

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, MAY 5, 2011**  
**9:30 A.M.**

County Commission Meeting Room  
located at the Old Charles Town Library  
200 E. Washington Street, Charles Town, WV

---

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

**APPROVAL OF PURCHASE ORDERS**

**APPROVAL OF ACCOUNTS PAYABLE**

**PUBLIC COMMENT**

**PRESENTATIONS:**

1.      **9:45 a.m.**    **Jennifer S. Maghan, County Clerk**  
                          - Election Update
  
2.      **9:50 a.m.**    **Stephanie Grove, Assistant Prosecuting Attorney**  
                          - Legal Update
  
3.      **10:00 a.m.**   **Mark Dyck, William H. Gordon Associates, Inc.**  
                          - U.S. Route 340 Improvements for the United States Customs and Border  
                          Protection Advanced Training Center in Harpers Ferry, West Virginia - In  
                          conjunction with West Virginia Department of Highways and the Customs  
                          and Border Patrol officials, discussion of plans for improvements to Route  
                          340 for the build-out of the USCBP ATC Facility
  
4.      **10:30 a.m.**    **Break**
  
5.      **10:45 a.m.**   **Roger Ethier and Peter Vila, Water Advisory Committee**  
                          - Introduction of Peter Vila  
                          - History of Jefferson County Water Monitoring System  
                          - Reasons for Jefferson County Water Monitoring System  
                          - Presentation of Water Advisory Committee's Stream Monitoring Results as  
                          requested by the Jefferson County Commission
  
6.      **11:45 a.m.**   **Kirk Davis, Capital Projects Manager**  
                          - Update on the Blunt/Cement Mill property - Discussion/Action

**NEW BUSINESS:**

7. Review and adopt revised Policies, Procedures and Applications for Appointments to County Boards, Committees, Authorities and Commissions - Discussion/Action
8. Request to approve and include two positions in the maintenance department (carpentry and auto mechanic) which were inadvertently omitted from the final budget deliberation to be reinstated into next year's budget (DM) - Discussion/Action
9. Approval of Resolution - Community Participation Grant for the Star Lodge #1 in the amount of \$17,400.00 - Discussion/Action
10. Approval of Resolution - Community Participation Grant for the Webb/Blessing House in the amount of \$17,400.00 - Discussion/Action
11. Approval of Resolution - Community Participation Grant for the Animal Welfare Society in the amount of \$10,000.00 - Discussion/Action
12. Approval of Resolution - Community Participation Grant for the Briggs Animal Adoption Center in the amount of \$20,000.00 - Discussion/Action
13. Final Approval of Property Acquisition - Discussion/Action

**COUNTY ADMINISTRATOR REPORTS**

**COUNTY COMMISSION REPORTS**

14. 12:15 p.m. Lunch Break

**~~~~~ AFTERNOON SESSION ~~~~~**

15. 1:30 p.m. Work Session - Jefferson County Emergency Services Agency and Jefferson County Fire & Rescue Association - Discuss Proposed Fee
16. 2:30 p.m. ADJOURN

**CORRESPONDENCE:**

Copies of four checks received from Granite Telecommunications LLC for E-911 surcharges.

Copies of two letters dated April 25, 2011 from Barbara Scott, owner of Summit Point Raceway, to Martin Burk.

Valley News, Vol. 29, Issue 8, May 2011, received from the Potomac Valley Audubon Society.

Copies of letters written by patrons of the South Jefferson Public Library received from Carol Del-Colle, President of the South Jefferson Public Library.

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

*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, April 28, 2011**

---

A meeting of the Jefferson County Commission was held on Thursday, April 28, 2011 in the County Commission meeting room at the Old Charles Town Library located at 200 E. Washington Street, Charles Town, WV 25414. Present were Commissioners Patsy Noland, Dale Manuel, Frances Morgan, Lyn Widmyer and Walt Pellish; Tim Boyde, County Administrator, Debbie Stellato, Administrative Assistant and Jimmy Eddie, Bailiff. (An audio tape of this April 28, 2011 meeting is available through the Jefferson County Commission Office.)

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

#### **PLEDGE OF ALLEGIANCE**

Commissioner Manuel led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Motion by Ms. Morgan to approve the Minutes of the April 14, 2011 regular meeting of the Jefferson County Commission as amended. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Mr. Manuel to approve the Minutes of the April 14, 2011 Public Hearing as amended. Motion seconded by Ms. Morgan and unanimously approved.

Motion by Ms. Morgan to approve the Minutes of the April 19, 2011 Special Session of the Jefferson County Commission as presented. Motion seconded by Mr. Manuel and approved 4-0 (Ms. Noland abstained from voting as she was not present at this Special Session.)

#### **APPROVAL OF PURCHASE ORDERS**

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$28,353.36, being purchase order numbers: 48960, 49347, 49584, 49586, 49587, 49591, 49549, 49507, 49510, 49585, 495952, 49595, 49496, 49578, 49397, 49207, 49208, 49209, 49411, 49412, 49413, 49414, 49414, 49416, 49506, 49590, 49589, 49588 and 49517. Motion seconded by Ms. Morgan and unanimously approved.

#### **APPROVAL OF ACCOUNTS PAYABLE**

Motion by Ms. Morgan to approve the accounts payable in the amount of \$560,102.28. Motion seconded by Mr. Manuel and unanimously approved. Motion by Ms. Morgan to approve an additional invoice in the amount of \$586.79. Motion seconded by Mr. Manuel and unanimously approved.

#### **PUBLIC COMMENT**

**Debbie Royalty** from the Charles Town/Summit Point area commented on the (1) Cement Mill Property, (2) League of Women Voters State Legislator Report on Thursday, May 12, 2011 and (3) the proposed citizen oversight board

listed on the Commission Agenda.

\_\_\_\_\_ from Shepherdstown also commented on the proposed citizen oversight board.

**Fred Blackmer** advised the Commission that a citizens committee for oversight already exists.

**PRESENTATIONS:**

1. **Jennifer Maghan, County Clerk.** Before Ms. Maghan’s presentation, Ms. Morgan addressed the fact that a brochure promoting a “Day of Prayer” in front of the Courthouse was being distributed by the County Clerk’s Office. Ms. Morgan moved that it be noted in the official record that the Jefferson County Commission was in no way connected with and was not sponsoring this event. Ms. Widmyer seconded the motion and it was unanimously approved.

After the vote Ms. Maghan discussed several items: (1) early voting beginning 4/29/2011 and continuing until May 11, 2011, (2) voting equipment to be tested by the public on May 4, 2011, and (3) the amended Poll Worker List.

2. **Decision – Amendment 2008 Subdivision and land development regulations (as amended 2010).**

Mr. Pellish moved approval of the proposed Amendment to the 2008 Subdivision and land development regulations (as amended 2010) as recommended by Staff. Ms. Morgan seconded the motion. The motion was carried 3 to 2 with Ms. Morgan and Ms. Widmyer voting “no.”

3. **Tom Bayuzik, Executive Director – Jefferson County Development Authority – Request to Sign Resolution in Support of the Jefferson County Development Authority’s request to obtain LED Grant Funds as part of the Certified Development Community Program.**

Motion by Ms. Morgan to approve the Resolution in Support of the Jefferson County Development Authority’s request to obtain LED Grant Funds as part of the Certified Development Community Program and to affix signature of Commission President. Motion seconded by Mr. Manuel and unanimously approved.

**WEST VIRGINIA  
CERTIFIED DEVELOPMENT COMMUNITY (CDC)  
PROGRAM  
RESOLUTION OF PARTICIPATION AND COOPERATION**

Whereas, the governing body of Jefferson County is interested in the economic well-being of its citizenry and the community at-large; and,

Whereas, the governing body is prepared to support appropriate efforts within the community to promote economic development; and;

Whereas, the West Virginia Chamber of Commerce and the West Virginia Development Office sponsor a program that is specifically designed to help West Virginia communities become better prepared for economic development; and  
Whereas, The County Commission has consistently funded the Jefferson County Development Authority since 1980, and

this year's budgeted amount well exceeds the required \$31,008.00 match; and

Whereas, it is a requirement of the Local Economic Development Grant Program to provide evidence of local match;

**THEREFORE, BE IT RESOLVED** that the County Commission of Jefferson County wishes to continue its participation in the Certified Development Community Program, and that the leadership of the community fully realizes this program requires dedicated effort; and,

**BE IT FUTURE RESOLVED**, that the program requires the existence of a Local Economic Development Organization, and this governing body designates the Jefferson County Development Authority as representing our community for the purpose of participating in this program.

**BE IT FURTHER RESOLVED**, that evidence is hereby provided to the West Virginia Development Office that more than sufficient matching funds have been provided to the Jefferson County Development Authority by the Jefferson County Commission.

This resolution is in full effect upon its adoption this 28th day of April, 2011.

---

Signed: Patsy Noland, President

---

Attested: Jennifer S. Maghan, County Clerk

**NEW BUSINESS:**

**4. Tim Boyle, County Administrator – Approval of Conflict of Interest Policy.**

Motion by Mr. Manuel to approve the Conflict of Interest Policy as recommended by County Administrator. Motion seconded by Mr. Pellish and unanimously approved.

**The Commission took a break at 10:30 a.m.**

**The Commission reconvened at 10:40 a.m.**

**5. Kirk Davis, Sr., Capital Projects – Approval of West Virginia Counties Risk Pool Proposal to Jefferson County effective July 1, 2011 – Renewal Quotation for Self Insurance.**

Motion by Ms. Morgan to approve the proposal presented by the West Virginia Counties Risk Pool to Jefferson County on March 17, 2011. Motion seconded by Mr. Manuel and unanimously approved.

**PRESENTATIONS continued:**

**At 11:00 a.m. the County Commission was convened by Ms. Noland as a Quarterly Fiduciary Review Board.**

**6. Lynn Fields, County Clerk Probate Office – Quarterly approval/closing of Wills/estates/accountings.**

Ms. Widmyer moved to approve closing of the Wills, accountings and estates as recommended by Staff and to authorize the Commission President to sign the Order as presented. Ms. Morgan seconded the motion and it

was unanimously approved.

**The Commission reconvened its regular meeting at 11:05 a.m.**

- 7. Stephanie Grove, Assistant Prosecuting Attorney,** updated the Commission on pending legal matters.

Ms. Morgan requested that Ms. Grove research her issue, item number 11 on the Agenda, i.e., setting up a citizens oversight board to oversee several past problems and provide some closure. Mr. Manuel added that a specific group of people should come together to oversee a specific task and then be dissolved when the task is completed. Ms. Morgan agreed. This oversight board should be not a standing committee but rather a board put together as the need would arise.

- 8. Mark Schiavone, Director of Capital Planning and Management,** offered a Power Point presentation and explained how the levy rate is related to property values and ad valorem revenue as they relate to Jefferson County.

**UNFINISHED BUSINESS:**

- 9. Ms. Widmyer – creation and introduction of County Commission Policy to require public improvement projects to be in the approved and adopted Capital Improvement Plan prior to funding.**

Ms. Widmyer stated that she would like the County to have a Capital Improvement Plan in place as soon as possible.

Motion by Ms. Morgan to direct Staff to create a draft Capital Improvement Plan with a funding mechanism and an emergency plan, in the event it would become necessary, that the Commission can review at the beginning of the new fiscal year. Motion seconded by Ms. Widmyer and unanimously approved.

**NEW BUSINESS continued:**

- 10. Recommendation from Sheriff Shirley regarding Bank Securities Bonding – County Bank Accounts.**

Mr. Manuel made a motion that the County Bank Accounts holding county monies and the Securities/Bonding for each of the county bank accounts be approved as recommended by Sheriff Shirley. Motion seconded by Ms. Morgan and unanimously approved.

- 11. Tim Boyde, County Administrator – approval of Absence Time with Pay Policy.**

Mr. Boyde explained the provisions of the draft policy and answered the Commissioners' questions. Motion by Ms. Morgan to approve and adopt the Absence Time with Pay Policy as recommended by the County Administrator. No second for motion.

More discussion and questions and suggestions by the Commissioners for several revisions.

Ms. Morgan withdrew her motion as being premature. It was the general consensus that Mr. Boyde make the

suggested revisions and resubmit the Policy to the Commission for approval.

**The Commission recessed for lunch at 12:35 p.m.**

**The Commission reconvened at 1:30 p.m.**

## **12. Hali Taylor – Shepherdstown Library Design Discussion.**

Ms. Taylor gave a short overview of the library project and introduced Jessica Marshall, the Library Architect, and Richard Bowra, the Library Consultant. Ms. Marshall and Mr. Bowra solicited comments and ideas from the Commissioners regarding what features they believe should be included in the new library and offered ideas of their own.

### **COUNTY ADMINISTRATOR REPORTS:**

- Met with the subcommittee to address County space needs.
- With regard to the impact fees, Notice has been duly advertised and posted on the web: on 5/4/2011 there will be a public hearing and workshop to discuss impact fees and a public hearing on 5/12/2011 regarding the Updated Fee Schedules.
- Mr. Boyde reported that he is attempting to follow up with the people advocating for a Teen Court. He will continue to be in touch.
- He reported that the Courthouse Committee has several items to be completed on the Capital Improvements Plan; however it has become critical that three columns on the front of the courthouse need to be repaired immediately.
- The County has purchased the McDaniel Hardwood building and 50% of the commission is to be designated to a 501(c) (3) organization. Mr. Boyde suggests Parks and Recreation if it is possible.

### **COUNTY COMMISSION REPORTS:**

#### **Commissioner Morgan:**

- Attended a West Virginia Development Authority meeting.
- Attended a local meeting for Workforce Investment in Romney, West Virginia.

#### **Commissioner Pellish:**

- Attended a West Virginia Development Authority meeting.
- Attended a Planning Commission meeting.

#### **Commissioner Widmyer:**

- Reported that she was honored by the Alumni Chapter of Delta Sigma Theta for her role in Community Development.
- Attended a “Balancing in Nature” conference sponsored by the Eastern Panhandle Conservation Fund.
- Attended a Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) meeting.
- Attended a Solid Waste Authority meeting.

- Attended the Council of Governments Roundtable Discussion.

**Commissioner Manuel:**

- Attended the Public Hearing to Lay the Levy.
- Attended a Jefferson County Emergency Services Agency meeting.
- Attended a Parks and Recreation meeting.
- Attended a Courthouse Committee meeting.
- Attended a subcommittee meeting on County space needs.
- Announced that on Saturday, April 30, 2011 from 10:00 a.m. to 2:00 p.m. the Jefferson County Sheriff's Office will be holding a "drug take back day."

**Commissioner Noland:**

- Attended a West Virginia Development Authority meeting.
- Attended a Jefferson County Council on Aging meeting.
- Attend a Convention Visitors' Bureau meeting.
- Attended the Council of Governments Roundtable Discussion.
- Attended the subcommittee meeting to address County space needs.

Mr. Manuel made a motion to enter into an Executive Session, pursuant to WV Code §6-9A-4 and Tim Boyde's request, to evaluate the performance of Tim Boyde, County Administrator. Ms. Morgan seconded the motion and it was unanimously approved. Following the Executive Session the Commission will adjourn until Wednesday, May 4, 2011 at 4:00 p.m. The Commission entered into an Executive Session at 2:28 p.m.

---

PATSY A. NOLAND, PRESIDENT

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>5/5/11</u> <u>12:15pm</u></p> <p>Appt Time or New Business: <del>10:45 AM</del></p>
---

**AGENDA REQUEST FORM**

Name: Stephanie Grove

Department or Entity: Prosecuting Attorney's Office

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: 3/24/2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: **Legal 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:

Commission Office Use Only  
Date on Agenda: 5-5-11  
Appt Time or New Business: 10:00 -

10:30 a.m

AGENDA REQUEST FORM

Name: Mark Dyck

Department or Entity: William H. Gordon Associates, Inc.

Estimation of amount of time needed for appointment: 30 minutes

Date Requested – 1<sup>st</sup> Choice: Thursday, April 28, 2011

Date Requested – 2<sup>nd</sup> Choice: Thursday, May 5, 2011

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

Subject: **U.S. Route 340 Improvements for the United States Customs and Border Protection Advanced Training Center in Harper’s Ferry, West Virginia.**

Please provide the County Commission with a description of your request or presentation, including any background information: **In conjunction with WVDOH and CBP officials, we are requesting time with the County Commission to discuss plans for improvements to Route 340 for the build-out of the USCBP ATC Facility.**

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

Attachments:

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

**AGENDA REQUEST FORM**

Name: County Commission

Department or Entity: \_\_\_\_\_

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice: \_\_\_\_\_

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: **Break**

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>5/5/11</u></p> <p>Appt Time or New Business: <u>10:45 am</u></p>
--

**AGENDA REQUEST FORM**

Name Roger Ethier

Department or Entity: Water Advisory Committee, Chairman

Estimation of amount of time needed for appointment: 10 minutes

Date Requested – 1<sup>st</sup> Choice May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

- Introduction:
- (a) History of Jefferson County Water Monitoring System
  - (b) Reasons for Jefferson County Water Monitoring System

Subject:

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

Roger Ethier was the Project Manager on WAC for the conception, development and implementation of the Jefferson County Water Monitoring System.

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

Attachments:

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>5/5/11</u></p> <p>Appt Time or New Business: <u>10:45 am</u></p>
--

**AGENDA REQUEST FORM**

Name: Peter Vila

Department or Entity: WAC

Estimation of amount of time needed for appointment: 1 hour

Date Requested – 1<sup>st</sup> Choice: 5 May

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

If a specific date is needed, please provide reason for specific date: **Date already scheduled**

Subject: **Jefferson County Stream Monitoring Results**

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

**The presentation will summarize the data on the 2010 stream monitoring of valley and mountain streams for nutrients and bacteria. It will explain why these data are important to Jefferson County in order to demonstrate that we are meeting our allocation for the regional Chesapeake Bay TMDL. The presentation will include recommendations and why monitoring should be continued.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion is to continue support for monitoring Jefferson County streams for water quality and quantity (nutrient load and bacterial contamination).**

Attachments:

## Debbie Stellato

---

**From:** Peter Vila [pvila@shepherd.edu]  
**Sent:** Thursday, April 21, 2011 9:18 AM  
**To:** Debbie Stellato  
**Subject:** RE: WAC presentation on 5-5-2011

Hi Debbie,

No problem on this end!

Peter

---

**From:** Debbie Stellato [<mailto:dstellato@jeffersoncountywv.org>]  
**Sent:** Wednesday, April 20, 2011 11:31 AM  
**To:** Peter Vila  
**Subject:** WAC presentation on 5-5-2011

Hi Professor Vila!

FYI - wanted to advise you that Roger Ethier requested to introduce you and give a brief history of the JC Water Monitoring System and the reasons for the Water Monitoring System. He said it would only take 10 minutes immediately before you begin your presentation. Hope that is acceptable.

Debbie

## Debbie Stellato

---

**From:** Peter Vila [pvila@shepherd.edu]  
**Sent:** Tuesday, April 19, 2011 7:10 PM  
**To:** Debbie Stellato  
**Cc:** Lyn Widmyer; Roger Ethier  
**Subject:** RE: Presentation to the Jefferson County Commission on May 5, 2011  
**Attachments:** AGENDA REQUEST FORM 2011.doc

Debbie,

Sorry about that. Here it is.

Peter

---

**From:** Debbie Stellato [mailto:dstellato@jeffersoncountywv.org]  
**Sent:** Tuesday, April 19, 2011 1:36 PM  
**To:** Peter Vila  
**Subject:** RE: Presentation to the Jefferson County Commission on May 5, 2011

Thank you, Professor Vila. I was glad to hear from you. That's a very good idea to bring your own computer for your Power Point presentation.

You Agenda Request and docs were not attached to your email, though. Could you please send them again? Once I receive those we should be all set.

Debbie

---

**From:** Peter Vila [mailto:pvila@shepherd.edu]  
**Sent:** Tuesday, April 19, 2011 10:45 AM  
**To:** Debbie Stellato  
**Cc:** Lyn Widmyer; Roger Ethier  
**Subject:** RE: Presentation to the Jefferson County Commission on May 5, 2011

Hi Debbie,

Attached is the Agenda Request Form. I plan to do a PowerPoint presentation. In the past I have brought my computer for other PP presentations in case mine is not compatible.

Peter

---

**From:** Debbie Stellato [mailto:dstellato@jeffersoncountywv.org]  
**Sent:** Wednesday, April 13, 2011 10:37 AM  
**To:** Peter Vila  
**Cc:** 'Lyn Widmyer'  
**Subject:** Presentation to the Jefferson County Commission on May 5, 2011

Dear Professor Vila:

I am contacting you on behalf of Commissioner Lyn Widmyer regarding your proposed presentation to the Jefferson County Commission regarding stream monitoring results by WAC. We have scheduled your presentation for one hour beginning at 10:45 a.m. on Thursday, May 5, 2011. Please let me know what kind of program or software you will be using for the presentation as some will not work with our system.

Also, please fill out an Agenda Request Form, which can be found on the County's web site at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). Click on County Commissioners, then go up to the top of that page right under the heading and click on Government. A list will drop down. Choose Forms and Instructions and you'll see an Agenda Request Form in PDF and Word. Choose whichever one you like, complete the form and either email, fax, mail or drop off the form along with supporting documentation to us as soon as possible. If you have any questions about the presentation or the forms, please do not hesitate to contact me.

Thank you.

Debbie Stellato  
Administrative Assistant  
Jefferson County Commission  
124 E. Washington Street  
P. O. Box 250  
Charles Town, WV 25414  
Phone: (304) 728-3335  
Fax: (304) 725-7916  
Email: [dstellato@jeffersoncountywv.org](mailto:dstellato@jeffersoncountywv.org)

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

### AGENDA REQUEST FORM

Name: **Peter Vila** \_\_\_\_\_

Department or Entity: **WAC** \_\_\_\_\_

Estimation of amount of time needed for appointment: **1 hour** \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: **5 May** \_\_\_\_\_

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

If a specific date is needed, please provide reason for specific date: **Date already scheduled**

Subject: **Jefferson County Stream Monitoring Results**

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

**The presentation will summarize the data on the 2010 stream monitoring of valley and mountain streams for nutrients and bacteria. It will explain why these data are important to Jefferson County in order to demonstrate that we are meeting our allocation for the regional Chesapeake Bay TMDL. The presentation will include recommendations and why monitoring should be continued.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion is to continue support for monitoring Jefferson County streams for water quality and quantity (nutrient load and bacterial contamination).**

## Debbie Stellato

---

**From:** Peter Vila [pvila@shepherd.edu]  
**Sent:** Tuesday, April 19, 2011 10:45 AM  
**To:** Debbie Stellato  
**Cc:** Lyn Widmyer; Roger Ethier  
**Subject:** RE: Presentation to the Jefferson County Commission on May 5, 2011

Hi Debbie,

Attached is the Agenda Request Form. I plan to do a PowerPoint presentation. In the past I have brought my computer for other PP presentations in case mine is not compatible.

Peter

---

**From:** Debbie Stellato [<mailto:dstellato@jeffersoncountywv.org>]  
**Sent:** Wednesday, April 13, 2011 10:37 AM  
**To:** Peter Vila  
**Cc:** 'Lyn Widmyer'  
**Subject:** Presentation to the Jefferson County Commission on May 5, 2011

Dear Professor Vila:

I am contacting you on behalf of Commissioner Lyn Widmyer regarding your proposed presentation to the Jefferson County Commission regarding stream monitoring results by WAC. We have scheduled your presentation for one hour beginning at 10:45 a.m. on Thursday, May 5, 2011. Please let me know what kind of program or software you will be using for the presentation as some will not work with our system.

Also, please fill out an Agenda Request Form, which can be found on the County's web site at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). Click on County Commissioners, then go up to the top of that page right under the heading and click on Government. A list will drop down. Choose Forms and Instructions and you'll see an Agenda Request Form in PDF and Word. Choose whichever one you like, complete the form and either email, fax, mail or drop off the form along with supporting documentation to us as soon as possible. If you have any questions about the presentation or the forms, please do not hesitate to contact me.

Thank you.

Debbie Stellato  
Administrative Assistant  
Jefferson County Commission  
124 E. Washington Street  
P. O. Box 250  
Charles Town, WV 25414  
Phone: (304) 728-3335  
Fax: (304) 725-7916  
Email: [dstellato@jeffersoncountywv.org](mailto:dstellato@jeffersoncountywv.org)

## Debbie Stellato

---

**To:** pvila@shepherd.edu  
**Subject:** Presentation to the Jefferson County Commission on May 5, 2011

Dear Professor Vila:

I am contacting you on behalf of Commissioner Lyn Widmyer regarding your proposed presentation to the Jefferson County Commission regarding stream monitoring results by WAC. We have scheduled your presentation for one hour beginning at 10:45 a.m. on Thursday, May 5, 2011. Please let me know what kind of program or software you will be using for the presentation as some will not work with our system.

Also, please fill out an Agenda Request Form, which can be found on the County's web site at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org). Click on County Commissioners, then go up to the top of that page right under the heading and click on Government. A list will drop down. Choose Forms and Instructions and you'll see an Agenda Request Form in PDF and Word. Choose whichever one you like, complete the form and either email, fax, mail or drop off the form along with supporting documentation to us as soon as possible. If you have any questions about the presentation or the forms, please do not hesitate to contact me.

Thank you.

Debbie Stellato  
Administrative Assistant  
Jefferson County Commission  
124 E. Washington Street  
P. O. Box 250  
Charles Town, WV 25414  
Phone: (304) 728-3335  
Fax: (304) 725-7916  
Email: [dstellato@jeffersoncountywv.org](mailto:dstellato@jeffersoncountywv.org)

**Debbie Stellato**

---

**From:** Sandy McDonald [sandy@jeffersoncountywv.org]  
**Sent:** Tuesday, April 12, 2011 11:09 AM  
**To:** dstellato@jeffersoncountywv.org  
**Subject:** Fw: Presentation of stream monitoring results:May 5

Debbie,

I will let you handle this.....already put on the calendar for 5/5/11 at 10:45 - 11:45.m.

I guess we need documentation from Mr. Vila and an agenda request form.

Check to see if he needs the powerpoint and all of that fun stuff you do over there during the meeting.

Thanks!!

Sandy

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

**From:** Lyn Widmyer

**To:** Sandy McDonald

**Cc:** Peter Vila

**Sent:** Thursday, April 07, 2011 1:53 PM

**Subject:** Re: Presentation of stream monitoring results:May 5

Sandy, will you go ahead and coordinate the program and agenda item with Peter? Thanks...

On Thu, Apr 7, 2011 at 9:05 AM, Sandy McDonald <sandy@jeffersoncountywv.org> wrote:  
**10:45 am - 11:45 am 5/5/11**

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

**From:** Lyn Widmyer

**To:** Sandy McDonald

**Cc:** Peter Vila ; Roger Ethier

**Sent:** Thursday, April 07, 2011 8:51 AM

**Subject:** Re: Presentation of stream monitoring results:May 5

Sandy, I think you better block off an hour....I think there will be lots of questions from commissioners!

On Thu, Apr 7, 2011 at 8:45 AM, Sandy McDonald <sandy@jeffersoncountywv.org> wrote:  
**May 5 looks ok. I will mark the date tentative for 1/2 hour.....10:00 am - 10:30 a.m.**

**If things change, please let me know.**

Sandy

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

**From:** Lyn Widmyer

**To:** Sandy Slusher McDonald ; Tim Boyde

**Sent:** Wednesday, April 06, 2011 6:35 PM

**Subject:** Presentation of stream monitoring results:May 5

I have spoken with Peter Vila and he suggests May 5 for a presentation as requested by the County Commission of stream monitoring results. Is that an okay date? I will work with him on the agenda wording but I need the okay for that date...

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>5/5/11</u></p> <p>Appt Time or New Business: <u>12:00 pm</u></p>
--

**AGENDA REQUEST FORM**

Name: Kirk Davis, Project Manager

Department or Entity: Capital Planning & Management

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

If a specific date is needed, please provide reason for specific date: **N/A**

Subject: Blunt/Cement Mill Property

Please provide the County Commission with a description of your request or presentation, including any background information: **To provide an update on the status of the Commission's potential purchase of the Cement Mill Property - Discussion**

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>5/5/11</u></p> <p>Appt Time or <u>New Business</u>:</p>
---

**AGENDA REQUEST FORM**

Name: Nichelle Adams Hosby

Department or Entity: County Commission

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

Date Requested – 1<sup>st</sup> Choice: May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: **Administrative Policies and Procedures for Appointments to County Boards, Committees and Commissions**

Please provide the County Commission with a description of your request or presentation, including any background information: **Review and adopt Policies, Procedures and Application for appointments to Boards, Committees and Commissions in order to have a clear and concise method for persons interested in applying.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Move to adopt the Policies and Procedures and Application as presented and recommended by staff for appointments to Boards, Committees and Commissions.**

Attachments:

## COUNTY COMMISSION OF JEFFERSON COUNTY

**POLICY TITLE:** Appointments to County Boards, Authorities, Agencies and Commissions - BAAC

**POLICY NUMBER:** 2009 - 1

**ADOPTED:** May 7, 2009

**EFFECTIVE:** May 7, 2009

**REVISED:**

---

### **PURPOSE:**

To establish a policy for appointing individuals to county boards, authorities, agencies and commissions and to familiarize citizens with Jefferson County's process for appointing individuals to county boards, authorities, agencies and commissions.

