

**AGENDA**  
**JEFFERSON COUNTY COMMISSION**  
**THURSDAY, MARCH 22, 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. Angie Banks, Assessor**  
- Exonerations - Discussion/Action
  
- 2. 10:00 a.m. Resolutions**  
- Appreciation for Arnold W. Daily, Jr. for serving 15 years on the Jefferson County Planning Commission -Discussion/Action  
- Resolution authorizing participation in the Eastern Panhandle HOME Consortium of West Virginia - Discussion/Action
  
- 3. 10:30 a.m. Break**
  
- 4. 10:45 a.m. Paul Shroyer, Director of Financial Management**  
- Assessor budget - acknowledgment of the Valuation Fund - Discussion/Action  
- Authorized the creation of a Capital Outlay Budget - Discussion/Action  
- OPEB - Discussion/Action
  
- 5. 11:00 a.m. Stephanie Grove, Assistant Prosecutor**  
-Teen Court Order to establish a segregated account and establish an effective date to begin the collection of fees for Teen court - Discussion/Action  
- Employment Agreement for Director of Capital Planning and Management, Executive Session Possible §6-9A-4 - Discussion/Action

6. 11:15 a.m. Ralph Lorenzetti, Prosecuting Attorney  
- Request a change in Classification and Compensation legal secretary to legal assistant - Discussion/Action
7. 11:30 a.m. Roger Goodwin, Chief County Engineer  
- Bond reduction and/or release for RAI Properties, LLC - Lot 44 Burr Industrial Park/DMV Office Building (File #S04-15) - Letter of Credit #246 with the Bank of Charles Town, Charles Town, West Virginia - Discussion/Action

**NEW BUSINESS:**

8. Discuss the County Commission meeting on Thursday, April 5, 2012 - Discussion/Action
9. Require that all contracts for \$10,000 or more be reviewed and re-bid at a minimum of once every 3 years (LW) -Discussion/Action
10. Appointment of John Reisenweber to the Eastern Panhandle Regional Planning and Development Council (Region 9) for an unexpired term ending June 30, 2012 - Discussion/Action
11. Appointment of a County Commissioner as a liaison to the Teen Court Advisory Council - Discussion/Action
12. Approval of Grant Contract, Resolution and Letter of Agreement for the Animal Welfare Society in the amount of \$25,000 - Discussion/Action
13. Ratify the signing of the Letter of Support for the City of Ranson, WV's DOT TIGER IV Application - Action
14. Legislative Update

**COUNTY ADMINISTRATOR REPORTS**

**COUNTY COMMISSION REPORTS**

~~~~~ **EVENING SESSION** ~~~~~

15. 7:00 p.m. Public Hearing  
-The purpose of the Public Hearing is to approve the Levy Estimate for Fiscal Year 2013. Also at this public hearing, the Commission will receive public comment concerning the County's budget - Discussion/Action
16. Approval of the Fiscal Year 2013 Budget ending June 30, 2013 - Discussion/Action
17. **ADJOURN**

**CORRESPONDENCE:**

The Statewide Transportation Improvement Program (STIP) received from the West Virginia Department of Transportation.

Letter of announcement for the first annual County Commissioner's Association of West Virginia County Government Essay Contest received from the County Commissioner's Association of West Virginia.

