

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, MARCH 1, 2012**  
**9:30 A.M.**

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

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**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. Bill Polk, Maintenance Director  
Courthouse update
2. 10:00 a.m. Gary Wine, Berkeley County Council IT Director  
- Presentation of the results of the IT Review Committee - Discussion/Action
3. 10:15 a.m. Paul Shroyer, Finance Director  
- AS/400 Security Policy - Discussion/Action  
- Cost Analysis of the feasibility of purchasing the Briel Building -  
Discussion/Action
4. 10:30 a.m. **Break**
5. 10:45 a.m. Stephanie Grove, Assistant Prosecuting Attorney  
- Transition Plan for Reorganization Update - Executive Session Possible §6-  
9A-4 - Discussion/Action  
- Employment Agreement for Director of Capital Planning and Management,  
Executive Session Possible §6-9A-4 - Discussion/Action  
- Approval and signature of the Knode Property Order - Discussion/Action

**UNFINISHED BUSINESS:**

6. Add stewardship of the environment to the Department of Engineering and rename it to the Department of Engineering, Impact Fees and Watershed Protection (LW) - Discussion/Action
7. Approval and adoption of the iPad Policy - Discussion/Action

**NEW BUSINESS:**

8. Request by Sheriff Shirley to hire a new Deputy - Discussion/Action
9. Executive Session to discuss Economic Development opportunity (WP) - Discussion/Action
10. Request to use the County Commission meeting room from Nancy Bender - Discussion/Action
11. Legislative Update

**COUNTY ADMINISTRATOR REPORTS**

**COUNTY COMMISSION REPORTS**

12. **ADJOURN**

**CORRESPONDENCE:**

Reminder of the public meeting slated for March 8, 2012 at 7:00 p.m. regarding the U.S. Route 340 East Gateway Plan.

Invitation from Shepherdstown Fire Department, Inc. to attend the annual Recognition & Awards Dinner and Dance on Saturday, March 17, 2012 at 5:30 p.m.

January 2012 NACo Prescription Drug Discount Card Program results received.

Financial Statements received from the Jefferson County Development Authority.

Notice of interviews and appointments to the Jefferson County Planning Commission and the Historic Landmarks Commission on March 8, 2012.

Weekly Settlement report for Hollywood Casino at Charles Town Races and Slots for week ending February 18, 2012 received from 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, February 23, 2012**

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A meeting of the Jefferson County Commission was held on Thursday, February 23, 2012 in the County Commission meeting room at the Old Charles Town Library located at 200 E. Washington Street, Charles Town, West Virginia. Present were Commissioners Patricia Noland, Dale Manuel, Frances Morgan, Lyn Widmyer and Walt Pellish; Sandy McDonald, Interim County Administrator, Debbie Stellato, Administrative Assistant and Jimmie Eddy, Bailiff. (An audio tape of this February 23, 2012 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 Widmyer led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Motion by Mr. Manuel to approve the February 14, 2012 Minutes of the Board of Review and Equalization as presented. Motion seconded by Ms. Morgan and unanimously approved. (Ms. Noland abstained from voting as she was absent from this appeal hearing.)

Motion by Ms. Morgan to approve the February 16, 2012 Minutes of the regular Commission meeting as amended. Motion seconded by Mr. Manuel and unanimously approved.

Motion by Ms. Morgan to approve the February 16, 2012 Board of Review and Equalization Minutes as presented. Motion seconded by Mr. Pellish unanimously approved.

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

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$30,857.37, being purchase order numbers: 50839, 50873, 50980, 50673, 51017, 51065, 51066, 51062, 51064, 50699, 50736, 50737, 48569, 48568 and 50781. 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 \$129,005.91. Motion seconded by Mr. Manuel and unanimously approved.

#### **PUBLIC COMMENT**

There was no public comment.

Ms. Widmyer informed the Commission that Mike Ball, who was the Air Quality Controller for Region 9, passed away yesterday after a long illness. She remembered him as a kind, honorable and dedicated man who will be missed.

**NEW BUSINESS:**

1. **Legislative Updates.** Mr. Manuel updated the Commission on pending legislation.
2. **Review of iPad Policy.** Sandra McDonald, Interim County Administrator, provided the Commissioners with a proposed iPad Policy and asked that they review the document and advise her of any revisions to be made.

Ms. Widmyer recommended that a Public Access Policy be prepared for the Commission’s review. She further suggested that Meeting Agenda Packets be placed at the back of the room for members of the public who do not have access to a computer. Ms. Widmyer also stated that items should not be placed on the Commission Agenda until Staff is in possession of all supporting documentation.

Ms. Morgan recommended archiving files.

**PRESENTATIONS:**

**3. Angie Banks, County Assessor: Exonerations.**

Angie Banks, County Assessor, requested exoneration for Jerome Lademan in the amount of \$124.20. Motion by Ms. Morgan to approve exoneration of \$124.20 for Jerome Lademan, Ticket No. 305817. Motion seconded by Mr. Manuel and unanimously approved.

Name	District	Type	Ticket #	Amount
Jerome Lademan	CTC	Personal Property	305817	\$124.20

**COUNTY ADMINISTRATOR REPORTS**

**Sandra Slusher McDonald, Interim County Administrator:**

- Reported that paving for Lot 18 was being done on this date.
- Reported that Item #6 on the Agenda, Sue Lawton on behalf of the Jefferson County Public Service District, was removed from the Agenda as the JCPSD missed the deadline to apply for the Small Cities Block Grant for water system improvements for Glen Haven and Cavaland subdivisions.

**COUNTY COMMISSIONER REPORTS**

**Commissioner Widmyer:**

- Attended a pancake breakfast at the Citizens Fire Department and attended a pancake dinner at the Middleway Fire Department.
- Attended a Jefferson County Emergency Services Agency meeting.
- Attended a work session on Jefferson County employee health costs.
- Attended a Board of Review and Equalization meeting.

**Commissioner Manuel:**

- Attended a Board of Equalization and Review meeting.
- Participated in a phone call with legislators to obtain updates on pending legislation.
- Traveled to Charleston, West Virginia to participate in Jefferson County Day at the Legislature.
- Met with Governor Tomblin and representatives of the Department of Highways regarding paving for the Hite Road property.
- Attended a Jefferson County Emergency Services Authority meeting.
- Attended a work session on Jefferson County employee health costs.

**Commissioner Morgan:**

- Attended a Board of Equalization and Review meeting.
- Attended the Middleway Fire Department banquet.

**Commissioner Pellish:**

- Reported that the new Executive Director of the Jefferson County Development Authority is now on board.
- Attended a pancake dinner at the Citizens Fire Company.
- Attended a Board of Equalization and Review meeting.

**Commissioner Noland:**

- Attended a Board of Equalization and Review meeting.
- Attended a Jefferson County Emergency Services Agency meeting.
- Attended a work session on Jefferson County employee health costs.

**PRESENTATIONS continued:**

**4. Debra Young of the Victim Assistance Program - request for review and approval of the VOCA Grant for Jefferson County Victim Assistance Program.**

Motion by Mr. Manuel to support and approve the VOCA Grant. Motion seconded by Mr. Pellish and unanimously approved.

**The Commissioners took a break at 10:15 a.m.**

**The Commissioners reconvened the meeting at 10:30 a.m.**

**5. Ronda Lehman, Chairperson, Blue Ridge Watershed Coalition and John Maxey gave a Power Point presentation to the Commission and explained what the Coalition is currently working on and its plans and goals for the future. Ms. Lehman requested funds in the amount of \$15,000 from the Commission to match the \$10,000 allocated by Senator Unger and Governor Tomblin for the purchase of peak flow stream monitoring equipment. The Commission agreed that the matter of funding would be considered during budget discussions.**

**6. Paul Shroyer, Director of Financial Management requested approval for two Budget Revisions:**

- **State Level Budget Revision BR005** – Motion by Ms. Morgan to approve Budget Revision BR005. Motion seconded by Mr. Manuel and unanimously approved.
- **Budget Analysis 2012** – Mr. Shroyer provided a budget analysis to the Commission.
- **Internal Budget Revision #1003** – Motion by Ms. Morgan to approve Internal Budget Revision #1003. Motion seconded by Mr. Manuel and unanimously approved.

The Commission directed Staff to schedule a budget workshop for March 7, 2012 and set a public hearing for the week of March 12, 2012 and to advertise the events in a timely manner.

**7. Roger Goodwin, Chief County Engineer, requested:**

- **a reduction or release of the construction bond security for Kanawha Scales Systems, Inc. – Summit Point Automotive Center, LLC/STaSIS (File #S10-08) – Letter of Credit #00228-52-0009237 Branch Banking and Trust of Greensboro, North Carolina.**

Motion by Ms. Morgan to approve the complete release of the construction bond security for Kanawha Scales Systems, Inc. – Summit Point Automotive Center, LLC/STaSIS (File #S10-08) as recommended by Mr. Goodwin. Motion seconded by Mr. Manuel and unanimously approved.

- **Kirby and Linda Adams – request for refund of building permit fee – Permit #10-408.**

Motion by Ms. Morgan to approve the refund of the building permit fee – Permit #10-408 – in the amount of \$84.56 to Kirby and Linda Adams. Motion seconded by Mr. Manuel and unanimously approved.

**8. Stephanie Grove, Assistant Prosecuting Attorney, Transition Plan for Reorganization Update.**

Ms. Grove provided a proposed Transition Plan for Reorganization to the Commissioners for their review.

Motion by Mr. Manuel to hold any decision over until the next meeting to allow the Commissioners time to review the document. Motion seconded by Mr. Pellish and unanimously approved.

At Ms. Grove's suggestion, motion by Mr. Manuel for the Commission to enter into an Executive Session regarding a personnel issue. Motion seconded by Mr. Pellish and unanimously approved.

There being no further business there was unanimous consent by the Commissioners that upon termination of the Executive Session the regular meeting be adjourned until Thursday next, March 1, 2012.