### **POLICY:**

Jefferson County offers its citizens many opportunities to serve their community. The County Commission encourages citizens of Jefferson County to become involved in their county government by seeking appointment to the various county volunteer boards, authorities, agencies and commissions. Appointment may require a citizen to attend and participate in one or two meetings monthly. The County Commission seeks to appoint individuals that are uniquely qualified for these positions and all citizens are encouraged to apply for appointment; preference may be given to individuals that are not currently serving on a county commission appointed board, authority, agency or commission.

### **PROCEDURE:**

The County Commission shall advertise a "Notice of Intent to Appoint" no later than 30 days prior to the expiration of a term of office in the local newspaper, on the County website and placed on the County Commission agenda as information. An email alert will be sent to all individuals who have registered to receive the County Commission email alerts.

Notice shall include the BAAC seeking citizen applicants, the number of terms, the length of the

term (s), any statutory requirements for the appointment, the deadline for receiving applications, the date the Commission may make appointments and contact information to request additional information concerning key responsibilities and requirements of the appointment. Applicants will be requested to submit a letter of request for appointment and a current resume or statement of qualifications.

Notice shall be sent to each individual whose term is expiring. All notices shall request that the member continue serving until appointments are made by the County Commission.

At least one week prior to the scheduled date of appointment as advertised in the "Notice of Intent to Appoint" copies of all applications will be provided to the County Commission as information items on the weekly agenda. At this time, the Commission shall determine if they would like to interview applicants for the appointments. If interviews are scheduled with applicants, all applicants shall be given at least one week's notice of the interview time. Any applicant determined to not meet the statutory qualifications for appointment will be notified during interview scheduling. Applicants submitting a request for appointment after the deadline will be notified of the interview time established by the County Commission and may not receive the full week's notice.

Notice of BAAC applicant interviews will be placed on the County Commission agenda. Notice of selection of BAAC applicants will be placed on the County Commission agenda.

After selection of BAAC members, each applicant will be sent a thank you letter and notified in writing of the disposition of their application.

In the event a vacancy occurs on a BAAC, the procedure above will be followed to fill the vacancy with two weeks "Notice of Intent to Appoint" or may be filled forthwith with unanimous consent of the County Commission.

#### **ADDENDUM/ATTACHMENT**

An addendum/attachment to this policy is a list including the County's BAACs in alphabetical order. Included in each is a description of each BAAC, West Virginia Code Reference if applicable, term length, number of members, meeting dates and requirements and other pertinent information as required. For more information, visit the County Commission of Jefferson County website at [www.jeffersoncountywv.org/BAAC](http://www.jeffersoncountywv.org/BAAC).

Effective Date: May 7, 2009

Approved: May 7, 2009

Revised: May 5, 2011

Policy Number: 2009-1

Jefferson County  
Revised Administrative Policies and Procedures

TOPIC: Appointment to County Boards, Committees and Commissions

PURPOSE

To establish a policy for appointing individuals to county boards, authorities, agencies, and authorities and to familiarize citizens with Jefferson County's process for appointing individuals to county boards, authorities, agencies and commissions.

POLICY

Jefferson County offers its citizens many opportunities to serve their community. The County Commission encourages citizens of Jefferson County to become involved in their county government by seeking appointment to various county volunteer boards, authorities, agencies and commissions. Appointment may require a citizen to attend and participate in one or two meetings monthly. The County Commission seeks to appoint individuals that are uniquely qualified for these positions and all citizens are encouraged to apply for appointment; preference may be given to individuals that are not currently serving on county commission appointed boards, authorities, agencies or commissions.

NOTIFICATION PROCESS

1. Notice shall be given to the individual whose term is expiring two months prior to the date of the Commission meeting at which the appointment for the new term is to be listed on the agenda. If the individual would like to be reappointed they shall submit a letter expressing their interest to the Commission, no later than the Thursday prior to the Commission meeting at which the appointment is listed on the agenda. The individual shall be encourage complete an application for boards, commissions and committees.
2. Notice shall be given to the board, committee or commission on which a vacancy is expected due to an expired term or a vacancy that has occurred due to resignation at least one month

prior to the date of the Commission meeting at which the appointment is to be listed on the agenda.

3. Notice shall be given to the Commission at least one meeting prior to the County Commission meeting at which the appointment is listed on the agenda. Notice shall be given by listing the item on the agenda for a regular meeting of the County Commission as "information".

#### ADVERTISING PROCESS

1. The Commission Staff shall advertise that applications are being accepted, at the appropriate times, four (4) weeks for expiring terms through the County's website, email alerts, local government cable channel 17 and the Spirit of Jefferson.
2. Any citizen interested in being appointed or reappointed to a board, committee or commission should submit a completed Application Form (Attachment 1) to the County Commission Office. All Application Forms submitted will be date stamped received and shall be retained for a period of two (2) years in making mid-term appointments as vacancies occur.
3. The County Commission Staff shall send a letter and/or email to each board or commission member with an expiring term of office to determine if the member wants to be considered for reappointment.
4. The Commission Staff will notify applicants of the dates and times of interviews.

#### UNEXPIRED APPOINTMENTS

1. Occasionally, a position may be available when a member is unable to finish his/her term prior to the term ending. In such cases, the vacant position must be filled by an unexpired term appointment that will serve out the remainder of the individual that they are replacing for an unexpired term.
2. The Commission Staff shall advertise that applications are being accepted, at the appropriate times, Two (2) weeks for expiring terms through the County's website, email alerts, local government cable channel 17 and the Spirit of Jefferson.
3. In these cases, upon receipt of a letter of resignation, the Commission Staff shall notify the County Commission of such resignation by placing it on the County Commission Agenda under information.

#### ZONING BOARD OF APPEALS ALTERNATE POSITIONS

Alternates: Alternate members shall have all powers and duties of a regular Board member when sitting on a case and shall continue to participate in the case until a final decisions reached. Alternate members shall serve by rotation based upon seniority of appointment to board.

#### TRAINING FOR PLANNING COMMISSION

Newly appointed members to the Jefferson County Planning Commission governed by state law must attend a training seminar/orientation provided by the Jefferson County Planning Department to familiarize themselves with the laws and procedures governing that commission. This training should be undertaken with two (2) months after the appointee has taken office.

#### RESPONSIBILITY

1. It shall be the County Commission Staff's responsibility to keep a current and accurate list of all members of the boards, committees and commissions with dates of appointment and term expiration.
2. It shall be the responsibility of the boards, committee or commission chair to ensure that the County Commission is properly informed of vacancies created due to resignations or other factors that may affect this policy and its procedures.

Jefferson County Commission  
Application for Boards, Committees or Commissions

Please type or print information

NAME: \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_

HOME TELEPHONE NUMBER: \_\_\_\_\_

WORK ADDRESS: \_\_\_\_\_

WORK PHONE NUMBER: \_\_\_\_\_

MOBILE PHONE NUMBER: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

MAGISTERIAL DISTRICT: \_\_\_\_\_

PARTY AFFILIATION: \_\_\_\_\_

OCCUPATION: \_\_\_\_\_

LENGTH OF RESIDENCY IN JEFFERSON COUNTY: \_\_\_\_\_

EDUCATION: HIGH SCHOOL \_\_\_\_\_

COLLEGE \_\_\_\_\_

TRADE OR BUSINESS SCHOOL \_\_\_\_\_

HOBBIES: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF BOARD, COMMITTEE OR COMMISSION APPLYING FOR:

\_\_\_\_\_

ORGANIZATION MEMBERSHIPS & POSITIONS HELD: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***This application is good for and will be retained for two (2) years in accordance with the Administrative Policies and Procedures Policy. In order to be considered for appointment, a new application must be submitted.***

SAMPLE

Commission Office Use Only

Date on Agenda: 5-5-11

Appt Time or New Business:

**AGENDA REQUEST FORM**

Name Dale Manuel

Department or Entity: Jefferson County Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: **Two positions in the maintenance department (carpentry and auto mechanic).**

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

**To include two positions, carpentry and auto mechanic, in the maintenance department which were inadvertently omitted from the final budget deliberation and reinstate into next year's budget.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Motion to include two positions in the maintenance department (carpentry and auto mechanic) which were inadvertently omitted from the final budget deliberation to be reinstated into next year's budget.**

Attachments:

**Sandy McDonald**

---

**From:** "Dale Manuel" <dmanuel@frontiernet.net>  
**To:** "Tim Boyde" <tboyde@jeffersoncountywv.org>; "Sandy McDonald"  
<sandy@jeffersoncountywv.org>; <sgrove@jeffersoncountywv.org>  
**Sent:** Friday, April 22, 2011 10:57 AM  
**Subject:** new positions  
Please place the following on next week's agenda:

I move to include two positions in the maintenance department (carpentry and auto mechanic) which were inadvertently omitted from the final budget deliberation to be reinstated into next year's budget.

Thanks,  
Dale Manuel

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>5-5-4</u></p> <p>Appt Time of New Business: _____</p>
---

**AGENDA REQUEST FORM**

Name: Sandy McDonald

Department or Entity: County Commission

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

**Subject: Approval of Resolution - Community Participation Grant for the Star Lodge #1 in the amount of \$17,400**

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): **Approve the Resolution for the Community Participation Grant in the amount of \$17,400 for the Star Lodge #1 and to authorize the President of the Commission to affix her signature to the appropriate documents**

Attachments: Resolution  
Grant Application  
Application documents

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

---

---

## **RESOLUTION**

The Jefferson County Commission met on the 5<sup>th</sup> day of May, 2011 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provisions of the Community Participation Program in the amount of \$17,400. The funds from this project will be used for the preservation and rehabilitation of the Star Lodge/Locke House.

Dated: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. NOLAND  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

ATTESTED: \_\_\_\_\_  
County Clerk

# COMMUNITY PARTICIPATION GRANT PROGRAM

## FISCAL YEAR 2011

Deadline for Return:  
JUNE 30, 2011

GRANTEE: Jefferson County Commission  
PROJECT TITLE: Star Lodge 1

PROJECT NUMBER: 11LEDA0500  
AMOUNT: \$17,400

### SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Star Lodge #1  
Street Address: 124 E. Washington St City: Charles Town Zip: 25414  
Chief Elected Official: Patsy Noland Email: Sandy@jeffersoncountymw.org  
Phone: (304) 728-3284 Fax: (304) 725-7916 Form Completed By: George Rutherford  
Brief Description of Project: Stabilization / Renovation / Preservation of the Locke House

### SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization?  Yes  No  
Nonprofit Organization: Star Lodge #1 Executive Director: George Rutherford  
Street Address: PO Box 411 City: Lansom State/Zip: 25438  
Phone: (304) 725-9610 Fax: (304) \_\_\_\_\_ Email: \_\_\_\_\_  
Website: www. IRS Cert. (Ex: 501(c)3, etc.): 501(c)10 Yr. Cert: 1980

- Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.  
 State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.

### SECTION 3. PROJECT OWNER AND LOCATION

The use of grant funds at/for private property or private gain or use is prohibited. Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Owner of project site, property or building: Star Lodge #1 Vicinity/site plan attached?  Yes  No  
Location and address where grant funds will be used (sufficient to drive to site): 230 South Lawrence St  
Charles Town 25414  
Upon completion, what government agency will own, operate, or be responsible for the project? Star Lodge

- Yes  No Project site(s) or building(s) are owned by a government agency.  
 Yes  No Project site(s) or building(s) are owned by a nonprofit organization. (If yes, attach copy of property deed).

### SECTION 4. FUNDING SUMMARY

A minimum of 10 percent is required as a local match. Attach commitment letters for each funding source listed below.

	Amount	Source	Status	Documentation
		Grant Program, Bank Loan, Fundraising, Fees, etc.	Pending, Approved, Ongoing, etc.	Letter, Resolution, etc.
a. Grant Funds Requested	\$17,400			
b. Local Funds (10% local match required)	\$ 2,000	donation		x
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$ 19,400			

## SECTION 5. CERTIFICATION OF STATE REGULATIONS

CHECK ITEMS 1-11 BELOW to certify compliance with the following laws, regulations and requirements by the grantee (municipality, county commission, board of education, public service district, etc.):

1.  Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:

- |   |  |
|---|--|
| <input type="checkbox"/> \$2,500 or less        | <input type="checkbox"/> No bids required; however, competition is encouraged. |
| <input type="checkbox"/> \$2,500.01 to \$5,000  | <input type="checkbox"/> Three verbal bids documented on a verbal bid summary. |
| <input type="checkbox"/> \$5,000.01 to \$25,000 | <input type="checkbox"/> Three written bids required.                          |
| <input type="checkbox"/> \$25,000 or more       | <input type="checkbox"/> Class II Legal Ads required.                          |

2.  Scaled bids are required for any portion of this project with an estimated value of more than \$25,000. Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.

3.  State prevailing wages will be paid for all construction associated with this project. This regulation applies to any and all projects, regardless project cost.

Wage rates may be obtained from the West Virginia Secretary of State at 304-558-6000, or [www.wvsos.com](http://www.wvsos.com). If federal funds are included, the highest rate (West Virginia or Davis-Bacon) must be paid. All contractors must have a West Virginia contractor's license. All construction must comply with West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. These regulations apply to the employment of any contractor or subcontractor for this project, including the following trades and activities:

- |   |                                     |
|---|-------------------------------------|
| <input type="checkbox"/> Construction   | <input type="checkbox"/> Painting   |
| <input type="checkbox"/> Reconstruction | <input type="checkbox"/> Decoration |
| <input type="checkbox"/> Demolition     | <input type="checkbox"/> Alteration |
| <input type="checkbox"/> Enlargement    | <input type="checkbox"/> Repair     |
| <input type="checkbox"/> Remodeling     | <input type="checkbox"/> Expansion  |

4.  The following documents will be required for the release of grant funds:

- Copies of bids, quotes or bid summary
- Copy of legal ad, which must require prevailing wages for construction
- Copies of certified payroll records
- Copies of invoices

5.  Counties and municipalities may sponsor the applications of federally certified nonprofit organizations. The county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
6.  State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations. Funds provided to counties and municipalities for grants to nonprofit organization are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.
7.  Professional services, such as consulting, shall be obtained through a request for proposals.
8.  Architectural or engineering services shall be pursued in accordance with West Virginia Code §5G.
9.  No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.
10.  The use of grant funds at/for private property or private gain is prohibited.
11.  Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

**SECTION 6. PROJECT INFORMATION:**

**ELIGIBLE** activities include, but are not limited to, permanent public improvements related to the following:

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| " Business and Industrial Parks       | " Land and Property Acquisition   |
| " City Hall and Courthouse Facilities | " Libraries                       |
| " Construction and Renovation         | " Parks and Recreation            |
| " Demolition                          | " Parking Facilities              |
| " Economic Development                | " Preservation and Beautification |
| " Emergency Services                  | " Public Safety                   |
| " Flood and Storm Drainage            | " Street and Sidewalk Repair      |
| " Infrastructure                      | " Technology                      |
| " Law Enforcement                     | " Water, Wastewater Facilities    |

**INELIGIBLE** activities include, but are not limited to, expendable items related to the following:

- |                           |                               |
|---------------------------|-------------------------------|
| " Administrative costs    | " Private Property            |
| " Food                    | " Rent                        |
| " Clothing                | " Maintenance                 |
| " Homeowners Associations | " Salaries                    |
| " Insurance Premiums      | " Scholarships                |
| " Maintenance             | " Sports Uniforms             |
| " Medical Programs        | " Training and Speakers' Fees |
| " National Dues           | " Travel Expenses             |
| " Postage                 | " Utility Costs               |

**PROJECT DESCRIPTION**

Describe in **SPECIFIC TERMS** the scope of work to be completed and the proposed use(s) of grant funds.

These funds will be used to:

- repair sidewalk
- ~~replace~~ replace windows in attic
- insulate 3rd floor
- rewire 2nd floor
- renovate 1st floor (reopen fireplace)

If funds are requested for a nonprofit organization, provide mission statement. Attach brochure /web pages if available.

Promote community unity via the availability of a meeting place for non-profit  
 Organizations free of charge who promote equality & justice for all.  
 Tourism attraction in the Historical District of Charles Town. The Black  
 History Preservation Society uses it for Historical Exhibits and community forums

## SECTION 7. ASSURANCES

The applicant hereby assures and certifies that it shall comply with the following regulations, policies, and requirements:

- A. The applicant assures the State that it will perform the work for which the grant was made as determined by the State.
- B. The applicant assures the State that it has or will secure qualified personnel to administer a grant, and that the costs to administer the grant will be paid for by the applicant.
- C. The applicant assures the State that it will have started work on the project before the end of the fiscal year in which the grant award is made.
- D. The applicant assures the State that it understands that the amount of the grant award cannot be increased without the written consent of the Governor.
- E. The applicant assures the State that payment for work performed will be requested in writing with copies of invoices attached that document the costs of each work segment making up the total amount of funds requested.
- F. The applicant assures the State that it understands that ten percent of the grant award will be held by the State as retainage, pending receipt of a written certificate of substantial completion attached to any final invoices for work not already paid.
- G. The applicant assures the State that it understands that by letter the State can terminate for cause an applicant's grant agreement with the amount of funds recovered equal to the percentage of incomplete work. The applicant further assures the State that it understands that it can be terminated by letter any grant agreement with the State before costs are incurred on the project.
- H. The applicant assures the State that any changes in the scope of work specified in a grant agreement will first be submitted in writing to the State for approval by change order.
- I. The applicant assures the State that in its hiring practices for work to be performed it will comply with the equal employment provisions of Titles VI and VII of the 1964 Civil Rights Act, and Presidential Executive Orders 11246 and 11375, as amended.
- J. **The applicant assures the State that competitive bids will be solicited on any major work element exceeding \$2,500 in cost.** Competitive bidding shall be pursued in all instances.
- K. **Competitive bidding requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids; however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.**
- L. **The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of more than \$25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination.** The receipt and utilization of funds procured through this program mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.
- M. **Bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3.** This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks prior to the final bid date.
- N. The applicant assures the State that State **prevailing wage rates will be paid on contract construction unless federal funds are included in the project, in which case, the higher of the State's or Davis-Bacon wage rates will be paid on all contract construction.**
- O. Every contract involving **construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work** which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost. The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.**
- P. The applicant assures the State that any part of the project to be occupied by the general public will be made accessible to the handicapped.
- Q. The applicant assures the State that any permits, licenses, or other requirements of particular State or Federal agencies necessary for the project's design, construction, or operation will be secured.
- R. The applicant assures the State that it will not subgrant any of the grant funds received to any of its officials or employees or the members of their families or to employees of the WVDO or members of the State Legislature in any contracts awarded for work to be performed.
- S. The applicant assures the State that it will maintain and have available for inspection on written request by the State all records kept on the project including bid documents, copies of all contracts, contractors' payrolls, time sheets, and invoices. The applicant further assures the State that it will schedule an audit of any grant funds to be included in its annual audit as performed by the State Tax Department.
- T. The applicant assures the State, by evidence of attaching a resolution, motion, or similar action passed by its governing body, that it has the legal authority to apply for this grant, commit any local matching shares, authorize the person signing the grant to act as an agent for the applicant to answer any questions by the State about the application, and to abide by the understandings and assurances described in this section.
- U. As the grantee, the county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with sub-grantees so that property and/or assets acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

## Checklist for Nonprofit Organizations

**Must Be Submitted With Application for Community Participation Grant Program Funding for Nonprofit Organizations**

1. Local Government Agency: Jefferson County Commission Chief Elected Official: Patsy Notland, President  
 Project Title: Star Lodge #1 Amount of Grant: \$ 17,400  
 Form Completed By: George Retherford Phone: (304) 725-9610 Fax: (304) \_\_\_\_\_
2. Nonprofit Organization: Star Lodge #1 Executive Director: George Retherford  
 Street Address, City, Zip: PO Box 411 Rawson 25438 Phone: (304) 725-9610 Fax: (304) \_\_\_\_\_
- Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.  
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

### CERTIFICATIONS AND ASSURANCES

**CHECK ALL ITEMS BELOW** to certify compliance with the following laws, regulations and requirements:

3.  Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:
- |                          |  |
|--------------------------|--|
| ▪ \$2,500 or less        | ▪ No bids required; however, competition is encouraged |
| ▪ \$2,500.01 to \$5,000  | ▪ Three verbal bids documented on a verbal bid summary |
| ▪ \$5,000.01 to \$25,000 | ▪ Three written bids required                          |
| ▪ \$25,000 or more       | ▪ Class II Legal Ads required                          |
4.  Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.  
 Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.
5.  State prevailing wages will be paid for all construction associated with this project, regardless of the cost.  
 West Virginia prevailing wages must be paid for all construction projects using state grant funds. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
6.  The following documents will be required for the release of grant funds.
- |  |
|--|
| ▪ Copies of bids, quotes or verbal bid summary                           |
| ▪ Copy of legal ad, which must require prevailing wages for construction |
| ▪ Copies of certified payroll records for construction                   |
| ▪ Copies of invoices.  |
7.  Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.  
 The county or municipality must act as the administrator of grant funds for to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
8.  State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.  
 Funds provided to counties and municipalities for grants to nonprofit organizations are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
9.  Professional services shall be obtained through a request for proposals.  
 Architectural or engineering services shall be obtained in accordance with West Virginia Code §5G.
10.  No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.
11.  The use of grant funds at/for private property or private gain is prohibited.  
 Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Signature: George Retherford Date: 4/25/11

Executive Director, Nonprofit Organization

**ORIGINAL SIGNATURE REQUIRED**

**SECTION 8. SIGNATURE AND RESOLUTION**

**This application must contain the following:**

- Application with Original Signature**
- Resolution by Unit of Local Government**
- Documentation of Local Match (Minimum 10 Percent)**
- Nonprofit Application Checklist with Original Signature – Required for Nonprofit Organizations**
- IRS 501(c) Determination Letter - Required for Nonprofit Organizations**

To the best of my knowledge, the information contained in this application is true and correct; the submission thereof has been duly authorized by the governing body; and the applicant will comply with the regulations, policies, guidelines and requirements outlined by the State of West Virginia. If the recipient is a nonprofit organization, the county or municipality certifies that this nonprofit organization is legally authorized to receive public funds.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Mayor or County Commission President**

**ORIGINAL SIGNATURE REQUIRED-USE BLUE INK**

**West Virginia Development Office  
Community Development Division  
Community Participation Grant Program**  
1900 Kanawha Boulevard, East Building 6, Room 553  
Charleston, West Virginia 25305  
Phone: 304-558-4010 Fax: 304-558-2246  
[www.wvcommerce.org](http://www.wvcommerce.org)



Chartered 1877

**STAR LODGE No. 1  
F. A. M.**

Oldest Prince Hall  
Lodge In W. Va.



CHARLES TOWN, W. VA. 25414

**March 26, 2011**

**Star Lodge #1 F&A M pledge \$2,000 toward the restoration  
and preservation project at the historic Locke House  
located at 230 South Lawrence Street in Charles Town.**

A handwritten signature in cursive script that reads "Raphael Eastman".

**Raphael Eastman  
Worshipful Master**

Internal Revenue Service

Department of the Treasury

District  
Director

P.O. Box 99187, Cleveland, OH 44199

M.W. Prince Hall Grand Lodge  
of West Virginia, F & A.M., Inc.  
c/o Mr. George Rutherford  
P.O. Box 411  
Ranson, West Virginia 25438

Person to Contact:  
C. Schnabel  
Telephone Number:  
(216) 522-4886 Not Toll Free  
Refer Reply to:

OLE:EO:80:8549 895

Date:

~~NOV 17 1980~~ Dec 5, 1980

Internal Revenue Code: Section 501(c) (10)  
Form 990 Required: (x) Yes ( ) No  
Accounting Period Ending: May 31

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) for each employee to whom you pay \$100 or more during a calendar year. And, unless excepted, you are also liable for tax under the Federal Unemployment Tax Act for each employee to whom you pay \$50 or more during a calendar quarter if, during the current or preceding calendar weeks or you paid wages of \$1,500 or more in any calendar quarter. If you have any questions about excise, employment or other Federal taxes, please address them to this office.

If your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. Also, you should inform us of all changes in your name or address.

The block checked at the top of this letter shows whether you must file Form 990, Return of Organization Exempt From Income Tax. If the Yes box is checked, you are only required to file Form 990 if your gross receipts each year are normally more than \$10,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law provides for a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay. This penalty may also be charged if a return is not complete. So please make sure your return is complete before you file it.



# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

---

---

## **RESOLUTION**

The Jefferson County Commission met on the 5<sup>th</sup> day of May, 2011 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Community Participation Program in the amount of \$17,400. This project is to assist in the emergency measures of preserving and stabilizing the historic Webb/Blessing's House for the Jefferson County Black History Preservation Society.

Dated: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. NOLAND  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

ATTESTED: \_\_\_\_\_  
County Clerk

# COMMUNITY PARTICIPATION GRANT PROGRAM FISCAL YEAR 2011

Deadline for Return:  
JUNE 30, 2011

GRANTEE: Jefferson County Commission PROJECT NUMBER: 11LEDA0495  
PROJECT TITLE: Black History Preservation/ Webb Blessing House Repairs AMOUNT: \$17,400

### SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Black History Preservation / Webb Blessing House Repairs  
Street Address: 124 E. Washington St City: Charles Town Zip: WV  
Chief Elected Official: Patsy Noland Email: Sandy@jeffersoncountywv.org  
Phone: (304) 728-3284 Fax: (304) 725-7916 Form Completed By: George Rutherford  
Brief Description of Project: Repair Renovation + Preservation of the Webb Blessing House

### SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization?  Yes  No  
Nonprofit Organization: \_\_\_\_\_ Executive Director: James Taylor  
Street Address: P.O. Box 569 City: RANSON State/Zip: WV 25438  
Phone: (304) 725-9222 Fax: (304) \_\_\_\_\_ Email: \_\_\_\_\_  
Website: www IRS Cert. (Ex: 501(c) 3, etc.): 501(c)3 Yr. Cert: 2005

- Federal Nonprofit Certification is attached. This application WILL NOT be processed without Federal nonprofit status.
- State Regulation Checklist for Nonprofit Organization is attached. This application WILL NOT be processed without this Checklist.

### SECTION 3. PROJECT OWNER AND LOCATION

The use of grant funds at/for private property or private gain or use is prohibited. Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Owner of project site, property or building: Jeff Co Black History Pres Soc Vicinity/site plan attached?  Yes  No  
Location and address where grant funds will be used (sufficient to drive to site): \_\_\_\_\_

303 East North Street Charles Town WV

Upon completion, what government agency will own, operate, or be responsible for the project? \_\_\_\_\_

- Yes  No Project site(s) or building(s) are owned by a government agency.
- Yes  No Project site(s) or building(s) are owned by a nonprofit organization. (If yes, attach copy of property deed). ✓

### SECTION 4. FUNDING SUMMARY

A minimum of 10 percent is required as a local match. Attach commitment letters for each funding source listed below.

	Amount	Source	Status	Documentation
		Grant Program, Bank Loan, Fundraising, Fees, etc.	Pending, Approved, Ongoing, etc.	Letter, Resolution, etc.
a. Grant Funds Requested	\$17,400			
b. Local Funds (10% local match required)	\$ 1,900	<u>Donation</u>	<u>Approved</u>	<u>X</u>
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$ 19,200			

**SECTION 5. CERTIFICATION OF STATE REGULATIONS**

**CHECK ITEMS 1-11 BELOW** to certify compliance with the following laws, regulations and requirements by the grantee (municipality, county commission, board of education, public service district, etc.):

1.  Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:

- |                          |   |
|--------------------------|---|
| ▪ \$2,500 or less        | ▪ No bids required; however, competition is encouraged. |
| ▪ \$2,500.01 to \$5,000  | ▪ Three verbal bids documented on a verbal bid summary. |
| ▪ \$5,000.01 to \$25,000 | ▪ Three written bids required.                          |
| ▪ \$25,000 or more       | ▪ Class II Legal Ads required.                          |

2.  Sealed bids are required for any portion of this project with an estimated value of more than \$25,000. Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.

3.  State prevailing wages will be paid for all construction associated with this project. This regulation applies to any and all projects, regardless project cost.

