate drainfields, they may reduce nitrogen in groundwater as well, but in areas with limestone geology, we believe failures to groundwater pose a difficult challenge. Participating agencies and partners include WVCA, CVI, Eastern Panhandle Conservation District and WVDEP.
- The current 319 Incremental Project in Mill Creek of Opequon watershed includes a number of residential/commercial BMP demonstrations. Rain barrel workshops and a pet waste reduction campaign are also included in the project. All of the above activities are included in the 319 proposal because of their ability to reduce sediment and bacteria from developed lands. They will have the added effect of reducing

nutrients in runoff, and educating the public about best practices for residential and commercial areas.

- Portions of WV's 319 Base grants are periodically made available by WVDEP to groups through an Announcement of Grant Opportunity (AGO). These do not have to be linked to TMDLs or Watershed Based Plans. They have been used recently to install a wetland demonstration, rain garden demonstrations, and will be used to revegetate streambanks. Warm Springs Watershed Association is participating.
- WV's Stream Partners Program makes grants up to \$5000 available to broad-based community groups who do watershed improvement projects, and who provide 20 percent local match. Annually, about three groups from the Potomac Basin receive these grants that support the Chesapeake Bay restoration effort by encouraging citizens to partner and implement projects that reduce nonpoint source pollution and educate the public. This program is a partnership of WVDEP, WVCA, West Virginia Division of Forestry (WVDOF), and West Virginia Division of Natural Resources (WVDNR).
- One of the most challenging outreach problems facing the Bay restoration effort is enlistment of the widely dispersed, individual home-owning and renting community in adopting Bay-friendly practices around their homes. Cacapon Institute (CI) will work with teachers and students in WV Potomac Highland schools to enhance homeowner awareness of the need to apply only enough fertilizer to maintain their lawns. Students will conduct nutrient soil surveys of lawns in their communities and, working with West Virginia WIP partners, develop an informational packet with fertilizer recommendations to hand out with their test results. The project will include before and after community polling to assess changes in attitudes and actions that might occur as a result of this program.
- Public schools provide an opportunity for urban runoff mitigation that has practical stormwater management implications *and* public education potential. The WV WIP partners will inventory all public school facilities in the WV Potomac Basin and conduct a "schoolyard-watershed" survey. The inventory will reflect a uniform listing of rain water management facilities (such as storm drains and culverts, etc.). The resulting inventory, and dissemination of information on stormwater management BMPs, will provide a foundation for comprehensive planning and implementation of future BMPs for stormwater runoff and nonpoint source pollution mitigation at each school.
- In 2009, WV WIP partners began an Urban Tree Canopy (UTC) project in Berkeley and Jefferson counties to foster wider acceptance of voluntary BMPs for urban tree conservation and plantings to reduce storm water runoff and address the Chesapeake Bay Program goals. A high resolution UTC assessment was completed for Jefferson County. County planners, in coordination with planners in Charles Town, Harpers Ferry, Ranson, and Shepherdstown are currently developing UTC goals. Cacapon Institute is

leading a similar effort in Berkeley County. In addition, Jefferson County and a number of county municipalities working with CI have submitted a proposal to obtain funds for the purpose of beginning an aggressive urban tree planting program in the county.

- In recent years, an effort by WV WIP partners to promote better stormwater management began under the name of “West Virginia Stormwater Network” but quickly grew to include nearby Virginia and other states. It is now called the Great Valley Stormwater Alliance (GVSA). The GVSA is an informal group open to all stormwater practitioners seeking to promote runoff reduction* practices and foster practical management of stormwater in karst terrain. One of its first activities was to develop “West Virginia’s Stormwater Strategy for the Potomac Basin” (2009).
*runoff reduction is defined in section 7.D.a “Current Programs and Capacity”.
- The Conservation Fund’s Freshwater Institute works closely with local governments in the Eastern Panhandle to increase understanding of the environmental impacts of growth as well as the benefits of green infrastructure. Their Rockymarsh Run Watershed Initiative serves to promote an awareness of the local benefits of Chesapeake Bay restoration.
- DEP is currently developing a statewide stormwater management guidance manual that will provide design specifications of runoff reduction practices. The scope of work for the manual has been completed, and it specifies that each stormwater practice design include a discussion of removal of nutrients, and how the practice can best remove nutrients from stormwater consistent with Bay-approved runoff reduction practices. Expressions of Interest were received in July 2010, and the contractor for the manual has been selected. The contract is currently being negotiated. The manual is anticipated to be complete by summer of 2012.

Financial

The sustainability of most of the current programs and capacity relies primarily on short-term grants. Dedicated funding streams such as fees would ensure their long-term viability.

Funding from the Chesapeake Bay Program is vital to maintain the capacity we have built, and to adaptively manage to increase capacity as needed. Grant funds seem to be sufficient for demonstration projects, and we have noticed NFWF Chesapeake Stewardship Funds being awarded for the top retrofit projects in communities where prioritized lists exist. However, none of our communities have developed such a list, nor have they successfully accessed those grant funds for that purpose. A NFWF planning grant is currently being used in Jefferson County to understand the stormwater and wastewater issues in the Blue Ridge Communities. That effort shows promise for future implementation, targeted according to the recommendations of this current project.

Limited funding (such as WV Stream Partners, Clean Water Act Section 106 and 319 grants, DEP Stormwater Program) for this sector is available for demonstration projects. Each of these projects includes significant in-kind match from partners involved, including homeowners who buy, install and maintain the practices.

7E.b. Accounting for Growth

West Virginia's strategy for non-regulated developed lands is based on enhancing voluntary actions for already developed lands, and working with state, county and municipal governments to implement policies that result in no net increase in nutrients generated by new development. Several options for new local laws and regulations that require both nutrient control practices in new developments and additional mitigating offsets that result in zero net increase in nutrients are outlined below. WVDEP will work with the local governments in the development of Phase II of the WIP to identify a path forward. Details regarding strategies to account for growth can be found in Section 7E.d. – Strategy to Fill Gaps.

7E.c. Gap Analysis

West Virginia has many gaps between the existing capacity to reduce loads from developed lands and the ability to do so. There is no requirement at the state or county level to regulate post construction stormwater on new or redeveloped sites outside of MS4 areas or to retrofit existing developed areas to better treat stormwater runoff. In addition, there is no regulation of residential lawn fertilizer and no limits of oversized lawns. Excess runoff coupled with over-fertilization can lead to nutrients entering our local waterways. While some counties have subdivision and stormwater ordinances, we need to investigate in Phase II how these complement our WIP strategy. Implementing stormwater controls when constructing a new facility is less costly than attempting to retrofit a site that isn't otherwise undergoing construction.

Regulatory

West Virginia is in the process of developing nutrient criteria for select streams. When completed, this will make it easier to directly connect the nutrient problem to local conditions and document that a local problem exists, as opposed to the more distant issue of nutrient loads delivered to the Bay.

There are currently no stormwater utilities in the Potomac basin. Enabling of stormwater utilities will facilitate the establishment of a dedicated funding stream to address stormwater priorities such as maintenance and installation of stormwater management retrofits.

Very little of West Virginia's Potomac Basin (WVPB) is currently covered by MS4's. Increasing coverage of MS4's would increase regulatory oversight on stormwater management.

There is a legacy of conventionally platted subdivisions that do not have to be developed according to current local regulations. These subdivisions were grandfathered under the regulations which were in place at the time they were platted.

There are no requirements for stormwater retrofits or enhanced stormwater management at re-development sites.

Programmatic, Staffing & Technical Capacity

A general lack of awareness and engagement exists at the local government level. While West Virginia's Chesapeake Bay Implementation Team works vigorously to engage elected and professional decision makers, local governments currently have only a limited sense of the scope of their responsibility for managing loads and little idea concerning what they can do to achieve no net increase in nutrients. While Comprehensive Plans are required to be updated at regular intervals, there are no requirements for inclusion of elements concerning natural resources or the environment. In addition, provisions for the requirements and processes of Chesapeake Bay TMDL implementation are also not a required component of Comprehensive Plans.

Local jurisdictions generally lack the capacity (staffing and funding) to manage nutrients in stormwater. In the following areas, lack of information prevents jurisdictions from understanding capacity and/or accounting for practices that result in load reductions:

- Voluntary, individual actions are often not associated with government programs where they will be tallied. For example, rain barrel workshops' attendance may be counted, implementation remains unknown.
- As local governments are generally unaware of what is required of them, they are unable to assess capacity or account for practices because they are not aware of what they can get "credit" for.

Chesapeake Bay implementation has yet to become institutionalized on a local level. We know of no local governments in the Potomac Basin of WV that have used tools to plan ordinance revisions, outreach campaigns, or retrofit activities to optimize nutrient or sediment load reductions from such actions. We are aware of tools that might be applicable for these governments with some customization required, but local governments have not asked for assistance with obtaining or using them.

There is a lack of management of septic systems. While county health departments have the authority to check the function of septic systems, this activity is generally limited to following up on complaints for anything but new installations. There are few siting requirements and no requirements for denitrifying systems on new installations or retrofitting existing septic systems with denitrifying technology.

Voluntary participation at the local level is insufficient to result in substantial BMP installation on the ground. Successful reduction of priority pollutants from the non-regulated sector of developed lands depends on voluntary adoption of new land use practices.

There is no framework in place to manage fertilization of residential lands.

Stormwater BMPs with the highest nutrient reductions are not promoted or required.

Inconsistency in awareness and technical capacity regarding runoff reduction within architecture and engineer/developer/builder community leads to the failure to design developments with effective stormwater management.

There are many gaps and opportunities for BMPs to be installed on developing lands in West Virginia to prevent an increase in nutrient loads from this sector. These include tree buffers, grass buffers, urban tree planting, infiltration or filtering practices, urban stream restoration, and denitrifying septic systems.

Financial

Currently, none of the towns or counties in the Potomac Basin of West Virginia has a stormwater fee that could be used for local government staff dedicated to reducing stormwater impacts, to retrofit, install and maintain practices described in this section, or to pay for broad-based homeowner BMP incentive programs. Significant progress in the non-regulated developed lands sector will be dependent upon actions and programs established using fee-based funding at the county and municipal level.

Institutional

Most public and institutional facilities including schools and other federal, state and local government buildings in West Virginia lack sufficient stormwater management to adequately reduce runoff. Public facilities that implement good stormwater management serve as good examples and result in nutrient load reductions and should be rewarded for their efforts.

7E.d. Strategy to Fill Gaps

While the section below outlines the variety of strategies that could potentially be used to fill gaps, West Virginia is engaging local governments in our WIP efforts on an ongoing basis. Based on the input of local governments, more refined and detailed strategies will be discussed in the Phase II WIP.

Local Governments/Land Use Planning

- Create a new, possibly jointly funded, Chesapeake Bay Liaison position in the Eastern Panhandle to actively work with the three counties and several incorporated municipalities to reduce loads from developed lands. If needed, this position could be expanded into a program modeled after Virginia's Chesapeake Bay Local Assistance Program and include assistance to residential landowners
- Encourage stormwater BMPs with highest nutrient reductions
- Enable state or local authority/capacity to regulate post-construction stormwater
- Provide counties and local governments with nutrient load goals and the type and amount of BMPs that could be implemented to achieve these goals, with timely updates on local progress
- Provide counties and local governments with WVDEP incentive funds to develop or enhance regulatory and accountability programs
- Assist local governments in developing comprehensive planning goals that will minimize loads from new development
- At the county level, incentivize runoff reduction practices for new and existing developments, using methods such as:
 - Assessing lower impact fees for subdivisions designed to minimize runoff
 - Assessing an impervious cover fee that gives credit for runoff reduction
- Implement a strategy to require structures that are closer to streams to have more rigorous pollution prevention controls
- Disable grandfathering of legacy platted subdivisions by requiring them to meet current and new local regulations
- The three counties of the Eastern Panhandle and municipalities are currently working to draft a model stormwater ordinance that will help to achieve WIP goals. It is expected to be complete in spring 2011, at which time follow-up efforts will begin to help these counties adapt and adopt the model ordinance, and to reconcile existing codes and ordinances to remove barriers and make regulations complementary
- Hampshire, Morgan, and Berkeley counties already have stormwater ordinances in place, but analysis needs to be performed to determine how to better control pollution loads from new and existing development through these ordinances. Municipalities must also be included in this process
- The state agencies and Chesapeake NEMO (Network for Education of Municipal Officials) should provide as many tools and resources as possible to increase understanding by municipal and county governments and boards of health that the ordinances, codes and rules that can limit nutrients and sediment from newly developed areas can be enacted and enforced at the local level
- Require Comprehensive Plans to include environmental and natural resource elements and Chesapeake Bay TMDL implementation language for jurisdictions within the Potomac basin. This would require an amendment to the state land use planning code
- Enable counties and municipalities to form stormwater utilities to maintain stormwater practices and to fund stormwater retrofits

- Institute fertilizer restrictions on developed lands
- Disincentivize large lawns through turf tax or incentivize tree planting to replace large lawns
- Regulation to protect and/or increase tree cover along streams
- Regulations to cease mowing along streams
- Regulations to protect and/or increase tree cover generally

Implementation of Specific BMPs

- Assign a staff person or group to track and ensure increased acreage of tree buffer and tree planting occurs in each county
 - Use EPCD and PVCD tree sales (very important to maintaining current rate of implementation) along with 319, Bay Implementation, and Stream Partners grants to fund individual projects at minimal or partial cost to landowner
 - Urban Tree Canopy programs in each county with overall goals would also have the effect of achieving more acreage of these BMPs
- Assign staff person or group(s) to track and ensure increased acreage treated by infiltration and filtering practices occurs in each county. Use 319, Bay Implementation, and Stream Partners grants to fund individual projects at minimal or partial cost to landowner
 - The projects aimed at runoff reduction at public facilities should have the effect of achieving some of these acreages
 - Some communities would benefit from formal prioritized inventories of retrofit opportunities, to enable them to qualify for NFWF grants, etc.

Homeowner Engagement

- Actively recruit residential landowners of several acres in visible places to reduce mowed area
- Install homeowner rain gardens in several of these sites along well-traveled routes
- Build local capacity (social infrastructure) for voluntary implementation in the form of watershed associations and Community Environmental Management (CEM). Choose several communities to pilot the CEM concept, and support them with a facilitator for meetings once or twice monthly for two years, plus start-up funding for projects. Other communities could mimic this model with volunteer or agency staff facilitators, and seek their own funding for projects. Foster the ability of local communities to identify and report violations and resolve stormwater-related problems. Build capacity for citizen monitoring of implementation efforts
- Institute homeowner runoff reduction campaign to recruit homeowners to disconnect downspouts, help them install rain barrels, create swales, rain gardens and other small-scale runoff reduction practices. Voluntary pledges of maintenance would be encouraged

- Package runoff reduction educational materials as train-the-trainer modules, and leaders in organizations like Rotary, Ruritans, Scouts, and 4-H could be tasked with carrying out the program in a small area. This would reduce the need for paid staff, although paid staff would still need to coordinate the program for the Potomac Basin overall
- Expand technical assistance for homeowners either through the auspices of a Chesapeake Bay Local Assistance Program or through expansion of services provided by local university extension offices
- Promote grass buffers through lawn care outreach programs that include education about not mowing, or only cutting once per year, along streams

Education, Outreach & Technical Assistance

- Train builders and developers, etc. on runoff reduction principles
- Establish certification and continuing education program for those responsible for reviewing, designing, and installing stormwater management practices
- Promote “Runoff Reduction Toolkit” website as a clearinghouse for guidance and publications related to runoff reduction methods
- Develop campaign to encourage installation of more stormwater retrofits
- Develop campaign to encourage installation of enhanced stormwater management practices at re-development sites
- Conduct education and outreach at all levels of society – press, ads, workshops, white papers, pamphlets, booklets, articles, web, meetings with community groups, etc.
- Provide assistance to local governments in developing stormwater management guidelines and plans, training, and information on the latest stormwater management techniques
- Conduct a survey of urban land uses, including residential, business/industry, government, airports, and golf courses, that result in excessive nutrient runoff. Develop an appropriate nutrient management plan education and assistance program based on the results of the survey
- Urban stream restoration - work with communities to discover problem areas that they see other benefits in fixing. Help them to apply for funding and develop strategies to fill budgetary shortfalls

Institutional

- Recommend stormwater performance standards for new public facilities in terms of “runoff volumes and pollutant loads.” Focus on schools because of the future societal impact, and use the resulting practices in environmental education curriculum
- Use incentives to decrease runoff from existing public facilities, e.g. reduce turf cover, increase trees
- Encourage school boards to attend training on managing wet weather with green infrastructure and charge them with promoting resulting successes

Onsite Wastewater Treatment

- Build capacity, preferably through Responsible Management Entities, to fully manage onsite and decentralized wastewater treatment (e.g. regular pumping of septic tanks, use of filters on tank outlets)
- Reduce number of failing septic systems through the following initiatives, targeting areas that have concentrations of failing septic systems:
 - Fats/oil/grease education program and grease collection centers;
 - Disseminate homeowner education packets that cover operation and maintenance of septic systems;
 - Pursue incentives to fix failing septic systems
- Request credit in the Chesapeake Bay Watershed Model for repaired/replaced septic systems
- Improve site requirements and application criteria for land application of septage and include nutrient management plans at minimum
- Increase capacity at wastewater treatment plants for septage reception and treatment that minimizes nutrient release
- Encourage/incentivize existing septic system owners to have advanced nitrogen removal technology installed. Write more of these into future 319 project proposals, publicize demonstration sites so that septic system owners with the means may begin to voluntarily opt for this type of system
- Mandate conversion to denitrifying septic systems within floodplains and priority watersheds
- Promote adoption by health departments of Morgan County's policy to disallow new septic systems in the 100-year floodplain
- Promote adoption by health departments of a strategy to require structures that are closer to streams to have more rigorous pollution prevention controls on septic systems
- Promote the requirement that new septic systems have advanced nitrogen removal technology

Other regulatory actions

- Continued work by WVDEP in developing and implementing nutrient criteria where needed
- More stringent enforcement of ordinances and regulations that protect water quality (This would likely require increased staffing)

Financial

New programs and initiatives are not possible without an attendant funding stream for costs such as increased staff, technical assistance, and enforcement. It would be beneficial for all

eight Potomac counties to have the authority to create stormwater utilities so that a funding base would be in place to address state and community stormwater priorities.