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PATRICIA A. NOLAND, PRESIDENT

# PURCHASE ORDERS TO BE APPROVED

March 1, 2012

DEPARTMENT	PURCHASE ORDER	AMOUNT	VENDOR	DESCRIPTION
ADDRESSING	50840	\$ 106.11	BK OFFICE SUPPLY	SHARPIES, FOLDERS, POST-ITS
ASSESSOR	53290	\$ 548.29	PIFER OFFICE SUPPLY	TONER SHREDDER BAGS
COMMUNICATIONS	50975	\$ 300.00	TRI-STATE TELECOMMUNICATORS CONSORTIUM	ANNUAL BANQUET AWARD CEREMONY ( 12X \$25)
	50976	\$ 429.00	PRIORITY DISPATCH	ANNUAL CARDSET AGREEMENT
	50981	\$ 1,500.00	PANHANDLE ACCIDENT RECONSTRUCTION	BACKGROUND INVESTIGATION
COUNTY CLERK	50674	\$ 161.90	PIFER OFFICE SUPPLY	BOSTITCH ELECTRIC STAPLER (2)
	50675	\$ 501.92	CASTO&HARRIS	LASER WALLET CARDS
COURTHOUSE	51069	\$ 160.95	MATCO TOOLS	UNDER THE HOOD LIGHT
	50944	\$ 1,168.00	AMERICAN TRUCK SERVICE	PUMP FOR SNOW PLOW
	51073	\$ 606.70	VE MAUK PLUMBING SUPPLY	PLUMBING SUPPLIES FOR CONFERENCE ROOM BATHROOMS
MAINTENANCE	51070	\$ 12,591.00	FIDELITY POWER SYSTEMS	EMERGENCY GENERATOR
OTHER BUILDINGS	51071	\$ 371.00	FIDELITY POWER SYSTEMS	REPAIRS TO CATERPILLAR

	51077	\$ 1,405.28	ALLIANCE ELECTRIC, LLC	TRACE AND INSTALL NEW FEEDER IN MASON BLDG
	51072	\$ 183.25	THOMASSEN FORD INC.	SUPPLIES FOR REPAIR TO SO2300
	51068	\$ 2,529.89	RCS SECURITY	SECURITY MATERIALS & SERVICES
<b>GRAND TOTAL</b>		<b>\$ 22,563.29</b>	Printed at 12.06 p.m. on 2/27/2012	

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

Name: Bill Polk, Maintenance Director

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

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

Date Requested – 1<sup>st</sup> Choice: March 1, 2012

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

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

Subject: **Courthouse Update**

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

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

**Attachments:**



<p>Commission Office Use Only</p> <p>Date on Agenda: <u>3-1-12</u></p> <p>Appt Time or New Business: <u>Unfinished Business</u></p>
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**AGENDA REQUEST FORM**

Name: Gary Wine, IT Director

Department or Entity: Berkeley County Council

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

Date Requested – 1<sup>st</sup> Choice: March 1, 2012

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

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

Subject: **Review IT Committee Review Results**

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:**

## MEMORANDUM:

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To: Jefferson County Commission  
From: IT Committee  
Date: February 8, 2012

As per your request the IT Committee has met on 2 occasions and discussed the issues of Information Technology in Jefferson County. Our primary goal was to give an opinion to the Commission regarding the options of either continuing to perform IT in-house or consider the option of obtaining the services from a contractor. There are certainly areas within your current configuration that are both positive and negative and we have tried to assess all of them and come up with a suggestion that could support the growing technology demands in Jefferson County.

As we reviewed the support needs in the County several areas were discussed that we feel need to be addressed and are listed below:

- Standardized system configuration
- Centralized managed support agreements and contracts
- Centralized product specification/purchase recommendations
  - This would include but not be limited to; hardware, software, security level access etc...
- Helpdesk support – This would create a single point of contact (all Departments) for questions from applications support, systems down, training and all other technical support requests.

These are just a few of the items that need to be addressed but we believe that they begin to define the needs in Jefferson County. Many of the issues that exist in your system are created by not having standards. Adopting a plan that places all Constitutional Offices & Departments in an environment that can be supported centrally will ultimately lower costs and improve productivity.

One item we don't want to overlook is the ability for your users to gain access to their software support vendors. All of your software support requests will still be perform under the appropriate *software maintenance agreement* but your IT Department will handle all other levels of service. Separating the support arrangements will give your end users higher levels of local/desktop support while maintaining remote software assistance if necessary.

We also understand that the demand from the public for access to our information is increasing. We believe that upgrading the "core" infrastructure would create an environment necessary to

support the growth/development of applications that would allow additional “public” portals to our records.

It is our opinion that establishing an IT Department that is stand alone and not combined with other departments would be the most effective in supporting our needs. This model would need to be supported by all of the offices within the County. Continuing to try and provide support from multiple vendors and staff would be eliminated. The department would consist of an IT Director and (2) IT Specialist’s. This model currently works in the tri-state area and has been successful on many levels. Having a Director on site that can work with Constitutional Officers and Department Heads to plan, budget and implement technology will facilitate Jefferson County moving forward in all levels of Technology.

We base our recommendation on the fact that your current staff supports less than half of the equipment installed in the County. Departments like Law Enforcement, Tax Office, 911, Circuit Clerk are not currently supported and these additional demands will warrant the increase in staffing and skill set.

Lastly, we also recognize that it will be necessary to leverage contractual services to migrate your current configuration to a standard that can be supported efficiently by your department. This effort would be managed by the department as to ensure that the end result is acceptable.

Our projected costs for staff are listed below:

Position	Salary/Wages	FICA Match @ 6.2%	Medicare Expense @ 1.45	Group Insurance	Employer PERS @ 14.0%
IT Director	84,000.00	5,208.00	1,218.00	9,800.00	11,760.00
IT Specialist	42,000.00	2,604.00	609.00	9,800.00	5,880.00
IT Specialist	42,000.00	2,604.00	609.00	9,800.00	5,880.00
<b>Totals</b>	<b>168,000.00</b>	<b>10,416.00</b>	<b>2,436.00</b>	<b>29,400.00</b>	<b>23,520.00</b>

**Total In-house employment costs: \$ 210,252**

**Estimated Costs to outsource: \$ 300,000**

In closing, to effectively and efficiently support the technology needs both now and in the future we feel Jefferson County would be better served by having staff that could perform these functions. The operations of our government are 24x7x365 and having in-house resources available to cover their issues is a priority.



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<p>Commission Office Use Only</p> <p>Date on Agenda:</p> <p>Appt Time or New Business:</p>
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3-1-12  
Agenda

**AGENDA REQUEST FORM**

Name: **Paul Shroyer**\_\_\_\_\_

Department or Entity: **Finance Director**\_\_\_\_\_

Estimation of amount of time needed for appointment: **10-15**\_\_\_\_\_

Date Requested – 1<sup>st</sup> Choice: **2/16/12**\_\_\_\_\_

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

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

Subject: **AS/400 Security Policy**

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

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

Attachments:



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

Name: Paul Shroyer

Department or Entity: Finance Director

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

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: Cost Analysis of the feasibility of purchasing the Briel Building

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:

Lease vs Purchase discussion-Briel Building

This bond cost projection is present as a basis for consideration and discussion of purchasing the Briel Building verses continue to rent the building at a cost of approximately \$9,639 per month for the current lease. The lease cost would surely increase yearly if the county continued to lease the building in future years.

The chart below show the total cost that would be incurred if the county issued a (30) year bond as the basis of purchasing building. If you look at interest as a percentage of initial building cost, the interest on a 30 year bond paying 5% would be 93.26% of the initial building cost; for a 30 year bond the interest would be 71.87% of the initial building cost, and a 30 Yr 3% bond the interest would be 51.78% of the initial building cost.

Term	Rate	Mo Pymt	Principal over 30 yr	Net Principal in Calculation	Total Interest for a 30 yr Bond	Interest as a % of Building Cost
30 year bond	5% APR	9,663	3,478,608	1,800,000	1,678,608	93.26%
30 year bond	4% APR	8,593	3,093,653	1,800,000	1,293,653	71.87%
30 year bond	3% APR	7,589	2,732,040	1,800,000	932,040	51.78%

Commission Office Use Only
Date on Agenda:
Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Stephanie Grove,

Department or Entity: Assistant Prosecuting Attorney

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

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: **Transition Plan for Reorganization update – Possible Executive Session §6-9A-a**

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

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

Attachments:



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

Name: Stephanie Grove

Department or Entity: Assistant Prosecuting Attorney

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

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: Action/Discussion: Employment Agreement for Director of Capital Planning and Management, Possible Executive Session

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

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

Attachments:



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

Name: Stephanie Grove, Assistant Prosecuting Attorney

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

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

Date Requested – 1<sup>st</sup> Choice: March 1, 2012

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

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

Subject: **Approval of Order - Knode Property**

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:**

**BEFORE THE JEFFERSON COUNTY COMMISSION OF JEFFERSON COUNTY**

IN RE:           PETITION OF WILLIAM E. KNODE, JR., AND JO ANN KNODE TO  
VACATE UNUSED STREETS AND ALLEY

**ORDER DENYING PETITION TO CLOSE UNUSED ROADS**

On the 26<sup>th</sup> day of January, 2012, the County Commission of Jefferson County convened during their regular session to hold a public hearing on a Petition to closed unused streets and alley presented by William and Jo Ann Knode. The Petition requested that the County Commission close Princess Street (Extended) from the southern limit of Church Alley to Fairmont Avenue; Fairmont Avenue from Princess Street extending westwardly to the Town run; Old Prospect Street extending westwardly to the Town Run; and an unnamed alley from Princess Street extending westwardly to the Town Run.

At the hearing, Mr. Knode was present in person and by and through counsel, Mr. Chakmakian, Esq. The Commission heard testimony from William Knode; Norman Secrist; Steve Secrist; Hoy Shingleton, Esq., representing the Town of Shehperdstown; and Mercedes Prohaska. At the close of the public hearing the County Commission voted to hold the matter over to consider the evidence presented and hear from its own counsel on the matter

The County Commission then convened at their regularly scheduled meeting on February 9, 2012, to render a decision on the Petition. After hearing from counsel on the matter, Commissioner Morgan voted to deny the petition in total, which motion was seconded by Commissioner Widmyer.

In consideration of the applicant's presentation and testimony, the testimony from members of the public and all, documents and testimony in the record, the County Commission makes the following findings of fact:

1. Although Mr. Knode testified that he paid to pave Princess Street (Extended), there was testimony from Norman Secrist, Steve Secrist, and Mercedes Prohaska, that the public had used been using the road as a "turn around" for more than ten years.
2. Princess Street (extended) is shown as a public road way on the tax maps in the Jefferson County Assessor's office.
3. No taxes have been paid by Mr. Knode or any other owner of the surrounding property on the property that comprises the streets which are subject to the petition, including Princess Street (Extended).
4. Princess Street (Extended) has been identified pursuant to the Jefferson County Addressing Ordinance because it contains three addressable structures.
5. Members of the public testified that they continue to use Princess Street (Extended) and that its closure would have negative impact upon the safety of the surrounding property owners, tenants, and their customers.