Wage rates may be obtained from the West Virginia Secretary of State at 304-558-6000, or [www.wvsos.com](http://www.wvsos.com). If federal funds are included, the highest rate (West Virginia or Davis-Bacon) must be paid. All contractors must have a West Virginia contractor's license. All construction must comply with West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. These regulations apply to the employment of any contractor or subcontractor for this project, including the following trades and activities:

- |                  |              |
|------------------|--------------|
| ▪ Construction   | ▪ Painting   |
| ▪ Reconstruction | ▪ Decoration |
| ▪ Demolition     | ▪ Alteration |
| ▪ Enlargement    | ▪ Repair     |
| ▪ Remodeling     | ▪ Expansion  |

4.  The following documents will be required for the release of grant funds:

- Copies of bids, quotes or bid summary
- Copy of legal ad, which must require prevailing wages for construction
- Copies of certified payroll records
- Copies of invoices

5.  Counties and municipalities may sponsor the applications of federally certified nonprofit organizations. The county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

6.  State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations. Funds provided to counties and municipalities for grants to nonprofit organization are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.

7.  Professional services, such as consulting, shall be obtained through a request for proposals.

8.  Architectural or engineering services shall be pursued in accordance with West Virginia Code §5G.

9.  No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.

10.  The use of grant funds at/for private property or private gain is prohibited.

11.  Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

**SECTION 6. PROJECT INFORMATION:**

**ELIGIBLE** activities include, but are not limited to, permanent public improvements related to the following:

- |                                       |  |
|---------------------------------------|--|
| " Business and Industrial Parks       | " Land and Property Acquisition          |
| " City Hall and Courthouse Facilities | " Libraries                              |
| " <u>Construction and Renovation</u>  | " Parks and Recreation                   |
| " Demolition                          | " Parking Facilities                     |
| " Economic Development                | " <u>Preservation and Beautification</u> |
| " Emergency Services                  | " Public Safety                          |
| " Flood and Storm Drainage            | " Street and Sidewalk Repair             |
| " Infrastructure                      | " Technology                             |
| " Law Enforcement                     | " Water, Wastewater Facilities           |

**INELIGIBLE** activities include, but are not limited to, expendable items related to the following:

- |                           |                               |
|---------------------------|-------------------------------|
| " Administrative costs    | " Private Property            |
| " Food                    | " Rent                        |
| " Clothing                | " Maintenance                 |
| " Homeowners Associations | " Salaries                    |
| " Insurance Premiums      | " Scholarships                |
| " Maintenance             | " Sports Uniforms             |
| " Medical Programs        | " Training and Speakers' Fees |
| " National Dues           | " Travel Expenses             |
| " Postage                 | " Utility Costs               |

**PROJECT DESCRIPTION**

Describe in **SPECIFIC TERMS** the scope of work to be completed and the proposed use(s) of grant funds.

*These funds will be used to:*

- construct a restroom in the Blessing House*
- replace the front steps to the Blessing House*
- repair + paint the roof of the Webb Blessing House*
- Reconstruct the ~~set~~ walkway in the rear yard*
- Rebrick + stabilize the front sidewalk*
- install + rehab the attic in the Blessing house*

If funds are requested for a nonprofit organization, provide mission statement. Attach brochure / web pages if available.

- The purpose of the "Society" are to promote, collect, preserve and disseminate Black history and
- other information, much of which is uncollected and documented and which is of significant
- historic interest to the whole community; to foster awareness of Black History in Jefferson
- County; to make citizens aware of Black citizens in the development of industry, education and
- commerce.

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

MAR 24 2005

Employer Identification Number:  
55-0778648

DLN:

17053057793075

Contact Person:

TERRY W BREWER

ID# 11111

Contact Telephone Number:

(877) 829-5500

Public Charity Status:

170(b)(1)(A)(vi)

JEFFERSON COUNTY BLACK HISTORY  
PRESERVATION SOCIETY INC  
PO BOX 569  
RANSON, WV 25438-0000

Dear Applicant:

Our letter dated MAY 8, 2001, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at [www.irs.gov](http://www.irs.gov).

If you have general questions about exempt organizations, please call our toll-free number shown in the heading between 8:30 a.m. - 5:30 p.m. Eastern time.

Please keep this letter in your permanent records.

Sincerely yours,




Lois G. Lerner  
Director, Exempt Organizations  
Rulings and Agreements

Letter 1050 (DO/CG)

**Juante Gebape, Inc**  
**P.O. Box 43**  
**Ranson, WV 25438**

March 26, 2011

**Juante Gebape Inc will commit up to \$1,800 toward the restoration project at the Webb Blessing house located at 303 East North Street in Charles Town.**

  
**Julie Thomas**  
**President**

## Checklist for Nonprofit Organizations

**Must Be Submitted With Application for Community Participation Grant Program Funding for Nonprofit Organizations**

1. Local Government Agency: Jefferson County Commission Chief Elected Official: Patsy Adland, President  
 Project Title: Black History Preservation Amount of Grant: \$ 17,400  
 Form Completed By: George Rutherford Phone: (304) 725-9610 Fax: (304) \_\_\_\_\_

2. Nonprofit Organization: Black History Preservation Executive Director: James Taylor  
 Street Address, City, Zip: PO Box 569 Ranson 25438 Phone: (304) 725-7242 Fax: (304) \_\_\_\_\_

- Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.
- Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

### CERTIFICATIONS AND ASSURANCES

**CHECK ALL ITEMS BELOW** to certify compliance with the following laws, regulations and requirements:

3.  **Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:**

<input type="checkbox"/> \$2,500 or less	<input type="checkbox"/> No bids required; however, competition is encouraged
<input type="checkbox"/> \$2,500.01 to \$5,000	<input type="checkbox"/> Three verbal bids documented on a verbal bid summary
<input type="checkbox"/> \$5,000.01 to \$25,000	<input type="checkbox"/> Three written bids required
<input type="checkbox"/> \$25,000 or more	<input type="checkbox"/> Class II Legal Ads required
4.  **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**  
 Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.
5.  **State prevailing wages will be paid for all construction associated with this project, regardless of the cost.**  
 West Virginia prevailing wages must be paid for all construction projects using state grant funds. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
6.  **The following documents will be required for the release of grant funds.**

<input type="checkbox"/> Copies of bids, quotes or verbal bid summary
<input type="checkbox"/> Copy of legal ad, which must require prevailing wages for construction
<input type="checkbox"/> Copies of certified payroll records for construction
<input type="checkbox"/> Copies of invoices.
7.  **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**  
 The county or municipality must act as the administrator of grant funds for to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
8.  **State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**  
 Funds provided to counties and municipalities for grants to nonprofit organizations are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
9.  **Professional services shall be obtained through a request for proposals.**  
 Architectural or engineering services shall be obtained in accordance with West Virginia Code §5G.
10.  **No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
11.  **The use of grant funds at/for private property or private gain is prohibited.**  
 Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Signature: James Taylor Date: 4/26/11  
 Executive Director, Nonprofit Organization

**ORIGINAL SIGNATURE REQUIRED**

## **SECTION 7. ASSURANCES**

**The applicant hereby assures and certifies that it shall comply with the following regulations, policies, and requirements:**

- A. The applicant assures the State that it will perform the work for which the grant was made as determined by the State.
- B. The applicant assures the State that it has or will secure qualified personnel to administer a grant, and that the costs to administer the grant will be paid for by the applicant.
- C. The applicant assures the State that it will have started work on the project before the end of the fiscal year in which the grant award is made.
- D. The applicant assures the State that it understands that the amount of the grant award cannot be increased without the written consent of the Governor.
- E. The applicant assures the State that payment for work performed will be requested in writing with copies of invoices attached that document the costs of each work segment making up the total amount of funds requested.
- F. The applicant assures the State that it understands that ten percent of the grant award will be held by the State as retainage, pending receipt of a written certificate of substantial completion attached to any final invoices for work not already paid.
- G. The applicant assures the State that it understands that by letter the State can terminate for cause an applicant's grant agreement with the amount of funds recovered equal to the percentage of incomplete work. The applicant further assures the State that it understands that it can be terminated by letter any grant agreement with the State before costs are incurred on the project.
- H. The applicant assures the State that any changes in the scope of work specified in a grant agreement will first be submitted in writing to the State for approval by change order.
- I. The applicant assures the State that in its hiring practices for work to be performed it will comply with the equal employment provisions of Titles VI and VII of the 1964 Civil Rights Act, and Presidential Executive Orders 11246 and 11375, as amended.
- J. **The applicant assures the State that competitive bids will be solicited on any major work element exceeding \$2,500 in cost.** Competitive bidding shall be pursued in all instances.
- K. **Competitive bidding requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids; however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.**
- L. **The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of more than \$25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination.** The receipt and utilization of funds procured through this program mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.
- M. **Bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3.** This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks prior to the final bid date.
- N. The applicant assures the State that **State prevailing wage rates will be paid on contract construction unless federal funds are included in the project, in which case, the higher of the State's or Davis-Bacon wage rates will be paid on all contract construction.**
- O. Every contract involving **construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work** which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost. The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.**
- P. The applicant assures the State that any part of the project to be occupied by the general public will be made accessible to the handicapped.
- Q. The applicant assures the State that any permits, licenses, or other requirements of particular State or Federal agencies necessary for the project's design, construction, or operation will be secured.
- R. The applicant assures the State that it will not subgrant any of the grant funds received to any of its officials or employees or the members of their families or to employees of the WVDO or members of the State Legislature in any contracts awarded for work to be performed.
- S. The applicant assures the State that it will maintain and have available for inspection on written request by the State all records kept on the project including bid documents, copies of all contracts, contractors' payrolls, time sheets, and invoices. The applicant further assures the State that it will schedule an audit of any grant funds to be included in its annual audit as performed by the State Tax Department.
- T. The applicant assures the State, by evidence of attaching a resolution, motion, or similar action passed by its governing body, that it has the legal authority to apply for this grant, commit any local matching shares, authorize the person signing the grant to act as an agent for the applicant to answer any questions by the State about the application, and to abide by the understandings and assurances described in this section.
- U. As the grantee, the county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with sub-grantees so that property and/or assets acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

**SECTION 8. SIGNATURE AND RESOLUTION**

**This application must contain the following:**

- Application with Original Signature**
- Resolution by Unit of Local Government**
- Documentation of Local Match (Minimum 10 Percent)**
- Nonprofit Application Checklist with Original Signature – Required for Nonprofit Organizations**
- IRS 501(c) Determination Letter - Required for Nonprofit Organizations**

To the best of my knowledge, the information contained in this application is true and correct; the submission thereof has been duly authorized by the governing body; and the applicant will comply with the regulations, policies, guidelines and requirements outlined by the State of West Virginia. If the recipient is a nonprofit organization, the county or municipality certifies that this nonprofit organization is legally authorized to receive public funds.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Mayor or County Commission President**

**ORIGINAL SIGNATURE REQUIRED-USE BLUE INK**

**West Virginia Development Office  
Community Development Division  
Community Participation Grant Program**  
1900 Kanawha Boulevard, East Building 6, Room 553  
Charleston, West Virginia 25305  
Phone: 304-558-4010 Fax: 304-558-2246  
[www.wvcommerce.org](http://www.wvcommerce.org)



<p>Commission Office Use Only</p> <p>Date on Agenda: <u>5/5/11</u></p> <p>Appt Time or <u>New Business</u>:</p>
---

**AGENDA REQUEST FORM**

Name: Sandy McDonald

Department or Entity: County Commission

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

**Subject: Approval of Resolution - Community Participation Grant for the Animal Welfare Society in the amount of \$10,000**

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): **Approve the Resolution for the Community Participation Grant in the amount of \$10,000 for the Animal Welfare Society and to authorize the President of the Commission to affix her signature to the appropriate documents**

Attachments: Resolution  
Grant Application  
Application documents

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

---

---

## **RESOLUTION**

The Jefferson County Commission met on the 5<sup>th</sup> day of May, 2011 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and administer grant funds pursuant to provision of the Community Participation Grant Program in the amount of \$10,000. The funds from this project will be used to construct an animal isolation room and will also be used for the storm water management requirements for the Animal Welfare Society.

Dated: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. NOLAND  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

ATTESTED: \_\_\_\_\_  
County Clerk

11LEDA0130

# COMMUNITY PARTICIPATION GRANT PROGRAM

## FISCAL YEAR 2011

Deadline for Return:  
JUNE 30, 2011

GRANTEE: **Jefferson County Commission** PROJECT NUMBER: **11LEDA0130**  
 PROJECT TITLE: **Animal Welfare Society/Concrete Work and Construction**  
 AMOUNT: **\$10,000**

### SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Animal Welfare Society/Concrete Work and Construction  
 Street Address: P.O. Box 250 City: Charles Town Zip: 25414  
 Chief Elected Official: Patricia A. Noland, President Email: Sandy@jeffersoncountytow.org  
 Phone: (304) 728-3284 Fax: (304) 725-7916 Form Completed By: Joy Busee  
 Brief Description of Project: Concrete and Construction work to provide additional concrete print flooring, storm water management + construction.

### SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization?  Yes  No  
 Nonprofit Organization: Animal Welfare Society Executive Director: Annie Roine, Pres  
 Street Address: 23 Poor Farm Road City: Keokukville State/Zip: WV 25430  
 Phone: (304) 725-0589 Fax: (304) \_\_\_\_\_ Email: \_\_\_\_\_  
 Website: www.AWSJC.org IRS Cert. (Ex: 501(c)3, etc.): 50(c)(3) Yr. Cert: 1956  
 Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status.  
 State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist.

### SECTION 3. PROJECT OWNER AND LOCATION

The use of grant funds at/for private property or private gain or use is prohibited. Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Owner of project site, property or building: Animal Welfare Society Vicinity/site plan attached?  Yes  No  
 Location and address where grant funds will be used (sufficient to drive to site): 23 Poor Farm Road, an Old Leetown place approx 1/2 mile west of county fairgrounds  
 Upon completion, what government agency will own, operate, or be responsible for the project? Animal Welfare Society  
 Yes  No Project site(s) or building(s) are owned by a government agency.  
 Yes  No Project site(s) or building(s) are owned by a nonprofit organization. (If yes, attach copy of property deed).

### SECTION 4. FUNDING SUMMARY

A minimum of 10 percent is required as a local match. Attach commitment letters for each funding source listed below.

	Amount	Source	Status	Documentation
		Grant Program, Bank Loan, Fundraising, Fees, etc.	Pending, Approved, Ongoing, etc.	Letter, Resolution, etc.
a. Grant Funds Requested	\$10,000			
b. Local Funds (10% local match required)	\$1,000	CPGP Fundraising	Pending on hand	Pres. Sig.
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$11,000			

## **SECTION 5. CERTIFICATION OF STATE REGULATIONS**

**CHECK ITEMS 1-11 BELOW** to certify compliance with the following laws, regulations and requirements by the grantee (municipality, county commission, board of education, public service district, etc.):

1.  **Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>▪ \$2,500 or less</li><li>▪ \$2,500.01 to \$5,000</li><li>▪ \$5,000.01 to \$25,000</li><li>▪ \$25,000 or more</li></ul> | <ul style="list-style-type: none"><li>▪ No bids required; however, competition is encouraged.</li><li>▪ Three verbal bids documented on a verbal bid summary.</li><li>▪ Three written bids required.</li><li>▪ Class II Legal Ads required.</li></ul> |
|---|---|

2.  **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**  
Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.

3.  **State prevailing wages will be paid for all construction associated with this project. This regulation applies to any and all projects, regardless project cost.**

Wage rates may be obtained from the West Virginia Secretary of State at 304-558-6000, or [www.wvsos.com](http://www.wvsos.com). If federal funds are included, the highest rate (West Virginia or Davis-Bacon) must be paid. All contractors must have a West Virginia contractor's license. All construction must comply with **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A**. These regulations apply to the employment of any contractor or subcontractor for this project, including the following trades and activities:

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>▪ Construction</li><li>▪ Reconstruction</li><li>▪ Demolition</li><li>▪ Enlargement</li><li>▪ Remodeling</li></ul> | <ul style="list-style-type: none"><li>▪ Painting</li><li>▪ Decoration</li><li>▪ Alteration</li><li>▪ Repair</li><li>▪ Expansion</li></ul> |
|---|---|

4.  **The following documents will be required for the release of grant funds:**

- Copies of bids, quotes or bid summary
- Copy of legal ad, which must require prevailing wages for construction
- Copies of certified payroll records
- Copies of invoices

5.  **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**  
The county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

6.  **State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**  
Funds provided to counties and municipalities for grants to nonprofit organization are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A**.

7.  **Professional services, such as consulting, shall be obtained through a request for proposals.**

8.  **Architectural or engineering services shall be pursued in accordance with West Virginia Code §5G.**

9.  **No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**

10.  **The use of grant funds at/for private property or private gain is prohibited.**

11.  **Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.**

## SECTION 6. PROJECT INFORMATION:

**ELIGIBLE** activities include, but are not limited to, permanent public improvements related to the following:

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| ▪ Business and Industrial Parks       | ▪ Land and Property Acquisition   |
| ▪ City Hall and Courthouse Facilities | ▪ Libraries                       |
| ▪ Construction and Renovation         | ▪ Parks and Recreation            |
| ▪ Demolition                          | ▪ Parking Facilities              |
| ▪ Economic Development                | ▪ Preservation and Beautification |
| ▪ Emergency Services                  | ▪ Public Safety                   |
| ▪ Flood and Storm Drainage            | ▪ Street and Sidewalk Repair      |
| ▪ Infrastructure                      | ▪ Technology                      |
| ▪ Law Enforcement                     | ▪ Water, Wastewater Facilities    |

**INELIGIBLE** activities include, but are not limited to, expendable items related to the following:

- |                           |                               |
|---------------------------|-------------------------------|
| ▪ Administrative costs    | ▪ Private Property            |
| ▪ Food                    | ▪ Rent                        |
| ▪ Clothing                | ▪ Maintenance                 |
| ▪ Homeowners Associations | ▪ Salaries                    |
| ▪ Insurance Premiums      | ▪ Scholarships                |
| ▪ Maintenance             | ▪ Sports Uniforms             |
| ▪ Medical Programs        | ▪ Training and Speakers' Fees |
| ▪ National Dues           | ▪ Travel Expenses             |
| ▪ Postage                 | ▪ Utility Costs               |

## PROJECT DESCRIPTION

Describe in **SPECIFIC TERMS** the scope of work to be completed and the proposed use(s) of grant funds.

Concrete and construction work to provide additional concrete paving, flooring, SWM work and construction to allow for construction of an animal isolation room and an animal newborns room, of about 140 square feet each. Overall project will involve pouring of concrete, erection of walls, ceiling, and provision of self-sufficient HVAC to minimize spread of infection from other spaces.

This project will be combined with another CPGP grant of \$25,000 to provide sufficient funds for entire project.

Grant funds may also be used for concrete construction to address storm water management requirements, the exact nature of which are undetermined at present.

**If funds are requested for a nonprofit organization, provide mission statement. Attach brochure /web pages if available.**

Provide services that benefit both animals and people through a variety of programs. We provide compassion and caring to companion animals allowing them a second chance.

## **SECTION 7. ASSURANCES**

**The applicant hereby assures and certifies that it shall comply with the following regulations, policies, and requirements:**

- A. The applicant assures the State that it will perform the work for which the grant was made as determined by the State.
- B. The applicant assures the State that it has or will secure qualified personnel to administer a grant, and that the costs to administer the grant will be paid for by the applicant.
- C. The applicant assures the State that it will have started work on the project before the end of the fiscal year in which the grant award is made.
- D. The applicant assures the State that it understands that the amount of the grant award cannot be increased without the written consent of the Governor.
- E. The applicant assures the State that payment for work performed will be requested in writing with copies of invoices attached that document the costs of each work segment making up the total amount of funds requested.
- F. The applicant assures the State that it understands that ten percent of the grant award will be held by the State as retainage, pending receipt of a written certificate of substantial completion attached to any final invoices for work not already paid.
- G. The applicant assures the State that it understands that by letter the State can terminate for cause an applicant's grant agreement with the amount of funds recovered equal to the percentage of incomplete work. The applicant further assures the State that it understands that it can be terminated by letter any grant agreement with the State before costs are incurred on the project.
- H. The applicant assures the State that any changes in the scope of work specified in a grant agreement will first be submitted in writing to the State for approval by change order.
- I. The applicant assures the State that in its hiring practices for work to be performed it will comply with the equal employment provisions of Titles VI and VII of the 1964 Civil Rights Act, and Presidential Executive Orders 11246 and 11375, as amended.
- J. **The applicant assures the State that competitive bids will be solicited on any major work element exceeding \$2,500 in cost.** Competitive bidding shall be pursued in all instances.
- K. **Competitive bidding requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids; however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.**
- L. **The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of more than \$25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination.** The receipt and utilization of funds procured through this program mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.
- M. **Bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3.** This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks prior to the final bid date.
- N. The applicant assures the State that **State prevailing wage rates will be paid on contract construction unless federal funds are included in the project, in which case, the higher of the State's or Davis-Bacon wage rates will be paid on all contract construction.**
- O. Every contract involving **construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work** which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost. The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.**
- P. The applicant assures the State that any part of the project to be occupied by the general public will be made accessible to the handicapped.
- Q. The applicant assures the State that any permits, licenses, or other requirements of particular State or Federal agencies necessary for the project's design, construction, or operation will be secured.
- R. The applicant assures the State that it will not subgrant any of the grant funds received to any of its officials or employees or the members of their families or to employees of the WVDO or members of the State Legislature in any contracts awarded for work to be performed.
- S. The applicant assures the State that it will maintain and have available for inspection on written request by the State all records kept on the project including bid documents, copies of all contracts, contractors' payrolls, time sheets, and invoices. The applicant further assures the State that it will schedule an audit of any grant funds to be included in its annual audit as performed by the State Tax Department.
- T. The applicant assures the State, by evidence of attaching a resolution, motion, or similar action passed by its governing body, that it has the legal authority to apply for this grant, commit any local matching shares, authorize the person signing the grant to act as an agent for the applicant to answer any questions by the State about the application, and to abide by the understandings and assurances described in this section.
- U. As the grantee, the county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with sub-grantees so that property and/or assets acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

**SECTION 8. SIGNATURE AND RESOLUTION**

**This application must contain the following:**

- Application with Original Signature**
- Resolution by Unit of Local Government**
- Documentation of Local Match (Minimum 10 Percent)**
- Nonprofit Application Checklist with Original Signature -- Required for Nonprofit Organizations**
- IRS 501(c) Determination Letter - Required for Nonprofit Organizations**

To the best of my knowledge, the information contained in this application is true and correct; the submission thereof has been duly authorized by the governing body; and the applicant will comply with the regulations, policies, guidelines and requirements outlined by the State of West Virginia. If the recipient is a nonprofit organization, the county or municipality certifies that this nonprofit organization is legally authorized to receive public funds.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Mayor or County Commission President**

**ORIGINAL SIGNATURE REQUIRED-USE BLUE INK**

**West Virginia Development Office  
Community Development Division  
Community Participation Grant Program**  
1900 Kanawha Boulevard, East Building 6, Room 553  
Charleston, West Virginia 25305  
Phone: 304-558-4010 Fax: 304-558-2246  
[www.wvcommerce.org](http://www.wvcommerce.org)



# Checklist for Nonprofit Organizations

**Must Be Submitted With Application for Community Participation Grant Program Funding for Nonprofit Organizations**

- Local Government Agency: Jefferson County Comm Chief Elected Official: Patsy Moland  
 Project Title: Concrete Work & Construction Amount of Grant: \$10,000  
 Form Completed By: Jeff D. Brosse, AWS Bl mbr Phone: (304) 728-8247 Fax: (304) \_\_\_\_\_
- Nonprofit Organization: Animal Welfare Society Executive Director: Annie Raina, Pres  
 Street Address, City, Zip: 23 Poor Farm Rd  
Learneyville, WV 25930 Phone: (304) 725-0849 Fax: (304) \_\_\_\_\_  
 Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached.  
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached.

### CERTIFICATIONS AND ASSURANCES

**CHECK ALL ITEMS BELOW** to certify compliance with the following laws, regulations and requirements:

- Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:**

<input type="checkbox"/> \$2,500 or less	<input type="checkbox"/> No bids required; however, competition is encouraged
<input type="checkbox"/> \$2,500.01 to \$5,000	<input type="checkbox"/> Three verbal bids documented on a verbal bid summary
<input type="checkbox"/> \$5,000.01 to \$25,000	<input type="checkbox"/> Three written bids required
<input type="checkbox"/> \$25,000 or more	<input type="checkbox"/> Class II Legal Ads required
- Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**  
 Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.
- State prevailing wages will be paid for all construction associated with this project, regardless of the cost.**  
 West Virginia prevailing wages must be paid for all construction projects using state grant funds. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
- The following documents will be required for the release of grant funds.**
  - Copies of bids, quotes or verbal bid summary
  - Copy of legal ad, which must require prevailing wages for construction
  - Copies of certified payroll records for construction
  - Copies of invoices.
- Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**  
 The county or municipality must act as the administrator of grant funds for to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
- State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**  
 Funds provided to counties and municipalities for grants to nonprofit organizations are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
- Professional services shall be obtained through a request for proposals.**  
 Architectural or engineering services shall be obtained in accordance with West Virginia Code §5G.
- No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
- The use of grant funds at/for private property or private gain is prohibited.**  
 Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Signature: \_\_\_\_\_

*Annie Raina*

Date: 4/12/11

Executive Director, Nonprofit Organization

**ORIGINAL SIGNATURE REQUIRED**

# COMMUNITY PARTICIPATION GRANT PROGRAM

## LIST OF ATTACHMENTS

- |              |  |
|--------------|--|
| Attachment 1 | Federal Nonprofit Certification                            |
| Attachment 2 | State Regulation Checklist for Nonprofit Organizations     |
| Attachment 3 | Property Deed  |
| Attachment 4 | Location Map, Site Plan showing Existing Building and Site |
| Attachment 5 | Mission Statement from AWS Website                         |

Internal Revenue Service  
District Director

Department of the Treasury

DATE: JUN 21 1996

P. O. Box 2508  
Cincinnati, OH 45201

Animal Welfare Society of Jefferson  
& Peggy A. Lagray  
P. O. Box 147  
Charles Town, WV 25414-0417

Person to Contact:  
Dee Anna Jarnon  
Telephone Number:  
513-684-3957  
Refer Reply To:  
EP/EO  
Federal Identification Number:  
55-6023497

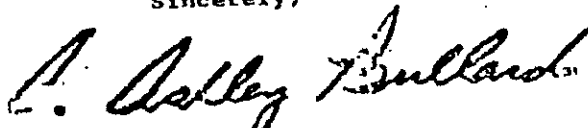
Dear Sir or Madam:

Thank you for submitting the information shown below. The changes indicated do not adversely affect the exempt status of your organization. The exemption letter previously issued continues in effect.

Please advise us of any future change in the character, purpose, method of operation, name, or address of your organization. Such notification is a requirement for retaining exempt status.

Thank you for your cooperation.

Sincerely,



C. Ashley Bullard  
District Director

Item: Certificate of Amendment to the Articles of Incorporation  
filed December 8, 1953

UWAY - ATT # B  
IRS TAX EXEMPT LETTER

ATTACHMENT

T:R:PEO:l-GAW

Animal Welfare Society of Jefferson  
County  
Flowing Spring Road  
Charles Town, West Virginia

FEB 4 1956

Gentlemen:

It is the opinion of this office, based upon the evidence presented, that you are exempt from federal income tax as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954, as it is shown that you are organized and operated exclusively for the prevention of cruelty to animals.

Accordingly, you are not required to file income tax returns unless you change the character of your organization, the purposes for which you were organized, or your method of operation. Any such changes should be reported immediately to the District Director of Internal Revenue for your district in order that their effect upon your exempt status may be determined.

You are required, however, to file an information return, Form 990A, annually, with the District Director of Internal Revenue for your district so long as this exemption remains in effect. This form may be obtained from the District Director and is required to be filed on or before the fifteenth day of the fifth month following the close of your annual accounting period.

Contributions made to you are deductible by the donors in computing their taxable income in the manner and to the extent provided by section 170 of the 1954 Code.

Bequests, legacies, devises or transfers to or for your use are deductible in computing the value of the taxable estate of a decedent for Federal estate tax purposes in the manner and to the extent provided by sections 2055 and 2106 of the 1954 Code. Gifts of property to or for your use are deductible in computing taxable gifts for Federal gift tax purposes in the manner and to the extent provided by section 2522 of the 1954 Code.

ATT B

## 2 - Animal Welfare Society of Jefferson County -

No liability is incurred by you for the taxes imposed under the Federal Insurance Contributions Act (social security taxes) unless you have filed a waiver of exemption certificate in accordance with the applicable provisions of such Act. In the event you desire social security coverage for your employees or have any questions relating to the filing of a waiver of exemption certificate you should take the matter up with your District Director of Internal Revenue.