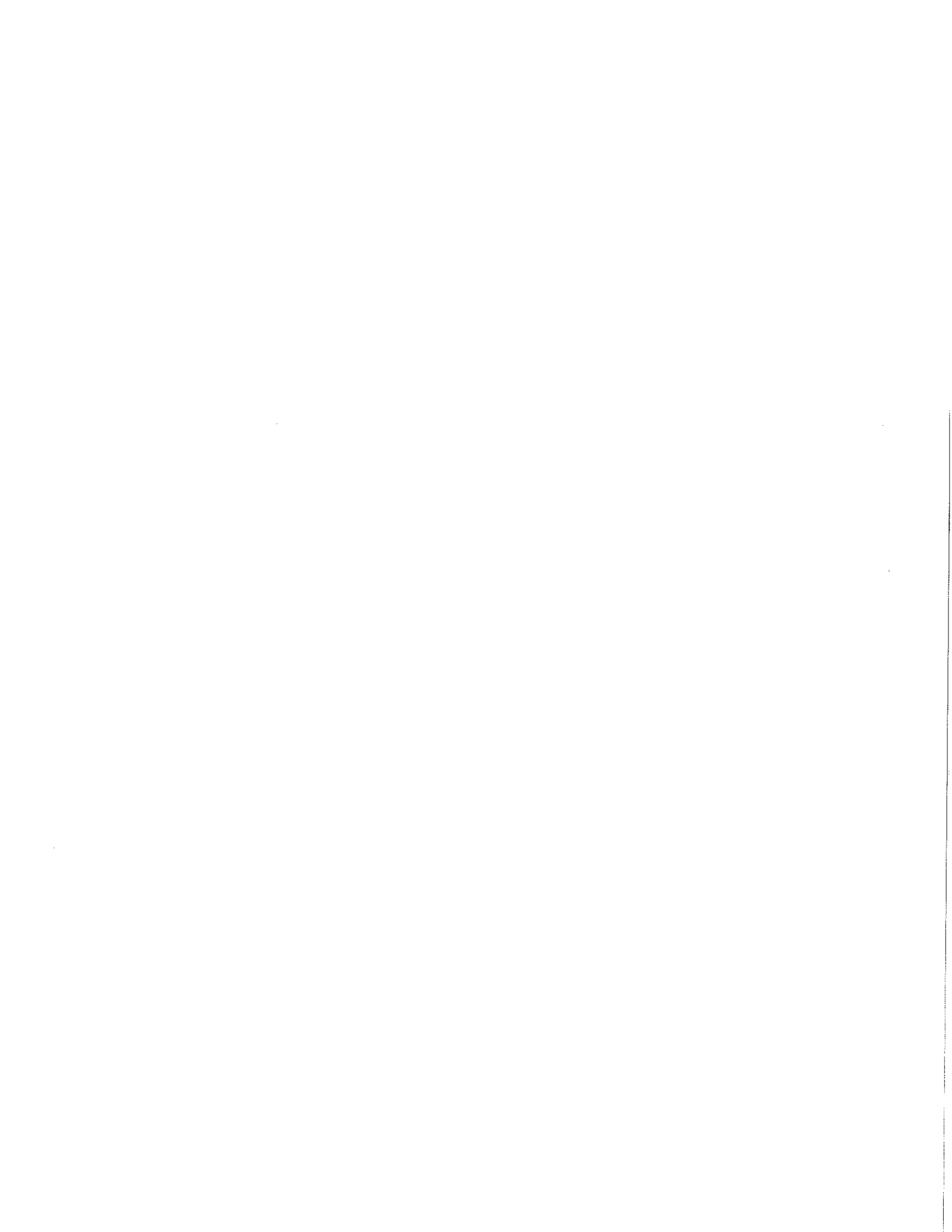
Notice of a Loudoun County Planning Commission Public Hearing on Wednesday, March 28, 2012 concerning the Comprehensive Plan Amendment.

Notice received from the City of Bluefield concerning a \$600,000 grant from FTA (Section 5309) for environmental and design and engineering work.

Weekly Settlement report for Hollywood Casino at Charles Town Races and Slots for week ending March 10, 2012 received from West Virginia Lottery.

Notice of interviews and appointments scheduled for Thursday, March 29, 2012 for the Development Authority for (5) three year terms ending April 5, 2015.

*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.*



**SPECIAL SESSION:**

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

At a Special Session of the County Commission of said County and State continued and held at the Old Charles Town Library ground floor meeting room on Tuesday, March 13, 2012, beginning at 1:00 o'clock p.m.

**PRESENT:** Patsy Noland, President  
Dale Manuel, Vice President  
Walter Pellish, Commissioner  
Frances Morgan, Commissioner (Ms. Morgan left at 2:30 p.m. with notice)  
Lyn Widmyer, Commissioner  
Sandra Slusher McDonald, Interim County Administrator  
Paul Shroyer, Director of Financial Management  
Deborah S. Stellato, Administrative Assistant

**In re: FY 2013 BUDGET WORKSHOP NO. 2**

Commissioner Noland opened the session at 1:00 p.m.