In consideration of the findings above described, the Commission makes the following Conclusions of Law:

1. West Virginia Code § 7-1-3h provides that the County Commission is authorized to close and vacate any unused travel way, street or road upon a verified application of any landowner whose land abuts such travel way, street or road. However, "[b]efore acting to

close any such road, street, or designated travel way, the county court shall consider the application and shall fix a time and place for hearing on such application.”<sup>1</sup>

2. West Virginia Code § 17-1-3 provides that “[a]ny road shall be conclusively presumed to have been established when it has been used for the public for a period of ten years or more, and public moneys or labor have been expended thereon, whether there be any record of its conveyance, dedication or appropriation to public use or not.”
3. Princess Street (Extended) is an established public road as the testimony offered at the public hearing indicated that the public has used the road for a period of more than ten years, that taxes have not been paid on the road by any private landowner, and the road is designated as a public street on the Jefferson County tax maps.
4. West Virginia Code § 7-1-3h only allows the County Commission to close a road upon a finding that the public interest will not be adversely affected. “If the county court concludes and finds upon the record and evidence in the proceedings that the use and rights of no person or persons in such road, street or other travel way will be impaired or lost by the closing and vacation thereof, the county court shall proceed to enter an order closing and vacating such road, street or other travel way. . .”
5. The County Commission, in the instant case, cannot make the finding required by W.Va. Code § 7-1-3h that the rights of other persons will not be impaired if the request to close Princess Street (Extended) is granted. At least three members of the public testified that they and their customers continue to use Princess Street (Extended) and that its closure would negatively impact the safety of the public who continue to use the street.

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<sup>1</sup> Article IX § 9 of the West Virginia Constitution designated county courts as county commissions.

Accordingly, the County Commission denies William and Joann Knode's Petition to vacate unused streets and alleys. Commissioners Morgan, Widmyer, and Manuel voted to deny the petition. Commissioners Noland and Pellish voted against the motion to deny and would have granted the request.

County Commission of Jefferson County

By: \_\_\_\_\_  
Patsy Noland, President

ENTERED: \_\_\_\_\_



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

Name: Lyn Widmyer

Department or Entity: Commission

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

Date Requested – 1<sup>st</sup> Choice: March 1, 2012

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

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

Subject: Add stewardship of the environment to the Department of Engineering and rename it to the Department of Engineering, Impact Fees and Watershed Protection

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:



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Commission Office Use Only  
Date on Agenda:  
Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Nichelle Hosby

Department or Entity: County Commission

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

Date Requested – 1<sup>st</sup> Choice: 2/23/\*12

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

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

*Approved*  
Subject: **Review of the iPad Policy**

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:

Effective Date: February 9, 2012

Approved:

Revised:

Policy Number: 2012-1

## Jefferson County

### iPad Policy, Procedures, Information

TOPIC: iPad Procedures for County Commission and Staff

#### PURPOSE

This directive sets forth the comprehensive process for items pertaining to dissemination and usage of the iPad that will help catapult the Commission as it strives to implement green, environmentally friendly policies. The Policies and procedures in this document apply to all iPads used by Commissioners and staff.

#### POLICY

This policy is provided to makes all users aware of the responsibilities associated with efficient, ethical and lawful use of technology resources. If a person violates any of the User Terms and Conditions named in this policy, privileges may be terminated and access may be denied.

#### RECEIVING YOUR IPAD

- iPads will be distributed from the County Commission Office.

#### RETURNING YOUR iPad

- iPads must be turned into the Commission office at the end of each individual term of office, upon resignation or termination.

#### TAKING CARE OF YOUR IPAD

##### 1 General Precautions

- Only use a clean, soft cloth to clean the screen, no cleansers of any type.
- Cords and cables must be inserted carefully into the iPad to prevent damage.
- iPads must never be left in unlocked cars or any unsupervised area.

## **1.1 Carrying iPads**

The protective cases provide with iPads have sufficient padding to protect the iPad from normal treatment and provide a suitable means for carrying the device.

- iPads should always be within the protective case when carried.

## **1.2 Screen care**

The iPads can be damaged if subject to rough treatment. The screens are particularly sensitive to damage from excessive pressure on the screen.

- Do not lean on the top of the iPad when it is closed.
- Do not place anything near the iPad that could put pressure on the screen.
- Do not place anything in the carrying case that will press against the cover.
- Clean the screen with a soft, dry cloth or anti-static cloth.
- Do not bump the iPad against walls, car doors, floors ect as it will eventually break the screen.

## **USING YOUR iPad AND MANAGING YOUR FILES**

- iPads must be brought to the Commission meeting with you as the staff will no longer make copies of the huge agenda packet. (small packets will still be available for the public)
- Inappropriate media may not be used as a screensaver or background photo.
- Presence of guns, weapons pornographic materials, inappropriate language, alcohol, drugs, gang related symbols or pictures are unacceptable.
- Passwords are not to be used.
- Sound must be muted at all times.
- Data storage will be through apps on the iPad.
- Home internet access via wireless networks will be allowed.
- Email accounts may be set up on the iPad upon request.

## **SOFTWARE**

- Additional software will not be allowed without preauthorization from the IT Specialist.

## **ACCEPTABLE USE**

### **2 Counties Responsibilities**

- Provide internet access.
- Provide internet blocking of inappropriate material as able.
- Provide network and data storage areas.
- The staff reserves the right to review, monitor and restrict information stored on or transmitted via County Commission owned equipment and to investigate inappropriate use of resources.
- Provide Commissioners guidance to aid them and help assure compliance of the acceptable use policy.

## **2.1 Users Responsibilities**

- Use device in a responsible and ethical manner.
- Obey general rules concerning behavior and communication that apply to iPad use.
- Use technology resources in an appropriate manner so as to not damage equipment.
- Help staff protect our computer system/device by contacting staff about any security problems they may encounter.
- Monitor all activity on the account(s).
- Always turn off and secure the iPad after when finished working to protect the work and information.
- Return iPad cases/sleeves with only normal wear and no alterations to avoid paying an iPad case/sleeve replacement fee.
- Immediately report iPads that are lost or stolen- to staff and the Police Department.
- Charge iPad batteries so that it is always ready for use.

## **2.2 Protecting, Storing iPads, Repairing or Replacing iPads**

- iPads will be labeled and identified by serial numbers to each individual.
- The Commission Executive Assistant will store and load the agenda for each week on the individual iPads.
- The iPads will be repaired/replaced at no cost for software issues.
- Users will be responsible for ALL damages to their iPad including, but not limited to: broken screens and cracked plastic pieces.
- All claims must be reported to the Commission Executive Assistant along with a copy of a police or fire report.
- Failure to -report the lost/stolen of the iPad will result in the User being responsible for replacement.
- Any lost sleeve or carrying case will be charged to the user at replacement cost.

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

AGENDA REQUEST FORM

Name: Robert Shirley

Department or Entity: JCSO

Estimation of amount of time needed for appointment: 5 min

Date Requested - 1<sup>st</sup> Choice: 3/1/12

Date Requested - 2<sup>nd</sup> Choice: 3/8/12

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

Subject:

Hire New Deputy - Phoebe Rebecca Leber

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

The JCSO has a vacant, budgeted position that I would like to request approval to fill. The position would actually be paid less than the one vacated. She has passed all preliminary tests and investigations and is considered eligible to hire.

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

I approve the hire of Phoebe R Leber to the position of Deputy Sheriff.

Attachments:

\$42,300

**JEFFERSON COUNTY**

**Personnel Requisition**

Department Name Sheriff Date 2/23/2012 Date Needed \_\_\_\_\_

Job Title Deputy Salary 42,300 Criminal History Check \_\_\_ Yes \_\_\_ No

Suggested Recruitment Source(s) \_\_\_\_\_

Applicants Interviewed By \_\_\_\_\_ Position Reports To \_\_\_\_\_

Minimum Education Required \_\_\_\_\_

Minimum Experience Required \_\_\_\_\_

Job Duties \_\_\_\_\_

**Budget Information**

Addition \_\_\_ Replacement \_\_\_ Explain or For Whom Existing vacant position

Position Budgeted \_\_\_ Yes \_\_\_ No Proposed Salary 42,300 Date of Hire 3/19/2012

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

Safety/Security \_\_\_\_\_ Hours Per Week \_\_\_\_\_

**Approvals**

Elected Official Approval \_\_\_\_\_ Date \_\_\_\_\_

Department Head Approval \_\_\_\_\_ Date \_\_\_\_\_

County Commission Approval \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

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

Name: Walt Pellish

Department or Entity: Commission

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

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: **Executive Session to discuss Economic Development opportunity**

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

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

Attachments:



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

Name Nancy Bender

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

Estimation of amount of time needed for appointment: 10 min

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: request to use meeting room, lower level of the Old Charles Town Library

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

A group of people interested in genealogy has formed over the past 2 years. As we have grown & expanded we looked find a place to meet. We were using the room belonging to the Jefferson County Museum but that is no longer available

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

I am seeking approval for the CHAT group to use the County Commission meeting room at 200E Washington St, Charles Town on the second Saturday of every month from 10 AM until 12 noon.

Attachments:

- meeting room request form
- Indemnification form

COUNTY COMMISSION MEETING ROOM

Form-27

REQUEST FORM

Date Requested: 2<sup>nd</sup> Saturday of each month (starting March)  
 Meeting Time: 10 AM to 12 noon  
 Organization Name: CHAT: Charles Town Ancestor Trackers  
 Purpose of Meeting: genealogy research + networking

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

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

- Has previously used the library
- Is a not-for-profit organization
- Can provide a certificate of insurance
- Indemnification Form provided in lieu of certificate of insurance

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

Person Making Request: (printed): Nancy W Bender

Signature of Person Making Request: Nancy W Bender Date: 2/19/12

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

Representative's Address: 530 Brooke St  
Charles Town, WV 25414

Telephone: 304-283-8820 Fax: \_\_\_\_\_

email: nbender Rn@hotmail.com

**COUNTY COMMISSION MEETING ROOM**

**INDEMNIFICATION FORM**

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

Person Making Request: (printed): Nancy Bender

Signature of Person Making Request: Nancy W Bender Date: 2/19/12

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

Representative's Address: 530 Brooke St  
Charles Town, WV 25414

Telephone: 304-<sup>283-</sup>~~788~~ 0820 Fax: \_\_\_\_\_

E-mail: nbender.Rn@hotmail.com



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

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

Department or Entity: **County Commission** \_\_\_\_\_

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

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: **Legislative Updates**

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:

# CCAWV Legislative Lineup - Week 6 - February 23, 2012

By Vivian Parsons, Executive Director

The first section of bills below is a quick update of some of the bills we've been following. Wednesday, February 29, 2012 is "cross-over day," the final day for each house to work on their own bills. Any bill that has not passed its house of origin by the 29th is dead. The next few days will be busy ones. I'll send updates as things happen. Stay tuned...