7E.e. Contingencies

WVDEP will evaluate the commitment to no net increase in urban stormwater by December 31, 2015. If the no net increase goal in delivered nitrogen and phosphorus to the Chesapeake Bay from urban areas is not being met, WVDEP will implement these contingencies by December 31, 2017:

- WVDEP will encourage the WV Legislature to enact statewide stormwater management regulations that address post construction impacts outside of MS4 areas. This would ensure a level playing field for all new development across the watershed and help to prevent sprawl in areas where there are no stormwater management regulations. If EPA's nationwide stormwater management regulations are not finalized, the WVDEP will pursue a statewide program.
- WVDEP will require a certain percentage of retrofits in MS4s that are located in the Chesapeake Bay watershed. These retrofits will meet the capture requirement of .80 inches of rainfall on site with no discharge to surface waters. This is an enforceable mechanism through the TMDL and the existing MS4 General Permit.
- As a final contingency, and if statewide post construction stormwater management requirements are not realized, WVDEP will pursue expansion of the General Permit for Construction Stormwater to require post construction controls for projects in the Chesapeake Bay watershed.

7E.f. Tracking and Reporting Protocols

- One staff person in West Virginia DEP will be responsible for developing a protocol for and conducting annual inspections to certify new and existing regulated and non-regulated urban and construction stormwater BMPs are in place and functioning as intended and report to CBP through NEIEN.
- BMPs for this category will be tracked and reported consistent with the Quality Assurance Project Plan on file with EPA.

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>3/13/11</u></p> <p>Appt Time or <u>New Business</u>:</p>
--

AGENDA REQUEST FORM

Name: Nichelle Hosby

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: 3/8/11

Date Requested – 2nd Choice: _____

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

Subject: **Appointment and Interviews for the HOME Consortium Council**

Please provide the County Commission with a description of your request or presentation, including any background information: **There is an unexpired term ending June 13, 2013 that needs to be filled.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to approve the appointment of _____ to the HOME Consortium Council for an unexpired term ending June 13, 2013.**

Attachments:

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, March 10, 2011, or as soon thereafter as the Commission may decide:

Home Consortium - One Unexpired term ending June 30, 2013

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

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

SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

February 10, 17 & 24, 2011 & March 3, 2011

THANKS - JEFFERSON COUNTY COMMISSION

February 14, 2011

Jefferson County Commission

PO Box 250

Charles Town, WV 25414

RE: The Eastern Panhandle HOME Consortium

Attn: Sandy Slusher McDonald

I would like to be considered for the open position with The Eastern Panhandle HOME Consortium.

While no one can replace Terry Marcus, I would be honored to follow his lead in attaining affordable housing for many of our citizens.

I have been a licensed Realtor in West Virginia for 18 years. This experience may be very helpful for The Eastern Panhandle HOME Consortium.

Thanking you for your consideration.

Sincerely,

Mary Ellen Mahoney

518 Morison Street

Charles Town, WV 25414

MaryEllen@MaryEllenMahoney.com

Home Number 304-728-7241 / Direct Office Line 304-724-0711

Commission Office Use Only

Date on Agenda: 1-13-2011

Appt Time or New Business.

AGENDA REQUEST FORM

Name: Patricia E. McMillan

Department or Entity: HOME Administrator, City of Martinsburg

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

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

Date Requested – 2nd Choice: _____

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

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

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

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

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



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December 30, 2010

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

Re: Appointment to HOME Consortium Council

Dear President Widmyer:

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

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

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

Thank you for your consideration of this request.

Best wishes for a happy and prosperous new year.

Sincerely,

Patricia E. McMillan
HOME Administrator

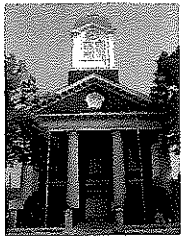
Cc: Commissioner Dale Manuel, HOME Consortium Council representative
Mrs. Katie See, HOME Consortium Council representative

RECEIVED

JAN - 3 2011

Jefferson County Commission

THE COUNTY COMMISSION OF JEFFERSON COUNTY



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

Phone: 304/728-3284

www.jeffersoncountywv.org

Fax: 304/725-7916



May 7, 2010

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

Dear Ms. McMillan:

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

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

Sincerely,

Sandra Slusher McDonald
Deputy County Administrator

Commission Office Use Only

Date on Agenda: 3-3-11

Appt Time or New Business:

11:00 am

AGENDA REQUEST FORM

Name: Nichelle Hosby

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1st Choice: 3/3/2011

Date Requested – 2nd Choice: _____

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

Subject: **Interview and Appointment to the Jefferson County Historic Landmarks Commission**

Please provide the County Commission with a description of your request or presentation, including any background information: **Interview and appoint an individual to the Historic Landmarks Commission for a Three year term ending March 6, 2014.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to appoint _____ to the Jefferson County Historic Landmarks Commission for a Three year term ending March 6, 2014.**

Attachments:

The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, February 24, 2011, or as soon thereafter as the Commission may decide:

Jefferson County Historic Landmarks Commission - Three year term expiring March 6, 2014

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

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


SPIRIT OF JEFFERSON:

PLEASE ADVERTISE ON:

January 20 & 27, 2011 and February 3 & 10, 2011

THANKS - JEFFERSON COUNTY COMMISSION

HISTORIC LANDMARKS COMMISSION



Michael Musick
P.O. Box 104
Harpers Ferry, WV 25425
535-6918
3 years 03/06/2011

Don Amoroso
451 South Hills Drive
Shepherdstown, WV 25443
703-330-1626
3 years 03/06/2012

Martin Burke
1327 Terrapin Neck Road
Shepherdstown, WV 25443
304-876-3883 martinburke@frontiernet.net
3 years 03/06/2012

Carmen Weber Creamer
Locust Grove Farm
1923 Shirley Road
Summit Point, WV 25446
725-7770
3 years 03/06/2013

John C. Allen, Jr.
P.O. Box 2006
Shepherdstown, WV 25443
3 years 03/06/2013



JEFFERSON COUNTY COMMISSION

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

Phone: (304) 728-3284 - Fax: (304) 725-9716

Web: www.jeffersoncountywv.org

PRESIDENT

Patsy Noland

VICE PRESIDENT January 14, 2011

Dale Manuel

COMMISSIONER

Frances Morgan

Michael Musik

COMMISSIONER

Walt Pellish

P.O. Box 104

Harpers Ferry, WV 25425

COMMISSIONER

Lyn Widmyer

Dear Mr. Musik:

Please be advised that your term on the Historic Landmarks Commission will expire on March 6, 2011. Until the County Commission has acted to appoint someone for another Three year term ending March 6, 2014, you are asked to remain serving.

The County Commission is in the process of advertising for this position as standard procedure. Please contact us in writing at your earliest convenience to let us know if you are or are not interested in being considered for another term. We will be making the appointments on Thursday, February 24, 2011 or as soon thereafter as the Commission may decide.

If you have any questions, please do not hesitate to contact me.

For the Commission,

Nichelle Adams Hosby
Executive Assistant

P.O. Box 104

Harpers Ferry, WV 25425

January 26, 2011

Ms. Nichelle Adams Hosby,
Executive Director,
Jefferson County Commission
124 East Washington Street
P.O. Box 250
Charles Town, WV 25414

Dear Ms. Hosby:

Thank you for your letter dated January 14, 2011, advising me of the approaching expiration on March 6, 2011, of my current term on the Historic Landmarks Commission, and asking if I would be willing to be considered for another term, this one ending March 6, 2014.

Yes, I would like to be considered for another term. I have been serving the Historic Landmarks Commission (HLC) as secretary since the beginning of my term. The meeting minutes which I have taken are displayed on the HLC website. I have taken these for every meeting of my term, with the exception of the one month when I missed the meeting. In addition, I have written the text and collected the illustrations for the several markers that are the HLC's contribution to the Civil War Trails Program. Members of the current commission have suggested that I mention to you the value of continuity in the position I have been holding.

Finally, may I request that you correct your records to reflect the proper spelling of my last name? It's "Musick," rather than "Musik."

Sincerely,



Michael P. Musick

RECEIVED

JAN 28 2011

Jefferson County Commission

Nichelle Hosby

From: Jennifer Maghan [jmaghan@jeffersoncountywv.ORG]
Sent: Thursday, February 24, 2011 4:34 PM
To: 'Tim Boyde'
Cc: 'Nichelle Hosby'
Subject: Sorry - wrong dates - Agenda Request Item
Attachments: img-224170538-0001.pdf

For office use only
Date on Agenda:
Appt Time or New Business:

Agenda Request Form

Name: Jennifer Maghan, County Clerk
Department or Entity: County Clerk
Estimation of amount of time needed for appointment: 10 min
Date Requested 1st Choice – Mar 3, 2011
Date Requested 2nd Choice – Mar 3, 2011

11:30 AM
3/3/11

If a specific date is needed, please provide reason for specific date:
As Specific Date is needed as Agenda Item 13 from the 2/24/11 meeting was postponed to be heard on Feb 3, 2011

Subject: Presentation of historical data to support recovering the outstanding loan amount of \$200,000 from the JCDA

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

It is requested of the Commission to take into account a prior motion and documentation that was presented on May 26, 2010 to support the recovery or \$200,000 from JCDA.

Official Record of the County Commission Order Book:

- On May 26, 2010 the County Commission unanimously approved to record a receivable for outstanding loan to JCDA from 1989 in the Amount of \$200,000. (Attach #1)
- On May 26, 2010 the Commission approved the same situation for a loan in the amount of \$105,000 for the Solid Waste Authority. The Solid Waste Authority is repaying the remainder of \$65,661 in monthly installment payments and are very close to repaying the loan amount (Attach #1) (Remaining Balance due is \$7,551.00)
- County Commission Order book, Pg 189 from 1988 authorizes the "transfer of funds from the Jail Improvement Fund and the Capital Outlay Fund for the purpose of acquiring the Burr-McGarry Farm for Industrial development." (Attachment #6)
- Please notice that the JCDA's Balance Sheets from both June 30, 1989 – June 30, 2009 indicates clearly under "Long-term liabilities" that \$200,000 is Due to Jefferson County (Attachment #3 & #4)
- Please note the Financial Statement for JCDA reflects that Jefferson County Commission advanced funds to the Authority for the purpose of financing the Burr Business/Bardane Industrial Park. The loan bears no interest and is repayable when park property is sold. (Attachment # 5)

- Please note the letter from Jane Peters, former Director of the JCDA, in paragraph three, where an acknowledgement is made that the “ necessary \$200,000 to do the upgrade, with the understanding that they (County Commission) would be paid at the end of the entire Burr project” (Attachment #7)

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

Move to deny debt forgiveness of \$200,000 for the 1988 zero percent interest loan made to the JCDA and to work out a plan to have the loan repaid in monthly installments.

Very Truly Yours,

Jennifer S. Maghan
Jefferson County Clerk
100 East Washington Street
Charles Town, WV 25414

tel: 304-728-3347

fax: 304-728-3279

Visit us on-line: jeffersoncountyclerkwv.com



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JENNIFER S. MAGHAN, County Clerk

100 East Washington Street, Charles Town, West Virginia 25414

304-728-3215 (office) 304-728-1957 (fax)

jmaghan@jeffersoncountywv.org

Jeffersoncountyclerkwv.com

Do J.V. 4910 #8

JV 4501

9

JV 4502
JCA

APPROVED

JUN 03 2010

May 26, 2010

The County Commission
of Jefferson County
Charles Town, WV

To: County Commission

Request for approval of adjusting entries to record the following:

1. Record the receivable for outstanding loan to Solid Waste Authority from June 2007 which had never been recorded on JCC books. The finance office had no record of the original loan. The original zero interest loan in the amount of \$105,000 was never recorded. After reconciling the reimbursements thru June 2009 in the amount of \$39,339.00 the balance we will be booking is **\$65,661.00** as an Other Receivable.
2. Record the receivable for outstanding loan to JCDA from 1989 in the amount of \$200,000.00. This information was found during the review of our component units financial statements for 2009 from the WV State Auditor's Office. This amount has been recorded by the Development Authority since 1989; however, this was never recorded as a receivable on our books. The auditor's office recommended that we book this as due from other government units.
3. Please approve for the entry so that we will be in compliance on our FY 2010 Financial Statement.

Thank you for your assistance in this matter.

S. BRAN

ATTACHMENT # 1

Jefferson County Commission
Journal Entry to Record Outstanding Receivable due
from Jefferson County Development Authority for
Burr-McGarry Park Infrastructure since 1989

During the preparation of the 2010 Financial Statement , Fred Hess, from the WV State Auditors Office found that one of our component u
a notes payable in the amount of \$200,000.00 due to Jefferson County Commission. The development authority has been
carrying this liability since 1989 yet Jefferson County Commission had not recorded this amount as a receivable on our books.
Since this is still an outstanding loan to JCDA, we are obligated to record it. I have enclosed documents supporting this information.

The Journal Entry to Record is as follows:

	DR	CR
001-115-00-000	\$ 200,000.00	
001-299-000		\$ 200,000.00

To record outstanding note due from JCDA-Burr McGarry Industrial Park

Attachment # 2

Jefferson County Development Authority

Balance Sheet
June 30, 1989

Assets

Current Assets

Cash on hand	\$ 100	
Cash in bank - operating	8 155	
Cash investments	<u>53 651</u>	
Total current assets		\$ 61 906

Property, Plant and Equipment

Furniture and equipment	12 225	
Less accumulated depreciation	<u>(7 390)</u>	
Net property, plant and equipment		4 835

Other Asset

Land held for resale		<u>977 057</u>
Total Assets		<u>\$1 043 798</u>

Liabilities and Entity Capital

Current Liabilities

Note payable - line of credit	\$ 31 632	
Accrued interest	<u>399</u>	
Total current liabilities		\$ 32 031

Long-term Liabilities

Notes payable	600 000	
Due to Jefferson County	<u>200 000</u>	
Accrued interest	<u>48 032</u>	
Total long-term liabilities		<u>848 032</u>

Total Liabilities 880 063

Entity Capital

163 735

Total Liabilities and Entity Capital \$1 043 798

The accompanying notes are an integral part of these financial statements.

Attachment #3

Jefferson County Development Authority
STATEMENT OF NET ASSETS (CONTINUED)
 June 30, 2009

LIABILITIES

Current Liabilities

Accounts payable - trade	\$ 11,882
--------------------------	-----------

Total current liabilities	11,882
----------------------------------	---------------

Current liabilities payable from restricted assets

Accounts payable - TeleCenter	13,029
Notes payable - TeleCenter	16,553

Total current liabilities payable from restricted assets	29,582
---	---------------

Long-term liabilities

Due to Jefferson County Commission - park infrastructure	200,000
Notes payable	6,364,658
Accrued interest	9,529

Total long-term liabilities	6,574,187
------------------------------------	------------------

Total liabilities	6,615,651
--------------------------	------------------

NET ASSETS

Invested in capital assets (including park development), net of related debt	1,399,700
Restricted	1,192,901
Unrestricted	638,333

Total net assets	3,230,934
-------------------------	------------------

Total liabilities and net assets	\$ 9,846,585
---	---------------------

The accompanying notes are an integral part of the financial statements.

Attachment # 4

Jefferson County Development Authority
NOTES TO THE FINANCIAL STATEMENTS
For the year ended June 30, 2009

NOTE 6: NOTES PAYABLE (continued)

Maturities of notes payable are as follows:

<u>Year</u>	<u>Interest</u>	<u>Principal</u>
2010	\$ -	\$ -
2011	-	-
2012	-	-
2013	69,194	618,297
2014	196,364	916,040
2015-2019	591,921	2,907,625
2020-2024	201,867	1,922,696
	<u>\$ 1,059,346</u>	<u>\$ 6,364,658</u>

NOTE 7: DUE TO JEFFERSON COUNTY COMMISSION

Due to Jefferson County Commission represents funds advanced to the Authority for the purpose of financing the Burr Business/Bardane Industrial Park. The loan bears no interest and is repayable when park property is sold.

NOTE 8: OPTIONS

The Authority has granted Norm Thompson Outfitters, Inc. two continuing and exclusive expansion options on 16.32 acres of land during the lease term between the parties. Consideration paid to the Authority for these options amounts to \$20,000 annually.

NOTE 9: FIXED ASSETS

Changes in the Authority's fixed assets consisted of the following for the year ended June 30, 2009:

	<u>Beginning</u>	<u>Additions</u>	<u>Disposals</u>	<u>Ending</u>
Audio/visual equipment	\$ 9,274	\$ -	\$ -	\$ 9,274
Office equipment	25,946	4,363	-	30,309
Telecenter computers	123,910	-	-	123,910
Telecenter furnishings	145,053	13,105	-	158,158
	<u>\$ 304,183</u>	<u>\$ 17,468</u>	<u>\$ (140,943)</u>	<u>\$ 321,651</u>

4. An 8 1/2" by 11" transparency reduction of the Final Plat, sufficiently legible to indicate the lot numbers, street names and name of the subdivision.

5. Any additional material, information or documents required by the Planning Commission.

Section 9.2 Design and Construction Requirements

[Delete the following]

a. 6. width of shoulder-- 2 feet on each side

[Amend to read as follows]

d. 1. Provisions for water and sewer shall be as required by Section 8.2, d.

[Delete the following]

e. 1. Each building site shall be designed and dimensioned so that the intended building and associated parking area cover no more than fifty Percent of the building site.

[Existing Article 6 Conditional Approval: Bonding is to be changed to Article 15]

[Existing Article 15 Compliance; Administration and Enforcement to be changed to Article 16]

[Existing Article 16 Amendment; Variance; Appeal to be changed to Article 17]

[Existing Article 17 Validity; Conflict with Other Laws to be changed to Article 18]

In re: EXECUTIVE SESSION

Motion by Morrow, second by Lance to go into Executive Session to discuss personnel matters and matters involving or affecting the purchase, sale, or lease of property. Motion carried.

Motion by Morrow, second by Clendening to adjourn from Executive Session to return to Regular Session. Motion carried. No action was taken.