The Pledge of Allegiance was led by Commissioner Widmyer.

**Paul Shroyer** presented a preliminary budget and answered questions from the Commissioners.

1. The first budget item considered by the Commissioners was the request from the **Jefferson County Development Authority** for funding of \$80,019.00. The Commissioners opted to deduct \$25,000.00 for a proposed sign leaving funds of \$55,019.00 for the Development Authority. It was agreed that an additional \$5,000.00 would be deducted from the \$25,000.00 being withheld to be utilized for a seat on the Airport Authority. The Commissioners questioned who is eligible for a seat on the Airport Authority and will ask Stephanie Grove, Assistant Prosecuting Attorney, to research the issue and report her findings to the Commission before a final decision is made.

The Commission also could match up to \$20,000 in funding to the JCDA if the county's five municipalities combine to contribute that amount. There was a general consensus of all the Commissioners regarding funds to the Development Authority.

2. The second budget item considered was funds requested by the **Jefferson County Emergency Services Agency**. Mr. Shroyer recommended allotting the JCESA \$225,000.00 and direct that it should tie in with the State audit. There was a general consensus of the Commissioners to accept Mr. Shroyer's recommendation.

The Commissioners took a short break at 2:50 p.m.

The Commissioners resumed the work session at 2:55 p.m.

3. Third was the County Commission's budget.

With regard to IT Support Ms. Widmyer suggested putting a place mark on that line item in the

amount of \$76,875.00. There was general consensus among the Commissioners.

Mr. Shroyer recommended consolidating the IT Support item and the Human Resources item and place the aggregate sum of \$102,000.00 in the budget. This will be discussed in more detail at the next work session on March 21, 2012 immediately following the workshop to finalize employee plan options.

**Following the discussion of IT Support and Human Resources, Ms. Noland continued the work session until Wednesday, March 21, 2012.**

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PATRICIA A. NOLAND, PRESIDENT

## **Minutes**

### **Jefferson County Commission**

**Thursday, March 15, 2012**

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A meeting of the Jefferson County Commission was held on Thursday, March 15 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, Jimmie Eddy and Richard Barron, Bailiffs. (An audio tape of this March 15, 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 Morgan led the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Motion by Ms. Morgan to approve the March 8, 2012 Minutes of the regular Commission meeting as presented. Motion seconded by Mr. Pellish and unanimously approved.

Motion by Mr. Manuel to approve the Minutes of the March 8, 2012 Joint Jefferson County Commission and Jefferson County Planning Commission Public Meeting as presented. Motion seconded by Ms. Morgan unanimously approved.

Motion by Ms. Morgan to approve the March 7, 2012 Minutes of the FY 2013 Budget Workshop as presented. Motion seconded by Mr. Pellish and unanimously approved.

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

Motion by Mr. Manuel to approve Purchase Orders in the amount of \$162,754.99, being purchase order numbers: 50842, 50843, 53291, 53292, 50875, 51042, 51043, 51007, 51093, 51105, 51092, 51094, 51096, 51102, 51103, 51104, 51106, 51107, 51108, 50738, 50740, 50741, 50895, 51090, 51091, 50782, 50783, 51088, 51095, 51089 and 51100. Motion seconded by Mr. Pelish and unanimously approved.

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

Motion by Ms. Morgan to approve the accounts payable in the amount of \$183,552.04. Motion seconded by Ms. Widmyer and unanimously approved.

#### **PUBLIC COMMENT**

**Kathy Knight** endorsed Bill McLeod and Daniel Lutz for positions on the Jefferson County Planning Commission.

**David Tabb** voiced concerns about procedure at the March 8, 2012 Joint Jefferson County Commission and Jefferson County Planning Commission Public Meeting.

**PRESENTATIONS:**

**1. Angie Banks, County Assessor: Split Ticket and Exoneration.**

**NOTICE OF APPORTIONMENT OF JOINTLY OWNED MOTOR VEHICLES**

Upon presentation by Angela Banks, Assessor, motion by Ms. Morgan, seconded by Mr. Pellish to approve the Notice of Apportionment of Jointly Owned Motor Vehicles filed by a certified copy of a final divorce order entered under provisions of section fifteen, article two, chapter forty-eight of the West Virginia Code, in the amount of \$215.24, Ticket No. 303139, for the following. Motion unanimously approved.