Bill	Title	SA(Same As)/ SI(Similar To)	Last Action	Committee Reference
<u>SB 150</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Clarifying Consolidated Public Retirement Board's authority to determine public employer contribution rate	SA HB 4482	01/11/12 - To Senate Pensions	Senate Reference 1 - Pensions Senate Reference 2 - Finance
<u>SB 157</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Dedicating portion of oil and gas severance tax to counties and municipalities of origin	SA HB 4129	02/22/12 - To Senate Finance	Senate Reference 1 - Energy, Industry and Mining Senate Reference 2 - Finance
<u>SB 187</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Authorizing counties and municipalities accept credit or check card as payment		02/02/12 - To House Political Subdivisions	House Reference 1 - Political Subdivisions House Reference 2 - Judiciary Senate Reference 1 - Government Organization
<u>SB 168</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Increasing compensation of certain county officials	SI HB 4405	02/02/12 - To Senate Senator Snyder requests to be removed as sponsor of bill	Senate Reference 1 - Government Organization Senate Reference 2 - Finance
<u>SB 354</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Relating to filling vacancies in certain county offices	SA HB 4305	02/22/12 - To Senate Judiciary	Senate Reference 1 - Government Organization Senate Reference 2 - Judiciary
<u>SB 385</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Increasing membership of PEIA Finance Board	SA HB 4304	02/24/12 - To Senate On 1st reading 1st Reading	Senate Reference 1 - Banking and Insurance Senate Reference 2 - Government Organization
<u>SB 387</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Requiring training of floodplain managers		02/24/12 - To Senate On 1st reading 1st Reading	Senate Reference 1 - Government Organization
<u>SB 409</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Substituting community service for jail confinement for certain persons convicted of alcohol-related crimes		02/14/12 - To House Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Judiciary
<u>SB 468</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Allowing Courthouse Facilities Improvement Authority issue bonds	SA HB 4534	02/22/12 - To House Finance	House Reference 1 - Finance Senate Reference 1 - Judiciary Senate Reference 2 - Finance
<u>SB 528</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Relating to dedication of proceeds from county excise tax on transfer of real property	SI HB 4117	02/22/12 - To House Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance Senate Reference 1 - Finance
<u>SB 620</u> (High) <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Permitting Harrison County Commission levy special district excise tax	SA HB 4667	02/22/12 - To Senate Finance	Senate Reference 1 - Government Organization Senate Reference 2 - Finance

<b>SB 625</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Reducing capital improvement original cost and new investment cost requirements for qualified capital additions to manufacturing facilities	SA HB 4537	02/22/12 - To Senate Finance	Senate Reference 1 - Economic Development Senate Reference 2 - Finance
<b>HB 4030</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Prioritizing the payment of fees, costs, bonds, fines or other sums charged or assessed in magistrate courts in civil and criminal matters		02/24/12 - To House From Calendar, 1st reading, placed on Special Calendar 1st Reading, Special Calendar	House Reference 1 - Judiciary House Reference 2 - Finance
<b>HB 4305</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Relating to vacancies in offices of county commissioner, clerk of the county commission, clerk of the circuit court, prosecuting attorney, sheriff, assessor and surveyor	SA SB 354	02/02/12 - To House Judiciary	House Reference 1 - Political Subdivisions House Reference 2 - Judiciary
<b>HB 4452</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Clarifying the authority of the West Virginia Consolidated Public Retirement Board to determine the participating public employer contribution rate	SA SB 150	02/10/12 - To House Pensions and Retirement	House Reference 1 - Pensions and Retirement House Reference 2 - Finance
<b>HB 4486</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Reforming, altering or modifying a county commission		02/24/12 - To House From Calendar, 1st reading, placed on Special Calendar 1st Reading, Special Calendar	House Reference 1 - Political Subdivisions House Reference 2 - Judiciary
<b>HB 4499</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Relating to severance taxes collected for privilege of producing oil or natural gas		02/13/12 - To House Finance	House Reference 1 - Finance
<b>HB 4533</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Allowing county fire companies and departments to charge reasonable reimbursement fees		02/15/12 - To House Political Subdivisions	House Reference 1 - Political Subdivisions House Reference 2 - Finance
<b>HB 4582</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	(High)	Expanding the scope of the Freedom of Information Act		02/17/12 - To House Judiciary	House Reference 1 - Judiciary

**Monday, February 20th was the final day to introduce bills. Following are those of county interest introduced...**

## Personalized Bill Tracking List

Bill Title	Author	Effective Date	Committee Reference	Notes
<u>HJR</u> <u>113</u>	The "Homestead Exemption Increase Amendment"	02/16/12 - To House House Finance	House Reference 1 - Constitutional Revision House Reference 2 - Finance	Hearing that this resolution is picking up speed. It is in House Finance.
<u>SB</u> <u>625</u>	Reducing capital improvement original cost and new investment cost requirements for qualified capital additions to manufacturing facilities	<u>SA HB</u> <u>4537</u> 02/22/12 - To Senate Finance	Senate Reference 1 - Economic Development Senate Reference 2 - Finance	
<u>SB</u> <u>629</u>	Creating Class II residential property improvements tax credit	02/17/12 - To Senate Finance	Senate Reference 1 - Finance	
<u>SB</u> <u>631</u>	Permitting Monongalia County Commission levy special district excise tax	02/17/12 - To Senate Government Organization	Senate Reference 1 - Government Organization Senate Reference 2 - Finance	
<u>SB</u> <u>652</u>	Relating to comprehensive agreements for public-private transportation facilities	02/20/12 - To Senate Transportation and Infrastructure	Senate Reference 1 - Transportation and Infrastructure Senate Reference 2 - Finance	
<u>HB</u> <u>4582</u>	Expanding the scope of the Freedom of Information Act	02/17/12 - To House House Judiciary	House Reference 1 - Judiciary	
<u>HB</u> <u>4585</u>	Exempting volunteer fire departments from the definition of "public authority" if they are constructing a facility to replace one that has been destroyed	02/17/12 - To House House Judiciary	House Reference 1 - Judiciary	
<u>HB</u> <u>4592</u>	Creating a requirement for multiple prime contract bids on certain public works projects	02/17/12 - To House House Government Organization	House Reference 1 - Government Organization	
<u>HB</u> <u>4597</u>	Permitting volunteer firefighters to automatically qualify for Promise Scholarships	02/17/12 - To House House Education	House Reference 1 - Education House Reference 2 - Finance	

<u>HB</u> <del>3994</del>	Relating to assessment of real property		02/17/12 - To House House Judiciary	<b>House Reference</b> 1 - Judiciary <b>House Reference</b> 2 - Finance	
<u>HB</u> <u>4610</u>	Revising the definition of "all-terrain vehicle"	02/17/12 - To House House Roads and Transportation	02/17/12 - To House House Roads and Transportation	<b>House Reference</b> 1 - Roads and Transportation <b>House Reference</b> 2 - Judiciary	
<u>HB</u> <u>4613</u>	Relating to development of broadband infrastructure and broadband deployment in this state	<u>SA SB</u> <u>635</u>	02/17/12 - To House House Finance	<b>House Reference</b> 1 - Finance	
<u>HB</u> <u>4628</u>	Relating to erroneous sale of tax lien	02/20/12 - To House House Judiciary	02/20/12 - To House House Judiciary	<b>House Reference</b> 1 - Judiciary <b>House Reference</b> 2 - Finance	
<u>HB</u> <u>4630</u>	Modifying the membership of the Braxton County Recreational Development Authority	02/24/12 - To House On 3rd reading, Local Calendar 3rd Reading	02/24/12 - To House On 3rd reading, Local Calendar 3rd Reading	<b>House Reference</b> 1 - Political Subdivisions	
<u>HB</u> <u>4644</u>	Limiting the exemption from the hotel occupancy tax	02/20/12 - To House House Political Subdivisions	02/20/12 - To House House Political Subdivisions	<b>House Reference</b> 1 - Political Subdivisions <b>House Reference</b> 2 - Finance	Since Pol Sub is not going to meet to act on any more House bills, this one is most likely dead.



RECEIVED

FEB 17 2012

JEFFERSON COUNTY  
CIRCUIT CLERK

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



5 cc's

**THE COUNTY LEGISLATIVE LINE**  
**Friday, February 17, 2012**

- Co. Clerk
- Co. Comm
- JCS
- Assessor
- Pres. Atty

2-17-12  
Bc

**Capitol Quotes:**

*"Who would pay for the new software and hardware? Is there any financial responsibility for counties?" Del. Hamilton to a Secretary of State representative on HB 4408, who responded that the Secretary of State's office would pay for training (but never did say that there would not be any cost to counties)*

*"This (online registration) makes it incredibly susceptible to hacking." Del. Lane on HB 4408, pointing out after a quick Google search that in the past six months the computers of the FBI, CIA, Homeland Security, Target, Mastercard, etc. have been hacked*

*"We're trying to put a band-aid on a badly bleeding bill." Del. Ireland on the same bill, HB 4408, which was discussed for almost two hours by House Judiciary and passed out on a vote of 14-12.*

*"We call this Del. Doyle's going-away present." Del. Manchin on HB 4488, a bill sponsored by Del. Doyle to revise various permissive ways to re-form a County Commission*

*"We have to quit locking them up. You know what - nobody's cured." Sen. Chafin on Com Sub for SB 526 which will allow counties to add to transfer tax to fund jail costs and substance abuse treatment*

*"I trust counties to do what counties think are right. We're letting them make decisions." Sen. Miller on Com Sub for SB 526*

*"I have never seen anything like what's happening in our state right now with the explosion of drugs." Judge Moats of Barbour County, speaking of his 36 years of being a lawyer as part of his remarks at a Public Hearing on Substance Abuse*

*"I'd like to see us build a treatment facility that happens to be a prison." Another Judge speaking at the Public Hearing*

I hope everyone had a Happy Valentine's Day. For those of you who attended the WVACO 2012 Annual Meeting, thanks for coming! We hope you had a great time. Due to the meeting, I'm a little behind so there will be a catch-up fax and email next week.

Monday, Feb. 20<sup>th</sup> marks my favorite day of the session - the last day to introduce bills! The flood of introduced bills stops and it's easier to get a handle on what we're dealing with. Bills can still be originated in committee.

*Lobbying for Compensation Increase for County Officials:*

*Keep it short & sweet! Even the negative editorials have acknowledged that it's been 6 years. We need county officials to make calls, send emails, and come to the Capitol. This is not going to happen without a full-court press! Please keep in mind that the judicial pay raise that passed last year was accomplished because members of the Judiciary were present every day!*

*Calls of support need to be made to Chairman Prezioso and members of Senate Finance to put SB 168, the County Officials Compensation Increase, on the agenda. Calls of support need to be made **immediately** to Chairman Tim Manchin and members of the House Political Subdivisions Committee for HB 4405, the County Officials Compensation Increase. The last day for him to run the bill in House Poli Sub is Wed., Feb. 22<sup>nd</sup>. The Legislature is merely providing the authority for county officials to accept their salary increase or not but they need to know they have support.*

In other news, HB 4408, a Secretary of State's bill, was the subject of lengthy discussion in House Judiciary. County Clerks are opposed to the bill's online registration requirement for DMV because of potential hacking and because DMV's system is not ready to implement this for 24 to 36 months. The bill passed out of committee with a bipartisan 14-12 vote.

SB 460, a bill for Assessors to raise the minimum appraised value of driveable cars to \$700 has been turned into an antique car bill by Senate Transportation Committee. They will be taking up a bill that puts a \$1,000 assessed value on vehicles that fit the definition and are registered as antique vehicles.