In re: FUNDING METHOD APPROVED - BURR-MCGARRY PROPERTY - INDUSTRIAL DEVELOPMENT

Motion by Lance, second by Clendening to authorize the transfer of \$100,000.00 from the Jail Improvement Fund, subject to approval by the State Tax Commissioner; authorize transfer of \$100,000.00 from the Capital Outlay Fund; and accept a \$600,000.00 Bridge Loan from the Bank of Charles Town at the rate of 10.9% for the purpose of acquiring the Burr-McGarry Farm for industrial development. Motion carried.

The Commission agreed to notify the Landfill Manager that effective January 1, 1988 all technical aspects of the operation of the Landfill will be referred to the County Engineer and that his services will no longer be required.

The Commission authorized the county's participation in the optional Gypsy Moth Control Program and directed the County Administrator to inform the County Extension Office to proceed at with their activities for the program.

Attorney
C

Lane Donley

From: Jane Peters [jpeters942@gmail.com]
Sent: Thursday, April 29, 2010 12:15 PM
To: Thomas Bayuzik
Subject: County Contribution- Burr Industrial Park Project

Hi, Tom-

As we discussed, here is some historical background on the \$200,000 County Commission contribution to the original Burr Industrial Park project.

In 1988, the JC Development Authority purchased the Burr property and began design work on Phase 1 of the project. At the same time, the JC Public Service District had completed the design work on its original project and was under contract and preparing to go to construction on the sewer line from Charles Town to Bardane. In order to accommodate the additional sewage flow from Burr Park, it was determined that the PSD line needed to be enlarged. This could be accomplished for only \$200,000 if the change could be made quickly before the PSD started construction. Otherwise, it could have cost several million dollars to either replace the PSD line or put an additional line parallel to the line. Either of these options was fiscally ridiculous, but we were still in the early stages of the project and funding had not yet been arranged for our infrastructure.

The County Commission at that time quickly agreed to provide the necessary \$200,000 to do the upgrade, with the understanding that they would be repaid at the end of the entire Burr project IF the money was there to repay them at that time. I recall working with then-County Administrator David Ash on this project. I don't think there was any formal agreement between the Commission and the Authority, but the approval and dispersment of the funds should show up in 1988 County Commission minutes and records.

Please call me if you or anyone else has any questions.

Jane Peters
(304) 886-1753

Attachment #-

Commission Office Use Only

Date on Agenda: 2-24-11

Appt Time or New Business:

HOLD
TO
3-3-11

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 over a faint circular stamp.

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:

Appt Time or New Business:

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: <u>3-3-11</u></p> <p>Appt Time or <u>New Business</u>:</p>

AGENDA REQUEST FORM

Name: Patsy Noland, Commissioner

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: March 3, 2011

Date Requested – 2nd Choice: _____

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

Subject: Change the policy regarding signatures on checks - requite 2 original signatures on all checks issued

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: <u>3-3-11</u></p> <p>Appt Time or <u>New Business:</u></p>

AGENDA REQUEST FORM

Name: Dale Manuel, Commissioner

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: March 3, 2011

Date Requested – 2nd Choice: _____

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

Subject: **Letter of Intent on the three properties viewed on the Commission tour**

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

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

Attachments:

Commission Office Use Only	
Date on Agenda:	3-3-11
Appt Time or New Business:	11:45am

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: March 3, 2011

Date Requested – 2nd Choice: March 10, 2011

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

Subject: Establish a policy to appoint alternate commissioners to committees. Include in the discussion whether commissioners should have voting privileges on any committee to which they have been appointed.

Please provide the County Commission with a description of your request or presentation, including any background information: **When a commissioner is unable to attend a meeting to which they have been appointed, it would be helpful to have an alternate commissioner appointed to those committees.**

Recommended Motion: I move that a policy be developed wherein alternate commissioners be appointed to committees when the appointed commissioner is unable to attend and in the absence of a policy that the Commission President or Vice President, in the absence of the President, may designate another commissioner to sit in for the appointed commissioner and that the designated commissioner be permitted to vote if the by-laws of that committee or agency so permit.

**Assisgment to Boards, Commissions &
Organizations
Calendar Year 2011**

<i>Organization</i>	<i>Commissioner</i>
Affordable Housing	Noland/Manuel
Air Quality Control Board	Widmyer
Approval of Bills	Morgan/Pellish
Board of Health	Morgan
Building Repair	Manuel
Community Corrections Committee	Morgan/Manuel
Court House Committee	Noland
Development Authority	Pellish
E-911 Council	Manuel
Extension Service	Noland
Farmers Market Committee	Noland/Manuel
Farmland Preservation Board	Morgan/Pellish (Alt.)
Jefferson County Convention & Visitors Bureau	Noland/Pellish (Alt.)
Jefferson County Emergency Services Agency	Manuel
Historic Landmarks Commission	Morgan
Homeland Security	Manuel
Legislative Liaison	Noland/Manuel
Local Emergency Planning Committee	Manuel
Mental Health Center	Prosecuting Attorney
MPO Interstate Council	Widmyer
Parks and Recreation	Manuel/Widmyer
Planning Comission	Pellish
Public Service District Liaison	Widmyer/Noland
Region 9	Widmyer
Roundtable/Council of Government	Noland
Solid Waste Authority	Widmyer
Water Advisory Committee	Widmyer/Manuel
Workforce Investment Act Liaison	Morgan

**County Commission Recurring Monthly Meetings
(Updated January 2011)**

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	Public Service District 7:00 p.m. (Widmyer/Noland)		Affordable Housing 7:00 p.m. (Noland/Manuel)		Board of Health 1:00 p.m. (Morgan)
Week 2	Farmland Protection Board 7:30 p.m. (Morgan/Pellish)	*Planning Commission 7:00 p.m. (Pellish) Fire & Rescue Assc. 7:00 p.m. (bi-monthly on even mos.)	Region 9: Quarterly for full Council & other months for Executive Committee (Widmyer)		
Week 3	*Water Advisory Comm. 3:30 p.m. (Widmyer/Manuel) Farmer's Market Board 6:00 p.m. (Noland/Manuel)	Development Authority 3:00 p.m. (Pellish) Emergency Serv. Agency 7:00 p.m. (Manuel)	911 Advisory Committee 4:00 p.m. (bi-monthly) (Manuel/Widmyer) Parks & Recreation Comm. 7:00 p.m. (Manuel/Widmyer) Keep Jefferson Beautiful 7:00 p.m. Historic Landmarks Comm. 7:00 p.m. (Morgan) LEPC 7:30 a.m. (bi-monthly) (Manuel) HEPMPPO meeting 7:00 p.m. - held Quarterly (Widmyer)	*Board of Zoning Appeals 3:00 p.m.	
Week 4	Solid Waste Authority 7:00 p.m. (Widmyer)	*Planning Commission 7:00 p.m. (Pellish)	*Roundtable Council of Governments 5:00 p.m. Property Safety 6:30 p.m. (every 3rd month)		

* Meetings held at the County Commission meeting room - Old Charles Town Library

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>3-3-11</u></p> <p>Appt Time or New Business: _____</p>
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AGENDA REQUEST FORM

Name: Tim Boyde, County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: March 3, 2011

Date Requested – 2nd Choice: _____

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

Subject: **Decision to be made on the request from Paul Marshall, Jefferson**

County Parks and Recreation regarding release of funds from the Parks and 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:

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

Attachments:

Scope of Services

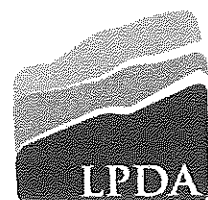
Site Plan for Hite Road Park

Jefferson County, West Virginia

Prepared for the: Jefferson County Parks & Recreation Commission
By: LPDA, Inc. | www.lpda.net



January 6th 2011





LPDA, Inc
49169 Westlake Drive, Suite 340
Sterling, Virginia 20165
703-437-7907

January 5, 2011

Jennifer Myers
Director, Jefferson County Parks and Recreation Commission
235 Sam Michaels Lane
Shenandoah Junction, West Virginia 25442

Kirk E. Davis, Sr.
Capital Projects Manager - Jefferson County, West Virginia
114 East Washington Street
Charles Town, West Virginia 25414

Reference: Response to *Invitation to Bid*, Hite Road Park

Dear Mrs. Myers and Mr. Davis,

We appreciate the opportunity to continue our involvement with Jefferson County and the Parks and Recreation Commission. The Scope of Services below outlines the first phase of the Action Plan defined in the Master Plan for Hite Road Park, dated March 2010 by LPDA: the planning, engineering and landscape architecture for the site as well as Phase I construction administration for the Major Site Plan approval for the project area. Based on our meeting on December and ensuring conversations we have decided to break the scope and fee down to the base area, which is the park site owned by the Commission and two options for the required Hite Road improvements.

Pursuant to West Virginia Division of Highways standards and conversations with that agency during the Master Plan process the County will be responsible for the road improvements. Seeing that the population core will be coming from the east along Wiltshire Road, improvements will be required to both Wiltshire to the east and Jefferson Orchard to the west requiring 5500' and 2500' of improvements respectively. Based on the trip generation numbers the Hite Road improvements will be a product of this effort; however, the extent of those improvements will largely depend on how the park is phased based on funding. This leaves the Commission and the Design team with 3 options: engineer and improve Hite to Jefferson Orchard, engineer and improve the entire segment of Hite Road and build as funding become available and phases are implemented, request engineering and construction assistance from the Division of Highways based on negotiations between the County and the State. Options one and two are included in this scope and fee. The third option is outside of this scope of services. While our recommendation would initially be to engineer, shelf the plans and build as fund becomes available, improvements to Hite Road are a significant consideration for engineering and construction costs. It is likely in the best interest of the Commission to engineer the park site, analyze funding and available assistance as mentioned above and evaluate how to proceed with the improvements to Hite Road. For your consideration fee estimates are provided as appendices F-1 in the attached fee estimate enclosed and summarized below.

We feel that our Team is uniquely qualified for this project given our tract record with parks and recreation design and construction, familiarity with Jefferson County, and our familiarity with Hite Road Park. Our recent experience in designing and managing some of the largest and most complex park facilities in the region gives us the knowledge to provide you with exceptional service and care. We learn from our experiences everyday and we are excited about the opportunity to convey our experiences to Hite Road Park. Please let me know if you have any questions or concerns.

For LPDA, Inc. and our Design Team, I am

Sincerely,

Zachary Lette, ASLA
Principal & Vice President



Scope of Services

Definitions:

This AGREEMENT dated this _____ day of _____, 2011, provides as follows:

The parties hereto are defined as follows:

"The Client" means Jefferson County Parks and Recreation Commission (JCPRC) as facilitated through the Capital Projects Department, its employees and representatives.

"Consultant" means LPDA, Inc. (LPDA)

"Design Team" means, LPDA, Inc. and our subconsultants Triad Engineering, Inc and Thunderbird Archaeology a Division of Wetland Studies and Solutions, Inc.

"County" means the Jefferson County, West Virginia

"Project" means the undertaking by LPDA to develop a master plan for Hite Road Park Property in accordance with the tasks, deliverables, fees, terms and conditions outlined below.

"We" means the collective group of individuals involved in the project.

This AGREEMENT in addition to any contractual documents provided by JCPRC shall serve as authorization for the Consultant to provide professional services to the Client for the Project as described below.

The scope of services presented below shall be in compliance to the Jefferson County Zoning Ordinance (ZO) and Subdivision and Land Development Regulations (S&LDR) for regulations and processes adopted October 9, 2008 and amended August 19, 2010 beyond the general terms and authority for the following articles and divisions:

- Article 21 – Subdivision and Site Development Design
- Article 22 – Infrastructure and Grading
- Article 23 – Administrative Bodies
- Article 24 – Procedures and Administration
 - Division 24-100 Processing of Applications
 - Division 24.500 Surety
- Appendix A – Plan and Plat Standards
- Appendix B – Engineering Standards
 - Divisions 1.0 – 4.0
 - Division 9.0

All submissions and specification will be filed under LPDA cover.

Task 1 Project Initiation

LPDA will conduct 2 meetings. One presentation to the Parks and Recreation Commission during a regularly scheduled meeting to discuss procedures, protocols, critical path and schedule for approval and establish Client contact and one kickoff meeting with the Jefferson County officials, including, but not exclusively limited to:

- Planning and Zoning
- Engineering
- Parks and Recreation Commission
- WVDOH
- Jefferson County Health Department
- Jefferson County Historical Society
- Other agencies as directed by the Client

Task 2 Base Mapping and Information

Pursuant to the Master Plan report LPDA will provide the base information to conduct the necessary inventories, assessments, site planning and engineering on the project. At the conclusion of these reports, LPDA will present the findings of the reports to the Client at a regularly scheduled Commission meeting.

Task 2-A Topographic and Boundary Survey

The Design Team will provide the necessary field and office work to prepare a boundary survey of the subject property. A review of available deed records will be performed to determine ownership and recorded boundary information. A complete boundary survey of the property will be conducted, which includes locating existing property corners and, if necessary, setting any missing corners or corners found to be at an inaccurate location as determined during our survey.

The Design Team will provide a topographic survey of the entire parcel with a contour interval of 2'. Aerial photography will be utilized to obtain the topographic information, which will be supplemented by ground surveying methods in areas of canopied vegetation and/or dense ground cover. Any utilities readily visible will be located and identified.

Task 2-B Phase I Environmental Reporting

The Design Team will perform a Phase I Environmental Site Assessment (ESA) on the subject property. The purpose of the Phase I ESA is to determine the possible presence of reasonably apparent hazardous substances, petroleum products, or recognized environmental conditions (RECs) associated with the subject site property, and is intended to permit the Client to satisfy one of the requirements to qualify for the innocent landowner defense to Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) liability. The components of the Phase I ESA will include: a review of reasonably available standard historical sources to determine uses and chronological chain of possession for the subject site; attempts to interview local officials and property owners; a review of standard federal and state environmental database record sources; a site reconnaissance with photographs; and a report outlining the results of our findings.

Task 2-C Geotechnical Investigation

The Design Team will conduct a series of soil borings to explore and evaluate the subsurface conditions in the vicinity of on-site structures and storm-water management areas, and issue a report outlining the results of our field exploration and laboratory tests. A preliminary soils analysis will be performed in the vicinity of the proposed on-site sewage disposal areas to further refine these proposed locations on the Concept Plan and supplement the final design for the Health Department.

Task 2-D Phase I Archaeological Report

Review available sources of information to determine if known archeological sites/standing structures are currently located, or were previously located, within or near the project area. These sources will include, but will not be limited to:

- West Virginia Division of Culture and History (WVDCH) site files
- Historic maps
- USGS topographic maps
- Local histories

Conduct a Phase I field investigation in accordance with WVDCH standards. This follows all applicable state and federal guidelines and will involve:

- Pedestrian reconnaissance of 100 percent of the property.
- Excavation of shovel test pits in moderate and high probability locations for the occurrence of archeological sites. Screening excavated soils through ¼-inch mesh hardware cloth and drawing representative soil profiles
- Determination of boundaries of any archeological sites discovered

Process any artifacts recovered. This laboratory analysis will include:

- Washing

- Marking with provenience information
- Cataloguing according to material types

Upon completion of the Phase I archeological investigation, the results will be described in a manner that follows all applicable state and federal guidelines, and will involve:

- Completion of WVDCH site forms and structure forms.
- Preparation of a report which will integrate the results of the background research, present the results of the field investigations, assess the potential significance of any archeological sites found, and make recommendations for any additional archeological work which may be necessary.

Preparation of graphics which will illustrate the results of the background research, the areas tested, and the boundaries of the archeological sites. Any site found during the Phase I investigation and recommended for Phase II evaluation or avoidance shall have its boundaries flagged in the field by an archeologist and then be survey located using the appropriate coordinate system based upon local requirements. Said survey data will be used in the reports and available digitally for land planners. A 25-50 foot buffer is strongly recommended by the WVDCH and local governments when a site is avoided. Follow-up meetings or coordination with Client or Client's consultants to discuss the implications of the Phase I investigation or to develop a strategy for further archeological surveys will be billed on an hourly basis.

Task 3 Major Site Plan - Concept Plan Stage

The Design Team will develop the Concept Plan pursuant to Section 24.119 and Appendix A – Section 1.2 of the S&LDR based on the findings of the survey and environmental data reported in Task 2 as well as input from the JCPRC from the meetings with the Design Team in Task 1. The Design Team will meet with County staff to present the Concept Plan.

Task 3-A Concept Plan Development

The Design Team will revise the Master Plan to adjust for the environmental findings of the reports. Likewise the project engineer will begin evaluations on grading, stormwater management, and utility routing. Once complete the Design Team will present the Concept Plan to the JCPRC at a regularly scheduled meeting.

Task 3-B Traffic Impact Analysis

The Design Team will complete a traffic impact analysis (TIA) in conformance with Jefferson County and West Virginia Department of Highways Standards. Trips generated by the proposed facility will be computed using the ITE Trip Generation Manual. A report will be issued with an analysis of the existing conditions and impact of the project at pertinent intersections and proposed site entrance.

Task 3-C Pre-proposal Conference

The Design Team will attend one pre-proposal conference with County agencies pursuant to Section 24.102A of the S&LDR

Task 3-D Concept Plan Submission

The Design Team will submit the Concept Plan and necessary supporting documentation to the approving agencies for the completeness review.

Task 3-E Concept Plan Public Workshop

The Design Team will present the Concept Plan at a Public Workshop scheduled during a Planning Commission meeting Pursuant to Section 24.121 of the S&LDR.



Task 4 Major Site Plan - Final Plan Stage

The Design Team will develop the Concept Plan pursuant to Section 24.123 and Appendix B – Division 9 of the S&LDR based on the findings of the Concept Plan review process.

Task 4-A Final Engineering and Site Layout Plans

The Design Team will prepare a complete site plan package suitable for submission to Jefferson County and other Authorities Having Jurisdiction (AHJ). The site plan package is anticipated to include design information regarding site grading, storm-water management, on-site utilities, roadways, parking areas, and miscellaneous construction details. Reports will also be prepared to address drainage and erosion and sediment (E&S) control. All required applications and supporting documents will be completed and submitted for Jefferson County approvals and WV/National Pollutant Discharge Elimination System (NPDES) Construction Permits.