| NAME                    | HUSBAND/WIFE | ASSESSED VALUE | TAXES DUE       |
|-------------------------|--------------|----------------|-----------------|
| Laurie McDougall        | Wife         | \$3,400.00     | \$77.04         |
| Matthew McDougall       | Husband      | \$6,100.00     | \$138.20        |
| <b>TOTAL TAXES DUE:</b> |              |                | <b>\$215.24</b> |

Angie Banks, County Assessor, requested exoneration for Thomas and Julie Flanagan in the amount of \$304.36. Motion by Mr. Manuel to approve exoneration of \$304.36 for Thomas and Julie Flanagan, Ticket No. 301783. Motion seconded by Ms. Widmyer and unanimously approved.

| Name                      | District     | Type              | Ticket # | Amount   |
|---------------------------|--------------|-------------------|----------|----------|
| Thomas and Julie Flanagan | Charles Town | Personal Property | 301783   | \$304.36 |

**2. Roger Goodwin, Chief County Engineer – Request for approval of and authorization for Commission President to sign \$30,000.00 Grant Award – WVDEP Division of Water and Waste Management and Jefferson County Commission for the FY 11 Chesapeake Bay Regulatory and Accountability Grant, NPS1399.**

Motion by Ms. Widmyer to approve the Grant Award as presented by Mr. Goodwin and to authorize the Commission President to affix her signature to the document. Motion seconded by Mr. Manuel and unanimously approved.

**NEW BUSINESS:**

**3. Legislative update by Commissioner Manuel.**

**COUNTY ADMINISTRATOR REPORTS**

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

- Reported that next week she will begin scheduling interviews for the County Administrator position. She asked that the Commissioners submit their applicant recommendations to her by Monday, March 19, 2012.
- Stated that time allowing there would be a short iPad training session after today’s Commission meeting.
- Reported that Staff emailed a revised March 2012 events calendar to all Commissioners. In the near future the calendars will appear on Commissioner iPads.
- Ms. McDonald explained that the Supreme Court Law Days on Commissioners calendars for Tuesday, March 27, 2012 is for informational purposes only. It is a day for students from Jefferson, Berkeley and Morgan counties to interact with Supreme Court Justices to learn more about the judicial system.

## **COUNTY COMMISSIONER REPORTS**

### **Commissioner Morgan:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.
- Attended a Farmland Protection Board meeting.
- Attended a Community Crime Justice Board meeting.
- Attended a Telemon Community Action meeting
- Attended the League of Women Voters Water Quality meeting.

### **Commissioner Pellish:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Attended a Planning Commission Public Meeting re: recreation uses.
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.

### **Commissioner Manuel:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Toured the Bakerton River sites regarding zoning amendments.
- Attended a Planning Commission Public Meeting re: recreation uses.
- Attended a Courthouse Security meeting re: grant information.
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.
- Reminded Commission of the AFT Forum for the School Board Candidates at Jefferson High School Auditorium at 7:00 p.m. this date.

### **Commissioner Widmyer:**

- Attended the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Attended the Jefferson County Commission Budget Work Session on March 13, 2012.
- Attended the League of Women Voters Water Quality Forum.
- Announced that the Jefferson County Water Advisory Committee is sponsoring a Watershed Signage Dedication Event on Saturday, March 31, 2012 from 10:00 a.m. to 11:0 a.m. at Morgan's Grove Park in Shepherdstown, West Virginia

### **Commissioner Noland:**

- Conducted the Joint Public Meeting between the Jefferson County Commission and the Jefferson County Planning Commission re: Rt. 340 corridor preliminary Plan
- Conducted the Jefferson County Commission Budget Work Session on March 13, 2012.
- Attended the second half of the League of Women Voters Water Quality Forum.
- Announced that the League of Women Voters is sponsoring a breakfast on Saturday, March 17, 2012 at the

Dist. The event is open to the public and the Jefferson County Commissioners will be there to answer questions.

The Commission took a short break at 10:30 a.m.  
The Commission reconvened its regular meeting at 10:40 a.m.