Your attention is called to the provisions of section 501(c)(3) of the Internal Revenue Code of 1954 under which your exemption will be revoked if any substantial part of your activities consists of carrying on propaganda, or otherwise attempting, to influence legislation, or if you participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

For the purpose of applying this ruling to any period with respect to which the Internal Revenue Code of 1954 is not applicable, any reference herein to a provision of the 1954 Code shall be deemed a reference to the corresponding provision of the 1939 Code.

The District Director of Internal Revenue, Parkersburg, West Virginia, is being advised of this action.

Very truly yours,

W. A. F. [Signature]

Chief, Exempt Organizations Branch

THIS DEED OF GIFT made this 9<sup>th</sup> day of May, 1985, by and between THE COUNTY COMMISSION OF JEFFERSON COUNTY, a public corporation, party of the first part, hereinafter referred to as the Grantor and ANIMAL WELFARE SOCIETY OF JEFFERSON COUNTY, a non-profit corporation, party of the second part, hereinafter referred to as Grantee.

WHEREAS, this conveyance of an one (1) acre parcel was authorized by House Bill 1098, which bill passed the West Virginia House of Delegates on February 22, 1985; and

WHEREAS, said legislation passed the West Virginia Senate on March 6, 1985; and

WHEREAS, said legislation was to be effective upon passage and was signed into law by the Governor on March 15, 1985; and

WHEREAS, this conveyance is made to said Grantee only for the purpose of permitting said Grantee to erect and operate an animal shelter and related facilities.

WITNESSETH: that the Grantor does hereby grant and convey unto said Grantee, so long as all of the parcel herein conveyed is used as an animal shelter, that certain one (1) acre parcel of real estate, situate lying and being along the northern line of State Route 15, Middleway District, Jefferson County, West Virginia, as said parcel is more particularly shown and described on the plat entitled "Plat of Survey Showing 1.00 Acre Parcel," dated September 5, 1984, prepared by R. Michael Shepp, L.L.S., which plat is attached hereto and is incorporated by reference herein, and to which plat reference is expressly made and had for a metes and bounds description of the parcel herein conveyed. Provided however if the Grantee shall be dissolved or the parcel herein conveyed shall cease to be used for a shelter for animals, then the estate herein conveyed shall automatically terminate.

*5/16/85 To: Nancy Rickettsford*

WHEREAS, this conveyance of one (1) acre parcel was authorized by House Bill 1098, which bill passed the West Virginia House of Delegates on February 22, 1985; and

WHEREAS, said legislation passed the West Virginia Senate on March 6, 1985; and

WHEREAS, said legislation was to be effective upon passage and was signed into law by the Governor on March 15, 1985; and

WHEREAS, this conveyance is made to said Grantee only for the purpose of permitting said Grantee to erect and operate an animal shelter and related facilities.

WITNESSETH: that the Grantor does hereby grant and convey unto said Grantee, so long as all of the parcel herein conveyed is used as an animal shelter, that certain one (1) acre parcel of real estate, situate lying and being along the northern line of State Route 15, Middleway District, Jefferson County, West Virginia, as said parcel is more particularly shown and described on the plat entitled "Plat of Survey Showing 1.00 Acre Parcel," dated September 5, 1984, prepared by R. Michael Shepp, L.L.S., which plat is attached hereto and is incorporated by reference herein, and to which plat reference is expressly made and had for a metes and bounds description of the parcel herein conveyed. Provided however if the Grantee shall be dissolved or the parcel herein conveyed shall cease to be used for a shelter for animals, then the estate herein conveyed shall automatically terminate and the real estate herein conveyed shall revert to the Grantor.

5/16/85 To: Nancy Sutherland  
DOCUMENT  
PREPARED BY  
D. THOMPSON  
ATTORNEY AT LAW  
MARTINSBURG, W. VA.  
25414

222/1724

AND BEING a part of the same real estate that was conveyed by Minor Hurst and Sarah S. Hurst to the Overseers of the Poor for the County of Jefferson by deed dated December 26, 1857, which deed is recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 38 at page 24.

DECLARATION OF CONSIDERATION

Under penalty of fine and or imprisonment the undersigned do hereby declare that this conveyance is a gift to a voluntary charitable non-profit corporation and is exempt from the West Virginia Excise Tax on Real Property.

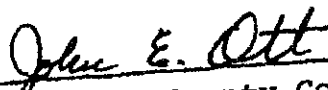
IN WITNESS whereof The County Commission of Jefferson County has caused these presents to be signed by its President with its corporate seal affixed, as the act and deed of The County Commission of Jefferson County, with authority of The County Commission of Jefferson County duly given as evidenced by the minutes of said public body, this 9th day of May, 1985.

The County Commission of  
Jefferson County

By: 

Its President

Attest:



County Commission

STATE OF WEST VIRGINIA  
COUNTY OF JEFFERSON, to-wit:

The foregoing instrument was acknowledged before me this  
9th day of May, 1985, by Garland H. Moore, President of  
The County Commission of Jefferson County, a public corporation  
on behalf of the corporation.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: October 6, 1990

Official Seal  
Paula C. O'Dell  
Notary Public  
State of West Virginia  
My Commission Expires Oct. 6, 1990  
P.O. Box 1710, Charles Town, WV 25414

*Jefferson County*

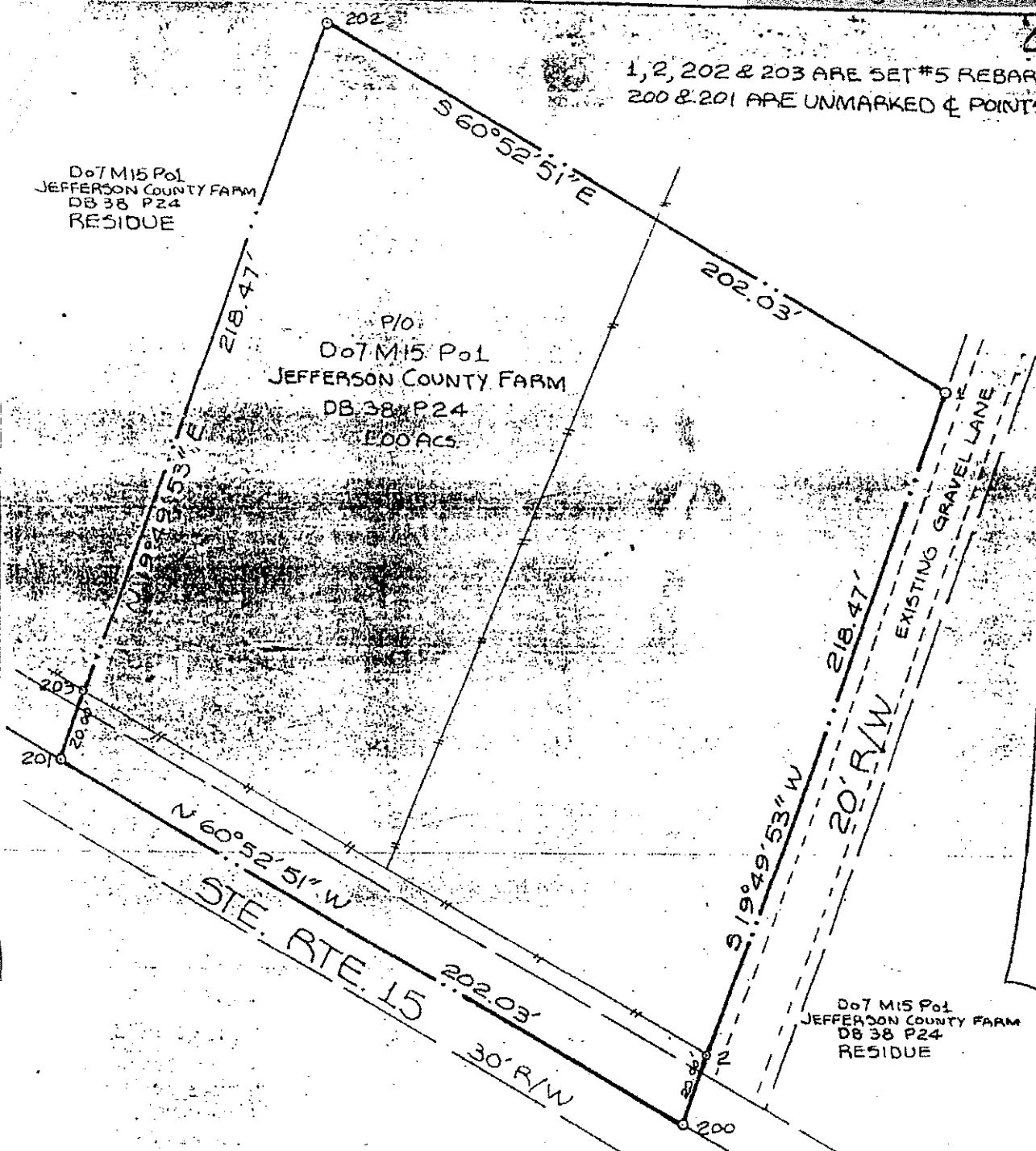
225

1, 2, 202 & 203 ARE SET #5 REBARS  
200 & 201 ARE UNMARKED POINTS

Do7 M15 Pol  
JEFFERSON COUNTY FARM  
DB 38 P24  
RESIDUE

P/O  
Do7 M15 Pol  
JEFFERSON COUNTY FARM  
DB 38 P24  
1.00 ACS

Do7 M15 Pol  
JEFFERSON COUNTY FARM  
DB 38 P24  
RESIDUE



MAGNETIC NORTH

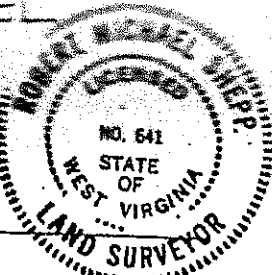
PLAT of SURVEY showing  
1.00 Acre PARCEL

JEFFERSON COUNTY, W.V.  
SCALE: 1 Inch = 40 Feet  
SURVEYED: 05 Sept 1984

*R. Michael Shepp*  
R. MICHAEL SHEPP, LLS

APPALACHIAN SURVEYS INC.

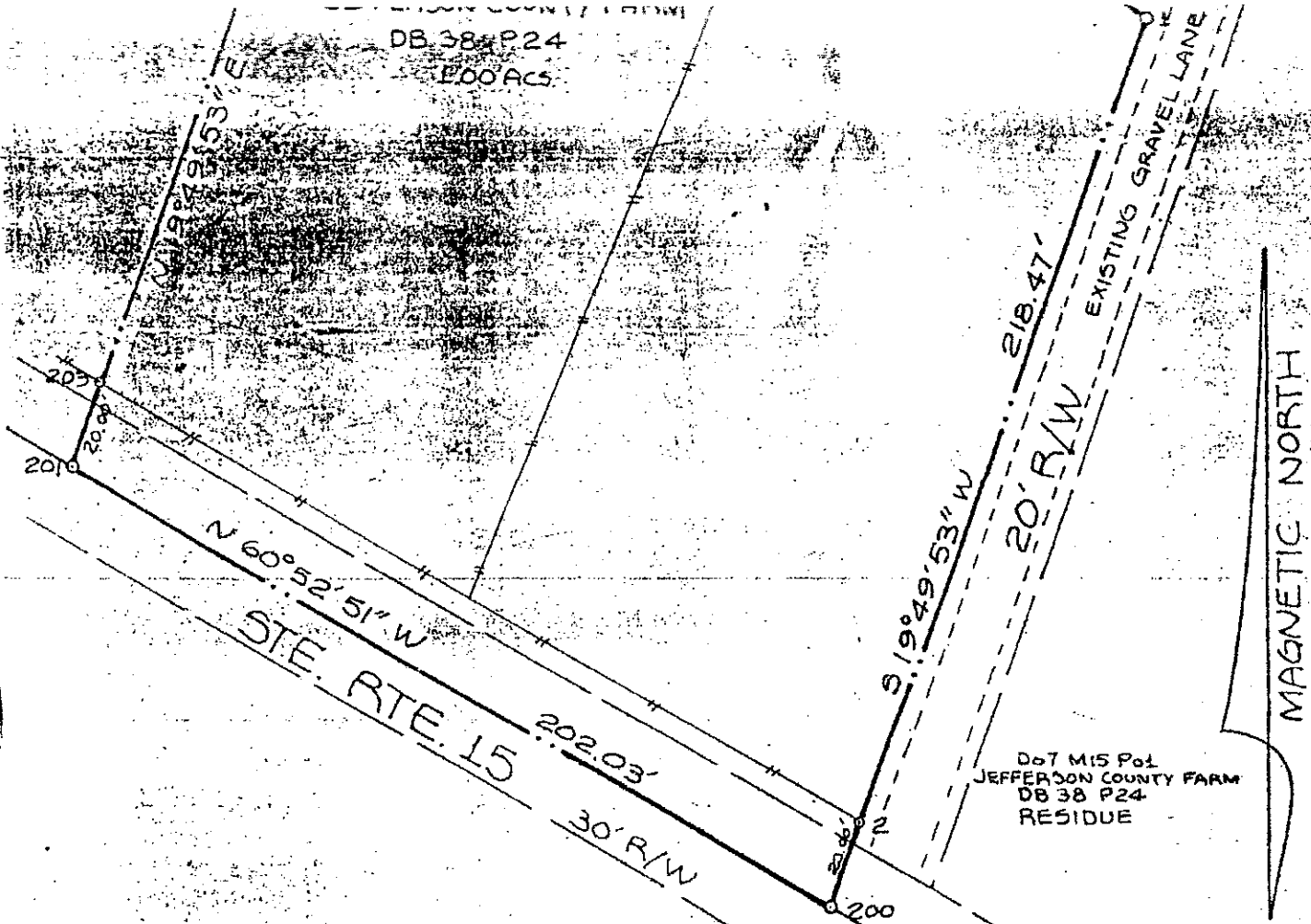
P.O. BOX 35 CHARLES TOWN, W.V.



Job No. 1151

State of West Virginia, County of Jefferson, Sct.

IN THE CLERK'S OFFICE OF THE COUNTY COMMISSIONERS



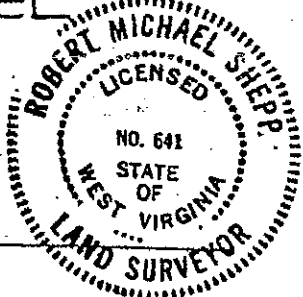
DB 38 P 24  
E00 ACS

Do 7 M15 Pol  
JEFFERSON COUNTY FARM  
DB 38 P 24  
RESIDUE

MAGNETIC NORTH

PLAT of SURVEY Showing  
1.00 Acre PARCEL

MIDDLEWAY DISTRICT  
JEFFERSON COUNTY, W.V.  
SCALE: 1 Inch = 40 Feet  
SURVEYED: 05 Sept 1984



*R. Michael Shepp*  
R. MICHAEL SHEPP, LLS

APPALACHIAN SURVEYS INC.

P.O. BOX 35 CHARLES TOWN, W.V.

JOB No. 1151

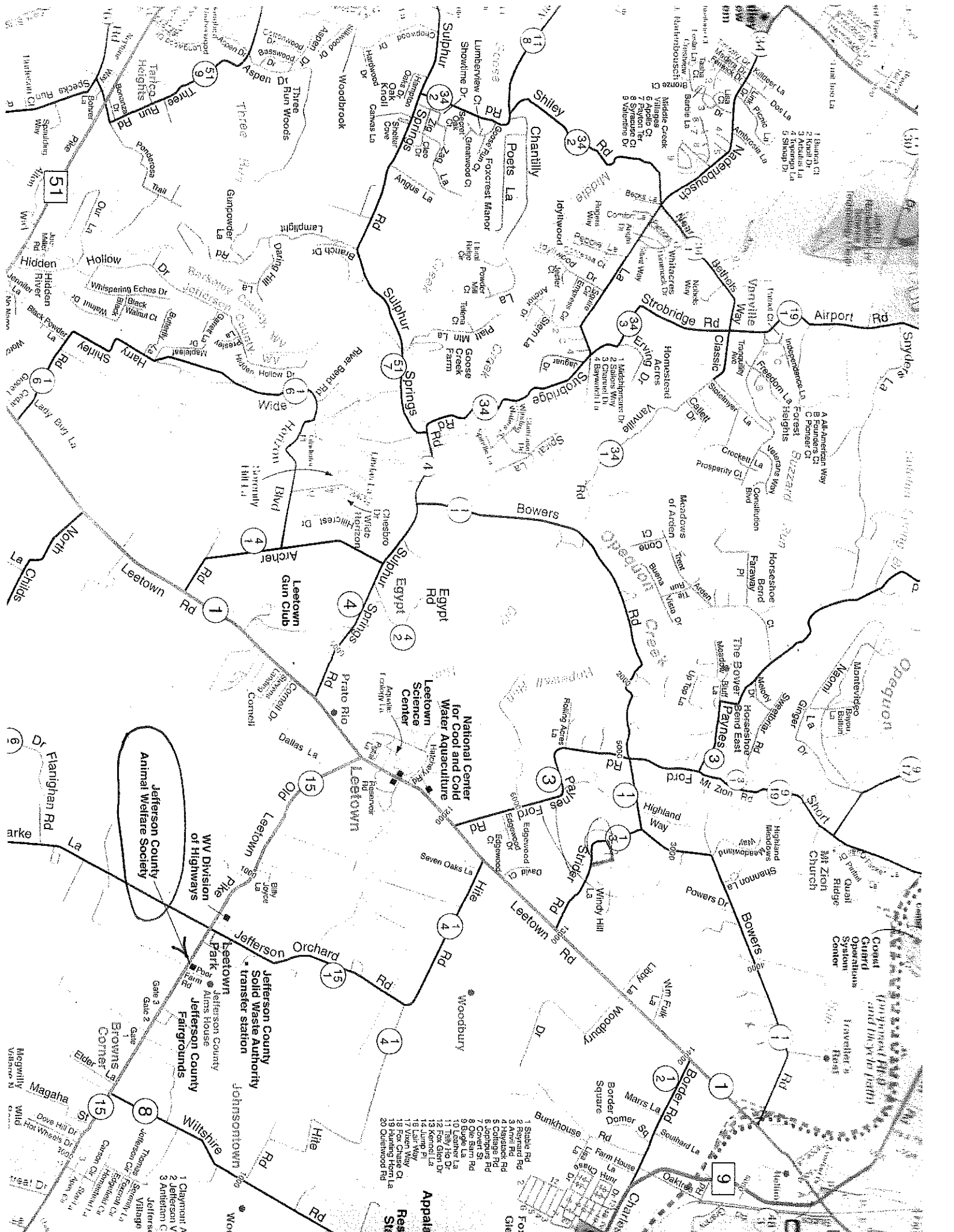
State of West Virginia, County of Jefferson, Sct.

IN THE CLERK'S OFFICE OF THE COUNTY COMMISSION:

On MAY 9 1985, at 12:15 P.M., the  
foregoing document was received in my said office and  
duly admitted to record.

Test,

John E. Ott,  
Clerk of County Commission



**Jefferson County  
Animal Welfare Society**

**National Center  
for Cool and Cold  
Water Aquaculture**

**Jefferson County  
Solid Waste Authority  
transfer station**

**Jefferson County  
Fairgrounds**

**1 Claymont Av  
2 Jefferson Vll  
3 Arntem CR**

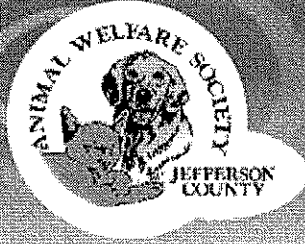
**Appalachian  
Resort  
State**

**Coastal  
Guard  
Operations  
System  
Center**

**Coastal  
Guard  
Operations  
System  
Center**

**1 Clayton Av  
2 Jefferson Vll  
3 Arntem CR**





# Animal Welfare Society Of Jefferson County, WV

A no-kill animal shelter and adoption center



[Home](#) [Adopt](#) [Support](#) [Events](#) [Wish List](#) [Volunteer](#) [Resources](#) [About us](#) [News](#) [Renovations](#) [Contact us](#)

Serving domestic pets since 1952

**Our Heritage** - Serving our community continuously since 1952, the Animal Welfare Society of Jefferson County, WV was incorporated in West Virginia on February 7, 1952 as a non-profit corporation. Founding members included Mabel B. Venable, William S. Venable, W.P.C. Perry, Cora I. Chambers and Forrest A. Brown. [<Read more>](#)



## Mission

The mission of the Animal Welfare Society is to provide services that benefit both animals and people through a variety of programs. We provide **Compassion & Caring** to animals providing a second chance.

- The AWS provides pet adoption services. All animals available for adoptions are vaccinated, leukemia tested, and spayed or neutered prior to adoption.
- The AWS sponsors low cost rabies clinics throughout the county.
- The AWS provides information to the public on animal care, the importance of spaying and neutering, and health risks affecting animals and people (e.g., rabies, injured wildlife).
- The AWS promotes kindness and respect for animals through special events, public service announcements, humane education programs, and dissemination of informational materials and a semi-annual newsletter.
- The AWS provides financial assistance to the public for spaying/neutering their pets in an effort to reduce the homeless animal population.



## Donate to AWS

Donate




To donate by mail, please send your check to:


AWS  
PO Box 147  
Charles town, WV 25414



[Home](#) [Adopt](#) [Support](#) [Events](#) [Wish List](#) [Volunteer](#) [Resources](#) [About us](#) [News](#) [Renovations](#) [Contact us](#)



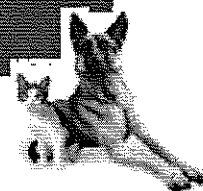
**Animal Welfare Society  
Of Jefferson County, WV**  
A no-kill animal shelter and adoption center



[Home](#)
[Adopt](#)
[Support](#)
[Events](#)
[Wish List](#)
[Volunteer](#)
[Resources](#)
[About us](#)
[News](#)
[Renovations](#)
[Contact us](#)



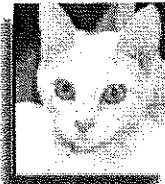
Welcome



The Animal Welfare Society of Jefferson County, WV provides housing and adoption services for abandoned, surrendered and abandoned, neglected abused and unwanted dogs, puppies, cats and kittens. You'll find animals for adoption, resources, volunteer opportunities and much more in our site.

## Announcements & News

Latest News and Announcements from the Animal Welfare Society. Details on scheduled events below may be obtained by selecting the "Events" menu above.



**Please don't forget! The First Thursday of every month is Dining to Donate at Applebee's in Charles Town. 20% of your check is donated to AWS. <[More details](#)>**

### **Events Scheduled - Please see Events for details**

- April 22 & 23, Friday & Saturday - Easter Flower Sale**
- May 6 & 7, Friday & Saturday - Mother's Day Flower Sale**
- May 21, Saturday - Low-cost Rabies Vaccination Clinic**
- June 4, Saturday - Bark in the Park - Jefferson Memorial Park**



The Animal Welfare Society is recognized by the IRS as a 501c3 charitable organization. Your donations are tax deductible to the full extent of the law. We are registered with the State of West Virginia. Registration does not infer endorsement by the state.

AWS is an agency of the United Way of the Eastern Panhandle



**Our United Way CFC# 43359**

<p>Commission Office Use Only</p> <p>Date on Agenda: <u>5511</u></p> <p>Appt Time or New Business: _____</p>
--

**AGENDA REQUEST FORM**

Name: Sandy McDonald

Department or Entity: County Commission

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

**Subject: Approval of Resolution - Community Participation Grant for the Briggs Animal Adoption Center in the amount of \$20,000**

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): **Approve the Resolution for the Community Participation Grant in the amount of \$20,000 for the Briggs Animal Adoption Center and to authorize the President of the Commission to affix her signature to the appropriate documents**

Attachments: Resolution  
Grant Application  
Application documents

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

---

---

## **RESOLUTION**

The Jefferson County Commission met on the 5<sup>th</sup> day of May, 2011 with a quorum present and passed the following Resolution:

Be It Resolved that the County Commission of Jefferson County, West Virginia, hereby authorizes Patricia A. Noland, President of the Jefferson County Commission, to act on its behalf to enter into a contractual agreement with the West Virginia Development Office to receive and to act as the administrator of grant funds pursuant to provisions of the Community Participation Grant Program in the amount of \$20,000. The funds from this project will be used for the enclosure of a pavilion at the Briggs Animal Adoption Center.

Dated: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. NOLAND  
PRESIDENT  
JEFFERSON COUNTY COMMISSION

ATTESTED: \_\_\_\_\_  
County Clerk

11LEDA0131

2012

# COMMUNITY PARTICIPATION GRANT PROGRAM FISCAL YEAR 2011

Deadline for Return:  
JUNE 30, 2011

GRANTEE: Jefferson County Commission  
PROJECT TITLE: Briggs Animal Adoption Center

PROJECT NUMBER: 11LEDA0131  
AMOUNT: \$20,000

### SECTION 1. GRANTEE

Local Governing Agency (Grantee): Jefferson County Commission Project Title: Enclose Pavilion and Upgrade Office Systems  
Street Address: 124 East Washington Street City: Charles Town Zip: 25414  
Chief Elected Official: Patsy Nolan, President Email: sandy@JeffersonCountyWV.org  
Phone: (304) 728-3284 Fax: (304) 725-7916 Form Completed By: Jim Taylor  
Brief Description of Project: Enclose an existing pavilion with insulated walls and windows and upgrade office technology systems

### SECTION 2. NONPROFIT ORGANIZATION (SUBGRANTEE)

Are funds requested for a nonprofit organization?  Yes  No  
Nonprofit Organization: NHES - Briggs Animal Adoption Center Executive Director: Jim Taylor  
Street Address: 3731 Berryville Pike City: Charles Town State/Zip: WV 25414  
Phone: (304) 725-0506 Fax: (304) 725-1523 Email: jtaylor@nhes.org  
Website: www.nhes.org IRS Cert. (Ex: 501(c) 3, etc.): 501(c)3 Yr. Cert: 1950

Federal Nonprofit Certification is attached. This application **WILL NOT** be processed without Federal nonprofit status. -B  
 State Regulation Checklist for Nonprofit Organization is attached. This application **WILL NOT** be processed without this Checklist. -A  
★ Please note that the Briggs Animal Adoption Center is a program of THE NATIONAL HUMANE EDUCATION SOCIETY (NHES).

### SECTION 3. PROJECT OWNER AND LOCATION

The use of grant funds at/for private property or private gain or use is prohibited. Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.  
Owner of project site, property or building: The National Humane Education Society Vicinity/site plan attached?  Yes  No  
Location and address where grant funds will be used (sufficient to drive to site): 3731 Berryville Pike - located approximately 6 miles south of Charles Town on the west side of Route 340  
Upon completion, what government agency will own, operate, or be responsible for the project?  
 Yes  No Project site(s) or building(s) are owned by a government agency.  
 Yes  No Project site(s) or building(s) are owned by a nonprofit organization. (If yes, attach copy of property deed).

### SECTION 4. FUNDING SUMMARY

A minimum of 10 percent is required as a local match. Attach commitment letters for each funding source listed below.

	Amount	Source	Status	Documentation
		Grant Program, Bank Loan, Fundraising, Fees, etc.	Pending, Approved, Ongoing, etc.	Letter, Resolution, etc.
a. Grant Funds Requested	\$20,000	WV Grant Program	Pending	Letter ATTACHED
b. Local Funds (10% local match required)	\$4,000-plus	LOCAL Fundraising	In the Bank	Letter ATTACHED
c. Other Funds	\$			
d. Other Funds	\$			
e. Other Funds	\$			
Total Project Cost	\$			

## SECTION 5. CERTIFICATION OF STATE REGULATIONS

**CHECK ITEMS 1-11 BELOW** to certify compliance with the following laws, regulations and requirements by the grantee (municipality, county commission, board of education, public service district, etc.):

1.  **Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:**

- |   |  |
|---|--|
| <input type="checkbox"/> \$2,500 or less        | <input type="checkbox"/> No bids required; however, competition is encouraged. |
| <input type="checkbox"/> \$2,500.01 to \$5,000  | <input type="checkbox"/> Three verbal bids documented on a verbal bid summary. |
| <input type="checkbox"/> \$5,000.01 to \$25,000 | <input type="checkbox"/> Three written bids required.                          |
| <input type="checkbox"/> \$25,000 or more       | <input type="checkbox"/> Class II Legal Ads required.                          |

2.  **Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**  
Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.