House Constitutional Revision Committee sent to Finance Committee a constitutional amendment that will exempt vehicles for active duty military. The resolution needs revision because as written it applies to all family vehicles and it was intended for just one vehicle per person on active duty.

SB 365, one of our Legislative priorities, will give non-state entities a representative on the PEIA Finance Board. It passed out of Banking & Insurance on Thursday.

SB 526 was a bill similar to SB 347 which would allow counties to keep the portion of transfer tax currently sent to the State. The committee substitute taken up by Senate Finance changes it to a permissive imposition of an additional transfer tax at the

discretion of the county commission. The additional amount can be up to the current amount of \$1.10 per \$500 and is to be used for regional jails and substance abuse treatment programs.

Sheriffs have been working on HB 4034 which would limit prescriptions for controlled substances to no more than two within 72 hours. Sheriffs and prosecutors have been working on revisions to the lengthy Public Safety and Offender Accountability Act (sentencing reform). The over 100 page bill is almost half its original length now so they are making progress!

The WV Courthouse Facilities Improvement Authority's bill, SB 468, would authorize bonding authority for the ability to do larger courthouse projects. It passed Senate Finance on Thursday.

A public hearing on the Governor's Substance Abuse bill, SB 437 and HB 4336, was held Thursday afternoon and attracted a packed House Chamber. Everyone from circuit judges to recovering addicts said that more funding is needed for treatment. I spoke at the hearing, stating that I hear from both prosecutors and sheriffs that there's been enough talk and action is needed.

I have included with the fax (not the emailed version) a copy of "Together We're Stronger," a fact sheet on the county compensation bill.

**Legislative Calendar:**

Feb. 20<sup>th</sup> – last day to introduce bills

Feb. 26<sup>th</sup> – Bills due out of committee in house of origin to ensure 3 full days for readings

Feb. 29<sup>th</sup> – 50<sup>th</sup> day; "Crossover day" Bills must pass their house of origin

**Keep up with the Legislature:**

[www.legis.state.wv.us](http://www.legis.state.wv.us) and

WV PBS "The Legislature Today" at 6:30 p.m. Mon-Fri; repeated at 11:30 p.m.



together  
WE'RE Stronger

### THE FACTS ABOUT THE COUNTY OFFICIALS' COMPENSATION LEGISLATION

The elected county officials of West Virginia are collectively united in their effort to seek a compensation increase during this legislative session. This effort was discussed at length by each of the member associations of the West Virginia Association of Counties: the Association of West Virginia Assessors, the West Virginia County Clerks' Association, the West Virginia Association of Circuit Clerks, the County Commissioners' Association of West Virginia, the West Virginia Prosecuting Attorneys' Association, and the West Virginia Sheriffs' Association. It is always a difficult process to take this issue to the Legislature, and not one that elected officials undertake lightly or frequently. The last compensation increase for county officials went into effect on July 1, 2006. If this initiative passes during the 2012 session and becomes effective on July 1, 2012, it will have been six years. Most likely, it will be another six years until the next effort.

Our across-the-board salary proposals are based on several considerations:

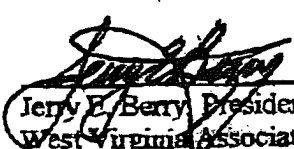
- the infrequency with which we seek a compensation increase
- the increased responsibilities, caseloads, and workloads of county offices
- the interests of the public in attracting and keeping qualified, capable and professional county officials
- the recognition that county officials in smaller counties have minimal staff but lower compensation so an across-the-board increase reflects that better than a percentage
- an agreement that County Clerks and Circuit Clerks have seen a disparity in their salaries as compared to Assessors and Sheriffs since the mid-1990's and deserve parity
- Consumer Price Index data shows that the cost of living has gone up, *on average*, 2.3% annually between 2006-2011; other than the effort to give parity to County and Circuit Clerks and our smaller counties, the proposal takes into consideration cost-of-living for the past six years and the length of time before there will be another salary initiative

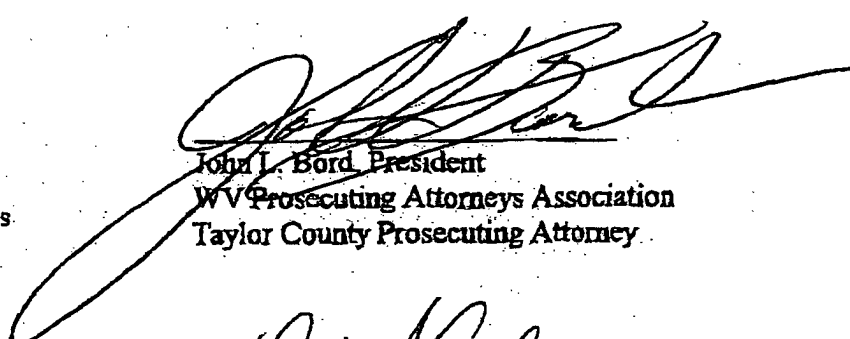
There are protections built into the statute for counties:

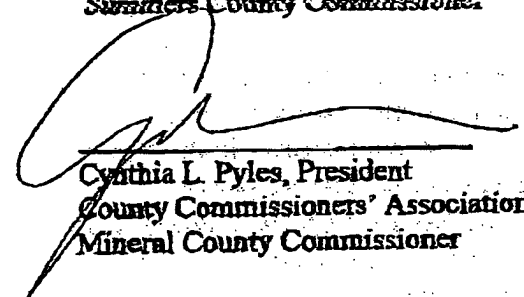
- (1) the State Auditor determines whether a county has sufficient revenue to implement the salary increases; and
- (2) County Officials must sign an agreement to accept the salary increase prior to its commencement. We are the *only* elected officials who must sign an affidavit in order to accept a salary increase. For example, if a County or Circuit Clerk decides not to accept the pay raise and does not sign the agreement, that salary prescribed by law will not go into effect until a new term of office starts for County and Circuit Clerks on January 1, 2017.

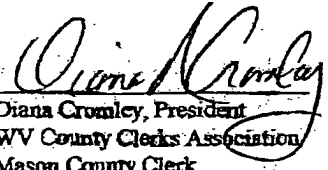
***The West Virginia Constitution requires that the salaries of elected officials are to be prescribed by law so legislative action is our only recourse for compensation initiatives, even though the salaries are paid entirely from county revenue.*** Under the auspices of the West Virginia Association of Counties, a Compensation Committee has been studying this and related issues for two years. We accomplished a major "clean-up" of the entire article that governs compensation and other matters related to county officials and are currently studying how elected county officials are compensated in other states, how that compensation is determined, how counties are classified (as by assessed valuations in West Virginia or by population in several other states), and generally reviewing improved methods for compensation recommendations. For example, many states use a County Officials Compensation Commission that works similarly to West Virginia's Legislative Compensation Commission.

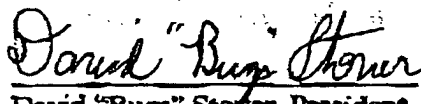
***The West Virginia Association of Counties and our member associations support fair and equitable salaries for our elected county officials, statewide Constitutional officers, members of the Legislature, and public employees. It is in the best interest of the public to adequately compensate those who devote time and effort to public service.***

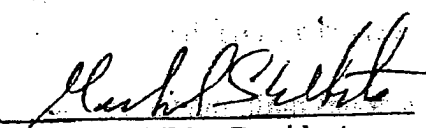
  
Jerry E. Berry, President  
West Virginia Association of Counties  
Summers County Commissioner

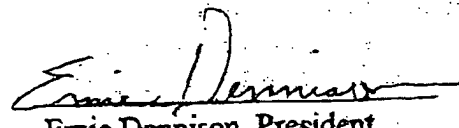
  
John L. Bord, President  
WV Prosecuting Attorneys Association  
Taylor County Prosecuting Attorney

  
Cynthia L. Pyles, President  
County Commissioners' Association of WV  
Mineral County Commissioner

  
Diana Cromley, President  
WV County Clerks Association  
Mason County Clerk

  
David "Bugs" Stover, President  
West Virginia Association of Circuit Clerks  
Wyoming County Circuit Clerk

  
Michael S. White, President  
West Virginia Sheriffs' Association  
Hancock County Sheriff

  
Ernie Dennison, President  
Association of WV Assessors  
Nicholas County Assessor

## Personalized Bill Tracking List

*House Bills 2/10 - 2/14*

HB 4482 (None)	Clarifying the authority of the West Virginia Consolidated Public Retirement Board to determine the participating public employer contribution rate	SA SB 150	02/10/12 - To House Pensions and Retirement	House Reference 1 - Pensions and Retirement House Reference 2 - Finance	
HB 4487 (None)	Conforming the code to federal requirements for the provision of Presidential office ballots to registered voters moving from the state	SA SB 494	02/10/12 - To House Judiciary	House Reference 1 - Judiciary	Secretary of State bill
HB 4488 (None)	Reforming, altering or modifying a county commission		02/10/12 - To House Political Subdivisions	House Reference 1 - Political Subdivisions House Reference 2 - Judiciary	
HB 4495 (None)	Relating to the disposition of forfeited or abandoned firearms	SA SB 149	02/10/12 - To House Judiciary	House Reference 1 - Judiciary	
HB 4499 (None)	Relating to severance taxes collected for privilege of producing oil or natural gas		02/13/12 - To House Finance	House Reference 1 - Finance	Money for infrastructure for producing counties
HB 4506 (None)	Relating to absentee ballot fraud		02/13/12 - To House Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance	
HB 4515 (None)	Relating to procedures for writs of execution, suggestions and suggestee executions relating to child support and spousal support, and increasing the statute of limitations		02/14/12 - To House Judiciary	House Reference 1 - Judiciary	
HB 4517 (None)	Eliminating the ad valorem tax for barren coal properties		02/14/12 - To House Finance	House Reference 1 - Finance	





**JEFFERSON COUNTY, WEST VIRGINIA**  
**Departments of Planning & Zoning**  
116 East Washington Street, 2<sup>nd</sup> Floor  
P.O. Box 338  
Charles Town, West Virginia 25414

**CONTACT: JENNIFER BROCKMAN**  
Telephone: (304) 728-3228

**FOR IMMEDIATE RELEASE**  
Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

**PRESS RELEASE**

**U.S. Route 340 East Gateway Plan Public Meeting Slated for March 8, 2012**

**Date: March 8, 2012 at 7:00 p.m.**  
**Location: Charles Town Library**

The staff from the Departments of Planning and Zoning and transportation consultants will make a U.S. 340 East Corridor Study presentation on the goals and objectives, final land use scenario, and implementation action items during a joint meeting of the County Commission and Planning Commission.

This study, being developed by the Jefferson County Departments of Planning & Zoning, is a collaborative process to create a small area plan using a series of meetings to gather citizen input related to land use and future planning efforts for the segment of U.S. 340 between Charles Town/Ranson and Harpers Ferry/Bolivar.