**PRESENTATIONS continued:**

4. **Stephen Skinner, Esquire** advised the Commission that due to the fact that the U.S. Supreme Court has thrown out the redistricting plan and kept the current plan, it is likely that the case will have to be argued in the Appeals Court. He will keep the Commission informed of its status.
5. **Interviews and Appointments to the Jefferson County Planning Commission – (2) three-year terms ending March 31, 2015.**

Applicants for the positions are William McLeod, Gene Taylor, Daniel Lutz, Jr., Matthew Knott and Stephen Stolipher. Stephen Stolipher was present for the interview.

Mr. Pellish nominated Gene Taylor and Stephen Stolipher for the positions.  
Ms. Morgan nominated William McLeod.

Mr. Stolipher received 3 votes, Mr. Taylor received 3 votes and Mr. McLeod received 2 votes.  
Stephen Stolipher and Gene Taylor are approved to fill the two three-year terms ending March 31, 2015 on the Jefferson County Planning Commission.

6. **Stephanie Grove, Assistant Prosecuting Attorney presented the revised Transition Plan** which included revised job descriptions for Roger Goodwin, Chief County Engineer and Michelle Mason, Impact Fee Program Specialist.

Motion by Ms. Widmyer to add to the Department of Engineering and the job description for Mr. Goodwin his suggestions that may be found on page four of his job description. Ms. Morgan seconded the motion and it passed 4 to 1 with Mr. Pellish voting against.

Motion by Mr. Manuel to approve the Transition Plan as presented to the body by legal counsel. Motion seconded by Ms. Noland, but failed 3 to 2 with Mr. Pellish, Ms. Morgan and Ms. Widmyer voting against.

Ms. Widmyer called for a Point of Order and stated that she would vote for the approval of the Transition Plan only so far as Impact Fees are concerned.

Motion by Mr. Manuel to approve the Transition Plan only insofar as it addresses Impact Fees exclusively.  
Motion seconded by Ms. Noland and passed 4 to 1 with Ms. Morgan voting against.

7. **Stacie Rohn of the Teen Court Project** provided an update on the project's progress so far and outlined the Teen Court's Scope of Work. Ms. Rohn requested that Mr. Manuel serve on the Teen Court Advisory Council. The Commission directed legal counsel to prepare an Order for collection of fees and to establish a segregated account to hold the fees within 30 days of its passage. Commissioners also recommended that counsel send a copy of the Order to all five municipalities.
8. **Ed Hannon and Ed Smith of the Jefferson County Emergency Services Agency** request that the County Commission set a date for a Public Hearing on the JCESA's 5-Year Plan Ordinance.

The Commission was of the opinion that the public is still confused and it would prefer to give them another opportunity to ask more questions and learn more about the proposed emergency services/fire fee.

Motion by Mr. Manuel to schedule a Joint Public Information Session on Thursday, April 12, 2012 with the Jefferson County Emergency Services Agency at 7:00 p.m., location to be determined by the Interim County Administrator and Ed Hannon. Motion seconded by Ms. Widmyer and unanimously approved.

9. **Joe Sacchet, Director of the Berkeley/Jefferson Day Report Center** request that the Commission approve the Center's FY 2013 Grant submission.

Motion by Ms. Morgan to approve the Center's FY 2013 Grant submission pending a division of the dollar amount of \$168,872.89 so that Berkeley and Jefferson counties each pay one half. Motion seconded by Mr. Pellish and unanimously approved.

Motion by Mr. Manuel to enter into an Executive Session to discuss employment matters and conduct contract negotiations pursuant to WV Code §6-9A-4. Motion seconded by Ms. Widmyer and unanimously approved.

The Commission took a five minute break at 1:00 p.m. before the Executive Session.

The Commission reconvened the regular meeting at 1:05 p.m.

It was the general consensus of the Commissioners that following the Executive Session the Commissioners would adjourn until Wednesday, March 21, 2012 when they will hold a workshop to finalize employee health plan options followed by a budget session.