3.  **State prevailing wages will be paid for all construction associated with this project. This regulation applies to any and all projects, regardless project cost.**

Wage rates may be obtained from the West Virginia Secretary of State at 304-558-6000, or [www.wvsos.com](http://www.wvsos.com). If federal funds are included, the highest rate (West Virginia or Davis-Bacon) must be paid. All contractors must have a West Virginia contractor's license. All construction must comply with **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A**. These regulations apply to the employment of any contractor or subcontractor for this project, including the following trades and activities:

- |   |                                     |
|---|-------------------------------------|
| <input type="checkbox"/> Construction   | <input type="checkbox"/> Painting   |
| <input type="checkbox"/> Reconstruction | <input type="checkbox"/> Decoration |
| <input type="checkbox"/> Demolition     | <input type="checkbox"/> Alteration |
| <input type="checkbox"/> Enlargement    | <input type="checkbox"/> Repair     |
| <input type="checkbox"/> Remodeling     | <input type="checkbox"/> Expansion  |

4.  **The following documents will be required for the release of grant funds:**

- Copies of bids, quotes or bid summary
- Copy of legal ad, which must require prevailing wages for construction
- Copies of certified payroll records
- Copies of invoices

5.  **Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**  
The county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
6.  **State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**  
Funds provided to counties and municipalities for grants to nonprofit organization are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A**.
7.  **Professional services, such as consulting, shall be obtained through a request for proposals.**
8.  **Architectural or engineering services shall be pursued in accordance with West Virginia Code §5G.**
9.  **No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
10.  **The use of grant funds at/for private property or private gain is prohibited.**
11.  **Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.**

**SECTION 6. PROJECT INFORMATION:**

**ELIGIBLE activities include, but are not limited to, permanent public improvements related to the following:**

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| ▪ Business and Industrial Parks       | ▪ Land and Property Acquisition   |
| ▪ City Hall and Courthouse Facilities | ▪ Libraries                       |
| ▪ Construction and Renovation         | ▪ Parks and Recreation            |
| ▪ Demolition                          | ▪ Parking Facilities              |
| ▪ Economic Development                | ▪ Preservation and Beautification |
| ▪ Emergency Services                  | ▪ Public Safety                   |
| ▪ Flood and Storm Drainage            | ▪ Street and Sidewalk Repair      |
| ▪ Infrastructure                      | ▪ Technology                      |
| ▪ Law Enforcement                     | ▪ Water, Wastewater Facilities    |

**INELIGIBLE activities include, but are not limited to, expendable items related to the following:**

- |                           |                               |
|---------------------------|-------------------------------|
| ▪ Administrative costs    | ▪ Private Property            |
| ▪ Food                    | ▪ Rent                        |
| ▪ Clothing                | ▪ Maintenance                 |
| ▪ Homeowners Associations | ▪ Salaries                    |
| ▪ Insurance Premiums      | ▪ Scholarships                |
| ▪ Maintenance             | ▪ Sports Uniforms             |
| ▪ Medical Programs        | ▪ Training and Speakers' Fees |
| ▪ National Dues           | ▪ Travel Expenses             |
| ▪ Postage                 | ▪ Utility Costs               |

**PROJECT DESCRIPTION**

Describe in **SPECIFIC TERMS** the scope of work to be completed and the proposed use(s) of grant funds.

To completely enclose an existing 32' x 32' pavilion with 2"x6" insulated walls, approximately 14 windows, and doors, and use any remaining funds to upgrade our office technology systems

Please note that we will use our existing maintenance staff and volunteers to perform the labor that will be required to enclose the pavilion.

If funds are requested for a nonprofit organization, provide mission statement. Attach brochure /web pages if available.

Our mission statement is "to foster a sentiment of kindness to animals..." Please see brochure Attachment G. [www.nhes.org](http://www.nhes.org) or [www.bavacs.org](http://www.bavacs.org)

## **SECTION 7. ASSURANCES**

**The applicant hereby assures and certifies that it shall comply with the following regulations, policies, and requirements:**

- A. The applicant assures the State that it will perform the work for which the grant was made as determined by the State.
- B. The applicant assures the State that it has or will secure qualified personnel to administer a grant, and that the costs to administer the grant will be paid for by the applicant.
- C. The applicant assures the State that it will have started work on the project before the end of the fiscal year in which the grant award is made.
- D. The applicant assures the State that it understands that the amount of the grant award cannot be increased without the written consent of the Governor.
- E. The applicant assures the State that payment for work performed will be requested in writing with copies of invoices attached that document the costs of each work segment making up the total amount of funds requested.
- F. The applicant assures the State that it understands that ten percent of the grant award will be held by the State as retainage, pending receipt of a written certificate of substantial completion attached to any final invoices for work not already paid.
- G. The applicant assures the State that it understands that by letter the State can terminate for cause an applicant's grant agreement with the amount of funds recovered equal to the percentage of incomplete work. The applicant further assures the State that it understands that it can be terminated by letter any grant agreement with the State before costs are incurred on the project.
- H. The applicant assures the State that any changes in the scope of work specified in a grant agreement will first be submitted in writing to the State for approval by change order.
- I. The applicant assures the State that in its hiring practices for work to be performed it will comply with the equal employment provisions of Titles VI and VII of the 1964 Civil Rights Act, and Presidential Executive Orders 11246 and 11375, as amended.
- J. **The applicant assures the State that competitive bids will be solicited on any major work element exceeding \$2,500 in cost.** Competitive bidding shall be pursued in all instances.
- K. **Competitive bidding requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids; however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.**
- L. **The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of more than \$25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination.** The receipt and utilization of funds procured through this program mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.
- M. **Bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3.** This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks prior to the final bid date.
- N. The applicant assures the State that State **prevailing wage rates will be paid on contract construction unless federal funds are included in the project, in which case, the higher of the State's or Davis-Bacon wage rates will be paid on all contract construction.**
- O. Every contract involving **construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work** which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost. The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code §21-5A.**
- P. The applicant assures the State that any part of the project to be occupied by the general public will be made accessible to the handicapped.
- Q. The applicant assures the State that any permits, licenses, or other requirements of particular State or Federal agencies necessary for the project's design, construction, or operation will be secured.
- R. The applicant assures the State that it will not subgrant any of the grant funds received to any of its officials or employees or the members of their families or to employees of the WVDO or members of the State Legislature in any contracts awarded for work to be performed.
- S. The applicant assures the State that it will maintain and have available for inspection on written request by the State all records kept on the project including bid documents, copies of all contracts, contractors' payrolls, time sheets, and invoices. The applicant further assures the State that it will schedule an audit of any grant funds to be included in its annual audit as performed by the State Tax Department.
- T. The applicant assures the State, by evidence of attaching a resolution, motion, or similar action passed by its governing body, that it has the legal authority to apply for this grant, commit any local matching shares, authorize the person signing the grant to act as an agent for the applicant to answer any questions by the State about the application, and to abide by the understandings and assurances described in this section.
- U. As the grantee, the county or municipality must act as the administrator of any grant funds provided to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with sub-grantees so that property and/or assets acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.

**SECTION 8. SIGNATURE AND RESOLUTION**

**This application must contain the following:**

- Application with Original Signature**
- Resolution by Unit of Local Government**
- Documentation of Local Match (Minimum 10 Percent)**
- Nonprofit Application Checklist with Original Signature – Required for Nonprofit Organizations**
- IRS 501(c) Determination Letter - Required for Nonprofit Organizations**

To the best of my knowledge, the information contained in this application is true and correct; the submission thereof has been duly authorized by the governing body; and the applicant will comply with the regulations, policies, guidelines and requirements outlined by the State of West Virginia. If the recipient is a nonprofit organization, the county or municipality certifies that this nonprofit organization is legally authorized to receive public funds.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Mayor or County Commission President**  
**ORIGINAL SIGNATURE REQUIRED-USE BLUE INK**

**West Virginia Development Office**  
**Community Development Division**  
**Community Participation Grant Program**  
1900 Kanawha Boulevard, East Building 6, Room 553  
Charleston, West Virginia 25305  
Phone: 304-558-4010 Fax: 304-558-2246  
[www.wvcommerce.org](http://www.wvcommerce.org)



## Checklist for Nonprofit Organizations

Must Be Submitted With Application for Community Participation Grant Program Funding for Nonprofit Organizations

- Local Government Agency: Jefferson County Commission Chief Elected Official: Patsy Noland, President  
 Project Title: Enclose Pavilion & Upgrade Office Systems Amount of Grant: \$ 20,000  
 Form Completed By: Jim Taylor Phone: (304) 728-3294 Fax: (304) 725-7916
- Nonprofit Organization: NHES: Briggs Animal Adoption Center Executive Director: Jim Taylor  
 Street Address, City, Zip: 3781 Berryville Pike Charles Town, WV 25914 Phone: (304) 725-0506 Fax: (304) 725-1523  
 Federal nonprofit certification, 501c determination letter from Internal Revenue Service attached. - see B  
 Mission statement, brochure, or web pages explaining mission of the organization and services it provides attached. - see C

### CERTIFICATIONS AND ASSURANCES

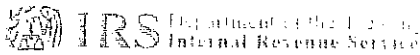
**CHECK ALL ITEMS BELOW** to certify compliance with the following laws, regulations and requirements:

- Competitive bids are required for purchases exceeding \$2,500 in cost, as follows:**

▪ \$2,500 or less	▪ No bids required; however, competition is encouraged
▪ \$2,500.01 to \$5,000	▪ Three verbal bids documented on a verbal bid summary
▪ \$5,000.01 to \$25,000	▪ Three written bids required
▪ \$25,000 or more	▪ Class II Legal Ads required
- Sealed bids are required for any portion of this project with an estimated value of more than \$25,000.**  
 Any attempt to segregate the project into sections of less than \$25,000 shall be cause for termination. Bids shall be obtained by public notice as a Class II legal advertisement in compliance with West Virginia Code §59-3. The ad must be published in the newspaper with the largest circulation in the area once a week for two successive weeks prior to the final bid date.
- State prevailing wages will be paid for all construction associated with this project, regardless of the cost.**  
 West Virginia prevailing wages must be paid for all construction projects using state grant funds. All contractors must have a West Virginia contractor's license. These regulations apply to every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work. If federal funds are included, the highest rate (West Virginia or Davis-Bacon) will be paid. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
- The following documents will be required for the release of grant funds.**

▪ Copies of bids, quotes or verbal bid summary
▪ Copy of legal ad, which must require prevailing wages for construction
▪ Copies of certified payroll records for construction
▪ Copies of invoices.
- Counties and municipalities may sponsor the applications of federally certified nonprofit organizations.**  
 The county or municipality must act as the administrator of grant funds for to nonprofit organizations, and must maintain fiduciary responsibility for the expenditure of funds. Grantees are encouraged to execute intergovernmental agreements with subgrantees so that property acquired with grant funds will revert to the grantee if the nonprofit organization is dissolved.
- State requirements for bidding and prevailing wage apply to federally certified nonprofit organizations.**  
 Funds provided to counties and municipalities for grants to nonprofit organizations are subject to all state and local requirements regarding audits, competitive bidding and prevailing wages. All construction must comply with the **West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A.**
- Professional services shall be obtained through a request for proposals.**  
 Architectural or engineering services shall be obtained in accordance with West Virginia Code §5G.
- No costs should be incurred or commitments made relative to a grant prior to the approval of this grant and the execution of a contract with the State of West Virginia.**
- The use of grant funds at/for private property or private gain is prohibited.**  
 Project sites and buildings must be publicly owned or owned by a federally certified nonprofit organization.

Signature: [Signature] Date: 4-18-11  
 Executive Director, Nonprofit Organization  
**ORIGINAL SIGNATURE REQUIRED**



Department of the Treasury  
Internal Revenue Service  
P.O. Box 2508  
Cincinnati OH 45201

B

In reply refer to: 0248156163  
Dec. 07, 2009 LTR 4167C E0  
54-0618244 000000 00

00015522  
BODC: TE

NATIONAL HUMANE EDUCATION SOCIETY  
% ANNA C BRIGGS  
3731 BERRYVILLE PIKE  
CHARLES TOWN WV 25414

048713

Employer Identification Number: 54-0618244  
Group Exemption Number: 8097  
Person to Contact: Mrs. Crouch  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Nov. 24, 2009, request for information about your tax-exempt status.

Our records indicate that you were issued a determination letter in November 1996, and that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

Based on the information supplied, we recognized the subordinates named on the list you submitted as exempt from Federal income tax under section 501(c)(3) of the Code.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106 and 2522 of the Code.

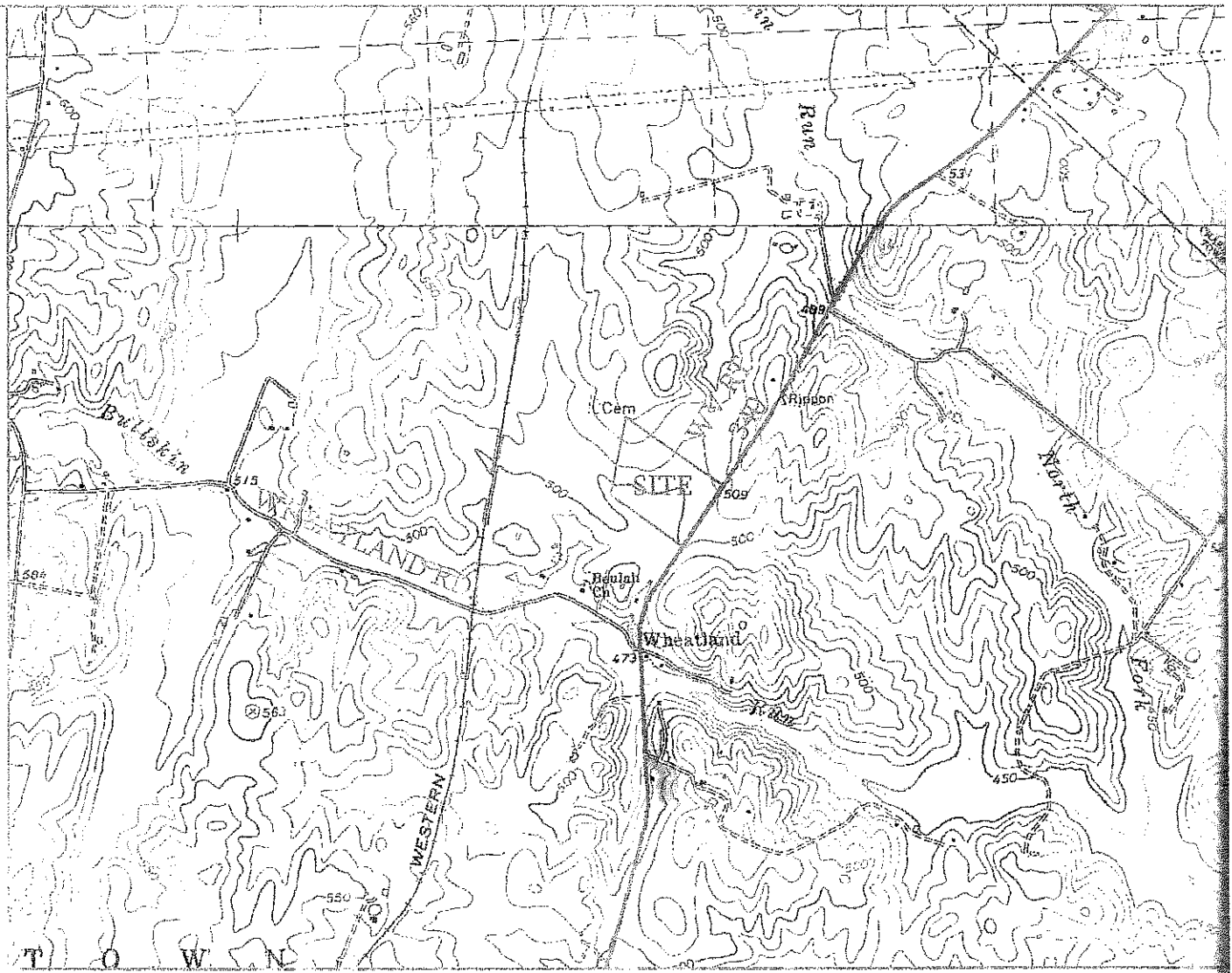
If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

*Michele M. Sullivan*

Michele M. Sullivan, Oper. Mgr.  
Accounts Management Operations I

C



LOCATION INSET  
SCALE: 1"=2000'

D

TO REMAIN AS  
NATURAL LANDSCAPE  
S 40°50'23" E 1455.77' BUFFER

10' PARKING SETBACK

50' BUILDING SETBACK

Existing Auxiliary  
to be enclosed

EXISTING RELOCATION  
OF TANKS AND  
TREATMENT

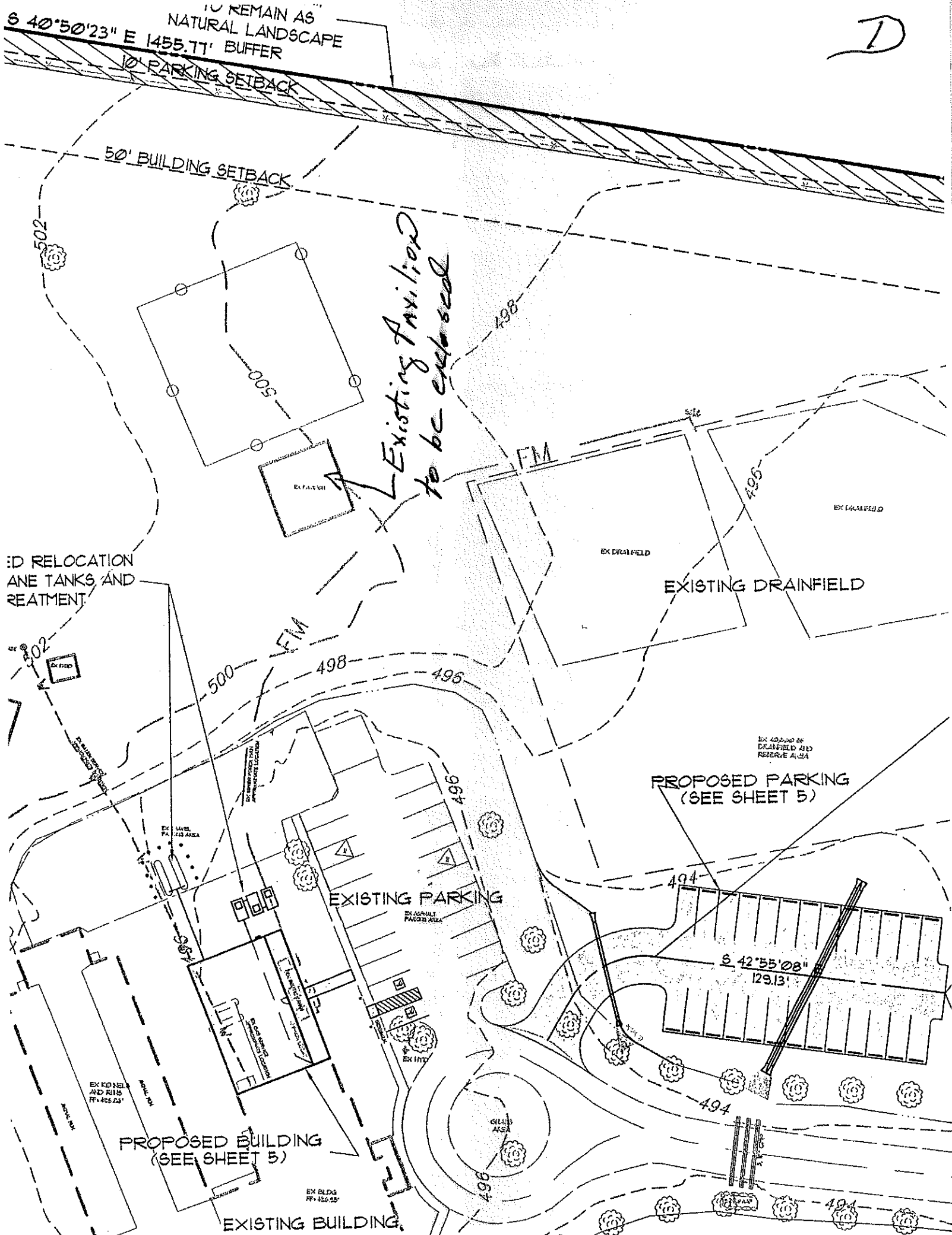
EXISTING DRAINFIELD

PROPOSED PARKING  
(SEE SHEET 5)

EXISTING PARKING

PROPOSED BUILDING  
(SEE SHEET 5)

EXISTING BUILDING



E

**THIS DEED** Made this 24<sup>th</sup> day of November, 1998, by and between **JOHNSON A. LYKENS and JOANNE L. LYKENS**, Trustees of the Inter Vivos Trust Agreement of Johnson A. Lykens, dated April 29, 1992, parties of the first part, (hereinafter referred to as Grantors) and **THE NATIONAL HUMANE EDUCATION SOCIETY**, party of the second part, (hereinafter referred to as Grantee).

**WITNESSETH**, For value received the Grantors hereby grant and convey with covenants of general warranty unto the said Grantee, in fee simple, all that certain parcel of real estate, together with all rights, rights-of-way, easements, privileges, improvements and appurtenances belonging thereto, situate in the Kabletown District of Jefferson County, West Virginia, more particularly described on the exhibit attached hereto and labeled Exhibit A.

**AND BEING** a part of the same property which was conveyed to the Grantors by **JOHNSON A. LYKENS AND JOANNE L. LYKENS**, husband and wife, by deed dated March 25, 1998 and recorded in said Clerk's Office in Deed Book 894, at Page 493.

**THIS CONVEYANCE IS SUBJECT, HOWEVER**, to all rights, ways, utility line easements and restrictive covenants of record.

**DECLARATION OF CONSIDERATION OR VALUE:** Under the penalties of fine and imprisonment, as provided by law, Johnson A. Lykens and Joanne L. Lykens, whose address is 1530 Fort Duquesna Drive, Sun City Center, Florida 33573, do hereby declare that the total consideration paid for the real estate conveyed by the document to which this declaration is appended is **TWO HUNDRED THREE THOUSAND SIX HUNDRED (\$203,600.00) Dollars**.

WITNESS the following signatures and seals.

Johnson A. Lykens  
JOHNSON A. LYKENS, Trustee

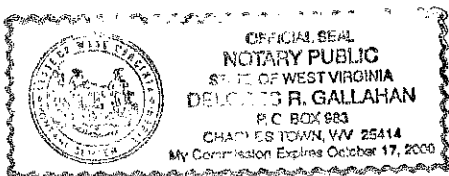
Joanne L. Lykens Trustee  
JOANNE L. LYKENS, Trustee

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of November, 1998, by JOHNSON A. LYKENS and JOANNE L. LYKENS, as Trustees of the Inter Vivos Trust Agreements of Johnson A. Lykens.

**AFFIX NOTARIAL SEAL**



Delores R. Gallahan  
Notary Public

Commissioned as:

Delores R. Gallahan

My Commission Expires:

October 17, 2000

This deed was prepared  
**WITHOUT BENEFIT OF A TITLE EXAMINATION**  
by F. Samuel Byrer, Attorney at Law,  
Charles Town, West Virginia 25414

EXHIBIT A

All that certain lot or parcel of real estate containing 29.651 acres <sup>more or less</sup> situate in the  
Kabletown District, Jefferson County, West Virginia, as said and described in accordance with a  
survey and plat thereof, entitled "Lykens Property," prepared by Appalachian Surveys, Inc.,  
dated September 29, 1998, recorded in the Office of the Clerk of the County Commission,  
Jefferson County, West Virginia, in Plat Book 116, at Page 216.

JEFFERSON COUNTY, WV  
FILED  
October 01, 1998 10:18:21

JIM E. OTT  
COUNTY CLERK  
TRANSACTION NO: 1998010598  
Transfer Tax \$227.11

BOOK OF DEEDS  
116-216-10001 Page 10485



F

The  
NATIONAL HUMANE  
EDUCATION SOCIETY

*Fostering a sentiment of kindness to animals*



April 18, 2011

Jefferson County Commission  
Community Participation Grant Program  
P.O. Box 250  
124 East Washington St.  
Charles Town, WV 25414

Subject: 10% matching Funds

Dear Community Participation Grant Program Administrators:

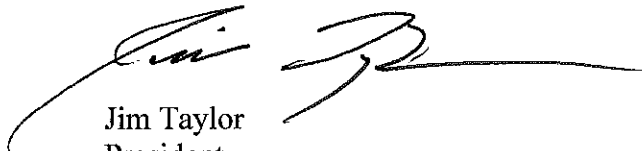
Please allow this letter to serve as verification that we have already raised the required 10% of the estimated project costs via local fundraising efforts.

At this juncture, the total estimated cost to enclose existing pavilion at The Briggs Animal Adoption Center (BAAC) and to upgrade our office technology systems is \$24,000.

Of this estimated cost, the BAAC and its parent corporation, The National Humane Education Society, have already raised more than the required 10% or \$2,400 of this estimated cost via local pledge support of its annual Pedal for Pooches charitable bike ride, and these funds—an estimated \$4,000-plus—will be allocated for this project.

If you have any further questions, please do not hesitate to contact me at (304) 725-0506, extension 123.

Sincerely,



Jim Taylor  
President

NATIONAL OFFICE:  
P.O. Box 340  
CHARLES TOWN, WV 25414-0340  
PHONE 304/725-0506  
FAX 304/725-1523  
www.nhes.org

PROGRAM:  
SPAY TODAY  
P.O. Box 340  
CHARLES TOWN, WV 25414-0340  
Phone 304/728-8332  
Fax 304/724-6765  
www.baacs.org

AFFILIATE:  
PEACE PLANTATION  
ANIMAL SANCTUARY  
12752 STATE HWY. 206  
WALTON, NY 13856-2327  
PHONE 607/865-5759  
FAX 607/865-6334  
www.ppasny.org

PROGRAM:  
BRIGGS ANIMAL  
ADOPTION CENTER  
P.O. Box 1023  
CHARLES TOWN, WV 25414-1023  
PHONE 304/724-6558  
FAX 304/724-6765  
www.baacs.org

*Whenever we, as a society, allow an animal to die from starvation or abuse, or whenever a euthanizing agent enters the bloodstream of a healthy animal, we wound humanity.*

*Anna C. Briggs, Founder*

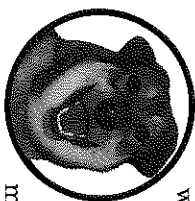
In 1948, in response to our Nation's constant killing of stray and abandoned companion animals, Mrs. Anna C. Briggs founded The National Humane Education Society (NHES) as a private, nonprofit animal welfare organization with a central mission to "foster a sentiment of kindness to animals in children and adults . . ." To achieve this mission—without financial assistance from local, state, or federal governments—NHES continues to expand and decrease animal suffering through its primary programs:



### *Fostering kindness and compassion through Humane Education*

Since 1948, the Humane Education Program has been fostering a sentiment of kindness to animals through humane education presentations, hands-on education programs, and the distribution of humane education materials. Today, the Humane Education Program continues to grow by

- (1) providing educational presentations to all ages,
- (2) providing informational services to supporters and the general public,
- (3) networking

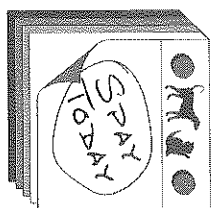


with other humane organizations,

- (4) creating and distributing—both nationally and internationally—visual, electronic, and printed humane education

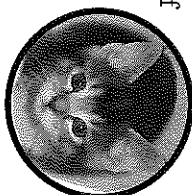
materials, and (5) encouraging lawmakers to always consider the humane treatment of animals when making public policy.

*To learn more about the Humane Education Program or to arrange for a presentation in your area, please call (304) 725-0506, or visit our website at [www.nhes.org](http://www.nhes.org).*



### *Offering low-cost spay/neuter services to those who care enough to alter their animals*

Since its creation in 1994, Spay Today has exemplified NHES's belief that spaying and neutering is an integral part of the humane solution to ending the epidemic overpopulation and ensuing euthanasia of homeless cats and dogs as a means of population control. As a testament to this belief, Spay Today provides low-cost spay/neuter assistance to persons who understand the need to spay/neuter their companion animals but who cannot afford the normative fees that are charged for these procedures. Spay Today continues to expand by spaying and neutering an increasing number of animals—literally thousands each year—through its growing network of participating veterinarians, whose service area includes the Panhandle of West Virginia and portions of Virginia and Maryland.



*To learn more about Spay Today, or to obtain spay/neuter assistance, please call (304) 728-8330 or visit the NHES website at [www.nhes.org](http://www.nhes.org) and click on "Programs."*



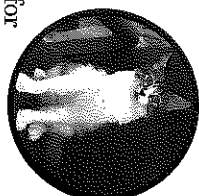
### *Providing lifelong sanctuary and adoption services to homeless animals*

Created in 1950, PPAS, an Affiliate, was originally operated on a 150-acre farm in Sterling, Virginia. The farm was called PPAS because it best captured the landscape and placid atmosphere created by its founders, Anna C. Briggs and Alice Morgan Wright. Throughout its history, PPAS has

experienced many challenges but, through faith, a dedicated staff, and generous member support, it continues to provide lifelong sanctuary to homeless animals—primarily cats and kittens, a few resident dogs, and various farm animals—from its present location in Walton, New York. Since its creation, PPAS has never engaged in the euthanasia of animals as a means of population control. Alternatively, it operates a low-cost spay/neuter clinic to humanely reduce future generations of homeless animals.