Input received from the first five public meetings and from two phases of MetroQuest, an interactive online tool that captures public feedback, was used to develop a preferred land use/growth scenario for this corridor. The preferred land use/growth scenario is intended to represent a broad range of general patterns of the US 340 Corridor; reflect the broad feedback received from the community; show general locations of possible future land use activities; and show how the corridor could look in 25 years. This preferred scenario was finalized at the December 6, 2011 meeting and was the basis for detailed traffic modeling and analysis to provide feedback regarding the impact of the scenario on the traffic in the corridor.

The 5th public meeting was held on January 19th, and the purpose was to hear a presentation from the transportation consultant regarding the impact of the preferred land use scenario and alternative transportation improvements that should be considered in conjunction with the preferred land use/growth scenario. The public had the opportunity to provide feedback on 30 theoretical transportation projects and finalize the recommendations of the plan.

Project Website: <http://www.jeffersoncountywv.org/Rt340.html>



# SHEPHERDSTOWN FIRE DEPARTMENT, INC.

8052 Martinsburg Pike • PO Box F • Shepherdstown, WV 25443

(304) 876-2311 • ShepherdstownFireDepartment.com

February 20, 2012

Dear Commissioners and your guest

The members of the Shepherdstown Fire Department cordially invite you and a guest to attend our annual Recognition & Awards Dinner and Dance on Saturday, March 17, 2012. This event will begin with a social hour starting at 5:30 pm followed by dinner at 6:30 pm, the awards ceremony, and a dance.

Please complete the bottom of this letter and return it via mail by March 7, 2012 to:

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

Sincerely yours,

Jim Locke  
2011 Banquet Committee

RECEIVED

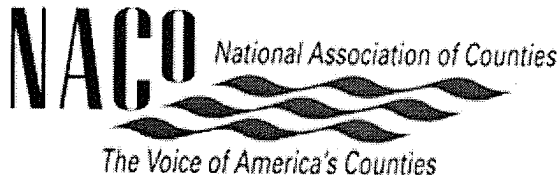
Jefferson County Commission

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2011 SFD Awards Banquet Reservation – March 17, 2012

Total# of people attending \_\_\_\_\_

Name(s): \_\_\_\_\_



## NACo Prescription Drug Discount Card Program

Jefferson County, WV													
MONTH	TOTAL	PLAN PRICED	% OF PLAN PRICED	RETAIL PRICED	% OF RETAIL PRICED	MEMBER COST	AVG MEMBER COST	RETAIL SUBMITTED PRICE	AVG RETAIL SUBMITTED PRICE	PRICE SAVINGS	AVG PRICE SAVINGS	% OF PRICE SAVINGS	TOTAL UTILIZERS
<b>2012</b>													
JANUARY	131	76	58.02%	55	41.98%	\$ 3,525.57	\$ 26.91	\$ 5,024.28	\$ 38.35	\$ 1,498.71	\$ 11.44	29.83%	66
<b>2011</b>													
DECEMBER	155	93	60.00%	62	40.00%	\$ 5,765.57	\$ 37.20	\$ 7,748.02	\$ 49.99	\$ 1,982.45	\$ 12.79	25.59%	79
NOVEMBER	146	79	54.11%	67	45.89%	\$ 3,472.51	\$ 23.78	\$ 5,083.38	\$ 34.82	\$ 1,610.87	\$ 11.03	31.69%	74
OCTOBER	145	86	59.31%	59	40.69%	\$ 3,975.57	\$ 27.42	\$ 5,839.54	\$ 40.27	\$ 1,863.97	\$ 12.86	31.92%	72
SEPTEMBER	172	106	61.63%	66	38.37%	\$ 4,434.21	\$ 25.78	\$ 6,744.87	\$ 39.21	\$ 2,310.66	\$ 13.43	34.26%	71
AUGUST	169	104	61.54%	65	38.46%	\$ 4,080.91	\$ 24.15	\$ 6,287.94	\$ 37.21	\$ 2,207.03	\$ 13.06	35.10%	72
JULY	150	97	64.67%	53	35.33%	\$ 4,893.78	\$ 32.63	\$ 6,898.57	\$ 45.99	\$ 2,004.79	\$ 13.37	29.06%	76
JUNE	154	96	62.34%	58	37.66%	\$ 4,571.00	\$ 29.68	\$ 6,763.62	\$ 43.92	\$ 2,192.62	\$ 14.24	32.42%	78
MAY	167	99	59.28%	68	40.72%	\$ 5,157.29	\$ 30.88	\$ 7,332.44	\$ 43.91	\$ 2,175.15	\$ 13.02	29.66%	87
APRIL	162	94	58.02%	68	41.98%	\$ 5,051.23	\$ 31.18	\$ 7,145.17	\$ 44.11	\$ 2,093.94	\$ 12.93	29.31%	79
MARCH	201	109	54.23%	92	45.77%	\$ 5,624.14	\$ 27.98	\$ 7,845.15	\$ 39.03	\$ 2,221.01	\$ 11.05	28.31%	95
FEBRUARY	150	83	55.33%	67	44.67%	\$ 4,236.29	\$ 28.24	\$ 6,083.92	\$ 40.56	\$ 1,847.63	\$ 12.32	30.37%	78
JANUARY	186	109	58.60%	77	41.40%	\$ 5,607.92	\$ 30.15	\$ 7,872.18	\$ 42.32	\$ 2,264.26	\$ 12.17	28.76%	93
<b>2010</b>													
DECEMBER	191	111	58.12%	80	41.88%	\$ 5,995.10	\$ 31.39	\$ 8,231.73	\$ 43.10	\$ 2,236.63	\$ 11.71	27.17%	96
NOVEMBER	240	141	58.75%	99	41.25%	\$ 6,735.08	\$ 28.06	\$ 9,599.10	\$ 40.00	\$ 2,864.02	\$ 11.93	29.84%	113
OCTOBER	242	137	56.61%	105	43.39%	\$ 6,570.09	\$ 27.15	\$ 9,167.52	\$ 37.88	\$ 2,597.43	\$ 10.73	28.33%	118
SEPTEMBER	194	113	58.25%	81	41.75%	\$ 5,602.61	\$ 28.88	\$ 7,935.87	\$ 40.91	\$ 2,333.26	\$ 12.03	29.40%	96
AUGUST	236	152	64.41%	84	35.59%	\$ 10,491.08	\$ 44.45	\$ 14,042.33	\$ 59.50	\$ 3,551.25	\$ 15.05	25.29%	104
JULY	232	143	61.64%	89	38.36%	\$ 7,825.67	\$ 33.73	\$ 10,752.94	\$ 46.35	\$ 2,927.27	\$ 12.62	27.22%	111
JUNE	224	143	63.84%	81	36.16%	\$ 6,120.75	\$ 27.32	\$ 8,712.68	\$ 38.90	\$ 2,591.93	\$ 11.57	29.75%	111
MAY	226	146	64.60%	80	35.40%	\$ 6,630.75	\$ 29.34	\$ 9,525.34	\$ 42.15	\$ 2,894.59	\$ 12.81	30.39%	106
APRIL	252	150	59.52%	102	40.48%	\$	\$ 30.58	\$	\$ 44.36	\$	\$ 13.78	31.07%	113

						7,705.22		11,178.59		3,473.37			
MARCH	242	149	61.57%	93	38.43%	6,802.19	\$ 28.11	10,079.39	\$ 41.65	3,277.20	\$ 13.54	32.51%	112
FEBRUARY	206	139	67.48%	67	32.52%	6,839.07	\$ 33.20	\$ 9,871.06	\$ 47.92	3,031.99	\$ 14.72	30.72%	105
JANUARY	267	169	63.30%	98	36.70%	7,459.20	\$ 27.94	10,596.25	\$ 39.69	3,137.05	\$ 11.75	29.61%	127
<b>2009</b>													
DECEMBER	217	135	62.21%	82	37.79%	6,578.01	\$ 30.31	\$ 9,311.32	\$ 42.91	2,733.31	\$ 12.60	29.35%	101
NOVEMBER	226	137	60.62%	89	39.38%	6,269.59	\$ 27.74	\$ 8,967.87	\$ 39.68	2,698.28	\$ 11.94	30.09%	99
OCTOBER	218	140	64.22%	78	35.78%	6,468.85	\$ 29.67	\$ 9,020.85	\$ 41.38	2,552.00	\$ 11.71	28.29%	96
SEPTEMBER	190	120	63.16%	70	36.84%	5,236.97	\$ 27.56	\$ 7,677.45	\$ 40.41	2,440.48	\$ 12.84	31.79%	82
AUGUST	202	138	68.32%	64	31.68%	6,462.86	\$ 31.99	\$ 9,392.68	\$ 46.50	2,929.82	\$ 14.50	31.19%	90
JULY	177	109	61.58%	68	38.42%	6,082.48	\$ 34.36	\$ 8,021.11	\$ 45.32	1,938.63	\$ 10.95	24.17%	72
JUNE	165	115	69.70%	50	30.30%	5,829.95	\$ 35.33	\$ 8,038.29	\$ 48.72	2,208.34	\$ 13.38	27.47%	69
MAY	132	89	67.42%	43	32.58%	4,715.15	\$ 35.72	\$ 6,234.28	\$ 47.23	1,519.13	\$ 11.51	24.37%	59
APRIL	108	70	64.81%	38	35.19%	5,222.65	\$ 48.36	\$ 6,718.16	\$ 62.21	1,495.51	\$ 13.85	22.26%	52
MARCH	69	48	69.57%	21	30.43%	2,677.59	\$ 38.81	\$ 3,480.86	\$ 50.45	\$ 803.27	\$ 11.64	23.08%	34
FEBRUARY	11	7	63.64%	4	36.36%	\$ 402.25	\$ 36.57	\$ 521.64	\$ 47.42	\$ 119.39	\$ 10.85	22.89%	5
<b>TOTALS:</b>	<b>6,555</b>	<b>4,032</b>	<b>61.51%</b>	<b>2,523</b>	<b>38.49%</b>			<b>283,746.39</b>	<b>\$ 43.29</b>	<b>82,627.24</b>	<b>\$ 12.61</b>	<b>29.12%</b>	<b>3,091.00</b>

Column Headers from left to right:

1. Total Rx's: This is the total number of Rx's that were adjudicated or attempted to adjudicate through the use of the card (the explanation of the next couple of headers will help explain the necessity of this column).
2. Plan Priced Rx's: Caremark tracks all attempts to use the cards including when the pharmacy offers a lower price than the card can give. This is usually when the pharmacy sells a drug at cost or below cost to create foot traffic for the pharmacy or under a special purchase arrangement. This is the amount of Rx's that the card gave the best price vs. the pharmacy.
3. % Plan Priced Rx's: What percentage of the total attempted Rx's adjudicated via best price with the card.
4. Retail Priced Rx's: How many prescriptions where the pharmacy had a lower price.
5. % Retail Priced Rx's: Percentage of Rx's where the pharmacy had a lower price.
6. Total Drug Cost: All prescriptions totaled together at their card discount prices.
7. Average Drug Cost: Average Drug Cost per Rx at the card discounted price.
8. Retail Submitted Price: What the price would have been if the prescriptions weren't filled with the card.
9. Average Retail Submitted Price: Average Per Prescription price if the card wasn't presented at a discount.
10. Price Savings: Total dollar savings for all Rx's filled with the card.
11. Average Price Savings: Average price savings per prescription.
12. % Price Savings: Percentage price savings per prescription.
13. Total Utilizers: This is the total amount of people who represent the total amount of prescriptions i.e. some people fill multiple prescriptions. This gives you an indication of how many residents you are helping.