Task 4-B Final Landscape and Amenity Plans

LPDA will develop final Landscape plans for the park pursuant to the Jefferson County ZO. Likewise LPDA will develop the amenity plans for play areas, picnic areas, sport courts, exercise and pedestrian circulation as they relate to each phase of the park pursuant to the Master Plan. Detailed design of the skate park is not included. LPDA recommends that Commission seek a specialized skate park designer for this effort.

Task 4-C Final Easements and Plats

The Design Team will prepare easement plats suitable for recordation at the County Courthouse for on-site utilities. We anticipate these utilities to include electric and phone, among others.

Task 4-D Final Health Department Permits

The Design Team will conduct a field soils analysis via backhoe test pits in an effort to discern locations appropriate for an on-site sewage disposal area(s) in accordance with the Jefferson County and State of West Virginia Health Department standards. Information obtained from the geotechnical investigation as performed in Task 2-C will be utilized to help finalize these proposed locations in conjunction with the services provided under this Task. The Design Team will prepare and submit the application packet to obtain the Sewage Disposal Construction Permit from the Jefferson County Health Department.

Task 4-E Final WVDOH Permits

The Design Team will complete and submit an entrance application MM-109 and supplemental materials to the West Virginia Division of Highways in order to obtain an approved entrance permit for access to the Site. This task is limited to the proposed site entrance only and does not include off-site improvements to Hite Road.

Task 4-F Final Phasing Plans and Request for Waivers

LPDA will work with the JCPRC and the County Commission to develop a phasing plan that fits the economic models supporting development of the site at this time; however, if needed LPDA will work with these agencies to grant a tolling extension of the approved Site Plan beyond what may be applicable to best fit funding and revenue sources as they become available.

Task 4-G Final Plan Submission

The Design Team will submit the Final Plan and necessary supporting documentation to the approving agencies for the completeness review.

Task 4-H Final Plan Public Hearing

The Design Team will present the Final Plan at a Public Workshop scheduled during a Planning Commission meeting Pursuant to Section 24.125 of the S&LDR.

Task 5 Project Specifications and Construction Manual

The LPDA team will work with its consultants to provide a manual to the Jefferson County Parks and Recreation Department for construction. The manual will be a 3-ring binder of tabular indices pertaining to the following:

- Specifications for all site construction pursuant to the approved Site Plan
- Bid Forms
- Change Order Forms
- Payment Request Forms
- Project Progress Reports
- Project Schedule
- Applicable County Forms
- Applicable State Agency Forms

Task 6 Construction Bidding Support - Phase I

The Design Team shall provide information necessary for bid and advertisement of all phases. A bid form and request for bids will be prepared as part of the complete project manual. All necessary Federal forms will be included. The Design Team will provide standard general conditions and contract forms and assume standard AIA contracts as part of the bid documents. The Design Team shall prepare an invitation to bid and will coordinate plan distribution. One pre-bid meeting will be attended as well as a pre-construction meeting. Clarifications and addendums will be prepared as necessary. The Design Team shall assist the Client in reviewing bids and shall recommend a selection based on grant requirements and the Client's best interest. A bid tabulation form will be prepared showing bid totals by base bid and alternates.

Deliverables:

- Advertisement
- Complete bid documents and forms
- 1 - Pre-bid meeting at the County offices
- RFI responses, clarifications and addenda
- Review of bids
- County coordination, ensure authorization to begin construction is obtained
- Volume printing of bid documents and construction plans

Recommendation for Assignment of Clerk of the Works:

It is our recommendation the Client will provide a County in-house Clerk-of-the-Works during the construction phase. This person will be the Client's representative in the field on a daily basis since the Consultant has not indicated services during this phase to provide observation on a daily basis. This person would observe daily construction and layout to ensure the contractor adheres to the construction documents. This service normally requires approximately 20 hours a week during construction.

Normal duties of the Clerk-of-the-Works:

- Assist the Design Team with responses to the Contractor's requests for information (RFI)
- Assist the Design Team with review of substitutions
- Checking and recording temperature and weather conditions



- Recording construction activities
- General visual observations and reports
- Maintaining a written log and taking photos
- Overall assistance by keeping both the Owner and Consultant informed of construction progress, problems, and questions.

The Clerk of the Works does not, however, have the ability to approve, inspect, alter, or sign-off on any construction activity.

Additional Submissions

It is mutually understood by LPDA and its sub-consultants that additional submissions may be necessary for approval. We also understand that Client and Team will work together to determine which comments are considered additional work and which are the responsibility of the design team. Major comments provided by the Jefferson County or other reviewing agencies, which were not the result of errors or omissions by the LPDA Team may be considered additional services. LPDA is committed to working diligently throughout this process to keep open communication and transparency between itself, sub-consultants, and the Client to determine work that is outside of this scope of services and what is the responsibility of LPDA and its sub-consultants is.

Exclusions

- Architectural Design
- Phase II Archaeological Reports
- Phase II Environmental Reports
- Phase II Geotechnical Reports
- Topographic Survey beyond what is described in Task 2A.
- Environmental Testing and Report beyond those described in Task 2
- Design or coordination with Agencies outside of the Jefferson County Site Plan Coordinators or relevant State agencies.
- LEED Certification
- Deep Foundation or Structural Slab Designs other than Standard Footings with Grade Slabs
- Foundation Framing Packages
- Soil Management Plans

Budgeted Expense Items

A. Additional Meetings

LPDA will budget \$3500.00 for additional meetings for design review, Archaeological follow up, conference calls, scheduled meetings with the County, Contractors, and Client not outlined in the deliverables above. The consultants time shall be billed from Sterling or Winchester, Virginia, where applicable. In the event that more meetings are required, exceeding the budget, LPDA will request further authorization from the Client.

B. Reimbursables

Please see the attached spreadsheet for reimbursable costs.

C. Construction Administration

The Design Team shall represent the contract documents through bidding and construction. Likewise the Design Team shall provide construction observation services during the construction period for first phase of construction on an hourly basis at the County's request. Services will include preparation of RFLs, change directives, change orders, stop work orders, supervision, inspections



review of submittals and payment requests. Statements requesting reimbursement for Federal Funds will be prepared as necessary by the Design Team subject to review and approval by the Client and the County.

The LPDA team will review, evaluate, and make recommendations on any change orders prior to County review and approval; will review and recommend approval of contractor's payments; review and evaluate submittals and shop drawings and make recommendations for approval or appropriate actions, all subject to approval by the Client.

Construction administration services are based on a four to six month (estimated at this time) construction period for Phase I. Changes to the estimated construction period due to contractor performance/ weather may create additional time and expense that will be considered additional services.

Contract Administration Services shall be provided by the Consultant as outlined:

- Reviews of each Shop Drawing, Product Data item, sample and similar submittal of the Contractor.
- Site visits by the Consultant (LPDA) over the duration of the Project during construction.
- Site visits by the Sub-Consultant (TRIAD) over the duration of the Project during construction.
- Observation visits for phase I to determine work is substantially complete in accordance with the requirements of the Contract Documents.
- Observation visit for phase I to determine final completion.

All meeting times and frequency subject to approval by the Client.

D. Architectural Drafting Support

Per our conversations with Jefferson County officials a local architect will be utilized for floorplans and elevations for the proposed buildings. At the County's request LPDA will provide AutoCAD and plan assembly support for the architect. The architect will be required to be licensed to practice architecture in the State of West Virginia as well as hold all applicable business licenses and insurance policies pursuant to Federal, State, and Local Regulations. The architect will be responsible for sealing his or her drawings. Construction documents for bidding will be filed under the architect's own cover and will not be considered with the bid set provided by this contract. LPDA will utilize Amie Sullivan and Joseph Richardson Project Designer for these support services.

Compensation:	Please see attached manhour, expense estimate, and summary spreadsheet Appendix A-E	
Park Site Survey, All Reporting, Engineering, and Planning		\$210,470.00
Budgeted Expense Items (hourly - not to exceed)		
A. Additional Meetings		\$ 3,500.00
B. Reimbursable Expenses (See Attached Schedule)		\$ 4,480.20
C. Phase I Construction Administration		\$ 6,000.00
D. Architectural Drafting Support		\$ 5,000.00
Compensation:	Please see attached manhour, expense estimate, and summary spreadsheet Appendix F-I	
OPTIONAL - Hite Road Improvements, Survey, Engineering, and Planning		\$ 59,515.00
Budgeted Expense Items (hourly - not to exceed)		
A. Reimbursable Expenses (See Attached Schedule)		\$ 1,992.00



Standard Terms and Conditions

LPDA, Inc 2011 Hourly Billing Rates

Name	Title and Position	Hourly Rate
Bill Mechnick, ASLA	President – Landscape Architect	\$135.00
Zachary Lette, ASLA	Vice President / Principal – Landscape Architect	\$125.00
Joseph Richardson, ASLA	Project Designer	\$80.00
Aaron Schwartz	Project Designer	\$75.00
Amie Sullivan	Project Designer	\$70.00
Deniece Wells	Clerical	\$50.00

Triad Engineering, Inc 2011 Hourly Billing Rates

Name	Title and Position	Hourly Rate
Dennie D. Dunlap III	Senior Engineer	\$125.00
Michael Delaney	Project Engineer	\$100.00
David Spriggs	Licensed Surveyor	\$100.00
Mark Whitacre	Senior CADD Designer	\$85.00
Mark Ware	Senior Survey Technician	\$80.00
Richard Davis, Jr.	CADD Designer/Drafter	\$75.00
Jeff Gallaher	CADD Designer/Drafter	\$75.00

WSSI – Thunderbird, Inc. 2011 Hourly Billing Rates

Name	Title and Position	Hourly Rate
Kimberly Snyder, RPA	Vice President – Archeological Division	\$125.00

Process & Deliverables.

The Client shall provide available base information. The Client will provide services as required and outlined above. The Client will be responsible for coordinating and announcing all meetings. The Consultant will advise the Client on time frames in relation to the project schedule. The Consultant shall attend those meetings and site visits required and as outlined above. Concepts are considered approved after Client review and comments are addressed. Changes made after approval due to unforeseen circumstances or changes in program shall be billed as additional services. All formal comments by the Client to the consultant are required **in writing** in accordance with the schedule outlined above. Delays in receipt of comments may result in delays to the submission of plans and documentation. Likewise, revisions caused by delay in comments from the Client will be considered additional services.

Construction

LPDA Inc. shall represent the contract documents through the construction administration tasks outlined above and assist the client to maintain the best interest of the client. Should the client elect not to utilize LPDA or its sub consultants during construction as described above the client shall waive all liability for interpretations to our plans and changes made without our knowledge or consent.

Compensation and Payment Terms:

Client agrees to pay the Consultant for work performed in accordance with this agreement, regardless of the project's viability or success. Payment is the sole responsibility of the Client and is not dependant on third party or financing agreements.

Invoices shall be submitted to the Client on either: Task Complete or Monthly as a percentage of Task Complete.

Invoices are due within **33 days** of the date shown on the invoice.



LPDA Inc. reserves the right to hold jurisdictional submittals and/or transmittals of project data to all parties mentioned in this agreement as well as third parties firms in the event that invoices are overdue past 60 days.

Should it become necessary to utilize legal or other resources to collect any monies due for services rendered under this agreement, the Consultant shall be entitled to full reimbursement of all such costs, including reasonable attorneys' fees associated in seeking payment.

Project Schedule

The project shall be completed with 240 calendar days from the date signed by the Client.

Additional Services

Additional services may be negotiated at the Client's convenience. Current hourly rates may be increased by no more than 5% during the calendar year. Please see the attached schedule for current billing rates.

Termination

The Client is not obligated to complete all of the services described above. Either party may terminate this AGREEMENT within ten days of delivering written notice due to failure of the other party to perform its duties in a responsible and timely manner.

Receipt of the signed original proposal shall be our authorization to proceed.

APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2011

For Jefferson County, West Virginia

Name & Title _____

For LPDA, Inc.

Name & Title _____

Summary Fee - Appendix A

Project: Hite Road Park Final Site Plan
Fixed Fee Task Items

Proposed: 1/5/2011
Revised:

Park Site - Appendices B - E

Task	Task Description	LPDA	Triad	WSSI	Task Total	Optional Items
1	Project Initiation Total	\$2,410.00	\$1,000.00	No Services	\$3,410.00	
2	Base Information and Constraints	\$2,760.00	\$24,060.00	\$30,800.00	\$57,620.00	
3	Major Site Plan - Concept Plan Stage	\$16,990.00	\$21,125.00	No Services	\$38,115.00	
4	Major Site Plan - Final Plan Stage	\$25,725.00	\$65,585.00	No Services	\$91,310.00	
5	Project Specifications and Const. Manual	\$9,935.00	\$3,900.00	No Services	\$13,835.00	
6	Construction Bidding Support - Phase I	\$4,930.00	\$1,250.00	No Services	\$6,180.00	
	Consultant Total	\$62,750.00	\$116,920.00	\$30,800.00	\$210,470.00	Base SubTotal
	Consultant Reimbursable Expenses Total	\$ 3,385.20	\$ 1,063.00	NA	\$4,448.20	Expenses
					\$214,918.20	Base Grand Total

Western Hite Road Improvements - Park Entrance to Jefferson Orchard - 2500' Appendices F&G

Task	Task Description	LPDA	Triad	WSSI	Task Total	Optional Items
2	Base Information and Constraints	No Services	\$5,845.00	No Services	\$5,845.00	
4	Major Site Plan - Final Plan Stage	No Services	\$15,750.00	No Services	\$15,750.00	
	Consultant Total	\$0.00	\$21,595.00	\$0.00	\$21,595.00	Option SubTotal
	Consultant Reimbursable Expenses Total	\$ -	\$ 781.00	NA	\$781.00	Expenses
					\$22,376.00	Option Grand Total

East Hite Road Improvements - Park Entrance to Wilshire - 5500' Appendices H&I

Task	Task Description	LPDA	Triad	WSSI	Task Total	Optional Items
2	Base Information and Constraints	No Services	\$13,270.00	No Services	\$13,270.00	
4	Major Site Plan - Final Plan Stage	No Services	\$24,650.00	No Services	\$24,650.00	
	Consultant Total	\$0.00	\$37,920.00	\$0.00	\$37,920.00	Option SubTotal
	Consultant Reimbursable Expenses Total	\$ -	\$ 1,211.00	NA	\$1,211.00	Expenses
					\$39,131.00	Option Grand Total

DIRECT EXPENSES - Appendix C
FEE PROPOSAL FOR PLANNING, SURVEY, ENVIRONMENTAL LANDSCAPE ARCH & ENGINEERING
 Project: Hite Road Park Final Site Plan

LPDA

		NO.	Unit	Unit Cost		
A.	TRAVEL					
	1	(Personal Car Trips x mile round trip)-Charles Town	12	72	\$ 0.550	\$ 475.20
	2	Parking		Ea.	\$ 7.00	\$ -
					Subtotal:	\$ 475.20
B.	LODGING & MEALS					
	1	Lodging	0	night	\$ 99.00	\$ -
	2	Meals	0	each	\$ 15.00	\$ -
					Subtotal:	\$ -
C.	GRAPHICS PRINTING					
	1	Conceptual Design Plans	12	24x36 Bond	\$ 9.00	\$ 108.00
	2	Design Development	12	24x36 Bond	\$ 9.00	\$ 108.00
	3		0	24x36 Bond	\$ 10.00	\$ -
					Subtotal:	\$ 216.00
D.	BLUE PRINTING					
	1	1ST FINAL (40 sheets x 8 sets)	320	copies	\$ 1.50	\$ 480.00
	2	2ND FINAL (40 sheets x 8 sets)	320	copies	\$ 1.50	\$ 480.00
	3	Final Construction Plans (40 sheets x 8 sets)	320	copies	\$ 1.50	\$ 480.00
					Subtotal:	\$ 1,440.00
E.	PRINTING, PHOTOGRAPHY, & GRAPHICS					
	1	Photocopies	500	Shits.	\$ 0.10	\$ 50.00
	2	Photography		36 Exp.	\$ 15.00	\$ -
	3	Document printing		each	\$ 50.00	\$ -
	4	Graphic Presentation Exhibits	12	Boards	\$ 50.00	\$ 600.00
					Subtotal:	\$ 650.00
F.	COMMUNICATIONS					
	1	Telephone	8	Month	\$ 15.00	\$ 120.00
	2	Fax	8	Month	\$ 8.00	\$ 64.00
					Subtotal:	\$ 184.00
G.	POSTAGE/SHIPPING					
	1	Regular Postage	8	Month	\$ 6.50	\$ 52.00
	2	Bulk Mailings	12	Package	\$ 30.00	\$ 360.00
					Subtotal:	\$ 412.00
H.	COMPUTER					
	1	CD	4	cd each	\$ 2.00	\$ 8.00
					Subtotal:	\$ 8.00
					SUBTOTAL:	\$ 3,385.20
					TOTAL	\$ 3,385.20

DIRECT SALARY COST - Appendix D
 FEE PROPOSAL FOR ENGINEERING SERVICES
 Project: Hite Road Park (City-Site Only)