*To learn more about PPAS or to adopt one of their animals, please call (607) 865-5759, or visit their website at [www.ppasny.org](http://www.ppasny.org).*

### *Biggs Animal Adoption Center Providing a cradle of compassion for homeless animals*



Created in 2000, BAAC provides comprehensive adoption services for companion animals by placing them in loving homes with compassionate people who will fulfill lifelong commitments to them by accepting them as members of their family. BAAC's comprehensive adoption services for cats and dogs consist of animal rescue; veterinary medical care, including mandatory spay/neuter before adoption; canine obedience training; and delivery of all dogs to their new homes. Today, BAAC continues to expand by providing for a rotating daily average of 70-plus dogs/puppies and 125 cats/kittens—all of which are available for adoption.

*To learn more about BAAC, or to view some of the animals available for adoption, please call (304) 724-6558 or visit their website at [www.baacs.org](http://www.baacs.org).*

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

**AGENDA REQUEST FORM**

Name: Tim Boyde, County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

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

Subject: **Final Approval of Propety Acquisition**

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): **Move to approve the purchase of the Property Acquisition**

Attachments:

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

**AGENDA REQUEST FORM**

Name: Tim Boyde, County Administrator

Department or Entity: County Commission

Estimation of amount of time needed for appointment: \_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: May 5, 2011

Date Requested – 2<sup>nd</sup> Choice: \_\_\_\_\_

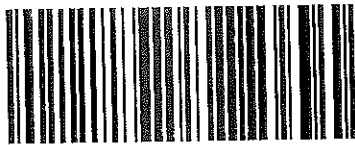
If a specific date is needed, please provide reason for specific date:

Subject: **Worksession**

Please provide the County Commission with a description of your request or presentation, including any background information: **Work Session - Jefferson County Emergency Services Agency and Jefferson County Fire and Rescue Association to discuss Fire Fees**

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

Attachments:



0000069L7X

FEIN:

043643290

Reporting Period:

03/1/2011 to 03/31/2011

Amount:

75.40

Granite Telecommunications LLC

c/o Thomson Reuters (Tax & Accounting), Inc.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339

RECEIVED

APR 25 2011

Jefferson County Commission



0000000000

Drawer: Returns  
Company: Granite Telecommunications LLC  
Entity ID: 002690  
Entity Name: Granite Telecommunications LLC  
Return Code: WV\_JEFF\_E9  
Return Description: West Virginia, Jefferson County E911  
Due Date: 20  
Year: 2011  
Month: 03  
Sequence Number: 1  
Indexed Time: 4/5/2011 4:23:00 PM  
Printed By: LANSEL  
Printed Time: 4/15/2011 9:00:00 AM

0002436180

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

WACHOVIA BANK  
64-022/610

0002436180

Granite Telecommunications LLC  
C/O THOMSON REUTERS (TAX & ACCOUNTING), INC.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339  
(877) 829-4141

VOID AFTER 120 DAYS FROM DATE 04/15/2011

PAY Seventy Five Dollars and 40/100\*\*\*\*\*

75.40

TO JEFFERSON COUNTY COMMISSION  
P.O. BOX 250  
CHARLESTOWN, WV 25414

*Sandra Muthersouze*

TWO SIGNATURES REQUIRED IF \$250,000 OR OVER

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ORIGINAL WATERMARK - HOLD AT AN ANGLE TO VIEW

000 2436180 06 1000 227 20000 169458 27

WV

West Virginia, Jefferson County E911  
Reporting Period: March 1, 2011 to March 31, 2011

Granite Telecommunications LLC  
Granite Telecommunications LLC  
c/o Thomson Reuters (Tax & Accounting), Inc.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339  
8778294141 - Phone  
7709560700 - Fax

Tax Identification Number  
04-3643290

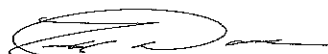
Return Due: 04/20/2011

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	26	0	26	\$2.90	75.40
<b>Return Totals:</b>	26	0	26		75.40

Total Gross Tax Due: **75.40**  
Less: Uncollectables: **(0.00)**  
Less: Vendor's Compensation: **(0.00)**  
Change in Prepayments:  
Less: Tax Credits: **(0.00)**  
**Net Tax Amount to be Remitted: 75.40**

REMIT TO:

Jefferson County Commission  
P.O. Box 250  
Charlestown, WV 25414

 Todd Davis, Attorney-in-Fact

4/12/2011

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.

WV\_JEFF\_E9 04/12/2011 14:23:24 TDAVIS

RECEIVED

APR 25 2011

Jefferson County Commission



00000690RE

FEIN: 470807040

Reporting Period: 03/1/2011 to 03/31/2011

Amount: 478.50

Level 3 Communications LLC

c/o Thomson Reuters (Tax & Accounting), Inc.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339



0000000000

RECEIVED

APR 25 2011

Jefferson County Commission

Drawer: Returns  
Company: Level 3 Communications LLC  
Entity ID: 001219  
Entity Name: Level 3 Communications LLC  
Return Code: WV\_JEFF\_E9  
Return Description: West Virginia, Jefferson County E911  
Due Date: 20  
Year: 2011  
Month: 03  
Sequence Number: 1  
Indexed Time: 4/1/2011 11:24:00 AM  
Printed By: LANSEL  
Printed Time: 4/15/2011 9:00:00 AM

0002433915

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

Level 3 Communications LLC  
C/O THOMSON REUTERS (TAX & ACCOUNTING), INC.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339  
(877) 829-4141

WACHOVIA BANK  
64-022/610

0002433915

VOID AFTER 120 DAYS FROM DATE 04/15/2011

PAY Four Hundred Seventy Eight Dollars and 50/100\*\*\*\*\*

478.50

TO JEFFERSON COUNTY COMMISSION  
P.O. BOX 250  
CHARLESTOWN, WV 25414

*Sandra Muthersouge*

TWO SIGNATURES REQUIRED IF \$250,000 OR OVER

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ORIGINAL WATERMARK - HOLD AT AN ANGLE TO VIEW

000 2433915 06 1000 2271 20000 169458 2711

WV

West Virginia, Jefferson County E911  
Reporting Period: March 1, 2011 to March 31, 2011

Level 3 Communications LLC  
Level 3 Communications LLC  
c/o Thomson Reuters (Tax & Accounting), Inc.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339  
8778294141 - Phone  
7709560700 - Fax

Tax Identification Number  
47-0807040

Return Due: 04/20/2011

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	165	0	165	\$2.90	478.50
<b>Return Totals:</b>	165	0	165		478.50

Total Gross Tax Due: **478.50**  
Less: Uncollectables: **(0.00)**  
Less: Vendor's Compensation: **(0.00)**  
Change in Prepayments:  
Less: Tax Credits: **(0.00)**  
Net Tax Amount to be Remitted: **478.50**

REMIT TO:

Jefferson County Commission  
P.O. Box 250  
Charlestown, WV 25414



Matt Tolan, Attorney-in-Fact

4/15/2011

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.

WV\_JEFF\_E9 04/15/2011 10:21:46 MTOLAN

RECEIVED

APR 25 2011

Jefferson County Commission



00000687YQ

FEIN: 222473234  
 Reporting Period: 03/1/2011 to 03/31/2011  
 Amount: 14.50

AT&T IXCs & Alascom, M.E.

c/o Thomson Reuters (Tax & Accounting), Inc.  
 3100 Cumberland Boulevard, Suite 900  
 Atlanta, GA 30339



0000000000

Drawer: Returns  
 Company: AT&T IXCs & Alascom, M.E.  
 Entity ID: 001402  
 Entity Name: AT&T Communications of West Virginia  
 Return Code: WV\_JEFF\_E9  
 Return Description: West Virginia, Jefferson County E911  
 Due Date: 20  
 Year: 2011  
 Month: 03  
 Sequence Number: 1  
 Indexed Time: 3/24/2011 12:55:00 PM  
 Printed By: LANSEL  
 Printed Time: 4/15/2011 10:41:00 AM

RECEIVED

APR 25 2011

Jefferson County Commission

0000620148

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND OR WHITE PAPER

AT&T Communications of West Virginia  
 C/O THOMSON REUTERS (TAX & ACCOUNTING), INC.  
 3100 Cumberland Boulevard, Suite 900  
 Atlanta, GA 30339  
 (877) 829-4141

WACHOVIA BANK  
 64-022/610

0000620148

VOID AFTER 120 DAYS FROM DATE 04/15/2011

PAY Fourteen Dollars and 50/100\*\*\*\*\*

14.50

TO JEFFERSON COUNTY COMMISSION  
 P.O. BOX 250  
 CHARLESTOWN, WV 25414

*Sandra Muthersboige*

TWO SIGNATURES REQUIRED IF \$250,000 OR OVER

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ORIGINAL WATERMARK - HOLD AT AN ANGLE TO VIEW

0000620148 061000227 200006945814

WV

West Virginia, Jefferson County E911  
Reporting Period: March 1, 2011 to March 31, 2011

AT&T Communications of West Virginia  
AT&T Communications of West Virginia  
c/o Thomson Reuters (Tax & Accounting), Inc.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339  
8778294141 - Phone  
7709560700 - Fax

Tax Identification Number  
222473234

Return Due: 04/20/2011

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County					
E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	5	0	5	\$2.90	14.50
<b>Return Totals:</b>	5	0	5		14.50

Total Gross Tax Due: **14.50**  
Less: Uncollectables: **(0.00)**  
Less: Vendor's Compensation: **(0.00)**  
Change in Prepayments:  
Less: Tax Credits: **(0.00)**  
Net Tax Amount to be Remitted: **14.50**

REMIT TO:

Jefferson County Commission  
P.O. Box 250  
Charlestown, WV 25414

Keisha Robinson, Attorney-in-Fact

4/14/2011

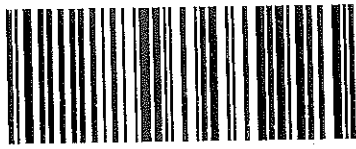
I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.

WV\_JEFF\_ES 04/14/2011 09:01:15 KROBINSON

RECEIVED

APR 25 2011

Jefferson County Commission



000006AJA7

FEIN:

383483729

Reporting Period:

03/1/2011 to 03/31/2011

Amount:

87.00

ACN Communications Services, Inc. ME

c/o Thomson Reuters (Tax & Accounting), Inc.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339



0000000000

RECEIVED

APR 25 2011

Jefferson County Commission

Drawer: Returns  
Company: ACN Communications Services, Inc. ME  
Entity ID: 017364  
Entity Name: ACN Communication Services, Inc.  
Return Code: WV\_JEFF\_E9  
Return Description: West Virginia, Jefferson County E911  
Due Date: 20  
Year: 2011  
Month: 03  
Sequence Number: 1  
Indexed Time: 4/11/2011 2:30:00 PM  
Printed By: LANSEL  
Printed Time: 4/15/2011 9:00:00 AM

0002437889

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

ACN Communication Services, Inc.  
C/O THOMSON REUTERS (TAX & ACCOUNTING), INC.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339  
(877) 829-4141

WACHOVIA BANK  
64-022/610

0002437889

VOID AFTER 120 DAYS FROM DATE 04/15/2011

PAY: Eighty Seven Dollars and 00/100\*\*\*\*\*

87.00

TO JEFFERSON COUNTY COMMISSION  
P.O. BOX 250  
CHARLESTOWN, WV 25414

*Sandra Muthersouge*

TWO SIGNATURES REQUIRED IF \$250,000 OR OVER

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ORIGINAL WATERMARK - HOLD AT AN ANGLE TO VIEW

0000 2437889 06 1000 227 20000 16945827

WV

West Virginia, Jefferson County E911  
Reporting Period: March 1, 2011 to March 31, 2011

ACN Communication Services, Inc.

Tax Identification Number  
38-3483729

c/o Thomson Reuters (Tax & Accounting), Inc.  
3100 Cumberland Boulevard, Suite 900  
Atlanta, GA 30339  
8778294141 - Phone  
7709560700 - Fax

Return Due: 04/20/2011

	Gross Units	Less: Exempt Units	Units Subject to Tax	Tax Rate	Gross Tax
Jefferson County E911 SURCHARGES - General-JEFFERSON CO. 911 SURCHARGE	30	0	30	\$2.90	87.00
<b>Return Totals:</b>	30	0	30		87.00

Total Gross Tax Due: 87.00  
Less: Uncollectables: (0.00)  
Less: Vendor's Compensation: (0.00)  
Change in Prepayments:  
Less: Tax Credits: (0.00)  
Net Tax Amount to be Remitted: 87.00

REMIT TO:

Jefferson County Commission  
P.O. Box 250  
Charlestown, WV 25414

Deanna Paden, Attorney-in-Fact

4/14/2011

I hereby declare that all information provided herein is true, complete and accurate to the best of my knowledge.

WV\_JEFF\_E9 04/14/2011 11:34:42 DPADEN

RECEIVED

APR 25 2011

Jefferson County Commission



April 25, 2011

Martin Burke  
342 Turn One Drive  
Summit Point, WV 25446

Dear Martin,

Thank you for your letter outlining your observations. I welcome your input and would be happy to meet with you so that we can come to a better understanding.

After discussions with State Department officials, track maintenance personnel, and representatives of the various motorsports groups using the property April 15-17, here are a few things I found out.

On Friday afternoon, 15 April 2011, the State Department was conducting exercises on their leased property adjacent to the Interim Training Facility. Their response to my inquiry was, "The SNOE (Security in Nontraditional Operating Environments) course instructors used airburst pyrotechnics to create realism in simulated attacks. Since this may have caused some disturbance the State Department is reviewing the use of pyrotechnics for all training exercises." Officials have indicated, "They will do everything in their power to cause a minimum inconvenience to neighbors with a minimum impact on training."

Also be assured that the small proposed State Department project will be two classroom buildings and should not increase the noise level on our property. One building will contain one large classroom for medical training and the other building will hold two classrooms to instruct Foreign Service personnel being posted to Iraq.

On Saturday and Sunday, 16 and 17 April 2011, regarding un-muffled vehicles on the skid pad close to your home; the expansion you cited was in regard to the Shenandoah Circuit built in 2002. The skid pad in question was built as part of the Summit Point Circuit complex twenty-five years ago and has been used occasionally by high performance driving groups since it was built. Also, since it rained continuously on Saturday the 16<sup>th</sup>, the skid pad was wet all day. On Sunday, according to the group leasing the track, "the water was turned on several times during the day to keep it wet."

Finally, your report that un-muffled cars were on track on the Jefferson Circuit at 7:15am was in actuality the Woodbridge Kart Club that started their first session at 7:40am on the Shenandoah Circuit. The group was unable to run on Saturday due to the torrential rains, so started just after their normal start time of 7:30. Summit Points self-imposed quiet time for no un-muffled cars on track is 7:00 pm to 7 am, but most groups start after 8 am and end well before 7 pm.

Our records show on Saturday and Sunday, there were no cars on track before 8:15 and 8:30 am, respectively, on the Summit Point Circuit. On the Jefferson Circuit there were no cars on track before 9 am both days. I'd also like to politely correct the assumption that the Jefferson Circuit is restricted to muffled school cars. The restriction on the Jefferson Circuit is limited to schools and occasionally a high performance school is conducted on that circuit.

As you know we are installing a sound monitoring system, per your suggestion, that will continuously record sound levels on the Summit Point Circuit. We have been working with the sanctioning bodies that use the various tracks to reduce sound. We will continue to stress an awareness to reduce sound to our many users, and the track management will be more diligent in monitoring start times and noise levels of both racing and school events.

Once again, I look forward to our meeting to discuss this further.

Sincerely,



Barbara Scott  
President  
Summit Point Raceway

Cc: Jefferson County Commission  
Jefferson County Planning Commission



April 25, 2011

Martin Burke  
342 Turn One Drive  
Summit Point, WV 25446

Dear Martin,

Summit Point Raceway has always tried to be a good neighbor and as a neighbor we would like to work with you and Connie to resolve any issues you have. You bought your home over ten years ago next to the end of turn one knowing that there would be motorsports going on here most weekends from March through November, and training nearly every day. You welcomed the chance to be close to the sport you love. You also enjoyed the proximity to both Summit Point Raceway and the State Department's Interim Training Facility (ITF) during the time you worked for the raceway or the ITF.

Summit Point has not changed the policy of racing time or types of vehicles that use the facility. Whatever construction we have done we have added vegetative buffer above and beyond that required by the county. We have an ongoing sound buffer planting program and will be happy to explore the possibility of adding even more vegetative buffer where our properties abut.

I love trees, and the last thing I would permit on this property is "clear-cutting." Over the winter some trees were removed to make the inside of turn three safer. Turn three is just about in the middle of our 700-acre property and since there is plenty of forest on either side of that safety improvement, there is little chance the sound will change. We will monitor to see if there is any increased decibel level at our boundaries.

The milling and paving that took place on the Summit Point Circuit last Wednesday and Thursday was done by the paving company that "repaired" our corners last year. As a racer, I'm sure you know that the turns in question were starting to unravel and had a buckled surface. Hopefully, their re-pave will solve the problem for many years.

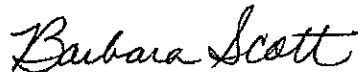
As far as the machinery used: The milling machine was only used on Wednesday, not Thursday, as it was needed on a job elsewhere on Thursday. The paving, mix transfer, and roller machinery, used Thursday, are all standard paving equipment used on county and state roads in every state. We had a consultant on the job, Robert Harrington, who

said in a phone call to me today. "I've been in the paving and paving consulting business for thirty years. This same equipment has been used in cities, near homes and businesses with no ill effect."

Martin, why don't you come over and have a chat instead of engaging in this letter writing campaign? I'm available any day next week.

Look forward to seeing you.

Sincerely,



Barbara Scott  
President  
Summit Point Raceway/BSR  
Manager  
SPARC, LLC

Cc: Jefferson County Commission  
Jefferson County Planning Commission

# VALLEY VIEWS

Potomac  
Valley  
Audubon  
Society

Volume 29, Issue 3

May 2011

## 10<sup>th</sup> Annual Race for the Birds! "Memorable"

Saturday, April 9, was to be Potomac Valley Audubon's 10<sup>th</sup> annual "This Race is for the Birds!," a trail race and kids' fun run held as a fundraiser in support of our youth programs. The event was to be held at the U.S. Fish & Wildlife Service's National Conservation Training Center (NCTC). This 10<sup>th</sup> anniversary race was certainly memorable, though not exactly in the way we had hoped.

On Tuesday of race week, we learned that NCTC, a federal facility, would be closed to our use in the event of the pending government shut down. In the face of this uncertainty, we began to explore alternatives to support our 400+ registered runners.

We worked our way through numerous options – private subdivisions, low traffic roads, public bike routes – with each ultimately being rejected due to safety concerns, availability (i.e. non-federal) or simple lack of necessary facilities for the expected numbers. These plans formed and faded as race day approached with no official news of the federal shutdown forthcoming. But still, all was not lost.

See *Race*, Page 3

## Annual Meeting to be Held June 11

This year's PVAS annual meeting will be held the evening of Saturday, June 11, at the Yankauer Nature Preserve.

The evening will begin at 6:30 p.m. with a potluck supper.

Afterwards, we will recognize outstanding PVAS volunteers and the annual meeting will be called to order for the election of new directors. The slate of candidates for the election will be presented in the June issue of *Valley Views*.

All PVAS members are invited to attend, and children are welcome.

For the potluck supper, please bring a dish to share. Those whose last names begin with the letters A-H are asked to bring vegetables or fruit; I-L, a dessert; M-R; a protein dish; and S-Z, a starch dish.

All are asked to bring their own dishes, flatware, and the like, so we can be environmentally conscientious. PVAS will provide water and lemonade.

For more information, contact Kristin Alexander at 304-676-3397 or [pvasmail@aol.com](mailto:pvasmail@aol.com)

## Don't Forget June 4 PVAS Reception at Harewood

Here's a reminder that PVAS members and friends are invited to a fundraising reception for PVAS at Harewood, the historic Washington family home just east of Charles Town, the evening of Saturday, June 4.

The reception will be held from 4-7 p.m. If weather permits it will be held mostly outside, on the lawn.

The first floor of the house will be open for viewing, and there will also be guided nature walks of the property.

Food and beverages will be served, and musical entertainment will provide background.

Dress will be casual.

Tickets to the event will be required, and space will be limited.

Basic tickets are \$45 per person. Those who pay \$150 for two people will be recognized as Donors, those who pay \$250 for two will be recognized as Patrons, and those who pay \$500 or more for two will be recognized as Supporters.

Ticket costs will be fully tax-deductible.

To reserve tickets, please call 304-676-3397 or e-mail [pvasmail@aol.com](mailto:pvasmail@aol.com) and provide your name, address, phone number and number of tickets desired.

Harewood was built in 1770 by George Washington's brother Samuel (1734-1781), and it has remained in Washington family hands ever since. The current owner, Walter Washington, is a sixth-generation descendant of Samuel.

Harewood is also notable because the 219 acres surrounding it are permanently protected by a conservation easement signed in a formal ceremony in 2007.

The property's protected lands include a wetland and marl marsh that provide habitat to several rare plant and animal species. The nature walks that will be offered during the reception will include visits to these areas. Representatives of the Land Trust of the Eastern Panhandle and the Jefferson County Farmland Protection Board will be on hand to discuss the conservation easement process.

Potomac Valley Audubon Society is people dedicated to preserving, restoring, and enjoying the natural world through education and action.

# President's Perch



Hello everyone:

Sometimes, things don't work out the way you'd hoped they would.

As you'll see elsewhere in this newsletter, that's what happened to this year's Race for the Birds, which turned out to be one of probably many cases of collateral damage caused across the country by the April 8 government shutdown that didn't happen.

The *Valley Views* article about this episode gives thanks to the many individuals and organizations that pitched in to help us out. I'd like to echo and amplify those thanks here.

Shepherd University's Wellness Center deserves a lot of credit for going way out of their way to help us recover what we could of the event, and we're very grateful to them for that.

The same goes for the race organizers, James and Suzy Munnis, and the other members of the race committee, Carolyn Thomas, Tom Shantz, and Mark Cucuzella. They all worked tirelessly in advance of the race date to try to find an alternative site and then, when that proved impossible, did their best to make the most of things.

We're also very grateful to the community members and businesses who offered assistance and support in trying to sort things out, and to the race volunteers who were so helpful on the day of the event.

And of course we're grateful to the race sponsors who stuck with us and to the many runners who were so gracious and understanding about what had happened.

There is one individual who isn't named in the *Valley Views* article who also deserves great credit: our Executive Director, Kristin Alexander. From beginning to end, she handled an extremely complex and difficult situation not only skillfully and thoughtfully but also calmly, never losing her trademark cheerfulness and consideration for others.

So hat's off to Kristin, James and Suzy, and everybody else involved in this year's race. Adverse events test organizations, and I'd say PVAS performed very well in this instance.

We're very fortunate to have such talented and dedicated people involved with us!

—Peter Smith

## Look for PVAS Booth at May 7 Boonsboro Green Fest

The town of Boonsboro, Maryland, will hold its Third Annual Boonsboro Green Fest on Saturday, May 7. The festival will be held rain or shine in Shafer Park, which is right next to the downtown, from 10 a.m. to 5 p.m. Admission will be free.

Hosted by the Boonsboro Recycling Task Force, the festival is aimed at promoting conservation efforts and recycling and will feature a wide variety of vendors and exhibitors.

Items for sale will include earth-friendly products and services,

vegetable and flower plants, rain barrels, compost kits, and crafts made from recycled and repurposed materials. There will be a multitude of recycling opportunities and a large clothing swap and sale.

Exhibitors will include firms that specialize in such areas as renewable energy systems, as well as PVAS and other conservation-minded organizations.

There will also be special children's activities and food concessions, and entertainment and speakers throughout the day.

See the festival website at [www.boonsborogreenfest.com](http://www.boonsborogreenfest.com) for full details.

## Flowing Springs Park Open House and Volunteer Day

April 2 was the first public event for the Flowing Springs Park in Ranson, West Virginia. The purpose of the day was to introduce community members to their proposed park, get their feedback and thoughts, as well as to get some good work done.

Overall, the day was a success, in spite of bad weather. The rain and wind made the day an adventure (complete with tying tents to vehicles so they didn't blow away!)

Thirty-five volunteers involved with various partner agencies came out to help lead activities including leading nature walks, picking up trash, removing invasive plants, getting rid of tires, and planting trees to protect the stream. In addition, there were stations to talk about the history of the site and opportunities to look for crayfish and other critters in the stream. In addition to all of those volunteer leaders, 32 adults and 7 children came out for the event to help.

While we didn't have a huge turnout from the general public, that doesn't mean we didn't make tremendous progress. In all, 38 tires were removed, more than 80 bags of trash collected, 150 trees were planted, a huge quantity of invasives were removed, and all of the visitors who stopped by were introduced to the future park and its resources.

Many of the folks who showed up at the open house signed up to help at future volunteer days, so the work load will be spread over even more willing hands in the future.

A tremendous thank you goes to the staff of the City of Ranson for pulling off a miraculous deer fence construction in a short period of time in preparation for the tree planting, not to mention all the time and effort they put into digging holes and planting trees on Saturday.

All of the volunteer leaders who were there to introduce the visitors to the park also deserve thanks for sharing their knowledge, time, expertise, equipment, passion and vision for Flowing Springs Park! The park is sure to be a tremendous success thanks to the many hands involved.

The incredible partners involved with the day include City of Ranson, The Conservation Fund's Freshwater Institute, Potomac Valley Audubon Society, The West Virginia Conservation Agency, WV Division of Forestry, WV Make it Shine, and WVU's Division

See *Flowing Springs*, Page 4

Race (continued from page 1).

The Wellness Center at Shepherd University GENEROUSLY offered to host the event at their facility. Maps of the area were posted and local runners were on hand to provide suggestions for informal runs in the area. The Wellness Center provided free shower facilities and access to the track and equipment. With Shepherd's support, we were able to hold the Children's "Fun Run" on campus. Forty-five children participated, receiving prizes, ribbons and cheers as they crossed the finish line.



Special thanks must go to the race committee – especially volunteer race co-directors James and Suzy Munnis – for their flexibility and determination to make the race happen despite every obstacle encountered.

The community's support was truly remarkable. As race alternatives were explored, fields were offered for parking, River and Trail Outfitters made busses available, NCTC allowed us as much decision-making leeway as possible, Two Rivers Half Marathon offered free admission to their May 14 race for those registrants we had to cancel.

The list goes on, and we are so grateful for everyone's generosity and dedication. Though the 10<sup>th</sup> annual "Race for the Birds" did not come off as planned, the fact that it took a different shape and went forward despite the unexpected challenges is a tribute to the strength and generous spirit of our members and this community.

Thank you all for your support, generosity, and patience through this "memorable" 10<sup>th</sup> anniversary race!

We can't thank Shepherd University and the Wellness Center enough for taking us under their wing. They were the most incredible partners you can imagine.

# FRIENDS OF MARK BENEDICT

and



# Hoxton Financial, INC.

PRIVATE WEALTH MANAGEMENT

SHEPHERD UNIVERSITY

Wellness Center



The Shepherdstown CHRONICLE

TWO RIVERS TREADS



TWTREADS.ORG

# HAWINK.COM

Associated Oral & Maxillofacial Surgeons  
Caribbean Islands Travel Service  
Chick-fil-A of Martinsburg  
Dr. Ray Vanderhook, DDS, MS

HypnoCoffee, Coffee Roaster-Coffee Bar  
Jefferson Security Bank  
Progressive Printing  
Roach Energy - Oil & Propane

Bavarian Inn  
Dickinson and Wait Craft Gallery  
Dr. David Miljour, Chiropractor  
Edward Jones Investments - Shepherdstown  
FUNKYCPA.COM  
GlitterBugz FacePainting  
Go Green Gals  
Grapes and Grains Gourmet  
Joe and Susan Brookreson  
Lynne.Wiseman@ERA.Com, Realtor

McAteer & Associates, PLLC  
Mellow Moods Café  
Nestle - Juicy Juice  
Panhandle Medical Associates  
Patthoff General Dentistry  
Pedal and Paddle, 876-3000  
Potomac Portable Restrooms & Septic Service, LLC  
Potomac-Mecklenburg Garden Club  
Professional Sportscares and Rehab  
Shepherdstown Sweet Shop  
Stone Soup Bistro

of Forestry. (Students from the WVU program led the history station, helped with the invasive removal, and helped introduce visitors to the site with maps.)

Funding for the event was provided by the TogetherGreen grant received by PVAS and the City of Ranson last fall. WV Project CommuniTree provided funding for the tree planting as well as the deer fence.