As always, if you have questions, don't hesitate to contact me. Thank you for being a member county, borough or parish and participating in this member program.

Andrew Goldschmidt  
 Director, Membership/Marketing  
 NACo--National Association of Counties

**JEFFERSON COUNTY  
DEVELOPMENT AUTHORITY**

FINANCIAL STATEMENTS

For the six months ended December 31, 2011

## CONTENTS

	<u>Page</u>
<b>INDEPENDENT ACCOUNTANTS' COMPILATION REPORT ON FINANCIAL STATEMENTS</b>	3
<b>FINANCIAL STATEMENTS</b>	
Statement of Net Assets	4-5
Statement of Revenues and Expenses and Changes in Net Assets	6

**DECKER & COMPANY PLLC**  
**CERTIFIED PUBLIC ACCOUNTING**

Warm Springs Business Center • 64 Warm Springs Avenue • Martinsburg, WV 25404

**INDEPENDENT ACCOUNTANTS' COMPILATION REPORT ON FINANCIAL STATEMENTS**

To the Board of Directors  
Jefferson County Development Authority  
Charles Town, West Virginia

We have compiled the accompanying statement of net assets of the Jefferson County Development Authority (a component unit of Jefferson County Commission) as of December 31, 2011 and the related statement of revenues and expenses and changes in net assets for the six months then ended. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or provide any assurance about whether the financial statements are in accordance with accounting principles generally accepted in the United States of America.

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

Our responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

Jefferson County Development Authority has elected to omit substantially all of the disclosures and the statement of cash flows required by generally accepted accounting principles. If the omitted disclosures and the statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Authority's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

*Decker & Company PLLC*

January 27, 2012

Jefferson County Development Authority

**STATEMENT OF NET ASSETS**

December 31, 2011

**ASSETS**

**CURRENT ASSETS**

Cash and cash equivalents	\$	989,609
Certificates of Deposit		279,076
Accounts receivable		3,250
Allowance for bad debts		(3,250)
Prepaid expenses		<u>841</u>
Total current assets		<u>1,269,526</u>

**RESTRICTED ASSETS**

Cash - Agriculture Development		<u>12,108</u>
Total restricted assets		<u>12,108</u>

**CAPITAL ASSETS**

Furniture, fixtures, and equipment		40,579
Less accumulated depreciation		<u>(36,751)</u>
Total capital assets, net of accumulated depreciation		<u>3,828</u>

**OTHER ASSETS**

Land and development		7,962,971
Loan acquisition costs, net of accumulated amortization		31,473
Loan receivable - daycare		<u>20,000</u>
Total other assets		<u>8,014,444</u>
Total assets	\$	<u>9,299,906</u>

See independent accountants' compilation report.

Jefferson County Development Authority

**STATEMENT OF NET ASSETS (continued)**

December 31, 2011

**LIABILITIES**

**CURRENT LIABILITIES**

Accounts payable - trade	\$ 12,459
Deposits	10,000
Contingent liability - Ag Grant	9,964
Contingent liability - GSA	<u>16,000</u>
Total current liabilities	<u>48,423</u>

**LONG-TERM LIABILITIES**

Deferred revenue - NorTom Investments	536,452
Accrued interest payable	38,117
Notes Payable	<u>5,904,230</u>
Total long-term liabilities	<u>6,478,799</u>
Total liabilities	<u>6,527,222</u>

**NET ASSETS**

Invested in capital assets, net of related debt	3,828
Restricted for Agriculture Development	12,108
Unrestricted	<u>2,756,748</u>
Total net assets	<u>2,772,684</u>
Total liabilities and net assets	<u>\$ 9,299,906</u>

See independent accountants' compilation report.

Jefferson County Development Authority

**STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN NET ASSETS**

For the six months ended December 31, 2011

**OPERATING SUPPORT AND REVENUES**

Support from Jefferson County Commission	\$ 215,676
Other income	<u>46,197</u>
Total operating support and revenues	<u>261,873</u>

**OPERATING EXPENSES**

Advertising/Marketing	20,724
Amortization	1,603
Contract labor	1,465
Depreciation	1,291
Dues and subscriptions	1,809
Employee benefits	66,404
EPEF expenses	1,700
Maintenance	5,490
Other operating	4,718
Printing costs	392
Professional fees	8,893
Salaries	112,738
Seminars/conferences	2,571
Supplies	561
Telephone	1,076
Travel	<u>4,707</u>
Total operating expenses	<u>236,142</u>
Operating support and revenues less operating expenses	<u>25,731</u>

**NON-OPERATING SUPPORT AND REVENUES (EXPENSES)**

Interest income	6,930
Interest expense	(114,833)
Agriculture Development income	<u>120</u>
Total non-operating support and revenues (expenses)	<u>(107,783)</u>
Change in net assets	<u>(82,052)</u>
Net assets at beginning of period	<u>2,854,736</u>
Net assets at end of period	\$ <u><u>2,772,684</u></u>

See independent accountants' compilation report.

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

Week Ending Date	Week Ending
	February 18, 2012
<b>To be Deposited on:</b>	February 27, 2012
<b>Amount Played</b>	<b>90,951,884.92</b>
<b>Amount Won</b>	<b>81,743,147.93</b>
<b>Amount Promo</b>	<b>238,508.00</b>
<b>MWAP Contribution</b>	<b><u>5,428.31</u></b>
<b>Adjusted Gross Terminal Revenue</b>	<b><u>8,964,800.68</u></b>
<b>Administrative Costs @ 4%</b>	<b>0.00</b>
<b>Excess Lottery Fund @ 4%</b>	<b>358,592.03</b>
<b>Net Terminal Revenue</b>	<b><u>8,606,208.65</u></b>
<b>Surcharge @ 10%</b>	<b>860,620.87</b>
<b>State Share Excess @ 58%</b>	<b>499,160.10</b>
<b>Track Share of Capital Reinvestment @ 42%</b>	<b>361,460.77</b>
<i>Track Share of Capital Reinvestment @ 42% - 96%</i>	\$ 347,002.34
<i>Track Share of Capital Reinvestment @ 42% - 4%</i>	\$ 14,458.43
<b>Adjusted Net Terminal Revenue</b>	<b><u>7,745,587.78</u></b>
<b>Racetrack @ 46.50% / 42%</b>	<b>3,253,146.87</b>
<b>Lottery Fund @ 30% / 0%</b>	<b>0.00</b>
<b>Excess Lottery Fund @ 0% / 41%</b>	<b>3,175,690.98</b>
<b>Race Track Purses @ 7% / 14% / 8%</b>	<b>619,647.02</b>
<b>Workers' Compensation Debt Reduction @ 7% / 0%</b>	<b>0.00</b>
<b>Employee Pension Fund @ 1% / .5%</b>	<b>38,727.94</b>
<b>Greyhound Development @ .75%</b>	<b>58,091.91</b>
<b>Thoroughbred Development @ .75%</b>	<b>58,091.91</b>
<b>Racing Commission @ 1%</b>	<b>77,455.88</b>
<b>County/Municipality @ 2%</b>	<b>154,911.76</b>
<b>3% Funds:</b>	
<b>Tourism Promotion Fund @ 1.375%</b>	<b>106,501.83</b>
<b>Development Office Promotion Fund @ .375%</b>	<b>29,045.95</b>
<b>Research Challenge Fund @ .5%</b>	<b>38,727.94</b>
<b>Capitol Renovation and Improvement Fund @ .6875%</b>	<b>53,250.92</b>
<b>2004 Capitol Complex Parking Garage Fund @ .0625%</b>	<b>4,840.99</b>
<b>1% Funds:</b>	
<b>State Capitol Complex Parking Garage @ 1%</b>	<b>0.00</b>
<b>Cultural Facilities and Capitol Resources @ .5%</b>	<b>0.00</b>
<b>Capitol Dome and Capitol Improvements @ .5% / 1%</b>	<b><u>77,455.88</u></b>
	<b><u>7,745,587.78</u></b>

WEST VIRGINIA LOTTERY  
 First Benchmark  
 Charles Town  
 County / City Split  
 Fiscal Year 2012