TASK	Description	TRAD Engineering, Inc.											TOTAL	TOTAL			
		Senior Eng.	Project Eng.	CI CAD	CADD	Site Surveyor	2-Station Tech	3-Station Survey	2-Mech Survey	GPS Crew	Lump Sum	HOURS	DOLLARS				
1	Project Initiation																
	Meeting w/ JCPC		4														4
	Meeting w/ Jefferson County Officials		4														4
	Subtotal of Hours	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
		\$ 1,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00
Task 1 Total: \$ 1,000.00																	
2-A	Topographic and Boundary Survey																
	Boundary Survey					2	40	30	18								90
	Topographic Survey				18		2		6	2							30
	Aerial Mapping																
	Subtotal of Hours	0	0	0	18	0	42	30	24	2							120
		\$ -	\$ -	\$ 1,530.00	\$ -	\$ 400.00	\$ 3,360.00	\$ 4,200.00	\$ 2,400.00	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00
Task 2 Total: \$ 10,000.00																	
2-B	Phase I Environmental Reporting																
	Research, Site Recon, & Report																
	Subtotal of Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500.00
Task 3 Total: \$ 2,500.00																	
2-C	Geotechnical Investigation																
	Mobilization, Borings, Lab Testing, & Report																
	Subtotal of Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00
Task 4 Total: \$ 5,000.00																	
3-A	Concept Plan Development																
	MDP Revisions	1				8											9
	Preliminary Site Evaluations	1	12														17
	Meeting w/ JCPC	4															4
	Subtotal of Hours	6	12	0	12	0	0	0	0	0	0	0	0	0	0	0	30
		\$ 750.00	\$ 1,200.00	\$ -	\$ 900.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,850.00
3-B	Traffic Impact Analysis																
	Traffic Counts, Study, & Meetings																
	Subtotal of Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16,500.00
Task 5 Total: \$ 16,500.00																	
3-C	Pre-proposal Conference																
	Meeting w/ County Agencies	4															4
	Subtotal of Hours	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
		\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500.00
3-D	Concept Plan Submission																
	Agency Coordination	2															2
	Concept Plan Submittal	4															4
	Subtotal of Hours	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	6
		\$ 250.00	\$ 400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 650.00
3-E	Concept Plan Public Workshop																
	Meeting w/ Planning Commission	5															5
	Subtotal of Hours	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
		\$ 625.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 625.00
Task 6 Total: \$ 21,250.00																	
4-A	Final Engineering and Site Layout Plans																
	Internal Park Road & Parking Design	4	4		24												32
	Entrance Design	2	4		16												22
	Site Grading	8	8		32												48
	Storm Water Management Design	4	40		161												205
	Erosion & Sediment Control Design	4	16		64												84
	Storm Sewer Design	4	18		72												94
	Sanitary Sewer Design	8	44		176												236
	Water System Design	8	16		64												104
	Engineering Report	4	12		48												64
	SWPPP & GPP Submittal for NPDES Approval	4	40		160												204
	Reviews & Project Administration	8	4		32												44
	Permitting & Coordination w/ County & State	12	24		96												132
	Subtotal of Hours	70	230	0	232	0	0	0	0	0	0	0	0	0	0	0	532
		\$ 8,750.00	\$ 23,000.00	\$ -	\$ 17,400.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 49,150.00
4-C	Final Easements and Plats																
	Plot Preparation & Submittal					2	22										24
	Subtotal of Hours	0	0	0	0	2	22	0	0	0	0	0	0	0	0	0	24
		\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ 1,760.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,960.00
4-D	Final Health Department Permits																
	Field Investigation & Drafting Design																
	Coordination w/ County Health Dept.	2	4		8												10
	Subtotal of Hours	2	4	0	8	0	0	0	0	0	0	0	0	0	0	0	10
		\$ 250.00	\$ 400.00	\$ -	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 950.00
4-E	Final WVDON Permits																
	Entrance Permit Application & Calculations	4	16		64												84
	Coordination w/ WVDON	4	2		8												10
	Subtotal of Hours	8	18	0	8	0	0	0	0	0	0	0	0	0	0	0	34
		\$ 1,000.00	\$ 1,800.00	\$ -	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,400.00
4-G	Final Plan Submission																
	Preparation of Final Plan & Documents	2	4		8												14
	Coordination w/ Design Team	2															4
	Subtotal of Hours	4	4	0	8	0	0	0	0	0	0	0	0	0	0	0	18
		\$ 500.00	\$ 400.00	\$ -	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00
4-H	Final Plan Public Hearing																
	Meeting w/ Planning Commission	5															5
	Subtotal of Hours	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
		\$ 625.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 625.00
Task 7 Total: \$ 65,950.00																	
5	Project Specifications and Construction Manual																
	Specifications	6	24		96												126
	Compilation of Forms & Approvals	2	2		8												4
	Design Team Coordination	2	2		8												4
	Subtotal of Hours	8	26	0	4	0	0	0	0	0	0	0	0	0	0	0	38
		\$ 1,000.00	\$ 2,600.00	\$ -	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,900.00
Task 8 Total: \$ 3,900.00																	
6	Construction Bidding Support-Phase I																
	Pre-Bid Meeting	4															4
	Bid Review	2															2
	Pre-Construction Meeting	4															4
	Subtotal of Hours	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
		\$ 1,250.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250.00
Task 9 Total: \$ 1,250.00																	
TOTAL HOURS		132	298	180	248	600	640	360	240	200	NA						
TOTAL LABOR PER STAFF		\$ 16,500.00	\$ 29,800.00	\$ 1,530.00	\$ 24,100.00	\$ 600.00	\$ 5,120.00	\$ 4,200.00	\$ 2,400.00	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 98,370.00
Total Labor Fee \$ 114,920.00																	

DIRECT EXPENSES - Appendix E
FEE PROPOSAL FOR ENGINEERING SERVICES
 Project: Hite Road Park Final Site Plan

TRIAD Engineering, Inc.

		NO.	Unit	Unit Cost		
A.	TRAVEL					
	1 (Personal Car Trips x mile round trip)-Charles Town	12	30	\$ 0.550		\$ 198.00
	2 Parking		Eq.	\$ 7.00		\$ -
					Subtotal:	\$ 198.00
B.	LODGING & MEALS					
	1 Lodging	0	night	\$ 99.00		\$ -
	2 Meals	0	each	\$ 15.00		\$ -
					Subtotal:	\$ -
C.	GRAPHICS PRINTING					
	1 Conceptual Design Plans	40	24x36 Bond	\$ 9.00		\$ 360.00
	2 Design Development	40	24x36 Bond	\$ 9.00		\$ 360.00
					Subtotal:	\$ 720.00
D.	BLUE PRINTING					
	1 1ST FINAL (40 sheets x 8 sets)		copies	\$ 1.50		\$ -
	2 2ND FINAL (40 sheets x 8 sets)		copies	\$ 1.50		\$ -
	3 Final Construction Plans (40 sheets x 8 sets)		copies	\$ 1.50		\$ -
					Subtotal:	\$ -
E.	PRINTING, PHOTOGRAPHY, & GRAPHICS					
	1 Photocopies	250	Shs.	\$ 0.10		\$ 25.00
	2 Photography		36 Exp.	\$ 15.00		\$ -
	3 Document printing		each	\$ 50.00		\$ -
	4 Graphic Presentation Exhibits		Boards	\$ 50.00		\$ -
					Subtotal:	\$ 25.00
F.	COMMUNICATIONS					
	1 Telephone		Month	\$ 15.00		\$ -
	2 Fax		Month	\$ 8.00		\$ -
					Subtotal:	\$ -
G.	POSTAGE/SHIPPING					
	1 Regular Postage		Month	\$ 6.50		\$ -
	2 Bulk Mailings	4	Package	\$ 30.00		\$ 120.00
					Subtotal:	\$ 120.00
H.	COMPUTER					
	1 CD		cd each	\$ 2.00		\$ -
					Subtotal:	\$ -
					SUBTOTAL:	\$ 1,063.00
					TOTAL	\$ 1,063.00

**DIRECT SALARY COST - Appendix F
 FEE PROPOSAL FOR ENGINEERING SERVICES**

Project: Hite Road Park (2500' Section from Proposed Park Entrance to Jefferson Orchard Road)

TRIAD Engineering, Inc.

TASK	Description	Hourly Rate	Senior Eng.	Project Eng.	Sr. CADD	CADD	Lic. Surveyor	Sr. Survey Tech.	3-Man Survey	2-Man Survey	GPS Crew	Lump Sum	TOTAL HOURS	TOTAL TASKS
			\$125.00	\$100.00	\$85.00	\$75.00	\$100.00	\$80.00	\$140.00	\$100.00	\$150.00			
2-A	Topographic and Boundary Survey		0	0	5	0	2	4	0	6	2		19	
	Topographic Survey		0	0	5	0	2	4	0	6	2		19	
	Subtotal of Hours		\$ -	\$ -	\$ 425.00	\$ -	\$ 200.00	\$ 320.00	\$ -	\$ 600.00	\$ 300.00	\$ -		\$ 1,845.00
2-C	Geotechnical Investigation													
	Mobilization, Borings, Lab Testing, & Report		0	0	0	0	0	0	0	0	0	\$ 4,000.00	0	
	Subtotal of Hours		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000.00	0	\$ 4,000.00
Task 2 Total \$ 5,845.00														
4-A	Final Engineering and Site Layout Plans													
	Road Design		4	4		24							32	
	Cross-Sections		4	4		40							48	
	Plan & Profile Sheets		4	4		24							32	
	Site Grading		4	4		8							16	
	Storm Water Management Design		2	16		4							22	
	Engineering Report		2	4		2							8	
	Reviews & Project Administration		4	2									6	
	Permitting & Coordination w/ County & State		4	2		8							14	
	Subtotal of Hours		28	40	0	110	0	0	0	0	0	\$ -	178	
		\$ 3,500.00	\$ 4,000.00	\$ -	\$ 8,250.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 15,750.00

DIRECT SALARY COST - Appendix H
FEE PROPOSAL FOR ENGINEERING SERVICES
 Project: Hite Road Park (5500' Section from Proposed Park Entrance towards Witshire Road)

TRIAD Engineering, Inc.

TASK	Hourly Rate	Senior Eng. \$125.00	Project Eng. \$100.00	Sr. CADD \$85.00	CADD \$75.00	Lic. Surveyor \$100.00	Sr. Survey Tech. \$80.00	3-Man Survey \$140.00	2-Man Survey \$100.00	GPS Crew \$150.00	Lump Sum	TOTAL HOURS	TOTAL TASKS
2-A													
Topographic and Boundary Survey				10		2	9		12	2		35	
Topographic Survey				10		2	9	0	12	2		35	
	\$ -	\$ -	\$ -	\$ 850.00	\$ -	\$ 200.00	\$ 720.00	\$ -	\$ 1,200.00	\$ 300.00	\$ -		\$ 3,270.00
2-C													
Geotechnical Investigation											\$ 10,000.00	0	
Mobilization, Borings, Lab Testing, & Report												0	
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00	0	\$ 10,000.00
Task 2 Total \$ 13,270.00													
4-A													
Final Engineering and Site Layout Plans													
Road Design		4	8		40							52	
Cross-Sections		4	8		60							72	
Plan & Profile Sheets		4	4		40							48	
Site Grading		4	8		16							28	
Storm Water Management Design		2	24		8							34	
Engineering Report		4	8		4							16	
Reviews & Project Administration		8	2									10	
Permitting & Coordination w/ County & State		8	2		12							22	
	\$ 4,750.00	\$ 38	\$ 64	\$ 0	\$ 180	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ -	282	\$ 24,650.00

DIRECT EXPENSES - Appendix I
FEE PROPOSAL FOR ENGINEERING SERVICES

Project: Hite Road Park (5500' Section from Proposed Park Entrance towards Wiltshire Road)

TRIAD Engineering, Inc.

A.	TRAVEL	NO.	Unit	Unit Cost		
	1 (Personal Car Trips x mile round trip)-Charles Town	2	60	\$ 0.550		\$ 66.00
	2 Parking		Ea.	\$ 7.00		\$ -
					Subtotal:	\$ 66.00
B.	LODGING & MEALS	No.	Unit	Unit Cost		
	1 Lodging	0	night	\$ 99.00		\$ -
	2 Meals	0	each	\$ 15.00		\$ -
					Subtotal:	\$ -
C.	GRAPHICS PRINTING	No.	Unit	Unit Cost		
	1 Conceptual Design Plans	25	24x36 Bond	\$ 9.00		\$ 225.00
	2 Design Development	25	24x36 Bond	\$ 9.00		\$ 225.00
					Subtotal:	\$ 450.00
D.	BLUE PRINTING	No.	Unit	Unit Cost		
	1 1ST FINAL (25 sheets x 4 sets)	100	copies	\$ 2.50		\$ 250.00
	2 2ND FINAL (25 sheets x 2 sets)	50	copies	\$ 2.50		\$ 125.00
	3 Final Construction Plans (25 sheets x 4 sets)	100	copies	\$ 2.50		\$ 250.00
					Subtotal:	\$ 625.00
E.	PRINTING, PHOTOGRAPHY, & GRAPHICS	NO.	Units	Unit Cost		
	1 Photocopies	100	Shts.	\$ 0.10		\$ 10.00
	2 Photography		36 Exp.	\$ 15.00		\$ -
	3 Document printing		each	\$ 50.00		\$ -
4 Graphic Presentation Exhibits		Boards	\$ 50.00		\$ -	
					Subtotal:	\$ 10.00
F.	COMMUNICATIONS	NO.	Unit	Unit Cost		
	1 Telephone		Month	\$ 15.00		\$ -
	2 Fax		Month	\$ 8.00		\$ -
					Subtotal:	\$ -
G.	POSTAGE/SHIPPING	NO.	Unit	Unit Cost		
	1 Regular Postage		Month	\$ 6.50		\$ -
	2 Bulk Mailings	2	Package	\$ 30.00		\$ 60.00
					Subtotal:	\$ 60.00
H.	COMPUTER	NO.	Unit	Unit Cost		
	1 CD		cd each	\$ 2.00		\$ -
					Subtotal:	\$ -
					SUBTOTAL:	\$ 1,211.00
					TOTAL	\$ 1,211.00

<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: Patsy Noland, Commissioner

Department or Entity: County Commission

Estimation of amount of time needed for appointment: _____

Date Requested – 1st Choice: March 3, 2011

Date Requested – 2nd Choice: _____

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

Subject: **Direction/Discussion on current CD Renewal**

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:

JCPRC DIRECTOR'S REPORT
February 16, 2011

RECEIVED

FEB 21 2011

I. **Parks/Facilities Report:**

JEFFERSON COUNTY COMMISSION

1. A new gate will be installed in the coming weeks at South Jefferson Park. Jeff Bayliss of the Summit Point Little League had the gate donated to us.
2. Due to high winds, one of the covers blew off of the air handler at the JCCC and punctured the roof. The roof has been repaired.
3. A tree is down across the walking trail at Morgan's Grove Park. Johnny will be removing it this week.
4. The supplies to fix the gazebo at Bolivar Nature Park have been ordered and Johnny will begin working on the project Friday.
5. After meeting with Kirk at Bolivar Nature Park earlier this month, it was determined that we should do some structural work and add some new posts to support the bridges on the trail within the park. Some of the posts are starting to rot out and currently, there are no handrails. The material cost for the project is estimated at \$350.00.
6. There is some concern about the condition of the concrete bridges that you cross when entering Bolivar Nature Park. Chunks of the concrete are falling off. I am not sure who owns the right of way and who is responsible for them. Toni has been talking with the Town of Bolivar to help determine whose responsibility it is.
7. I have a meeting with a contractor on Thursday to get another quote on removing the light poles on the fast-pitch field at Leetown Park. I have current estimates and a scope of work for anyone that would like to review.
8. Bill Polk from county maintenance and I have tentative plans to visit some of the parks on Wednesday, February 23rd. Bill is helping establish a maintenance schedule for the parks.
9. Our activity room will be painted on Monday, February 21st. The JCCC is scheduled to be closed in observance of President's Day.

II. **Equipment Report:**

The 1992 Ford paperwork has been turned over to the county. I have not heard what they will be doing with the vehicle or when it will be picked up.

The John Deere Tractor has been fixed. The gears and bearings were replaced.

The Kubota Tractor that we had received a quote on to fix has more damage than initially realized. The estimate to fix it is \$5000 and the tractor is not worth the cost to repair. At this time, the tractor will not be fixed.

III. **Personnel Update/New Hires:**

Samantha Viands-Young Picasso
Stacey Earl-Preschool Programs

IV. Leave Request:

Jennifer Myers is requesting to use 16 hours of vacation on March 21st and 22nd. Lauren Thurston will cover.

V. Report on Grant Projects:

1. Community Partnership Grant application for \$30,000.00 for Hite Road that was submitted last March has not been approved. Requests are due now for 2012.
2. A LWCF grant has been submitted and approved for Moulton Park. The grant approval is for \$45,000, which must be matched. We did not receive any response to the RFP for an archeological study. I am currently working with Kim Snyder of Thunderbird Archeology to get a price. SHPPO has still not replied to us with permission to begin putting in the fence. Another call was placed to them on February 15, 2011.
3. A LWCF grant has been submitted for Hite Road Park. We have received acknowledgement of the application from WV Development Authority. We have received a letter from SHPPO noting several historical sites that we must provide further information on.

VI. Program Updates:

With the implementation of ActiveNet last spring, we can now print comparison reports for programs/activities. If anyone would like one, Program comparisons are available for January.

We are currently promoting and encouraging online registration as our main source to sign up for programs on all flyers and advertisement.

Our Middle School Dance on February 4 had 398 kids in attendance. The next dance is scheduled for March 4.

Father/Daughter Valentine Dance was held on Sunday, February 13 from 3-5 p.m. We had 106 participants.

Programs currently being offered this session include:

- Gymnastics
- Dance
- Brickbuilding (Legos)
- Lil Kickers
- Little Dribblers
- Little Dragons
- Little Ninjas
- Youth Indoor Soccer
- Jr. Hoops

Youth Basketball
Mommy & Me Art
Sloppy Saturdays
Young Picasso
Karate
Indoor Playground
Late Night Men's Indoor Soccer League
Baby Sign Language

Play & Learn Preschool is currently running in the pre-school room. Our current registration for the winter/spring school year is as follows:

- M/W/F AM 17
- M/W/F PM 17
- T/TH AM 15
- T/TH PM 14

Ransom Parks & Recreation is currently practicing basketball here on Wednesday evenings.

Potomac Valley Volleyball is using the gymnasium for Thursday evenings from 6-8 for volleyball practice.

Our requests to use Driswood Elementary School and Wright Denny Elementary School for our Summer Play Camps have been approved. We have begun advertising the day camps for both locations as well as Morgan's Grove Park. Camp will run June 13-July 29 with no camp being held the week of July 4th.

Swimming classes will be held at Shepherd University beginning March 5 from 4-7 pm. Some classes are already full.

We are currently working on our Spring/Summer Program Guide. We hope to have it out by the 1st of March. Some new programs that are planned include: Rugby, Wrestling, Hoola Hooping, and kids Zumba.

We are going to be offering a Men's Open Gym Basketball on Tuesdays from 8-10 p.m. beginning March 8-April 26.