WVU students learn about Flowing Springs history

## Wildflowers Bring out Hardy Bunch!

In spite of the Festival's rain – ranging from “drizzle” to “cats and dogs” – about 20 people came out to enjoy the guided wildflower walks and poetry! They arrived to cheers and congratulations from volunteers for coming out in spite of the rain. The volunteer walk leaders were true troopers and didn't complain once as they hunkered down in the pavilion between walks. The hot tea, hot cocoa and homemade cookies certainly helped everyone make the best of the situation!

The wildflowers were peaking nicely for this year's festival providing a wonderful display for participants. Thanks to the cool spring, they were more prolific than at past festivals, though the rain forced them closed to protect their pollen for the majority of the day.

About 40 poems were displayed along the trail, contributed by local poets and Mrs. Austin's class from Shepherdstown Elementary School. This poetry element of the festival continues to be a very popular aspect of the event, and introduces a new audience to the preserve every year.

A special thanks goes out to all of the volunteers involved. Kathy Bilton led her annual “wildflower review” for walk leaders on Friday evening. Walk leaders included Sandy Bloom, Mary Duke, Bruni Haydl, Joe Metzger, and Joy Pardue. Marybeth Grove was prepared with children's activities (and ran home to get hot water for everyone) and Diana Mullis provided homemade chocolate chip cookies for volunteers and festival participants.

We are so fortunate to have generous, knowledgeable, dedicated, and hardy volunteers who are willing to lead walks and activities whatever the weather!

## Watershed Program Update

Whew! What A Spring! Watershed programs and school visits to Yankauer are winding down, but we had a super successful spring semester with both. A few schools still have scheduled visits to Yankauer (or have invited PVAS to present similar programs at their school) and watershed programs are just about over for this year. Both elementary and high school classes that participated in the program have visited Potomac River tributaries to test the water quality, look for benthic macroinvertebrates, and practice their stream bank assessment skills.

Almost 1,200 students participated in a watershed education program this year. About 1,000 students either visited Yankauer or participated in in-school programs, and over 1,000 students participated in other types of PVAS programs.

Thanks go to those who helped in ANY way with programs and field trips!

## Don't Miss Out On Camp!

If you have not already registered your camper for a session of Audubon Discovery Camp, you don't want to wait much longer! Several sessions of camp are already at capacity, but there are still a few spots in the popular *Camp Survivor* and *4 Legs, 6 Legs, More Legs, No Legs*.

This summer, we are trying a new, twilight session called *The Deep, DARK Woods* that will give campers a chance to be at Yankauer in the evening, 5-10 p.m. This three-evening session will feature activities that you just can't do during the day, including: night hikes, an owl prow, twilight games, stargazing (weather permitting), and experiencing the woods as night falls. PVAS always maintains waiting lists for camp sessions that fill, so if you find that your first choice session is not available, please sign up for the waiting list. All registrations are online and you can enter the system at [www.potomacaudubon.org](http://www.potomacaudubon.org).

## After Storms... Good Day for Egg Hunt

Thirty-two preschoolers and their families came to our 4<sup>th</sup> Annual Spring Egg Hunt at the Yankauer Nature Preserve on Sunday, April 17. This egg hunt was more challenging than your traditional egg hunt; instead of searching for brightly colored plastic eggs, these were painted in earth tones to look like natural eggs.

In spite of the blustery afternoon, the children came ready to collect eggs that had been hidden on the Cedar Loop! They were also able to participate in activities at the pavilion. Activities included making a reproduction birds nest using grass, bits of yarn, and sticks collected from the ground, examining an enormous egg (it was a papier mache model of an elephant bird fossilized egg), examining books that featured different types of eggs (including snakes and turtles), and trying their skill at walking while balancing a plastic, ostrich-sized egg on a spoon or on their feet! Upon returning from the egg hunt, the children exchanged



their eggs for an egg-shaped cookie which they could then decorate with icing and colored sugar. Family members enjoyed lemonade and cookies as well. Each child was able to leave with a specially decorated cookie as a take-home treat. Many thanks go to Susan Fluharty, Jen Janus, Diana Mullis, and Cecile Quinlan for their help with the activities and making cookies for the event. Thanks also to the Braithwaite family who hid all the eggs prior to the event!

## Annual Appeal Raised A Record \$31,596

Our latest annual fundraising appeal, which began in December and concluded at the beginning of April, raised a total of \$31,596.

This is \$1,740, or 5.8 percent, more than we raised over the 2009-2010 winter and represents a new record high.

The number of donors hit a new high, too: 180 families and individuals contributed, up from 60 the year before.

The average contribution to this year's appeal was \$174.56, which is a very high figure for small organizations like ours.

These figures do not include contributions that families and individuals made to PVAS through United Way or the Combined Federal Campaign—we typically don't get any information about those contributions until late May or so.

In any case, the return from this year's appeal was a great outcome given the continuing concerns about the economy in our region, and it will go a long way in helping us sustain our programming in this difficult time. It's gratifying to know we have such a loyal base of support in the community, and that this base continues to grow.

A full list of all those who contributed follows on the next two pages.

Thanks again to all of you who have been so generous to PVAS. We appreciate your help, and you can count on us to put your contributions to good use!

## Garlic Mustard Challenge Is Coming

The West Virginia Garlic Mustard Challenge is coming to Yankauer Nature Preserve on Saturday, May 7, from 10 a.m. until noon! This is a cooperative effort sponsored by the Monongahela National Forest, the Potomac Highlands Cooperative Weed and Pest Management Area, and the Appalachian Forest Heritage Area. Potomac Valley Master Naturalists have set aside the date for attacking the plant *en masse* at Yankauer. This is the third year of the Garlic Mustard Challenge and the first official year for PVAS to participate although volunteers have done much to pull the weed at Yankauer in past years. The state goal for 2011 is pulling up 20,000 pounds of garlic mustard! Garlic mustard is one of West Virginia's most invasive plant species. It out competes native plants by hogging all the light, moisture, nutrients, soil and space. Garlic mustard also deprives wildlife of food sources that are instrumental to their survival.

## Four Birding Trips Set for May

PVAS is sponsoring four birding trips for the month of May. All trips are free and anyone with an interest is welcome to participate. Various details of each trip could change depending on weather and recent bird sightings. In case of inclement weather, contact the trip leader to see if the trip is still on. Here's the schedule:

**Sunday, May 1: Birding field trip along the C&O Canal in the Hancock area.** Meet at 9 a.m. in the parking lot of the new Hancock C&O Canal Visitor's Center, which overlooks Lock 52 and the Tonoloway Aqueduct at Canal milepost 123 (the street address is 439 East Main Street—go east from downtown Hancock; the entrance to the center is opposite the truck stop).

Possible species include Bald Eagles, Red-tailed hawks, Great Blue Herons, several varieties of woodpeckers, flycatchers, vireos, and others.

For more information, contact trip leader Sandy Sagalkin at [monsansagalkin@myactv.net](mailto:monsansagalkin@myactv.net) or 240-291-6465.

**Wednesday, May 4: Birding at Shepherd's Spring Outdoor Ministry in Washington County, Maryland.** Meet in the Ministry parking lot at 8 a.m. (The address is 16869 Taylors Landing Road, Sharpsburg, MD. From Rt. 65, turn onto Taylors Landing Road. At the canal, turn right and follow Taylors Landing Road until it starts back up the hill. About a quarter mile up the hill, turn left into the property.)

This lovely property is bordered by the C&O Canal on one side and includes riverine habitat, woodlands, meadows and a spring. Trip should provide a good opportunity to see a wide variety of spring migrants.

For more information, contact trip leader Sandy Sagalkin at [monsansagalkin@myactv.net](mailto:monsansagalkin@myactv.net) or 240-291-6465.

For more information about the center go to its website at [www.shepherdsspring.org/](http://www.shepherdsspring.org/).

**Wednesday, May 25: Birding at the Blue Ridge Center for Environmental Stewardship in Loudoun County, Virginia.** Meet at 8 a.m. at the Center, which is located in Virginia at 11661 Harpers Ferry Road (Route 671), about 2 miles south of the Potomac River and Route 340.

This beautiful 894-acre nature preserve will offer good opportunities to see spring migrants, including Northern parula, Cerulean warbler, Ovenbird, Louisiana waterthrush, Scarlet tanager, Indigo bunting, and White-eyed vireo.

For more information, contact trip leader Kate Weatherby at 304-535-1319 or [yankee\\_in\\_virginia@yahoo.com](mailto:yankee_in_virginia@yahoo.com). For more information about the Center go to its website at [www.blueridgecenter.org](http://www.blueridgecenter.org).

**Saturday, May 28: Birding trip to Stauffer's Marsh in Back Creek Valley in Berkeley County.** Meet at 6:30 a.m. at the Eagle Plaza parking lot (about 1 mile east of Hedgesville on the north side of Route 9, between Hedgesville High School and the Food Lion shopping center). The marsh is located on Back Creek Road (County Route 7), one-half mile south of Shanghai on the east side of the road.

This 46-acre property includes marsh, woodland, and edge habitats. Species likely to be sighted include the Baltimore and Orchard oriole, Blue-gray gnatcatcher, Yellow warbler, Common yellowthroat, Gray catbird, Brown thrasher, Mockingbird, Warbling vireo, Song sparrow, Red-winged blackbird, Willow flycatcher. Virginia rail may also be seen.

For more information contact trip leader Wil Hershberger at [wil@natureimagesandsounds.com](mailto:wil@natureimagesandsounds.com).

**2010 PVAS Annual Appeal Donors****December 2010-April 2011****Advocates (\$1,000 and up)**

John and Jenny Allen, Shepherdstown  
 Neal and Alice Barkus, Shepherdstown  
 Mina Goodrich, Shepherdstown  
 Mona L. Hayford, Inwood  
 Jean Neely, Shepherdstown (in memory of Elizabeth Neely)  
 Bob and Linda Reynolds, Shepherdstown  
 Peter and Vicki Smith, Shepherdstown  
 Jane and Ray Vanderhook, Shepherdstown

**Supporters (\$500-\$999)**

Rich Parker and Joette Borzik, Shenandoah Junction  
 Bonnie Sitman and Don Briggs, Shepherdstown  
 Susan and Joe Brookreson, Martinsburg  
 Gat and Susan Caperton, Berkeley Springs  
 Philip Carter Salladay, Shepherdstown (in memory of Margaret Dawson Salladay)  
 Elizabeth Shockley, Charles Town  
 Wayne Braunstein and Dannie Wall, Kearneysville  
 Henry K. Willard II, Shepherdstown

**Patrons (\$250-499)**

Kathy Bilton, Sharpsburg, MD  
 William and Vicki Bonifant, Martinsburg (in honor of Susan & Joe Brookreson, Jane & Ray Vanderhook, Gretchen & Craig Meadows)  
 Al Davis, Falling Waters (in memory of Albert E. Davis, Sr., from Al Jr.)  
 Kristin Alexander and Jeff Feldman, Martinsburg  
 Jon Pike and Diana Gaviria, Martinsburg  
 Virginia S. and Joseph Hankins, Shepherdstown.  
 James E. Horner, Berkeley Springs (in memory of Martha Horner)  
 Rich and Joan Lyon, Rockville, MD  
 Lolly and Tom Martin, Shepherdstown  
 Alexander and Pam Miller, Shepherdstown  
 Jesse and Adrienne Morgan, Charles Town  
 Joy Pardue, Shepherdstown  
 Potomac-Mecklenburg Garden Club, Shenandoah Junction (for educational purposes)  
 Sandy Sagalkin, Sharpsburg, MD  
 Mary Stanley and Bob Smith, Shepherdstown

**Sponsors (\$100 to \$249)**

Duane and Marianne Alexander, Ellicott City, MD  
 Betty J. Beckeley, Martinsburg  
 Georgia Jeppesen and Skylar Benedict, Martinsburg  
 Roland and Barbara Bergman, Shepherdstown  
 Laurie Smelter and Dr. Alan R. Biggs, Shepherdstown (in memory of Edgar H. "Hal" Biggs)  
 Charles and Margaret Biggs, Berkeley Springs  
 Nick and Joanie Blanton, Shepherdstown  
 Dan and Margaret Cogswell, Shepherdstown

Marika and Barry Cutler, Bethesda, MD  
 Michael and Carol Del Colle, Summit Point  
 Faye and Henry Davenport, Charles Town  
 Clark and Ora Dixon, Ranson  
 Sandra and Thomas D'Onofrio, Shepherdstown  
 Margaret M. Drennen, Shepherdstown  
 Mary and Walter Duke, Martinsburg  
 Elizabeth C. Eller, Greensboro, NC (in honor of Jean Neely; in memory of Bill and Liz Neely)  
 Scott and Susan Fluharty, Martinsburg (in memory of Dare Fluharty and Betty Lilly)  
 Sue and Tony Frank, Charles Town  
 Karen Stoyko Fuegi, Gerrardstown (in memory of Doris and Michael Stoyko)  
 John T. Gibson, DDS, Martinsburg  
 Gary and Iris Heichel, Martinsburg  
 Lily Hill, Shepherdstown  
 Michael Sullivan and Susan Hirsch, Shepherdstown  
 The Ian Thom Foundation ([www.ianthom.org](http://www.ianthom.org)), Martinsburg  
 Catherine Irwin, Shepherdstown  
 Ed and Kitty Kelly, Shepherdstown  
 Elliot and Nancy Kirschbaum, Shepherdstown  
 Mike and Becky Lacombe, Harpers Ferry  
 Norberta Schoene and Bill Lands, Berkeley Springs  
 John and Judith Lilga, Sharpsburg, MD  
 Melanie Files and Rick Lowman, Martinsburg (for scholarships)  
 Robert and Tia McMillan, Shepherdstown  
 Edward and Helen Moore, Shepherdstown  
 Diana Lee Mullis, Shepherdstown  
 Ellen and Kevin Murphy, Harpers Ferry  
 Timothy Murphy, Shepherdstown  
 David and Kim Myles, Harpers Ferry  
 Kris O'Brien, Hedgesville  
 Jane and C. Dong Park, Martinsburg  
 Deb and Don Patthoff, Martinsburg  
 J.P. Miller and Kristan Phillips, Mt. Airy, MD  
 Dara Ritter, Knoxville, MD  
 Fred Shanholtzer, Paw Paw  
 George Snider, Martinsburg  
 Elizabeth Sojourner, Richmond, CA  
 Frank and Elisabeth Staro, Shepherdstown (in memory of Ivy Butler)  
 John and Nancy Streeter, Shepherdstown  
 Sara H. Townsend, Martinsburg (in memory of Dr. Vincent Townsend)  
 Brown Truslow, Shenandoah Junction  
 Lois and Fred Turco, Shepherdstown  
 Frank and Annette van Hilst, Kearneysville (in memory of Dan and Anne Fisher)  
 Paul and Lisa Welch, Shepherdstown  
 Jeffrey and Marguerite Wilson, Jefferson, MD  
 Lynne E. Wiseman, Harpers Ferry  
 Rodney and Cindy Woods, Martinsburg  
 Mary E. Woodward, Bridgeport, WV (for Eidolon)

James and Francis Yankauer, Sacramento, CA (in memory of Dr. Alfred Yankauer)  
Lynn and Chess Yellott, Shepherdstown

**Donors (up to \$100)**

Elaine Alexander, St. Louis, MO (in honor of Kristin Alexander)  
Paul Woods and Johanna Armstrong, Shepherdstown  
Charles C. Bailey, Berkeley Springs  
Cornelia Belton, Berkeley Springs  
Edwinna Bernat, Shepherdstown  
Sandra Bernardi, Martinsburg  
Mary and David Brittingham, Charles Town (in memory of Frances L. Williams)  
Evelyn Brydges, Berkeley Springs  
Charles and Patricia Brown, Shepherdstown  
Marian Buckner, Shepherdstown  
Joseph and Ruth Campbell, Harpers Ferry  
S. Andrew Arnold and Carmela Cesare, Shepherdstown  
Dabney Chapman, Shepherdstown  
W. Joseph Coleman Jr., Round Hill, VA  
Frances and Philip Cox, Shepherdstown  
Christopher Craig, Harpers Ferry  
Jill Craig, Keedysville, MD  
Norman Dean, Berkeley Springs  
Jack Ebersole, Hagerstown, MD  
Cynthia Ellis, Red House, WV  
Edward Enamait, Falling Waters  
Erdem Ergin, Shepherdstown  
Eleanor Finn, Shepherdstown  
Gale and Gareth Foulds, Berkeley Springs  
John C. Frye, Hagerstown  
Cheryl and John Gates II, Hagerstown  
Joe Gentile, Berkeley Springs  
Robin Good, Harpers Ferry  
Ron and Cindy Gunderson, Hedgesville  
Virginia Harris, Charles Town  
Jean Hartgroves, Charles Town  
Peter S. Hartmann, Martinsburg  
Don and Kathryn Henry, Shepherdstown (in honor of Laura Henry-Stone, Mark Henry and Brad Stone)  
Mary and Joseph Horky, Shepherdstown  
Mrs. A.R. Hoxton, Shepherdstown  
Kevin Hughes, Charles Town  
Paul H. Hutchings, Williamsport, MD  
Leigh Jenkins, Berkeley Springs (in honor of Bill Belton)  
Dr. James E. Keel, Rippon  
Karen Kelley, Martinsburg  
Mary L. King, Charles Town  
Mary H. Kinnie, Inwood  
Richard L. Latterell, Shepherdstown  
Beverly and Marnye Layman, Harpers Ferry  
Winifred H. Lewis, Martinsburg  
Karrie and Gary Loucks, Hagerstown, MD  
Ken and Mary Lowe, Shepherdstown  
Teak Lynner, Sterling, VA (in honor of my parents, Joe and Ruth Campbell)

John McGrath, Shepherdstown  
Bill and Bonnie Miller, Charles Town  
C. David and Barbara Miller, Williamsport, MD  
Marcyanna Millet, Berkeley Springs  
Ella Mose, Sharpsburg  
Stuart Wallace and Karene Motivans, Shepherdstown  
Brittany and Woodrow Nackley, Shepherdstown  
Don and Amy Owen, Harpers Ferry  
Thomas Panebianco, Great Cacapon  
Jeffrey and Carol Plautz, Ranson  
Babulal Pragani, MD, Martinsburg  
Major Dieter H.B. Protsch, Hagerstown, MD  
Mary Jane Puckett, Potomac, MD  
Lauren and David Reus, Charles Town  
Carolyn C. Ropp, Martinsburg  
Sherman and Elinor Ross, Shepherdstown  
William Sandifer, Bunker Hill  
Shirley Street and Michael Stanley, Washington, DC (in honor of Eldon Winston and all the fine work he has done for Yankauer)  
Elias R. Shilling, Sharpsburg, MD  
Alex and Patricia Short, Baltimore, MD  
Anne and Dennis Small, Shepherdstown  
Ray and Phyllis Smock, Martinsburg  
Mary Helen Staley, Cascade, MD  
Kathy and Wil Stolzenburg, Shepherdstown  
Bonnie and Bill Stubblefield, Martinsburg  
Sylvia Sutton, Great Cacapon  
Katherine Sweeny, Hagerstown  
Jean B. Taylor, Martinsburg  
Sharon Tebben, Berkeley Springs  
Carolyn and Bruce Thomas, Shepherdstown  
Judith Treesberg, Bakerton  
Lynn B. Truslow, Shepherdstown  
Dale and Hank Walter, Shepherdstown  
Steven Warrick, Martinsburg  
Kate Weatherby, Harpers Ferry  
Byron Webb, Martinsburg (in memory of Mrs. Byron Webb)  
Bill and Janet Weis, Martinsburg  
Ron and Lyn Widmyer, Charles Town  
Rie Wilson, Shepherdstown  
Virginia and Eldon Winston, Martinsburg  
Susan and Michael Wisniewski, Shepherdstown  
Ed Zahniser, Shepherdstown

***Thanks to all of you for your generous support of PVAS!***



Note: If any of the information above is inaccurate or incomplete, please let us know so we can correct our records!

## Ruth Ann Dean Birdathon Coming Up Soon

Please don't forget that time is running out to register for PVAS's second annual "Ruth Ann Dean Memorial Birdathon."

The Birdathon will be held the weekend of May 14-15, and registration must be completed by May 12.

The event is named in honor of Ruth Ann Dean, who was a founding member and ardent supporter of PVAS, a Board member in the early years, and an avid birder.

The Birdathon is open to all PVAS members and members of the public. It is a team event or a family activity. Birdwatchers at all levels of experience or expertise are invited to participate. Teams will compete to identify the highest numbers of bird species they find anywhere within Jefferson, Berkeley, Morgan or Washington counties within any 24-consecutive-hour-period during the May 14-15 weekend.

Participants can choose to form their own teams, decide their team names and select their own leaders. If you don't have a team, and want to participate, we will help you find one.

Another option is to participate individually or as a group in a "Big Sit." For the Big Sit, individuals identify, or a team identifies all birds they can see from within a 50-foot diameter circle of your choosing within the 24-consecutive-hour-period. You could choose your back porch, a circle within your backyard, or a 50 foot circle within a place you like to bird. You can invite friends and family to join you within the circle and make it a special event.

Winners of the Birdathon and Big Sit will be announced in *Valley Views* and on the PVAS website.

There is no entry fee, and registration is easy. Teams may consist of 2-5 participants (unless an individual registers for the Big Sit). All you have to do is get together with friends and form a team. Or you could make this a family event and enter as a family team. Just go onto the PVAS website, [www.potomacaudubon.org](http://www.potomacaudubon.org) and click on "2011 Ruth Ann Dean Memorial Birdathon." You can fill out the registration form on line.

If you don't have internet access, contact Sandy Sagalkin, the Birdathon Coordinator, at 240-291-6465 to register.

For further information, call Sandy or contact him at [mon-sansagalkin@myactv.net](mailto:mon-sansagalkin@myactv.net).

## Calling All Birders!

As many of you know, the National Audubon Society was created over a hundred years ago to protect wild birds and their eggs. Birding and the protection of birds have long been core activities of PVAS and other National Audubon Society chapters. Many of you have said that PVAS, with that history, should have more "adult" birding programs for its members—this is our response.

A number of like-minded members of PVAS would like to solicit your opinion on a proposal to elevate birding issues within PVAS. This would mean establishing a Birding Committee that would report to the PVAS Board and oversee all birding programs, plan new ones, and be an advocate for birding programs within PVAS.

The current birding programs of PVAS include Birding 101 (designed as an Introduction to Birding), the Christmas Bird Counts (a National Audubon Society citizen science program to assess the

health of bird populations and guide conservation action), the Ruth Ann Dean Annual Birdathon (a program begun last year to get people out birding and to collect data on bird populations in the Eastern Panhandle), and PVAS Birding Walks (activities open to the public designed to get people out to watch and enjoy birds). The PVAS Board has also authorized the study of two new birding programs: an Eastern Panhandle Birding Trails Map (identifying the birding hot spots in the Eastern Panhandle) and a Master Birding Program (that would provide individuals with more in-depth knowledge of birds, their habitats, and conservation.) These programs are now divided among several PVAS committees that have a broader mission than just birding.

These birding programs have been led by a few dedicated PVAS individuals. The "regular birders" refer to themselves as the "Over 50 Club." Birding need not be just a "Boomer" activity. One doesn't have to be an "expert" to have an impact in PVAS. New and intermediate level birders, advanced birders, as well as birders of all ages, are needed to help with birding programs.

The Executive Committee of PVAS has given the go-ahead to establish a Birding Committee assuming there is membership support. Please send your comments to Sandy Sagalkin at [mon-sansagalkin@myactv.net](mailto:mon-sansagalkin@myactv.net). Let us know whether you support this idea and whether you would be willing to serve on the Birding Committee. Thanks!

## Birding Notes—Orioles Return

In early May, two oriole species return from their wintering grounds in Mexico, Central and South America to breeding territories in our area. Orioles migrate mostly by night. Loose bands of 5 to 10 may sometimes be seen just above the treetops in early morning.

The male Baltimore Orioles arrive a few days before the females and select tall deciduous trees near water, or in rural or suburban yards. The males are brilliant orange, with black heads, wings, and tail, and two white wing bars. They sing clear, flutelike, whistled songs, which soon attract mates. They also make a noisy chatter when disputing territory with other birds. The females, which are yellowish in color, build pendant nests woven of grasses and plant fibers. The females lay 4 or 5 eggs and incubate them for about 14 days. They produce only one brood of young each season. Baltimore Orioles eat caterpillars and other insects, spiders, and fruit such as mulberries and wild grape. Oranges offered at a feeding station can also tempt them.

Male Orchard Orioles are a brick red color, with black heads, wings, and tail. They choose nesting territories around farms, parks, unsprayed orchards, or open woodlands. The males sing a series of melodious whistles and flute-like notes. They sometimes display by rising upwards from their treetop perches while singing to attract mates. The yellowish females build nests, which are also woven of grasses and plant fiber, but are not as pendulous as the Baltimore Oriole's nests. Orchard Orioles mainly eat insects, and will sometimes eat berries as well.

Both species are easiest to see early this month before the trees are completely leafed out. In this area, they are commonly seen in tall Sycamores along rivers and streams. One easily accessible place to see both Oriole species is the new Flowing Springs Park that PVAS has been working on with the City of Ranson. Check the Sycamore trees along the stream bank. Enjoy these beautiful birds

this month! They spend only a short time in the area. The Orchard Orioles begin migrating south around the end of July. Baltimore Orioles will be around here through mid-September with a few lingering later into the fall.

## May Program Will Focus on Potomac River

The topic for our May program at the National Conservation Training Center will be "The Natural History of the Potomac River."

The program will be held at 7 p.m. Wednesday, May 11, in Room 151 of the Instructional West Building. Admission is free and anyone is welcome to attend.

The speaker will be Dr. Nathaniel (Than) Hitt, a Research Fish Biologist in the Aquatic Ecology Branch of the U.S. Geological Survey's Leetown Science Center in Kearneysville,

Dr. Hitt holds a B.A. in Biology from the College of Wooster, an M.S. in Organismal Biology and Ecology from the University of Montana, and a Ph.D. in Fisheries and Wildlife Sciences from Virginia Tech.

In his research work, he examines freshwater fish ecology and community ecotoxicology from a landscape-scale perspective, focusing on stream ecosystems in the mid-Atlantic highlands.

His work has demonstrated that landscape-scale dispersal affects fish community structure, and that an understanding of stream network topology may improve fish bioassessment in Appalachia.

## Calendar of Events

- April 30, 7 a.m.: Birding field trip, Sleepy Creek Wildlife Management Area
- May 1, 9 a.m.: Birding field trip, C&O Canal in the Hancock
- May 7, 10 a.m.-5p.m.: Boonsboro Green Fest
- May 7, 1 a.m.-12 p.m.: Garlic Mustard Pull at Yankauer Preserve
- May 4, 8 a.m.: Birding at Shepherd's Spring Outdoor Ministry, Washington County, MD.
- May 11, 7 p.m.: PVAS program, NCTC "Natural History of the Potomac"
- May 14-15: Ruth Anne Dean Memorial Birdathon
- May 25, 8 a.m.: Birding at the Blue Ridge Center for Environmental Stewardship
- May 27, 7 p.m.: Potomac Valley Nature Photographers
- May 28, 6:30a.m.: Birding trip to Stauffer's Marsh
- June 4, 4-7 p.m.: PVAS fundraiser at Harewood
- June 4, 10 a.m.-12 p.m.: Mile-a-Minute Pull at Flowing Springs Park, Ranson
- June 11, 6:30 p.m.: PVAS Annual Meeting and Potluck
- June 24, 7 p.m.: Potomac Valley Nature Photographers
- June 25: Shepherdstown Street Fest
- July 22, 7 p.m.: Potomac Valley Nature Photographers
- July 29-31: Weekend trip to Delaware's Bombay Hook
- July 30-31: Morgan County Fair

## JOIN PVAS TODAY!

ALL of your dues will stay here to support local PVAS efforts and help us grow! And here's what you'll get:

- Access to a wide variety of PVAS programs and events for adults and children, including field trips, special events, workshops and courses, and environmental projects.
- A subscription to Valley Views, the PVAS newsletter
- E-mail alerts about events and programs of special interest
- Satisfaction of supporting conservation efforts, youth and adult nature education, individual and family recreation, and a wide array of programs in your community.

To become a local member, send in the form below and enclose a check for \$20 (\$15 for seniors and students). Make the check out to "PVAS." This fee covers membership for everyone in your household for one year.

### Membership Form

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_  
 Phone (optional): \_\_\_\_\_  
 E-mail: \_\_\_\_\_

To save postage costs, PVAS regularly sends its newsletter by e-mail. You can be assured that we do not share email addresses with anyone. If you would prefer to receive the newsletter by U.S. mail check here: \_\_\_\_\_

Clip and mail this form to:

Membership Chair, PVAS  
 PO Box 578  
 Shepherdstown, WV 25443

Thank you for your support!