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 8.19%	CHARLES TOWN 41.20%	HARPERS FERRY 2.24%	RANSON 34.78%	SHEPHERDS TOWN 13.59%
2 days ending: 7/1/2011 - 7/2/2011	\$ 69,824.12	\$ 69,824.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Week Ending:								
07/09/11	\$ 171,717.28	\$ 171,717.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/16/11	\$ 143,019.52	\$ 143,019.52	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/23/11	\$ 146,508.00	\$ 146,508.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07/30/11	\$ 144,510.28	\$ 144,510.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/06/11	\$ 151,495.28	\$ 151,495.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
08/13/11	\$ 149,711.80	\$ 117,350.38	\$ 32,361.42	\$ 2,650.40	\$ 13,332.90	\$ 724.90	\$ 11,255.30	\$ 4,397.92
08/20/11	\$ 143,228.24	\$ 71,614.12	\$ 71,614.12	\$ 5,865.20	\$ 29,505.01	\$ 1,604.16	\$ 24,907.39	\$ 9,732.36
08/27/11	\$ 126,864.28	\$ 63,432.14	\$ 63,432.14	\$ 5,195.09	\$ 26,134.04	\$ 1,420.88	\$ 22,061.70	\$ 8,620.43
09/03/11	\$ 161,675.52	\$ 80,837.76	\$ 80,837.76	\$ 6,620.61	\$ 33,305.16	\$ 1,810.77	\$ 28,115.37	\$ 10,985.85
09/10/11	\$ 169,691.60	\$ 84,845.80	\$ 84,845.80	\$ 6,948.87	\$ 34,956.47	\$ 1,900.55	\$ 29,509.37	\$ 11,530.54
09/17/11	\$ 133,497.24	\$ 66,748.62	\$ 66,748.62	\$ 5,466.71	\$ 27,500.43	\$ 1,495.17	\$ 23,215.17	\$ 9,071.14
09/24/11	\$ 137,859.60	\$ 68,929.80	\$ 68,929.80	\$ 5,645.35	\$ 28,399.08	\$ 1,544.03	\$ 23,973.78	\$ 9,367.56
10/01/11	\$ 137,743.28	\$ 68,871.64	\$ 68,871.64	\$ 5,640.59	\$ 28,375.12	\$ 1,542.72	\$ 23,953.55	\$ 9,359.66
10/08/11	\$ 141,733.80	\$ 70,866.90	\$ 70,866.90	\$ 5,804.00	\$ 29,197.16	\$ 1,587.42	\$ 24,647.51	\$ 9,630.81
10/15/11	\$ 150,525.32	\$ 75,262.66	\$ 75,262.66	\$ 6,164.01	\$ 31,008.22	\$ 1,685.88	\$ 26,176.35	\$ 10,228.20
10/22/11	\$ 137,515.44	\$ 68,757.72	\$ 68,757.72	\$ 5,631.26	\$ 28,328.18	\$ 1,540.17	\$ 23,913.94	\$ 9,344.17
10/29/11	\$ 121,015.96	\$ 60,507.98	\$ 60,507.98	\$ 4,955.60	\$ 24,929.29	\$ 1,355.38	\$ 21,044.68	\$ 8,223.03
11/05/11	\$ 141,347.76	\$ 70,673.88	\$ 70,673.88	\$ 5,788.19	\$ 29,117.64	\$ 1,583.09	\$ 24,580.38	\$ 9,604.58
11/12/11	\$ 135,254.20	\$ 67,627.10	\$ 67,627.10	\$ 5,538.66	\$ 27,862.36	\$ 1,514.85	\$ 23,520.71	\$ 9,190.52
11/19/11	\$ 121,381.20	\$ 60,690.60	\$ 60,690.60	\$ 4,970.56	\$ 25,004.53	\$ 1,359.47	\$ 21,108.19	\$ 8,247.85
11/26/11	\$ 148,281.08	\$ 74,140.54	\$ 74,140.54	\$ 6,072.11	\$ 30,545.90	\$ 1,660.75	\$ 25,786.08	\$ 10,075.70
12/03/11	\$ 118,859.88	\$ 59,429.94	\$ 59,429.94	\$ 4,867.31	\$ 24,485.14	\$ 1,331.23	\$ 20,669.73	\$ 8,076.53
12/10/11	\$ 102,790.88	\$ 51,395.44	\$ 51,395.44	\$ 4,209.29	\$ 21,174.92	\$ 1,151.26	\$ 17,875.33	\$ 6,984.64
12/17/11	\$ 111,962.64	\$ 55,981.32	\$ 55,981.32	\$ 4,584.87	\$ 23,064.31	\$ 1,253.98	\$ 19,470.30	\$ 7,607.86
12/24/11	\$ 108,497.24	\$ 54,248.62	\$ 54,248.62	\$ 4,442.96	\$ 22,350.43	\$ 1,215.17	\$ 18,867.67	\$ 7,372.39
12/31/11	\$ 189,322.00	\$ 94,661.00	\$ 94,661.00	\$ 7,752.74	\$ 39,000.32	\$ 2,120.41	\$ 32,923.10	\$ 12,864.43
01/07/12	\$ 149,726.80	\$ 74,863.40	\$ 74,863.40	\$ 6,131.31	\$ 30,843.72	\$ 1,676.94	\$ 26,037.49	\$ 10,173.94
01/14/12	\$ 117,803.84	\$ 58,901.92	\$ 58,901.92	\$ 4,824.07	\$ 24,267.59	\$ 1,319.40	\$ 20,486.09	\$ 8,004.77
01/21/12	\$ 123,639.84	\$ 61,819.92	\$ 61,819.92	\$ 5,063.05	\$ 25,469.80	\$ 1,384.77	\$ 21,500.97	\$ 8,401.33
01/28/12	\$ 125,797.56	\$ 62,898.78	\$ 62,898.78	\$ 5,151.41	\$ 25,914.30	\$ 1,408.93	\$ 21,876.20	\$ 8,547.94
02/04/12	\$ 144,309.32	\$ 72,154.66	\$ 72,154.66	\$ 5,909.47	\$ 29,727.72	\$ 1,616.26	\$ 25,095.39	\$ 9,805.82
02/11/12	\$ 132,858.08	\$ 66,429.04	\$ 66,429.04	\$ 5,440.54	\$ 27,368.76	\$ 1,488.01	\$ 23,104.02	\$ 9,027.71
02/18/12	\$ 154,911.76	\$ 77,455.88	\$ 77,455.88	\$ 6,343.64	\$ 31,911.82	\$ 1,735.01	\$ 26,939.16	\$ 10,526.25
Subtotal	\$ 4,664,880.64	\$ 2,788,472.04	\$ 1,876,408.60	\$ 153,677.87	\$ 773,080.32	\$ 42,031.56	\$ 652,614.92	\$ 255,003.93

Benchmark Goal @ 2% \$ 912,063.48

Remainder until 1% / 1% Split \$ -

VIDEO LOTTERY REPORT

FY 2009			FY 2010			FY 2011			FY 2012		
Date	Amount		Date	Amount		Date	Amount		Date	Amount	
7/5/2008 *	169,912.56		7/4/2009 *	128,262.42		7/3/2010	115,402.58		7/1-2/2011	69,824.12	
7/12/2008	176,592.38		7/11/2009	168,815.08		7/10/2010	205,731.64		7/9/2011	171,717.28	
7/19/2008	160,344.08		7/18/2009	160,652.98		7/17/2010	161,386.76		7/16/2011	143,019.52	
7/26/2008	162,982.74		7/25/2009	158,869.08		7/24/2010	160,368.28		7/23/2011	146,508.00	
8/2/2008	178,171.04		8/1/2009	174,493.08		7/31/2010	157,802.08		7/30/2011	144,510.28	
8/9/2008	123,538.04		8/8/2009	138,408.80		8/7/2010	136,494.98		8/6/2011	151,495.28	
8/16/2008	82,482.89		8/15/2009	81,222.14		8/14/2010	78,376.68		8/13/2011	117,350.38	
8/23/2008	76,426.18		8/22/2009	76,260.31		8/21/2010	76,199.02		8/20/2011	71,614.12	
8/30/2008	89,459.86		8/29/2009	80,472.92		8/28/2010	72,460.03		8/27/2011	63,432.14	
9/6/2008	91,644.46		9/5/2009	80,798.15		9/4/2010	76,362.84		9/3/2011	80,837.76	
9/13/2008	79,729.93		9/12/2009	86,286.92		9/11/2010	82,969.36		9/10/2011	84,845.80	
9/20/2008	71,269.36		9/19/2009	70,010.15		9/18/2010	67,638.78		9/17/2011	66,748.62	
9/27/2008	79,735.73		9/26/2009	69,316.87		9/25/2010	70,435.06		9/24/2011	68,929.80	
10/4/2008	75,186.22		10/3/2009	72,286.04		10/2/2010	71,013.86		10/1/2011	68,871.64	
10/11/2008	77,139.04		10/10/2009	69,650.63		10/9/2010	69,311.50		10/8/2011	70,866.90	
10/18/2008	80,668.26		10/17/2009	73,560.21		10/16/2010	75,234.62		10/15/2011	75,262.66	
10/25/2008	64,379.44		10/24/2009	67,581.66		10/23/2010	70,290.80		10/22/2011	68,757.72	
11/1/2008	68,352.42		10/31/2009	64,528.30		10/30/2010	65,615.04		10/29/2011	60,507.98	
11/8/2008	70,823.02		11/7/2009	63,741.59		11/6/2010	61,337.62		11/5/2011	70,673.88	
11/15/2008	65,565.50		11/14/2009	65,959.64		11/13/2010	64,595.28		11/12/2011	67,627.10	
11/22/2008	63,883.80		11/21/2009	59,547.05		11/20/2010	56,010.08		11/19/2011	60,690.60	
11/29/2008	69,850.12		11/28/2009	72,399.98		11/27/2010	71,170.90		11/26/2011	74,140.54	
12/6/2008	55,696.68		12/5/2009	51,006.51		12/4/2010	53,215.08		12/3/2011	59,429.94	
12/13/2008	60,178.04		12/12/2009	52,460.58		12/11/2010	46,944.00		12/10/2011	51,395.44	
12/20/2008	52,189.19		12/19/2009	32,834.39		12/18/2010	42,076.76		12/17/2011	55,981.32	
12/27/2008	72,205.91		12/26/2009	53,406.34		12/25/2010	50,450.28		12/24/2011	54,248.62	
1/3/2009	96,504.65		1/2/2010	92,980.40		1/1/2011	85,152.12		12/31/2011	94,661.00	
1/10/2009	53,286.62		1/9/2010	55,020.46		1/8/2011	54,301.30		1/7/2012	74,863.40	

1/17/2009	56,068.87	1/16/2010	60,551.28	1/15/2011	54,005.90	1/14/2012	58,901.92
1/24/2009	71,474.63	1/23/2010	69,943.53	1/22/2011	60,924.74	1/21/2012	61,819.92
1/31/2009	61,089.80	1/30/2010	48,527.75	1/29/2011	48,036.94	1/28/2012	62,898.78
2/7/2009	83,539.63	2/6/2010	37,155.14	2/5/2011	60,777.44	2/4/2012	72,154.66
2/14/2009	76,054.44	2/13/2010	44,334.00	2/12/2011	67,471.84	2/11/2012	66,429.04
2/21/2009	91,838.41	2/20/2010	76,946.12	2/19/2011	72,018.54	2/18/2012	77,455.88
2/28/2009	80,806.88	2/27/2010	72,024.40	2/26/2011	75,544.02		
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		
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	4/30/2011	66,807.50		
5/9/2009	76,697.22	5/8/2010	67,403.54	5/7/2011	66,379.74		
5/16/2009	71,925.70	5/15/2010	70,186.32	5/14/2011	66,699.76		
5/23/2009	81,395.43	5/22/2010	64,695.71	5/21/2011	63,210.44		
5/30/2009	82,161.55	5/29/2010	67,157.40	5/28/2011	64,724.06		
6/6/2009	74,895.74	6/5/2010	77,371.80	6/4/2011	74,952.34		
6/13/2009	67,327.23	6/12/2010	66,106.29	6/11/2011	62,203.12		
6/20/2009	75,500.53	6/19/2010	64,888.48	6/18/2011	61,200.76		
6/27/2009	67,354.10	6/26/2010	63,950.29	6/25/2011	65,470.44		
6/30/2009 **	32,059.58	6/30/2010	29,667.19	6/30/2011	34,351.16		
<b>TOTALS 4403564.04</b>			<b>4041141.56</b>	<b>4016541.01</b>	<b>2788472.04</b>		

Table Game Revenue

<b>Date</b>	<b>Amount</b>
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
January, 2011	106,189.21
February, 2011	105,776.45
March, 2011	120,927.10
April, 2011	130,654.61
May, 2011	130,492.02
June, 2011	121,576.41
July, 2011	141,718.01
August, 2011	137,473.92
September, 2011	110,375.25
October, 2011	124,273.94
November, 2011	121,118.87
December, 2011	140,509.93
	<b>2072861.62</b>