Upcoming Events include:

An open house is planned for March 19th from 10:00 a.m.-1:00 p.m. We plan to have activities for children, food, and giveaways. Some events that are confirmed include Mr. and Bubble Bee, Miss Jefferson County 2011 and Miss Jefferson County Teen 2011. Chick-Fil cow will be coming and providing food for the event. We have found some balloons, Frisbees, and water bottles that we plan to give out to kids and have ordered some pens to pass out at our table.

Breakfast with Peter Cottontail will be held on April 9th. Costco Wholesale is interested in sponsoring the event and passing out candy or contributing in another way. They would like to have a table to share information on memberships.

Spring Break Camp will be held April 18-22 from 9-4 p.m.

Community Yard Sale will be held on April 23 from 8-2 p.m.

VII. Other

So far, two county employees have signed up for free use of the fitness room.

Staff had P-Card training on Monday, February 14th. All P-Cards have been issued to staff that was in attendance and they can now be used to make purchases.

We have a gentleman that will be completing 200 hours of community service here over the next few months.

Lauren and I are planning to attend Children's Day at the Martinsburg Mall that will be held on Saturday, March 26th from 10-2. We have requested the paperwork to sign up. Volunteers to assist would be appreciated.

I met with Steve Rawlings of WVCORP on Friday, February 4th. We took a tour of the facility and he expressed some potential liability concerns for us to consider that include purchasing additional mats for some equipment in the gym and setting new policies for fitness room use and liability waivers. He will be back at the end of March to take a tour of the parks.

I attended the Jefferson County Department Head meeting on February 2 from 8-10 a.m. The meetings are held the first Wednesday of each month and they have invited me to attend regularly. Overtime policies for Jefferson County were discussed.

I attended a fireworks meeting on Thursday, January 20th at Ranson Parks & Recreation's Marcus Field.

I met with Wendy DeLawder of EPIC soccer league to discuss possible use of Morgan's Grove Park fields on Sundays this spring. I will be setting up a meeting with Vicki and Wendy to discuss in more detail.

Myself and staff have been meeting to discuss programs, facilities, upcoming events, etc.

Our website is back up and running. Lauren has made numerous changes to the design on the site. So far, we have received positive feedback on the changes. If you have not looked at the site lately, please check it out and let us know what you think.

I would like to attend the P-Card training that will be offered in March at the Holiday Inn, located in Martinsburg. The dates have not yet been set.

Jennifer Myers

Subject: FW: Minutes

Jefferson County Parks and Recreation
Minutes Meeting
Januy 19, 2011

I. Call to Order: President Marshall called the meeting to order at 7:00 p.m.

II. Roll Call: Present at meeting were: Paul Marshall, George Nichols, Heather Morgan, Jimmy Pierson, Lou Tiano, Bobby Shirley, Gene Taylor, Dan McVicar and County Commissioner Dale Manuel, Interim Director Jennifer Myers

* Note that Mike Jacobs resigned to the County Commission. There is now an open seat. County Commission will advertise.

III. Public Comment:

- Locke Wysong spoke to the commission about P-Cards through the State Auditor's Office.
- Michael Painter, Berkeley County Skate Park. Checking on development of skate parks. McVicar responded regarding Hite Road.
- John _____ asked about the Parks and Rec summit group that was formed. The status is stagnant at this point. John will follow up.

IV: Motion to Approve November 17 and December 15 Special Meeting minutes made by Tiano. Second by Taylor.

Corrections to minutes: (1) November 17 under facilities. Correct typing error on sentence reading "Second and third readings will be at January 2011 meeting."

Approved with correction.

V. Treasurer's Report: Quick Books report not available. Jennifer will email it.

- Diehl will correct some payroll transfers that need to be done.
- Wait until next month for full report.

VI. Director's Report

- Box installed out front for Independent Fire Co.
- Update on fencing. Getting pricing on gates like those at Sam Michaels. Will get it and install.
- Johnny Kite now part time. He will continue responsibility with necessary snow removal.
- Copier now hooked up.
- 1994 Ford truck belongs to the county, not Parks and Rec.
- Tractor repair expenditures coming up. Tiano indicated money is in the budget.
- Asking for hire approval: 3 employees: [Unable to get names from audio] No objections; unanimous approval.
- Myers gave grants update.
- Myers gave programs update including March 19 open house.
- Discussion on emergency plan, especially with regard to preschool children. Jennifer will contact Driswood with regard to an emergency evacuation center.

VII. Standing Committee Reports

Executive: Update on director position: in status quo mode. Propose Mon. Jan. 31, 7 p.m. executive committee meeting.

Finance: Tiano provided minutes from finance committee meeting.

- Audit report: 19 items on list that are needed. Jennifer is handling the needs of the auditors.

- Leetown Park: discussion on lighting issues at the park.

Recommendation is not to put lights back on the field. Also recommended that bids be solicited to remove lights that are there.

- Committee voted to have Jennifer meet with banking representatives on getting various rates.

- Discussion on tree removal at Mt. Mission.

- Allocated \$1,000 for open house expenses.

- Maintenance project update given.

- Discussion of membership in Chamber of Commerce and how that will benefit the department.

- Taylor asked if Jennifer could be a part of the Job Corps committee. Marshall will place on next month's agenda.

- Increase deputy reserves from \$100 to \$150 donation.

- Recommend shutting down restrooms and kitchen at Leetown Park until renovations can be done.

Audit: Tiano reported already.

Land Acquisition: No activity

Facilities:

- Hite Road update: McVicar gave details of Dec. meeting. Will work directly with Master Planning Co. on site plan. Kirk Davis has and will continue to work on the process. In negotiations with LPDA on construction documents.

- Agricultural lease was signed and sent to Marty Kable. Awaiting his payment.

- Bylaws changes:

- (1) Change in election timeline of executive committee members.

Change from October to February. To go in affect Feb. 2012. VOTE is unanimous.

- (2) Addition to commission authority: Add giving Commission the authority to conduct exit interviews with all employees ending employment with the Commission. VOTE is unanimous.

- Next facilities meeting last Thursday of the month. Agenda will go out.

- McVicar stresses need for priority list of projects that need to be funded. Jennifer will add master list to her report.

Grants & Fundraising:

- Grant with AYSO on soccer portion of Hite Road. \$101,750.00 in resolution MOTION to modify commitment to this amount. MOU says league covers \$100,000. Motion by McVicar, second by Hoak. Vote Unanimous.

- McVicar seeks resolution to commit \$1,750 from land acquisition fund to cover this change in funds from survey and preliminary work funds. MOVE: That president signs letter committing these funds; second by Nichols. Unanimous vote.

- Moulton Park: Working on pricing.

VIII. Old Business

- Status of Barr complaint: Interrogatories in process.

- New copier in place.

- McVicar hands out facilities use agreement for review. Removed section that those enrolled in outside organizations pay membership fee. Ask board for approval of this document as boiler plate from which all agreements will evolve. VOTE: Motion by McVicar; second by Pierson. Unanimous approval.

- Employee guidelines: Benefits section is still underway. Will bring n Feb. for final approval.

- Meeting with Men's Club: 2 options: they keep or P&R keep. Still under discussion. They will come back with a proposal.

IX. New Business

- MOTION: To recommend disposition of Ford truck back to county.

Motion by Pierson; second by Hoak. Unanimous vote.

- Approval of preschool handbook--for Feb. agenda.

- MOTION to approve revised P-Card procedure revision. Motion by Tiano, second by Taylor. Unanimous.

- MOTION to Provide fitness room to county employees. Motion by Tiano, second by Pierson. Unanimous.

- MOTION to seek bids to remove lighting from Leetown Park. Motion by Taylor, second by Shirley. Unanimous. Pierson recommends that the leagues that will be affected be notified. McVicar requests documentation on safety issue. Jennifer will set a meeting church and softball leagues.

- MOTION to shut down kitchen and bathroom facilities at Leetown Park. Put in portable toilets until repairs can be done. Motion by Nichols, second by Taylor. Unanimous.

- MOTION to JCPRC to become member of Chamber of Commerce. Motion by Nichols, second by Tiano. Unanimous. Morgan abstains.

- MOTION to increase donation to Sheriff's Reserves to \$150. Motion by Nichols, second by Hoak. Unanimous. Shirley abstains.

- MOTION to award bid for boundary line survey at Mt. Mission Park for \$2,500 to Appalachian Surveys. Motion by Tiano, second by Nichols. Unanimous. Jennifer will email amount left in survey account.

Discussion on resetting price schedule on gym usage and field usage, etc. McVicar will forward to facilities committee for initial approval. Will be out-of-county rates included in the charges.

Signing of resolution done.

X. Adjournment

MOTION to adjourn by Marshall.

Respectfully submitted:

Toni Milbourne

Secretary=

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	\$ 28,334.38	\$ 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	\$ 138,623.00	\$ 69,311.50	\$ 69,311.50	\$ 8,608.49	\$ 23,954.08	\$ 2,529.87	\$ 24,314.47	\$ 9,904.61
10/16/10	\$ 150,469.24	\$ 75,234.62	\$ 75,234.62	\$ 9,344.14	\$ 26,001.08	\$ 2,746.06	\$ 26,392.31	\$ 10,751.03
10/23/10	\$ 140,581.60	\$ 70,290.80	\$ 70,290.80	\$ 8,730.12	\$ 24,292.50	\$ 2,565.61	\$ 24,658.01	\$ 10,044.56
10/30/10	\$ 131,230.08	\$ 65,615.04	\$ 65,615.04	\$ 8,149.39	\$ 22,676.56	\$ 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	\$ 8,785.15
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	\$ 5,966.19	\$ 16,601.57	\$ 1,753.35	\$ 16,851.35	\$ 6,864.48
02/05/11	\$ 121,554.88	\$ 60,777.44	\$ 60,777.44	\$ 7,548.58	\$ 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
02/19/11	\$ 144,037.08	\$ 72,018.54	\$ 72,018.54	\$ 8,944.70	\$ 24,889.61	\$ 2,628.68	\$ 25,264.10	\$ 10,291.45
Subtotal	\$ 4,611,101.98	\$ 2,761,582.73	\$ 1,849,519.25	\$ 229,710.27	\$ 639,193.86	\$ 67,507.48	\$ 648,811.31	\$ 284,296.33

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending
	February 19, 2011
To be Deposited on:	February 28, 2011
Amount Played	85,371,185.68
Amount Won	76,788,254.54
Amount Promo	204,496.00
MWAP Contribution	<u>42,956.22</u>
Adjusted Gross Terminal Revenue	<u>8,335,478.92</u>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>333,419.17</u>
Net Terminal Revenue	<u>8,002,059.75</u>
Surcharge @ 10%	800,205.98
State Share Excess @ 58%	464,119.47
Track Share of Capital Reinvestment @ 42%	336,086.51
<i>Track Share of Capital Reinvestment @ 42% - 96%</i>	\$ 322,643.05
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	\$ 13,443.46
Adjusted Net Terminal Revenue	<u>7,201,853.77</u>
Racetrack @ 46.50% / 42%	3,024,778.58
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,952,760.05
Race Track Purses @ 7% / 14% / 8%	576,148.30
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	36,009.27
Greyhound Development @ .75%	54,013.90
Thoroughbred Development @ .75%	54,013.90
Racing Commission @ 1%	72,018.54
County/Municipality @ 2%	144,037.08
3% Funds:	
Tourism Promotion Fund @ 1.375%	99,025.49
Development Office Promotion Fund @ .375%	27,006.95
Research Challenge Fund @ .5%	36,009.27
Capitol Renovation and Improvement Fund @ .6875%	49,512.74
2004 Capitol Complex Parking Garage Fund @ .0625%	4,501.16
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>72,018.54</u>
	<u>7,201,853.77</u>

VIDEO LOTTERY REPORT
FY 2009

Table Game Revenues
FY 2011

FY 2009		FY 2010		FY 2011		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	Jan-11 106,189.21
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	2/19/2011	72,018.54	
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		2761582.73	687965.11



SHEPHERDSTOWN FIRE DEPARTMENT, INC.

8052 Martinsburg Pike • PO Box F • Shepherdstown, WV 25443
(304) 876-2311 • ShepherdstownFireDepartment.com

February 1, 2011

Jefferson Co. Commissioners
P.O. Box 250
Charles Town, WV 25414

Dear ~~Commissioners~~, *Commissioners,*

The members of the Shepherdstown Fire Department cordially invite ^{you} to attend our annual Recognition & Awards Dinner and Dance on Saturday, March 19, 2011. This event will begin with a social hour starting at 5:30pm followed by dinner, the awards ceremony, and a dance.

Please complete the bottom of this letter and return it via mail by March 5 to:

Shepherdstown Fire Department
Attn: Jim Locke
PO Box F
Shepherdstown, WV 25443

RECEIVED

FEB 23 2011

Sincerely Yours,

Jim Locke
2010 Banquet Committee

Jefferson County Commission

You and a guest are invited.

cc: to AVI Commissioners 2/23/11 - ds

2010 SFD Awards Banquet Reservation – March 19, 2011

Total # of people attending _____

Name(s): _____



238 W. Washington Street
Charles Town, WV 25414
www.pahwv.org

Board of Directors

President

Patsy Noland

Vice-President

William Willingham

Secretary

Annette Van Hilst

Treasurer

Dan VanBellegem

Members

Sheila Evers
Mary Lois Gannon-Miller
Sarah Kleckner
Rosella Kern
Melissa Knotts
Dale Manuel
A.M.S. (Rusty) Morgan III
Doug Campbell

Ex Officio

Renny Smith

Program Coordinator

Marie Galazzi

RECEIVED

FEB 24 2011

February 22, 2011

Jefferson County Commission

Dale Manuel, President, County Commissioners of Jefferson County
Post Office Box 250
124 East Washington Street
Charles Town WV 25414

Subject: Thank you

Dear President Manuel:

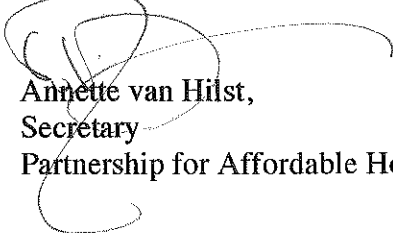
I have been asked by the Board of the Partnership to thank you and all the County Commission for the funds allocated by the County Commission for this fiscal year for the Partnership. We received the funds in early February 2011. These funds will allow us to continue our work in Jefferson County.

We have been designated by the HOME program as the primary contact in Jefferson County. Households interested in the HOME Housing Assistance Program that helps low & moderate income households to purchase homes may contact our office at 304 725 6189 or visit our website at <http://www.pahwv.org/> to obtain information.

Our first two Homebuyer Education classes were held in January and February and we plan to continue monthly classes. These classes are open to all interested persons. We are also able to provide the classes in Spanish.

Your funds make it possible for us to provide these services as well as allowing us to assist persons with housing problems who visit our offices located at Community Ministries on W. Washington Street. It is our hope that we will this year be able to assist a number of Jefferson County households to secure affordable housing and we will continue to promote affordable housing in our community.

Sincerely



Annette van Hilst,
Secretary
Partnership for Affordable Housing



February 22, 2011

Ms. Patsy Noland, President
Mr. Dale Manuel, Vice President
Ms. Frances Morgan, Commissioner
Mr. Walt Pellish, Commissioner
Ms. Lyn Widmyer, Commissioner
Jefferson County Commission
PO Box 250
Charles Town, WV 25414

Subject: Open invitation to Jefferson County Commissioners to attend Jefferson County Organization of Homeowners Associations, Inc. meetings

Dear President Nolan and Members of the Commission:

The members of the Jefferson County Organization of Homeowners Associations, Inc. (JCOHOA) cordially extend an open invitation to the Jefferson County Commissioners to attend our meetings. Our next meeting is our quarterly breakfast meeting on Saturday March 19th at John's Restaurant in Rippon at 9:00 AM. We have provided our meeting schedule below for your convenience.

Since we provided you an overview of our recently formed organization in November of 2010, our membership has grown from 9 HOAs to 13 HOAs encompassing 2,124 homeowners in Jefferson County. Our primary objectives are to provide education to and communication with the HOAs of Jefferson County, WV, concerning issues relevant to HOAs. As such, we believe your contribution would be especially beneficial.

Commissioner Widmyer has graciously consented to provide us with an overview of Urban Growth Boundaries. Also, Commissioner Pellish, who assumed office in January 2011, may want to learn more about us. Both are welcome to attend our March 19th meeting. Of course, any or all Commissioners are welcome to attend any of our meetings, which are always open to the public.

2011 JCOHOA meeting dates and locations:

- March 19 – 9 AM Saturday John's Restaurant
- April 20 – 7 PM Wednesday Citizens Fire Company
- May 18 – 7 PM Wednesday Citizens Fire Company
- June 18 – 9 AM Saturday John's Restaurant
- July 20 – 7 PM Wednesday Citizens Fire Company
- August 17 – 7 PM Wednesday Citizens Fire Company
- September 17 – 9 AM Saturday John's Restaurant
- October 19 – 7 PM Wednesday Citizens Fire Company
- November 16 – 7 PM Wednesday Citizens Fire Company
- December 17 – 9 AM Saturday John's Restaurant

Location Address:

Citizens Fire Company
245 Citizens Way
Charles Town, WV 25414

John's Family Restaurant
Route 340 South (toward Virginia)
Rippon, WV 25441

The purpose of the JCOHOA is to focus on the issues relating to the preservation and promotion of the present and future welfare of the Jefferson County Homeowners Associations. The Organization is comprised of Jefferson County, West Virginia Homeowners Associations having been established with the purpose of the discussion of common problems, the sharing of solutions, the communication of important information to our communities and to be a cohesive force to protect the interests and welfare of Jefferson County home owners.

If you have any questions or concerns in regards to this letter, please feel free to contact me at pappignani@gmail.com or at (304) 579-7938.

Sincerely,

Peter Appignani

Digitally signed by Peter Appignani
DN: cn=Peter Appignani, o=JCOHOA, ou,
email=pappignani@gmail.com, c=US
Date: 2011.02.22 05:57:21 -05'00'

Peter Appignani
President, JCOHOA

cc: JCOHOA Officers

FRONTIER CHKREOTAX 2021823 001 CHECK DATE: 2/17/2011 CHECK NO: 56236830

INVOICE NO.	DATE	GROSS AMOUNT	DISCOUNT AMOUNT	NET AMOUNT
53917 004 -WVE911JEFF	2/16/2010	50,273.72	.00	50,273.72
		50,273.72	.00	50,273.72

RECEIVED

FEB 22 2011

Jefferson County Commission

QUESTIONS? PLEASE CALL 1-800-209-9963.