## If you'd rather join the National Audubon Society:

Some people prefer National Audubon Society membership, which includes a subscription to the Society's Audubon magazine. To become a National member, go to the Society's website at [www.audubon.org](http://www.audubon.org) and click on "join." If you join National Audubon and reside in Berkeley, Jefferson or Morgan counties in West Virginia, or in Washington County Maryland, you will automatically become a member of PVAS and have access to our events, an e-mail copy of newsletter and e-mail alerts. However almost all of your dues payments will go to the National Audubon Society; only a small percentage will go to PVAS.

### RED TEXT - DOT ALERT

If red text or a red dot appears on your mailing label, your membership may have expired and this could be your last issue of Valley Views. Take action to renew your Local membership. If you are a National Audubon Society member, the National Society will notify you directly when your membership is up for renewal.



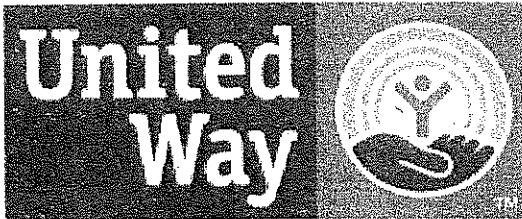
Potomac Valley Audubon Society  
 P O Box 578  
 Shepherdstown, WV 25443  
 Return Service Requested

NON-PROFIT ORG.  
 US Postage  
 PAID  
 Permit No. 30  
 Shepherdstown, WV

<http://www.potomacaudubon.org>

DATED MATERIALS

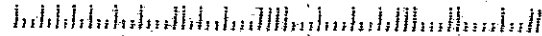
A proud partner of the United Way of  
 the Eastern Panhandle and the Com-  
 bined Federal Campaign.



MAIL TO:

Jefferson County Commission  
 100 E Washington Street  
 Charles Town, WV 25414

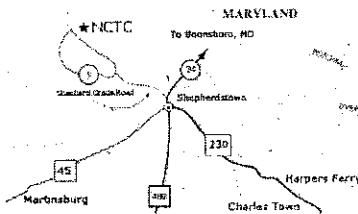
25414\$1072 0001



May 2011

Printed on 100% post-consumer waste recycled paper

Volume 29, Issue 8



The Potomac Valley Audubon Society meets at 7:00 p.m. on the second Wednesday of each month, September through April, at the US Fish and Wildlife Service National Conservation Training Center (NCTC), Shepherdstown, WV, in the Instructional West Building. Programs are free and open to the public. For additional information about PVAS or its programs and activities, please call any of the board members listed her or see <http://www.potomacaudubon.org>. PVAS serves the Eastern Panhandle of West Virginia and neighboring Washington County, Maryland.

**PVAS BOARD**

The PVAS Board  
 meets every other

Thursday of the  
 month (Sept.-June).  
 Meeting location will  
 be announced prior  
 to meetings. These  
 meetings are open  
 to all PVAS mem-  
 bers.

**PVAS Officers and Board Members**

- President: Peter Smith 304 876-1139 ..... pvsmit@frontiernet.net
- Vice President: Georgia Jeppesen ..... georgia\_jeppesen@comcast.net
- Secretary: Mina Goodrich ..... larrymina@peoplepc.com
- Treasurer: Lex Miller ..... pamandlex@frontiernet.net
- Board Development: Wayne Braunstein 304 728-7181 ..... wbraun@frontiernet.net
- Board Members-at-Large: Don Briggs ..... ldonaldbriggs@gmail.com
- Clark Dixon ..... dixonconsultants@aol.com
- Rob Hoxton ..... rhoxton@hoxtonfinancial.com
- Leigh Jenkins ..... jenkinsleigh@hotmail.com
- Jesse Morgan ..... jmorgan@a-zoneenvironmental.com
- Kathy Stolzenburg ..... kstoizenburg@gmail.com
- Carolyn Thomas ..... webethomas@aol.com
- Jane Vanderhook ..... janehook@frontiernet.net

**Ex Officio Board Members**

- Diana Mullis 304 267-3482 ..... dianamullis@aol.com

**Emeritus Board Members**

- Jean Neely ..... jeaneely@comcast.net

**Special Contacts**

- Executive Director: Kristin Alexander 304 676-3397 ..... kaemail730@aol.com
- Web Master: Kathy Bilton ..... kathy@fred.net
- PVAS Wildlife Rescue Coord: Diana Mullis ..... 304-267-3482

# South Jefferson Public Library

49 Church Street

Post Office Box 17

Summit Point, West Virginia 25446

Phone: 304-725-6227

Email: jenkinsd@martin.lib.wv.us

Fax: 304-728-2586

**April 25, 2011**

**The County Commission of Jefferson County  
PO Box 250  
Charles Town WV 25414**

**RE: WV Public Library "Snapshot Day"**

**Dear Commissioners,**

**On April 12, South Jefferson Public Library participated in the WV Public Library Snapshot Day as required by the West Virginia Library Commission. This is a day where information such as circulation, computer use, number of patrons using the library etc. for that particular day is recorded and sent as a "snapshot" of daily activity for each of the public libraries in West Virginia. This information is then sent to the WVLC for their records.**

**As part of this endeavor, Dana Jenkins, our library director, offered patrons (children and adults alike) the opportunity to write something about what the South Jefferson Public Library means to them and the community.**

**At our April library board meeting, Mrs. Jenkins shared these patron comments with the board members present, and the board in turn would like to share them with you. We hope that you will enjoy reading what the South Jefferson Public Library means to some of the wonderful patrons who make use of its services.**

**RECEIVED**

APR 27 2011

**Sincerely yours,**



**Carol Del-Colle, President**

**Jefferson County Commission**

4-12-11

APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

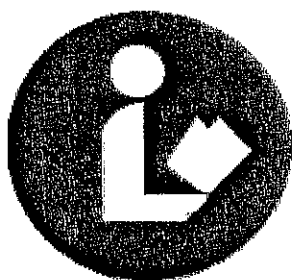


Our library provides important learning opportunities for our children expanding their knowledge and thirst for learning while reminding adults that they are never too old to ~~learn~~ make new discoveries through ~~learning~~ reading. - Scott Suddeth

The library allows children as well as adults to broaden their reading skills and teaches our young ones to be independent. K. Jones

The library allows me a safe place to research jobs while giving my kids a opportunity to read and learn at the same time while being together. Also great activities as a family.

This library has improved the quality of life for Summit Pt. immeasurably and really made this little area of rural Jefferson County as close to heaven as you can get (on earth!)



**APRIL 12<sup>TH</sup> - SNAPSHOT  
DAY**

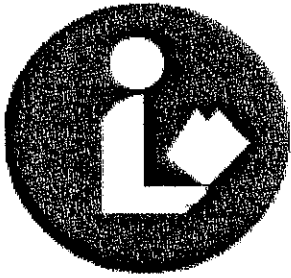
**COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.**

South Jefferson Library is a very important  
community service. I have been bringing  
my son to the library since he was  
2 years old. Now he is in kindergarten and he  
looks forward to our biweekly trips to  
the library for new books to read. He  
enjoys reading on his own and being read to  
before bed.

We appreciate the library so much  
The Magaha family.

The Library is a wonderful place for our family to come  
and learn about the world, and our little community!  
The library has instilled a wonderful love of reading in  
our girls.

The Dunn Family



APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

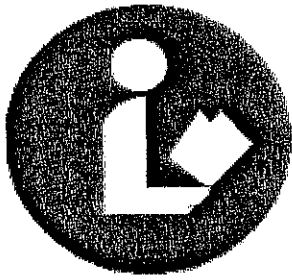
The library is a great place for me and my whole family to just come and get a good book. It's good for school research as well. Summit Point will always prosper from a place like this!

- Molly Banfield

We love the public library! we live close and take advantage of many great programs and resources - <sup>live</sup> music outside - Art Show! Easter egg hunt - using computers to make beautiful powerpoint pictures! all the staff are wonderful and helpful - Thank you! Kathleen Kelly and family

~~We~~ We love the library. My two sons and I come every Sunday afternoon to check out books, request books through interlibrary loan, and use the internet. We also come to community events - music and art. The library is a vital part of our community. Our library staff are so helpful & friendly.

Laura Robertson



APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

I use the library to get books and the South Jefferson Public Library  
is the best and everything is fast

Isaac Vile

Books and information/internet - the library is essential and we use  
it extensively. Thanks for your support. My kids (and the parents) use  
the library every week and we discuss the stories and books during the  
week. Libraries are essential for an educated public. Peter Vile

the library is a great place Jacob Vile

Thank you for adding a wonderful  
aspect to my life. You are one of  
the rare treasures that we all too often  
don't recognize

Walter B. N

I like the library; it's my  
favorite place to visit.

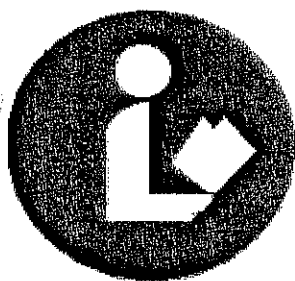


Victoria

We love our library and librarians! They  
are the best!! Robin Summerhill (i)

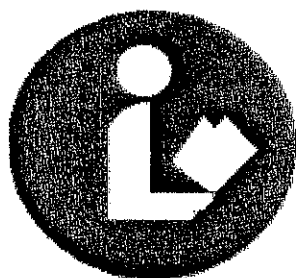
APRIL 12<sup>TH</sup> - SNAPSHOT  
DAY

COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.



Hi My name is Shelley and I Love  
the library because, I feel at home  
when I am there. The array of  
books that are on display are  
fascinating and you can not run  
out. Also the people here are very  
pleasant! wouldn't trade ~~for~~ nothing!  
HAVE A GOOD DAY!

I love the South Jefferson Library. It is  
certainly an asset to our community. Every  
time I visit it is like a visit with folks  
who are so dear to me. Everyone here is  
so helpful & friendly. It is fun bumping  
into young people I have not seen in  
years. Thanks to you & all you do!  
Phyllis Brantman



APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

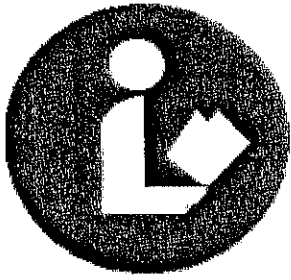
Where else can you find so many different fabulous books - something for everyone - and all for free? Not to mention videos, CDs, computer access, and the service is fabulous too.

We love the South Jefferson Library! We started coming because of the convenient Sunday hours and kept coming back: for the wonderful Storytime with Miss Dana, to check out the new arrivals, and all our old favorites too.

MY DAUGHTER & I USE THE COMPUTER,  
WE DO NOT OWN ONE. THANK YOU

The South Jefferson Library provides many resources to fill my leisure hours for enjoyment, and recent resources for educational reading.

We've been patrons for years (since it was in the trailer). I particularly appreciate the convenient hours (including late afternoon + weekends), art displays, concerts, and extremely helpful staff. They always make us feel welcome and make sure we have a good experience. They are truly a community library and gathering place. Nancy Marmorell



APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

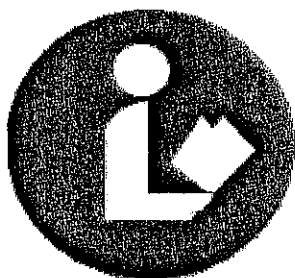
COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

The South Jefferson Library is important to the community as it is a symbol in the county. Adults and children have a place to come, without having to drive to far, to pick out their favorite books and movies. I look forward to coming on Sunday afternoons to gear up for the work week with several books on tape. J. Burdick 4/10/11

It is wonderful to have such a great library so close to home. This library has so much to offer. Thank you!

I am a first year Kindergarten teacher and I could not do it without this library. Their selection and staff make my job possible and the learning of my students a success. I am so grateful to them!

They have made my transition as a first year teacher so smooth! I am so lucky to have them near by!  
-Ms. Walsh



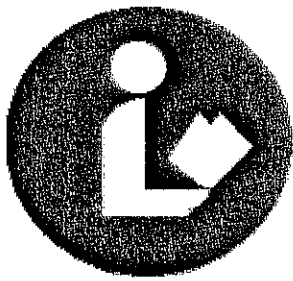
APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

I haven't been in the area a long time but I've never been to a library that has been so helpful and go out of their way for you. The librarians are pleasant, kind and compassionate to meet your needs. Computers available for you are a plus. It's close to home. It's a must and can't do without it. I love to read.

I think the library is a very good and important place for our little community. It's great for our kids. We all can learn new and different things for the up bringing of our future.

Wonderful library! A great thing for our community. Wonderful service - friendly and professional. I can walk & that is great!



APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

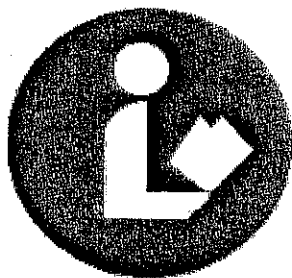
COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

I am so thankful that the local library provide story time for our kids. My husband and I joke, "If I knew I was going to read this much to her, I would have majored in library studies in college!" Thank God for librarians!

I enjoy coming to our library. It is nice that it is local. I have brought children for 5 years and they love it. They learn so much, always looking forward to coming. *Bonnie Henry*

I believe that the public library is an opportunity for all people to enjoy the world of literature. Fiction or non-fiction the library is a place where an individual has access to know ledge that they other wise wouldn't.

The library also is a place where we can come together as a community on any subject that has meaning to us. I am thankful for my local library



APRIL 12<sup>TH</sup> - **SNAPSHOT  
DAY**

COME TO THE LIBRARY AND BE  
COUNTED. HELP US TELL HOW  
IMPORTANT YOUR LIBRARY IS  
TO OUR COMMUNITY.

It's where the mind is allowed to wander and flourish. Where else  
can you go to one place and find so many other avenues to explore?  
Imagination runs wild!

Best ~~place~~ place in town! Most helpful staff w/ great  
ideas for every thing... art exhibits & concerts in addition to  
access to every book in WV. Thank you!

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

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

DATE	2% OF ADJ. NET REVENUE	TO JEFFERSON COUNTY	TO FIVE CITIES	BOLIVAR 12.42%	CHARLES TOWN 34.56%	HARPERS FERRY 3.65%	RANSON 35.08%	SHEPHERDS TOWN 14.29%
3 days ending: 7/1/10- 7/3/10	\$ 115,402.58	\$ 115,402.58	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week ending:								
07/10/10	\$ 205,731.64	\$ 205,731.64	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/17/10	\$ 161,386.76	\$ 161,386.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/24/10	\$ 160,368.28	\$ 160,368.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/31/10	\$ 157,802.08	\$ 157,802.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/07/10	\$ 161,617.82	\$ 136,494.98	\$ 25,122.84	\$ 3,120.27	\$ 8,682.45	\$ 916.98	\$ 8,813.09	\$ 3,590.05
08/14/10	\$ 156,753.36	\$ 78,376.68	\$ 78,376.68	\$ 9,734.38	\$ 27,086.98	\$ 2,860.75	\$ 27,494.54	\$ 11,200.03
08/21/10	\$ 152,398.04	\$ 76,199.02	\$ 76,199.02	\$ 9,463.92	\$ 26,334.38	\$ 2,781.26	\$ 26,730.62	\$ 10,888.84
08/28/10	\$ 144,920.06	\$ 72,460.03	\$ 72,460.03	\$ 8,999.54	\$ 25,042.19	\$ 2,644.79	\$ 25,418.97	\$ 10,354.54
09/04/10	\$ 152,725.68	\$ 76,362.84	\$ 76,362.84	\$ 9,484.26	\$ 26,391.00	\$ 2,787.24	\$ 26,788.09	\$ 10,912.25
09/11/10	\$ 165,938.72	\$ 82,969.36	\$ 82,969.36	\$ 10,304.79	\$ 28,674.21	\$ 3,028.39	\$ 29,105.65	\$ 11,856.32
09/18/10	\$ 135,277.56	\$ 67,638.78	\$ 67,638.78	\$ 8,400.74	\$ 23,375.96	\$ 2,468.82	\$ 23,727.68	\$ 9,665.58
09/25/10	\$ 140,870.12	\$ 70,435.06	\$ 70,435.06	\$ 8,748.03	\$ 24,342.36	\$ 2,570.88	\$ 24,708.62	\$ 10,065.17
10/02/10	\$ 142,027.72	\$ 71,013.86	\$ 71,013.86	\$ 8,819.92	\$ 24,542.39	\$ 2,592.01	\$ 24,911.66	\$ 10,147.88
10/09/10	\$ 138,623.00	\$ 69,311.50	\$ 69,311.50	\$ 8,608.49	\$ 23,954.06	\$ 2,529.87	\$ 24,314.47	\$ 9,904.61
10/16/10	\$ 150,469.24	\$ 75,234.62	\$ 75,234.62	\$ 9,344.14	\$ 26,001.08	\$ 2,746.06	\$ 26,392.31	\$ 10,751.03
10/23/10	\$ 140,581.60	\$ 70,290.80	\$ 70,290.80	\$ 8,730.12	\$ 24,292.50	\$ 2,565.61	\$ 24,658.01	\$ 10,044.56
10/30/10	\$ 131,230.08	\$ 65,615.04	\$ 65,615.04	\$ 8,149.39	\$ 22,676.56	\$ 2,394.95	\$ 23,017.75	\$ 9,376.39
11/06/10	\$ 122,675.24	\$ 61,337.62	\$ 61,337.62	\$ 7,618.13	\$ 21,198.28	\$ 2,238.82	\$ 21,517.24	\$ 8,765.15
11/13/10	\$ 129,190.56	\$ 64,595.28	\$ 64,595.28	\$ 8,022.73	\$ 22,324.13	\$ 2,357.73	\$ 22,660.02	\$ 9,230.67
11/20/10	\$ 112,020.16	\$ 56,010.08	\$ 56,010.08	\$ 6,956.45	\$ 19,357.08	\$ 2,044.37	\$ 19,648.34	\$ 8,003.84
11/27/10	\$ 142,341.80	\$ 71,170.90	\$ 71,170.90	\$ 8,839.43	\$ 24,596.66	\$ 2,597.74	\$ 24,966.75	\$ 10,170.32
12/04/10	\$ 106,430.16	\$ 53,215.08	\$ 53,215.08	\$ 6,609.31	\$ 18,391.13	\$ 1,942.35	\$ 18,667.85	\$ 7,604.44
12/11/10	\$ 93,888.00	\$ 46,944.00	\$ 46,944.00	\$ 5,830.44	\$ 16,223.85	\$ 1,713.46	\$ 16,467.95	\$ 6,708.30
12/18/10	\$ 84,153.52	\$ 42,076.76	\$ 42,076.76	\$ 5,225.93	\$ 14,541.73	\$ 1,535.80	\$ 14,760.53	\$ 6,012.77
12/25/10	\$ 100,900.56	\$ 50,450.28	\$ 50,450.28	\$ 6,265.92	\$ 17,435.62	\$ 1,841.44	\$ 17,697.96	\$ 7,209.35
01/01/11	\$ 170,304.24	\$ 85,152.12	\$ 85,152.12	\$ 10,575.89	\$ 29,428.57	\$ 3,108.06	\$ 29,871.36	\$ 12,168.24
01/08/11	\$ 108,602.60	\$ 54,301.30	\$ 54,301.30	\$ 6,744.22	\$ 18,766.53	\$ 1,982.00	\$ 19,048.89	\$ 7,759.66
01/15/11	\$ 108,011.80	\$ 54,005.90	\$ 54,005.90	\$ 6,707.53	\$ 18,664.44	\$ 1,971.22	\$ 18,945.27	\$ 7,717.44
01/22/11	\$ 121,849.48	\$ 60,924.74	\$ 60,924.74	\$ 7,566.85	\$ 21,055.59	\$ 2,223.75	\$ 21,372.40	\$ 8,706.15
01/29/11	\$ 96,073.88	\$ 48,036.94	\$ 48,036.94	\$ 5,966.19	\$ 16,601.57	\$ 1,753.35	\$ 16,851.35	\$ 6,864.48
02/05/11	\$ 121,554.88	\$ 60,777.44	\$ 60,777.44	\$ 7,548.56	\$ 21,004.68	\$ 2,218.38	\$ 21,320.72	\$ 8,685.09
02/12/11	\$ 134,943.68	\$ 67,471.84	\$ 67,471.84	\$ 8,380.00	\$ 23,318.27	\$ 2,462.72	\$ 23,669.12	\$ 9,641.73
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
02/26/11	\$ 151,088.04	\$ 75,544.02	\$ 75,544.02	\$ 9,382.57	\$ 26,108.01	\$ 2,757.36	\$ 26,500.84	\$ 10,795.24
03/05/11	\$ 149,070.68	\$ 74,535.34	\$ 74,535.34	\$ 9,257.29	\$ 25,759.41	\$ 2,720.54	\$ 26,147.00	\$ 10,651.10
03/12/11	\$ 133,958.96	\$ 66,979.48	\$ 66,979.48	\$ 8,318.85	\$ 23,148.11	\$ 2,444.75	\$ 23,496.40	\$ 9,571.37
03/19/11	\$ 146,226.52	\$ 73,113.26	\$ 73,113.26	\$ 9,080.67	\$ 25,267.94	\$ 2,668.64	\$ 25,648.13	\$ 10,447.88
03/26/11	\$ 136,981.60	\$ 68,490.80	\$ 68,490.80	\$ 8,506.56	\$ 23,670.42	\$ 2,499.91	\$ 24,026.57	\$ 9,787.34
04/02/11	\$ 141,693.16	\$ 70,846.58	\$ 70,846.58	\$ 8,799.15	\$ 24,484.58	\$ 2,585.90	\$ 24,852.97	\$ 10,123.98
04/09/11	\$ 134,153.56	\$ 67,076.78	\$ 67,076.78	\$ 8,330.94	\$ 23,181.74	\$ 2,448.30	\$ 23,530.53	\$ 9,585.27
04/16/11	\$ 129,397.12	\$ 64,698.56	\$ 64,698.56	\$ 8,035.56	\$ 22,359.82	\$ 2,361.51	\$ 22,696.25	\$ 9,245.42
04/23/11	\$ 135,348.28	\$ 67,674.14	\$ 67,674.14	\$ 8,405.13	\$ 23,388.18	\$ 2,470.11	\$ 23,740.09	\$ 9,670.63
<b>Subtotal</b>	<b>\$ 5,869,019.90</b>	<b>\$ 3,390,541.69</b>	<b>\$ 2,478,478.21</b>	<b>\$ 307,826.99</b>	<b>\$ 856,562.07</b>	<b>\$ 90,464.50</b>	<b>\$ 869,450.09</b>	<b>\$ 354,174.56</b>

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

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

Week Ending Date	Week Ending April 23, 2011
<b>To be Deposited on:</b>	April 29, 2011
Amount Played	79,693,191.76
Amount Won	71,578,362.49
Amount Promo	235,760.00
MWAP Contribution	<u>46,413.49</u>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>7,832,655.78</u></b>
Administrative Costs @ 4%	0.00
Excess Lottery Fund @ 4%	<u>313,306.23</u>
<b>Net Terminal Revenue</b>	<b><u>7,519,349.55</u></b>
Surcharge @ 10%	751,934.96
State Share Excess @ 58%	436,122.28
Track Share of Capital Reinvestment @ 42%	315,812.68
Track Share of Capital Reinvestment @ 42% - 96%	\$ 303,180.17
Track Share of Capital Reinvestment @ 42% - 4%	\$ 12,632.51
<b>Adjusted Net Terminal Revenue</b>	<b><u>6,767,414.59</u></b>
Racetrack @ 46.50% / 42%	2,842,314.13
Lottery Fund @ 30% / 0%	0.00
Excess Lottery Fund @ 0% / 41%	2,774,640.01
Race Track Purses @ 7% / 14% / 8%	541,393.17
Workers' Compensation Debt Reduction @ 7%	0.00
Employee Pension Fund @ 1% / .5%	33,837.07
Greyhound Development @ .75%	50,755.61
Thoroughbred Development @ .75%	50,755.61
Racing Commission @ 1%	67,674.14
County/Municipality @ 2%	135,348.28
<b>3% Funds:</b>	
Tourism Promotion Fund @ 1.375%	93,051.95
Development Office Promotion Fund @ .375%	25,377.80
Research Challenge Fund @ .5%	33,837.07
Capitol Renovation and Improvement Fund @ .6875%	46,525.98
2004 Capitol Complex Parking Garage Fund @ .0625%	4,229.63
<b>1% Funds:</b>	
State Capitol Complex Parking Garage @ 1%	0.00
Cultural Facilities and Capitol Resources @ .5%	0.00
Capitol Dome and Capitol Improvements @ .5% / 1%	<u>67,674.14</u>
	<b><u>6,767,414.59</u></b>

VIDEO LOTTERY REPORT  
FY 2009

Date	Amount
7/5/2008 *	169,912.56
7/12/2008	176,592.38
7/19/2008	160,344.08
7/26/2008	162,982.74
8/2/2008	178,171.04
8/9/2008	123,538.04
8/16/2008	82,482.89
8/23/2008	76,426.18
8/30/2008	89,459.86
9/6/2008	91,644.46
9/13/2008	79,729.93
9/20/2008	71,269.36
9/27/2008	79,735.73
10/4/2008	75,186.22
10/11/2008	77,139.04
10/18/2008	80,668.26
10/25/2008	64,379.44
11/1/2008	68,352.42
11/8/2008	70,823.02
11/15/2008	65,565.50
11/22/2008	63,883.80
11/29/2008	69,850.12
12/6/2008	55,696.68
12/13/2008	60,178.04
12/20/2008	52,189.19
12/27/2008	72,205.91
1/3/2009	96,504.65
1/10/2009	53,286.62

FY 2010

Date	Amount
7/4/2009 *	128,262.42
7/11/2009	168,815.08
7/18/2009	160,652.98
7/25/2009	158,869.08
8/1/2009	174,493.08
8/8/2009	138,408.80
8/15/2009	81,222.14
8/22/2009	76,260.31
8/29/2009	80,472.92
9/5/2009	80,798.15
9/12/2009	86,286.92
9/19/2009	70,010.15
9/26/2009	69,316.87
10/3/2009	72,286.04
10/10/2009	69,650.63
10/17/2009	73,560.21
10/24/2009	67,581.66
10/31/2009	64,528.30
11/7/2009	63,741.59
11/14/2009	65,959.64
11/21/2009	59,547.05
11/28/2009	72,399.98
12/5/2009	51,006.51
12/12/2009	52,460.58
12/19/2009	32,834.39
12/26/2009	53,406.34
1/2/2010	92,980.40
1/9/2010	55,020.46

FY 2011

Date	Amount
7/3/2010	115,402.58
7/10/2010	205,731.64
7/17/2010	161,386.76
7/24/2010	160,368.28
7/31/2010	157,802.08
8/7/2010	136,494.98
8/14/2010	78,376.68
8/21/2010	76,199.02
8/28/2010	72,460.03
9/4/2010	76,362.84
9/11/2010	82,969.36
9/18/2010	67,638.78
9/25/2010	70,435.06
10/2/2010	71,013.86
10/9/2010	69,311.50
10/16/2010	75,234.62
10/23/2010	70,290.80
10/30/2010	65,615.04
11/6/2010	61,337.62
11/13/2010	64,595.28
11/20/2010	56,010.08
11/27/2010	71,170.90
12/4/2010	53,215.08
12/11/2010	46,944.00
12/18/2010	42,076.76
12/25/2010	50,450.28
1/1/2011	85,152.12
1/8/2011	54,301.30

Table Game Revenues  
FY 2011

Date	Amount
July/August, 2010	154,185.68
September, 2010	94,247.84
October, 2010	105,903.60
November, 2010	108,717.67
December, 2010	118,721.11

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	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	2/26/2011	75,544.02	105,776.45
3/7/2009	48,837.13	3/6/2010	76,936.85	3/5/2011	74,535.34	
3/14/2009	96,025.39	3/13/2010	71,007.37	3/12/2011	66,979.48	
3/21/2009	79,002.82	3/20/2010	74,335.38	3/19/2011	73,113.26	
3/28/2009	79,250.83	3/27/2010	69,941.88	3/26/2011	68,490.80	120,927.10
4/4/2009	75,968.30	4/3/2010	70,636.28	4/2/2011	70,846.58	
4/11/2009	75,964.94	4/10/2010	69,692.79	4/9/2011	67,076.78	
4/18/2009	80,598.22	4/17/2010	69,335.92	4/16/2011	64,698.56	
4/25/2009	75,571.46	4/24/2010	68,714.11	4/23/2011	67,674.14	
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			
<b>TOTALS</b>	<b>4403564.04</b>		<b>4041141.56</b>		<b>3390541.69</b>	<b>914668.66</b>