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PATRICIA A. NOLAND, PRESIDENT



# PURCHASE ORDERS TO BE APPROVED

March 22, 2012

| DEPARTMENT        | PURCHASE ORDER | AMOUNT       | VENDOR                            | DESCRIPTION                              |
|-------------------|----------------|--------------|-----------------------------------|------------------------------------------|
| CIRCUIT CLERK     | 50877          | \$ 1,736.50  | KONICA MINOLTA BUSINESS SOLUTIONS | ANNUAL INVOICE                           |
|                   | 50878          | \$ 100.00    | WV ASSOCIATION OF CIRCUIT CLERKS  | ANNUAL DUES                              |
|                   | 50876          | \$ 105.00    | JEFFERSON CENTER                  | COLLATE/FOLD JUROR INFO (FEB.)           |
| COUNTY CLERK      | 51044          | \$ 1,707.00  | LORTON DATA                       | NATIL CHANGE OF ADDRESS MAILERS          |
|                   | 51045          | \$ 209.39    | PIFER OFFICE SUPPLY               | CLASP ENVELOPES, CARTRIDGES              |
| COMMUNICATION     | 41549          | \$967.92     | IKON                              | COPIER USAGE                             |
|                   | 50977          | \$2,777.00   | NAED                              | NAVIGATOR CONFERENCE REGISTRATIONS       |
|                   | 50983          | \$600.00     | CHARLOTTE ROBINSON                | TRAINING                                 |
|                   | 50984          | \$300.00     | RENEE MEADOR                      | CTO REFRESHER                            |
| HOMELAND SECURITY | 53196          | \$ 11,500.00 | J.H. CONSULTING                   | COOP PLAN AND TABLE TOP EXERCISE (GRANT) |
| OTHER BUILDINGS   | 51109          | \$ 3,043.00  | BK OFFICE SUPPLY                  | COPY PAPER, BOOK CAE, DESK (5) TABLES    |
|                   | 51111          | \$ 520.00    | DODSON SEPTIC TANK CLEANING       | PUMP SEPTIC ANIMAL CONTROL               |
|                   | 51114          | \$ 514.40    | VE MAUCK PLUMBING SUPPLY          | SUPLIES MASON BLDG BATHROOM              |
|                   | 51115          | \$ 1,106.20  | GRAINGER                          | AIR FILTERS CABLE TESTERS                |

|                                   |       |              |                     |                                            |
|-----------------------------------|-------|--------------|---------------------|--------------------------------------------|
|                                   | 51116 | \$ 2,973.03  | BOLAND              | MONTHLY CONTRACT (APRIL, MAY & JUNE)       |
|                                   | 51117 | \$ 11,892.00 | BOLAND              | ANNUAL CONTRACT (JUNE 12-13) MASON<br>BLDG |
|                                   | 51118 | \$ 110.00    | ABH                 | MACHINE SCRUB 6 BATH FLOORS MASON<br>BLDG  |
|                                   | 50784 | \$ 1,274.20  | PIPER OFFICE SUPPLY | SUPPLIES                                   |
|                                   |       | \$ 41,435.64 |                     |                                            |
| Printed at 11:44 a.m. on 03/19/12 |       |              |                     |                                            |

Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Angie Banks, Assesor

Department or Entity: Assessor's Office

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: **Exonerations**

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> |
|--------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Nichelle Hosby

Department or Entity: Commission

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

Subject: **Resolutions**

**Appreciation of Service to the Jefferson County Planning Commission – Arnold Daily, Jr.  
Resolution authorizing participation in the Eastern Panhandle HOME Consortium of West  
Virginia for the period of July 1, 2012 – June 30, 203**

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:

RESOLUTION IN RECOGNITION OF ARNOLD DAILY, JR. FOR HIS SERVICE ON THE  
JEFFERSON COUNTY PLANNING COMMISSION

WHEREAS, the Jefferson County Commission held the first Jefferson County Planning Commission meeting on April 27, 1967,

WHEREAS, the Jefferson County Planning Commission is comprised of volunteers within Jefferson County who are knowledgeable and committed to serving the residents in Jefferson County, WV;

WHEREAS, Arnold Daily, Jr. was appointed by the Jefferson County Commission to the Jefferson County Ambulance Authority in 1997 and has served in this capacity for fifteen years;

WHEREAS, Arnold Daily, Jr. was a valuable asset to Jefferson County as a member of the Jefferson County Planning Commission by providing his knowledge and applying his professional expertise in order to preserve and enhance the land of Jefferson County, WV;

WHEREAS, the Jefferson County Commission recognizes that the people of Jefferson County have benefited from the knowledge and expertise provided by Arnold Daily, Jr. as the result of his involvement, dedication and loyalty to the Jefferson County Planning Commission;

THEREFORE, the Jefferson County Commission hereby recognizes Arnold Daily, Jr. for his years of service as a loyal and dedicated member of the Jefferson County Planning Commission and in appreciation for his service to the citizens of Jefferson County, West Virginia.