REMOVE DOCUMENT ALONG THIS PERFORATION

THIS IS WATERMARKED PAPER - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

frontier
Communications

Citizens Communications Co.
3 High Ridge Park
Stamford, CT 06905

HSBC BANK USA
ONE HSBC CENTER
BUFFALO, NEW YORK 14203

50-582
213

DATE

2/17/2011

56236830

NET AMOUNT

\$ 50,273.72

DOLLAR FIVE ZERO COMMA TWO SEVEN THREE PERIOD SEVEN TWO

PAY Fifty Thousand Two Hundred Seventy-Three and 72/100 Dollars

PAY TO JEFFERSON COUNTY COMMISSION
PO BOX 250
CHARLESTOWN WV 25414

C1092864

[Signature]

56236830 021306822 797002973 7

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

CITIZENS communications
180 SOUTH CLINTON AVENUE
ROCHESTER, NY 14646-0300

RECEIVED

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
ROCHESTER, NY
Permit No. 1006

FEB 22 2011

Jefferson County Commission

JEFFERSON COUNTY COMMISSION
PO BOX 250
CHARLESTOWN WV 25414

Copy to Nancy, file, Agenda, Mark, William 2-22-11 original to JCC Office


Telecommunications Company
CTC of West Virginia
3 High Ridge Park
Stamford, CT 06905

County of Jefferson E-911, WV

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

FEIN No: 06-1449041
Report Month: Jan-11

A. Gross Line Count	17,288.00
B. Less Adjustments	0.00
C. Net Line Count	17,288.00
D. Line Rate	2.90
E. Surcharge Billed	50,135.20
F. Centrex Line Count	2,335.70
G. Centrex Line Rate	0.725
H. Surcharge Billed	1,693.38
I. Administrative Fee Rate	0.03
J. Administrative Fee Taken	1,554.86
K. Net Surcharge Remitted	50,273.72

Signature: 
Name: Joe Morabito
Title: Tax Accountant
Phone: 203-614-5105

Date: 2/14/2011

RECEIVED

FEB 22 2011

Jefferson County Commission



Federal Emergency Management Agency

Washington, D.C. 20472

February 15, 2011

THE HONORABLE PATSY NOLAND
PRESIDENT, COUNTY COMMISSIONER,
JEFFERSON COUNTY
P.O. BOX 250
124 EAST WASHINGTON STREET
CHARLES TOWN, WV 25414

CASE NO.: 11-03-0439A
COMMUNITY: JEFFERSON COUNTY, WEST
VIRGINIA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 540065

DEAR MS. NOLAND:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision (LOMR) Floodway Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMRs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

Sincerely,

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMR-FW DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region
Mr. Jacob E. Rabatin

RECEIVED

FEB 22 2011

Jefferson County Commission

cc to Roger Goodwin, Mason Cause & Barb Miller 2-22-11



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION FLOODWAY DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	JEFFERSON COUNTY, WEST VIRGINIA (Unincorporated Areas)	Lot 2309, Section 23-B, Avon Bend Subdivision, as described in the Deed, recorded in Deed Book 00947, Page 00653, in the Office of the Clerk of the County Commission, Jefferson County, West Virginia (TM: 9G; TP: 9)
	COMMUNITY NO.: 540065	
AFFECTED MAP PANEL	NUMBER: 54037C0230E	
	DATE: 12/18/2009	

FLOODING SOURCE: SHENANDOAH RIVER

APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 39.215, -77.829

SOURCE OF LAT & LONG: ESRI: FEMA GEOCODE/GOOGLE MAPS

DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
2309	23-B	Avon Bend	1049 Avon Bend Road	Structure (Residence)	X (shaded)	377.3 feet	377.3 feet	--

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

INADVERTENT INCLUSION FLOODWAY 1
PORTIONS REMAIN IN THE SFHA

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the NFIP regulatory floodway or the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the NFIP regulatory floodway and the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION FLOODWAY DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

INADVERTENT INCLUSION IN THE FLOODWAY 1 (PORTIONS OF THE PROPERTY REMAIN IN THE FLOODWAY) (This Additional Consideration applies to the preceding 1 Property.)

A portion of this property is located within the National Flood Insurance Program (NFIP) regulatory floodway for the flooding source indicated on the Determination Document, while the subject of this determination is not. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation, and any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Therefore, the NFIP regulatory floodway modification described in the Determination Document, while acceptable to the Federal Emergency Management Agency (FEMA), must also be acceptable to the community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/about/regoff.htm>.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

A handwritten signature in black ink, appearing to read "Luis Rodriguez".

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

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 16, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Walter & Deborah Carswell - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0732-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated February 8, 2011, and received in this Division on February 11, 2011, concerning your constituent, Mr. and Mrs. Walter Carswell'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. and Mrs. Walter Carswell 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-0732-PW-CTRAT
February 16, 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.

The Public Service Commission is a quasi-judicial agency. The procedural time frame in rate cases is decided by the Commission. The procedural schedule establishes a Recommended Decision due date - that is the latest date a Recommended Decision can be issued. The ALJ Division works diligently to complete the process prior to this date. The time preceding the Recommended Decision due date provides for Staff investigation and filing of their recommendations; filing of responses from all parties; hearings and time for transcripts and briefs to be filed after a hearing. The ALJ can review all the material filed in the case and at that time issue the Recommended Decision. Because the Commission is concerned with the adjudication of the PSC Rules and Regulations which requires discretion and decision and is subject to judicial review, the established procedural schedule does not allow for abrupt decisions.

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 18, 2011

The Honorable Shelley Moore Capito
United States Congress
4815 MacCorkle Avenue, SE
Charleston, WV 25304

Re: Ann Kelican - Informal Complaint
Jefferson Utilities, Inc.
Project No. 11W-0471-PW-CTRAT

Dear Representative Capito,

This letter is in response to your letter to Chairman Michael A. Albert dated January 21, 2011, and received in this Division on January 31, 2011, concerning your constituent, Ms. Ann Kelican'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 with the Public Service Commission of West Virginia (Commission). 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. Kelican 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 cannot 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

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FEB 22 2011

Jefferson County Commission

The Honorable Shelley Moore Capito
Project No. 11W-0471-PW-CTRAT
February 18, 2011
Page 2

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 public. Therefore, the Commission will now review the case file and make its own decision on the case.

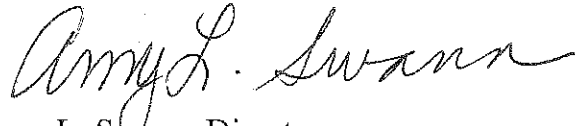
The Public Service Commission is a quasi-judicial agency. The procedural time frame in rate cases is decided by the Commission. The procedural schedule establishes a Recommended Decision due date - that is the latest date a Recommended Decision can be issued. The ALJ Division works diligently to complete the process prior to this date. The time preceding the Recommended Decision due date provides for Staffs' investigation and filing of their recommendations; filing of responses from all parties; hearings and time for transcripts and briefs to be filed after a hearing. The ALJ can review all the material filed in the case and at that time issue the Recommended Decision. Because the Commission is concerned with the adjudication of the PSC Rules and Regulations which requires discretion and decision and is subject to judicial review, the established procedural schedule does not allow for abrupt decisions.

Also, in reviewing your letter and discussing the water quality situation with Mr. Ron Jaininey, Utility Asset Manager for Jefferson Utilities, Inc. (JUI) who advised my staff that there was a complaint case filed with the Commission several years ago. The utility was ordered to file periodic reports with the Commission about the compliance of all Bureau of Public Health (BPH) rules and regulations regarding the testing and monitoring of the water supply to the three Mountain Water Systems. There is more iron and manganese in these systems but they have passed all the regulations of the BPH. The other systems have less iron and manganese because of the limestone base. The \$12.00 surcharge was approved in Case No.: 08-0544-W-42A for the future upgrade of the infrastructure of the system.

The Honorable Shelley Moore Capito
Project No. 11W-0471-PW-CTRAT
February 18, 2011
Page 3

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.



12th NATIONAL WATERSHED CONFERENCE

From Local to Landscape: A Watershed Based Approach

Sponsored by the

National Watershed Coalition

and

**Oklahoma Association of
Conservation Districts**

and

Oklahoma Conservation Commission

in cooperation with

**Oklahoma USDA Natural Resources
Conservation Service**

May 15-18, 2011

Renaissance Hotel

Oklahoma City, Oklahoma

WHO WE ARE

The National Watershed Coalition (NWC) is a nonprofit coalition founded in May 1989. NWC is made up of national, regional, state, local, and tribal organizations, associations and individuals, that advocate dealing with natural resource problems and issues using the watershed as the planning and operational unit. We advocate using total resource management principles in planning, and believe that the Small Watershed Program, authorized by PL 83-566, is the best management and implementation vehicle available for water and land resource management. We represent the needs of watershed project sponsors. We offer assistance on watershed planning when requested, sponsor biennial conferences, and other special resource workshops and conferences. We believe that proper care of our Nation's resources is a top national priority. Visit NWC at our website www.watershedcoalition.org.

WHO SHOULD ATTEND

Local, state, tribal, regional, and federal watershed, floodplain, and natural resources program managers and project sponsors will find the conference informative and useful as they address their unique natural resource management concerns. Local community leaders will learn what programs are available to them, and how they can be implemented. Governmental officials will hear from local program managers what works best at the local level and what needs to change. Those involved in land and water resource development, management and protection, and members of non-government organizations (NGOs) and other groups that have an interest in the watershed approach, will gain valuable insight as to the future of these beneficial watershed programs.

PROGRAM HIGHLIGHTS

Twenty two years after its first national conference the NWC returns to Oklahoma City for the 12th National Watershed Conference. With the State's natural diversity, strong Watershed Program history and one of the most active watershed partnerships in the nation, Oklahoma serves as the perfect backdrop for examining the conference theme "**From Local to Landscape: A Watershed Based Approach**". The conference will provide an interactive forum to examine the challenges, issues, innovations and policies that are essential to a relevant and viable future for local watershed partners and their projects.

While the value of managing natural resources based on watershed boundaries is widely recognized, larger landscape scale natural resource management through landscape scale program initiatives is a rapidly developing and current trend for Federal programs. To some it may appear that local watersheds, local people and local issues are lost in the larger landscape scale picture. However at the end of the day measurable success at the landscape level results from collective individual actions in the many small watersheds which form these larger landscape areas.

The conference theme encompasses landscape scale water quality and quantity issues as well as USDA Watershed Program specific concerns. The general sessions will offer an array of thought provoking perspectives and challenges. Among our invited speakers are United States Congressman Frank Lucas, Chairman of the House Agriculture Committee and USDA-NRCS Chief Dave White.

Concurrent session presenters will address such issues as successful partnerships for watershed protection and restoration, greening flood protection, value added USDA Small Watershed Projects which integrate water quality, water quantity, landscape design and ecosystem restoration.

Additional sessions will address keeping communities safe by integrating flood plain management and dam safety strategies, successful state and local funding strategies for meeting watershed sponsor project responsibilities and case studies in watershed rehabilitation.

Don't miss this opportunity for professional development and personal involvement in shaping the future. Register before May 1, 2011 and receive a \$20.00 discount. To receive conference room rates at the Renaissance Hotel you must make your reservations by April 25, 2011. Don't delay, register now!

PRELIMINARY PROGRAM

SUNDAY, MAY 15TH

8:00 AM–6:00 PM	Registration
8:45–4:30 PM	Oklahoma Tour
12 Noon–5:00 PM	Exhibit Set-up
5:30–7:00 PM	Exhibitors Mixer

MONDAY, MAY 16ST

6:45–7:45 AM	Complimentary Continental Breakfast
7:00 AM–5:00 PM	Registration
8:00–9:30 AM	Opening Plenary Session
9:30–10:00 AM	Refreshment Break
10:00–11:30 AM	General Session
11:45 AM–1:15 PM	Luncheon
1:30–5:00 PM	Concurrent Sessions
	Evening On Your Own

TUESDAY, MAY 17ND

7:00–8:15 AM	Complimentary Continental Breakfast
7:00 AM–5:00 PM	Registration
8:30–10:00 AM	ASABE Watershed Recognition Program
10:00–11:45 AM	Refreshment break
11:45 AM–1:15 PM	Luncheon
1:30–5:00 PM	Concurrent Sessions
6:00–9:30 PM	Oklahoma Night

WEDNESDAY, MAY 18TH

7:00–8:00 AM	Complimentary Continental Breakfast
	Registration Desk Closed
8:00–9:30 AM	Concurrent Sessions
10:00–11:45 AM	Plenary Session
11:45 AM–Noon	Closing Session
	NWC Awards
	Introduction of new NWC Officers

WHAT YOU NEED TO KNOW TO REGISTER

THINGS TO REMEMBER

- ✘ A separate form must be completed for each registrant.
- ✘ Credit card or purchase order registrations may be faxed to (405) 258-2561 or emailed to NWC11@sbcglobal.net
- ✘ Payment is required prior to processing.
- ✘ Registrations cannot be mailed or faxed after **May 8, 2011**. After this date, all registrations must occur on-site.
- ✘ Completed forms with payment should be mailed to: NWC, PO Box 556, Chandler OK 74834.

FEES INCLUDE

Register early and take advantage of the discounted registration fee. Register by **May 1st** and **save \$20**. We urge you to take advantage of this money saving opportunity. All participants are required to pay the registration fee.

Full Registration

- ✘ admission to all sessions
- ✘ admission to the exhibits
- ✘ exhibitor reception (Sunday)
- ✘ 3 continental breakfasts
- ✘ 2 luncheons
- ✘ all breaks

Guest Registration

- ✘ meal functions at the Renaissance Hotel
- Note: Guest registration is intended for use by the spouse or guest of a registered attendee and is not intended for use by a co-worker.**

One-Day Registration (Monday or Tuesday)

- ✘ admission to sessions that day
- ✘ admission to the exhibits that day
- ✘ meal functions at the Renaissance Hotel that day

The tour and Oklahoma Night fees are in addition to the conference registration fee, and are payable in advance.

CANCELLATION AND REFUND POLICY

To receive a refund, notice of cancellation must be received by NWC by the close of business **Saturday, April 30th**. All refunds are subject to a processing fee equal to 15% of the total registration fee. There are no refunds for cancellations after **Sunday, May 8th**.

FORM OF PAYMENT

Registration fees can be paid by check, credit card, or purchase order. Please provide credit card or billing information where indicated. A copy of the purchase order, with billing instructions must accompany the registration form if payment is to be processed by purchase order. If payment is made by credit card the card holder's name, mailing address associated with the card, card number and expiration date are required.

HOTEL RESERVATIONS

Conference Hotel:

Renaissance Hotel, 10 North Broadway Avenue
NWC Rate - \$84 per night plus tax
1-800-468-3571 or 405-228-8000

Mention you are attending the National Watershed Coalition meeting to take advantage of the discounted room rates. **Reservations must be made by Monday, April 25th**.

Registration
12th National Watershed Conference
May 15-18, 2011
Renaissance Hotel
Oklahoma City, Oklahoma

First Name		Last Name	
Organization			
Address			
City		State	Zip
Phone	Fax	E-mail	
Accompanying Guest (if registering)			

Registration is due by **May 1, 2011**. Checks should be made payable to: **National Watershed Coalition · PO Box 556 · Chandler OK 74834. NWC Tax ID is 84-1142882.**

	Before May 1	After May 1	
Full Registration (Includes admission to all sessions, exhibit area, 1 reception, 2 luncheons, 3 continental breakfasts, and all breaks.)	\$360	\$380	
Guest Registration (Required for attendance at meal functions.)	\$175	\$200	
Sunday, May 15th – Oklahoma Tour	\$35	N/A	
Tuesday, May 17th – Oklahoma Night	\$40	N/A	
Single Day Registration (circle one): Monday, -May 16 or Tuesday, -May 17	\$175	N/A	
NWC Individual Membership	\$25	N/A	
NWC Organizational Membership	\$75	N/A	
GRAND TOTAL			

Form of Payment

Check (payable to NWC) Enclosed Purchase Order with Billing Instructions Attached

Please charge my VISA MasterCard Discover Amex

Card # _____ Expiration Date _____

Print name as it appears on card _____ Email _____

Mailing address associated with card

If you have questions about conference registration please contact Tammy Sawatzky at NWC12@sbcglobal.net. If you have questions about the conference program please contact Dan Sebert at nwchdqtrs@sbcglobal.net.

OKLAHOMA TOUR

Sunday, May 15, 2011

This Sunday tour will focus on "the 3 R's"..Rehabilitation, Research and Relaxation!

The tour will provide attendees an opportunity to view the Central Oklahoma Cross Timbers landscape, examine the challenges of changing land use and urban encroachment on the rehabilitation as well as the removal of upstream flood control dams. Stops at three locations in the Cottonwood Creek watershed are planned with a look at Project Rehabilitation from planning to completion in an area transitioning from rural to suburban development. The watershed offers a unique firsthand opportunity to see and thoroughly discuss a project dam decommissioning/removal

The tour includes a visit to the premier outdoor hydraulic laboratory in the nation. The ARS Hydraulic Engineering Research Unit has been in continuous operation since it was established in 1940. The laboratory occupies 100 acres of open land with sufficient slope so that the fall required for experiments can be obtained. Water for experiments is drawn from adjoining Lake Carl Blackwell at rates that can vary from a trickle flow up to 130 cubic feet per second. Canals and pipelines convey the flow to the experiments. The laboratory also has four model buildings where indoor experiments are conducted. The laboratory's southern location permits outdoor experimentation almost year-round.

BRICKTOWN:

OKLAHOMA'S ENTERTAINMENT DISTRICT

Oklahoma's most unique entertainment destination and neighborhood is the vibrant home to many restaurants, nightclubs, sporting facilities, shops, attractions and a spectacular canal. Located in the heart of downtown Oklahoma City, Bricktown was once a warehouse neighborhood that has been magnificently restored. It has enjoyed a physical revival and gained immense popularity, becoming a hot spot known for its diverse and often varied entertainment options. Be it shopping at Bass Pro, catching a movie at the Harkins Theatre, enjoying a canal ride on the water taxi or drinking and dining at its many fabulous restaurants and nightspots there is always fun for the entire family. **Be sure to sign up for the Oklahoma Night event on Tuesday, May 17th and be prepared for a taste of legendary Oklahoma Hospitality!**

SPONSORSHIP OPPORTUNITIES

Become a conference supporter and enhance your organizations visibility. Select one of the following sponsorship options and your organization will be recognized in the conference program and with on-site signage as an event sponsor.

Continental Breakfast:

Monday, Tuesday, or Wednesday
Level 1-\$150 Level 2-\$300 Level 3-\$500

Refreshment Breaks:

Monday or Tuesday
Level 1-\$150 Level 2-\$300

Exhibitors Mixer:

Level 1-\$150 Level 2-\$300 Level 3-\$500

EXHIBIT AREA

Commercial exhibitors are those in business for profit. Government / Nonprofit are those not for profit organizations. Each exhibitor registration includes one conference registration with admission to all sessions, the exhibitor's mixer, two luncheons, three continental breakfasts and all breaks. Exhibit displays will be located near the conference meeting and meal functions. Conference attendees are encouraged to spend time visiting the exhibits. The exhibit area will be open Sunday evening and all day on Monday and Tuesday. The exhibit area will open at noon on Sunday, May 15th. All exhibits must be installed and ready for opening by 5:00 PM. No dismantling can begin before 3:30 PM on Tuesday, May 17nd. All exhibits must be removed by 6:00 PM on Tuesday, May 17nd. Each exhibit space will be 10' X 10' with one table and 2 chairs. Exhibitors are responsible for transporting their exhibits to the conference site in time for set-up, and return home.

CONFERENCE SPONSORSHIP AND EXHIBITOR REGISTRATION

12th National Watershed Conference

May 15-18, 2011

Renaissance Hotel

Oklahoma City, Oklahoma

Conference Attendee		
Company/Organization		
Address		
City	State	Zip
E-mail	Phone	Fax
Booth ID Sign to Read		
Commercial Exhibitor – Nonmember	\$600	\$
Commercial Exhibitor – NWC Member	\$525	\$
Government/Nonprofit – Nonmember	\$550	\$
Government/Nonprofit – NWC Member	\$475	\$
Continental Breakfast Sponsor: Mon Tue Wed	\$150 \$300 \$500	\$
Refreshment Breaks: Mon Tue	\$150 \$300	\$
Reception: Exhibitor's Mixer	\$150 \$300 \$500	\$
GRAND TOTAL		\$
Form of Payment		
Check (payable to NWC) Enclosed <input type="checkbox"/> Purchase Order with Billing Instructions Attached <input type="checkbox"/> Please charge my VISA <input type="checkbox"/> MasterCard <input type="checkbox"/> Discover <input type="checkbox"/> Amex <input type="checkbox"/> Card # _____ Expiration Date _____ Print name as it appears on card _____ Email _____ Mailing address associated with card _____ _____ _____		

National Watershed Coalition
PO Box 556
Chandler OK 74834

PRESORT STANDARD
U.S. POSTAGE PAID
DALLAS, TX
PERMIT NO. 2157

3*79*****AUTO**MIXED AADC 75197
Jefferson Co Comm
PO Box 250
Charles Town WV 25414-0250



12th National Watershed Conference
From Local to Landscape:
A Watershed Based Approach
Oklahoma City, Oklahoma

From: WVACO

5/11/11
PROS ATTY
Co Clerk
Co Comm
JCSA
Assessor

304 346 0592

02/17/2011 21:10 #072 P.001/004

RECEIVED

FEB 17 2011

JEFFERSON COUNTY
CIRCUIT CLERK

TO: ALL MEMBERS of the WEST VIRGINIA ASSOCIATION OF
COUNTIES

FROM: PATTI HAMILTON



THE COUNTY LEGISLATIVE LINE

Friday, February 18th, 2011

HAVE A GOOD PRESIDENTS' DAY HOLIDAY ON MONDAY!

Capitol Quotes:

"We like to keep up the levity in here." Sen. Snyder on the confusion of the county chapter 7, article 7 clean-up bill (it was finally described as a "giant technical clean-up!")

"This has been my worst nightmare." A Wetzel County farmer who spoke at the Marcellus Shale public hearing, on learning what it meant to own only the surface rights and not the mineral rights

"Is this the second simplified, small government bill we've considered today?" Del. Campbell after the passage of elimination of complicated senior citizen tax credits in House Finance

"Where does it end?" Sen. Doug Facemire questioning the use of salvage value for antique vehicles

"We haven't raised taxes on beer or whiskey 1%." Kanawha County Commissioner Kent Carper speaking to a committee in favor of property tax caps

"I don't want myself or any of my kids to glow in the dark." Acting Sen. President Kessler on water quality issues surrounding Marcellus Shale drilling

"No, I'm sufficiently in the dark." Del. Carmichael after being asked in Finance Committee if he had any questions

"That's where we like to keep you." Chairman White, in response to Del. Carmichael

"After consultation with the parole board.....I mean the Ethics Commission..." Counsel to Senate Judiciary, explaining the extensive revisions to the Ethics Act, including spousal financial disclosures for all elected officials

"What amounted to a landslide victory for Reagan is a loss for county and city levies." Former Fairmont Mayor Delligatti, a 3rd year law student, explaining his study on levies and how hard it is to reach a super majority of 60% (Reagan won by 58%)

"To say that I've missed you this session would be an overstatement, but I'm glad to be back." Long-time environmental lobbyist who has been ill addressing Senate Judiciary on the Marcellus Shale regulatory bill

The "Silenced Majority" Constitutional Amendment came out of House Constitutional Revisions committee on Wednesday after two hours of discussion and "no" votes that fell along party lines. The same amendment, SJR 9, is moving in the Senate. Both have to go to Finance Committees which is where calls of support need to be made. This amendment would allow county and municipal levies to pass with a simple majority rather than a super majority.

Senate Transportation & Infrastructure Committee laid over SB 397 which would give salvage value treatment for antique vehicles' property taxation. That is not to say that it won't come up again and there are several bills introduced that exempt or give salvage value to these vehicles. According to DMV, there are 40,000 vehicles in the state that are 25 years old or older. Of those, 23,000 have regular plates and the rest have various types of antique plates.

SB 391 which would shorten the early voting period and allow early community voting (now called satellite precincts) for a minimum of five days instead of requiring the full 20 day period came out of Senate Judiciary.

SB 272 is the Governor's Tax Increment Financing Bill. The committee substitute allows Class III municipalities to initiate TIF districts and takes personal trailers, boats, campers, motor homes and motorcycles out of the base value.

House and Senate Health & Human Resources Committees held a joint public hearing on increasing the tobacco tax. Part of the new funds would be used for substance abuse treatment. There were 23 speakers for the tax for various reasons and 7 against. WVACO spoke on the need for funding from whatever sources are feasible for the purpose of substance abuse treatment funding as a means of reducing jail costs and number of incarcerations.

SB 449, a salvage value and tax credit bill for "21st Century Business" is on the fast-track in the Senate. It is both on 2nd reading on the floor and in Senate Finance Committee. We have consistently opposed the continued use of salvage value. This bill would have a negative impact on property tax revenue derived from existing businesses that add a "new technology" as well as new businesses that fit the criteria.

Please make calls to Senate Finance members for SB 96 - County compensation statute "clean-up" bill; SB 242 - additional 5% coal severance to producing counties; SB 266 - allow counties to keep the portion of transfer tax currently sent to the State (about \$9 million statewide); and SB 428 - county's portion of filing fee when medical malpractice cases are filed in office of Circuit Clerk (\$20 that was left out when med mal reform was passed). There were 194 of those cases filed in 2010.

Committee Substitute for HB 2766 increases the maximum contribution rate to be paid by the county commission for the Deputy Sheriffs Retirement System to 13%. It is on first reading in the House as of Thursday.

Important to know: House Special Calendar is the agenda that the House of Delegates sets for bills to move. The House Calendar is the parking lot or graveyard. Bills may be "parked" there while being discussed by House Rules Committee and then be moved onto the Special Calendar or they may sit there for the rest of the session.

Monday, Feb. 21st is the last day to introduce bills – my favorite day! Sunday, February 27th is "crossover day" when bills must pass their house of origin, which means for most committees it will be on Friday, Feb. 25th.

The following bills of interest to counties were introduced from Thursday, Feb. 10th through Thursday, Feb. 17th:

3087	Frazier	Require law enforcement officers in WV to receive certification to carry concealed firearm nationwide	Judiciary Finance
3096	D. Poling	Institute new rules for hiring & firing of law enforcement officers that leave a training academy	Judiciary
HJR 35	Anderson	Exempt commercial & industrial personal property from ad valorem taxation	Const Rev
3103	Hall	Amending recount procedures	Judiciary
3124	Kominar	Administrative hearings for DUI (same as SB 504)	Jud Fin
HJR 37	Fleischauer	Homestead exemption; extends exemption to surviving spouse who is under 65; allows each county the option to increase homestead exemption from \$20,000 to an amount no greater than 50% of the average value of the county's residential property;	Out of Constituti onal Rev. To Finance
		county petitions the Legislature to pass bill authorizing the county to put the amendment on the ballot for that county's voters	
3127	Frazier	Increase fees charged by circuit clerk for medical malpractice actions by \$20 (county's portion of filing fee was left out when med mal reform was passed)	Judiciary Finance
3128	Frazier	File petition instead of motion for expungement	Judiciary
3132	Frazier	Require judge's permission before juror's information can be released afer trial	
3139	Staggers	Restrictions on dispensing oxycontin extended release or fentanyl patches	H&HR Judiciary
3156	Reynolds	Method of appraising affordable, multifamily rental housing property for property tax purposes	Judiciary Finance
3178	Perdue	Funding for substance abuse treatment through	H & HR

		increased tax on beer, wine & liquor	Finance
SB 489	Foster	Permit the sheriff access to confidential pharmaceutical information	H & HR Judiciary
SJR 11	McCabe	Exempt commercial & industrial personal property from ad valorem taxation	Judiciary Finance
SB 495	Palumbo	Implement use of electronic voting systems; set forth requirements. If 5% of registered voters in a county sign petition not to use them, the issue will be put on ballot for that county.	Judiciary Finance
SB 496	Palumbo	Emergency powers of Secretary of State	G O Jud
SB 497	Palumbo	Repealing article on outdated voting machines	Judiciary
SB 504	Laird	Administrative hearings for suspension/revocation of license for DUI; deletes requirement that notice be sent to prosecuting attorney; deletes provision that hearing notice sent certified to law enforcement officer constitutes subpoena to appear	Judiciary Finance
SB 505	Palumbo	Voters registration; electronically transmitted signatures (Sec of State bill)	Judiciary Finance
SB 511	Foster	Create Honest Opportunity Probation with Enforcement (HOPE); aims to reduce crime & drug use	Judiciary Finance

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.

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN RE: ESTATE OF MILDRED OLGA VALENTINE, DECEASED

ORDER

This 10th day of February, 2011, came Charles B. Howard, the Petitioner in this matter, in person and by his attorney, John K. Dorsey, Esquire; Mary Strickland, Frances Harrell and Ann Sheffield, in person and by their attorney, Robert Barrat, Esquire; Henry W. Morrow, Jr., Esquire, guardian ad litem in this matter; and Stephan V. Groh, Esquire, Assistant Prosecuting Attorney for Jefferson County; upon the prior filing by Charles B. Howard of his Petition for probate in solemn form of the Last Will and Testament of Mildred Olga Valentine, upon notice duly given to all interested parties for the hearing of the Petition.

The Commission proceeded to receive a preliminary report from S. Lynn Fields, Deputy Probate Clerk and Stephan V. Groh, Assistant Prosecuting Attorney, concerning the status of the Petition and a pending motion of Robert Barrat for the disqualification of Charles B. Howard, Esquire, from any further participation in this action.

Prior to the consideration of the Petition and Mr. Barrat's motion, the Commission temporarily recessed to allow the Assistant Prosecuting Attorney the opportunity to seek advice and counsel as to the presence of any conflict of interest, actual or perceived, that would prohibit the Jefferson County Prosecuting Attorney, or any of his assistants, from providing legal counsel to the Commission in light of a member of the office being a proponent of

the Will.

Upon expiration of the recess, Mr. Groh reported that he had received informal advice from the West Virginia Office of Disciplinary Counsel that under the factual situation he had presented to them the Jefferson County Prosecuting Attorney, and any assistant thereunder, would have a conflict of interest. Thereupon, the Assistant Prosecuting Attorney was granted leave to withdraw as counsel to the Commission.

Being without counsel, the Commission on its own motion unanimously elected to continue the matter until such time as the Commission is able to retain special counsel to advise it in this matter.

The Commission then considered the need for the appointment of a fiduciary for the estate in the absence of the appointment of an executor or administrator. Upon a motion from the guardian ad litem, with the acquiescence of Mr. Barrat coupled with a request for the appointment of the Sheriff, it is hereby **ORDERED** that, pending the grant of letters of administration, the Sheriff of Jefferson County is hereby appointed as Curator of the Estate of Mildred Olga Valentine, with all powers, duties, authorities and responsibilities as set forth in West Virginia Code §44-1-5.

It further appearing to the Commission that the Petition for Probate in Solemn Form is ripe for hearing, it is hereby **ADJUDGED** and **ORDERED** that this matter shall be brought on for a hearing on its merits on the 23rd day of March, 2011, at 10:00

o'clock, a.m., in the Meeting Room on the lower level of the Charles Town Library at 200 East Washington Street, Charles Town, West Virginia 25414, with access at the side entrance on Samuel Street.

The Clerk will enter the foregoing as of the day and year first above written and will transmit an attested copy thereof to John K. Dorsey, Esq., P.O. Box 42, Charles Town, WV 25414; Robert Barrat, Esq., 308 S. Queen Street, Martinsburg, WV 25401-3232; Henry W. Morrow, Jr., Esq., P.O. Box 459, Charles Town, WV 25414; and the following parties of record:

Susan Smith, 3617 Hurst Drive NE, Milledgeville, GA 31061-7997;

Peggy Dwyer, 711 Ramon Drive, Pittsburgh, PA 15238;

Georgia Z. Anderson, 7262 Cold Harbor Road, Apt. 101,
Mechanicsville, VA 23111;

Mary Z. Strickland, 8810 N.W. 4th Street, Pembroke Pines, FL 33024;

Emily T. Pritchett, 1130 N. Grady Avenue, Lakeland, FL 33805;

Ann Z. Sheffield, 256 S. Beaver Dam Road, Waverly, VA 23890;

Frances A. Harrell, 210 E. Main Street, Waverly, VA 23890;

Claudia Clatterbuck, 12711 Harpers Ferry Road, Purcellville, VA
20132;

Amanda Nay Hubert, 5785 Bencrest Way, Haymarket, VA 20169;

Janeen Smith Garpow, 241 Eagles Rest, Milledgeville, GA 31061;

Andrew Clark, 200 Stevenson Square, Alexandria, VA 22304;

The Holy Rosary Catholic Church, 35 Franklin Street, Buckhannon, WV
26201-2253;

St. James Catholic Church, 49 Crosswinds Drive, Charles Town, WV
25414;

St. Francis of Assisi Catholic Church, 115 1st Avenue, Brunswick,
MD 21716;

St. Jude Children's Research Hospital, 501 St. Jude Place, Memphis,
TN 38105;

Myrna Ryan, P. O. Box 682, Charles Town, WV 25414;

Omaha Home for Boys, 4343 N. 52nd Street, Omaha, NE 68104;

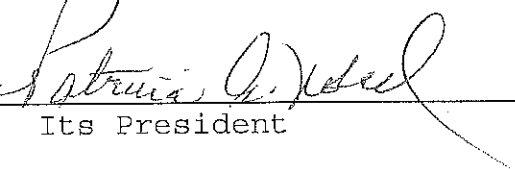
The City of St. Jude, 2048 W. Fairview Avenue, Montgomery, AL
36108;

Missionary Oblates of Mary Immaculate, 9480 N. De Mazenod Drive,
Belleville, IL 62223;

Salesian Missions, 2 Lefevre Lane, New Rochelle, NY 10801-5710;

Arthur L. Ryan, 208 Cheeskogili Lane, Loudon, TN 37774.

COUNTY COMMISSION OF JEFFERSON COUNTY
WEST VIRGINIA

BY: 
Its President

IN THE COURT OF THE COUNTY COMMISSION OF
JEFFERSON COUNTY, WEST VIRGINIA

IN RE: THE ESTATE OF SALLIE SHEPHERD SPAULDING.

ORDER SETTING HEARING

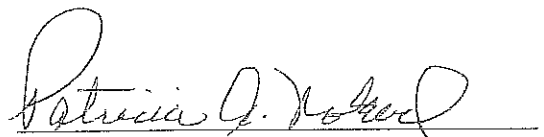
This day came the Petitioner, by counsel, David A. Camilletti, Esquire, having previously filed a duly verified Petition of Peter Spaulding for Elective Share. It appears to the Court by said Petition that the Petitioner is entitled to a hearing on this matter.

It is therefore ORDERED that the Petition of Peter Spaulding for Elective Share shall be set down for hearing before the County Commission of Jefferson County, West Virginia on the 24th day of March, 2011 at 11:00 o'clock a.m./p.m., or as soon thereafter as Counsel may be heard.

It is further ORDERED that the Petitioner shall cause a duly attested copy of this Order and Petition of Peter Spaulding for Elective Share be served upon Henry W. Morrow, Jr., Executor of the Estate of Sallie Shepherd Spaulding, P.O. Box 459, Charles Town, WV 25414 certified mail, return receipt requested and by regular first class mail.

The Clerk shall enter this Order as of the day and date below written and shall transmit three (3) attested copies to David A. Camilletti, Esquire, 103 W. Liberty Street, Charles Town, West Virginia.

ENTERED this 24th day of February, 2011.



President of the County Commission