By ORDER of the Jefferson County Commission:

Dated this 22ND day of March, 2012

\_\_\_\_\_  
Patricia Noland, Commissioner

\_\_\_\_\_  
Dale Manuel, Commissioner

\_\_\_\_\_  
Frances Morgan, Commissioner

\_\_\_\_\_  
Lyn Widmyer, Commissioner

\_\_\_\_\_  
Walt Pellish, Commissioner

**RESOLUTION**

**A RESOLUTION OF THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA AUTHORIZING PARTICIPATION IN THE EASTERN PANHANDLE HOME CONSORTIUM OF WEST VIRGINIA FOR THE PERIOD OF JULY 1, 2012 TO JUNE 30, 2013.**

**WHEREAS**, TITLE II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as "HOME"); and

**WHEREAS**, the HOME regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) under 24 CFR Part 92 authorizes units of general local government to enter into Housing Consortium Cooperation Agreements; and

**WHEREAS**, there is a need throughout the Eastern Panhandle of West Virginia to provide affordable housing for the low and moderate income residents; and

**WHEREAS**, the City of Martinsburg, County of Berkeley, Town of Hedgesville, County of Jefferson, Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, City of Shepherdstown, County of Morgan, Town of Bath, Town of Paw Paw, West Virginia, have formed a Consortium that has been designated as a Participating Jurisdiction under the HOME Program, thereby entitling the Consortium to seek annual funding; and

**WHEREAS**, the Jefferson County Commission entered into a three (3) year Housing Consortium Cooperation Agreement with an annual renewal clause for participation in the HOME Consortium for the Eastern Panhandle; and

**WHEREAS**, the U.S. Department of Housing and Urban Development is expected to award the HOME Consortium of the Eastern Panhandle a HOME grant upon request and consideration for Fiscal Year 2012-2013; and

**WHEREAS**, the Jefferson County Commission recognizes the need to obtain funding for affordable housing and has identified the HOME Program as a source of funds to meet this need.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MORGAN COUNTY THAT:**

1. Jefferson County will cooperate with the City of Martinsburg, County of Berkeley, Town of Hedgesville, Town of Bolivar, City of Charles Town, Town of Harpers Ferry, City of Ranson, City of Shepherdstown, Morgan County, Town of Bath, Town of Paw Paw, West Virginia, in a Consortium for participation in the HOME Program; and

2. The **President** of the **Jefferson County Commission** is hereby authorized to enter into a one-year Cooperation Agreement for the period of July 1, 2012 to June 30, 2013 with the other members which form the Eastern Panhandle HOME Consortium of West Virginia; and
3. A copy of this resolution is to be submitted in the request to US. Department of Housing and Urban Development to approve funding of the Eastern Panhandle HOME Consortium of West Virginia for the above Fiscal Year 2012 HOME Investment Partnership Program.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**BY:**

\_\_\_\_\_  
Name and Title

**ATTEST:**

\_\_\_\_\_  
Name and Title

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

**AGENDA REQUEST FORM**

Name: Paul Shroyer, Director of Financial Management

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: - Assessor budget - acknowledge of the Valuation Fund - Discussion/Action
- Authorized the creation of a Capital Outlay Budget - Discussion/Action
  - OPEB - Discussion/Action

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

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

Attachments:



STATE OF WEST VIRGINIA

Department of Revenue  
State Tax Department

Earl Ray Tomblin  
Governor

Craig A. Griffith  
State Tax Commissioner

December 20, 2011

ALL COUNTY COMMISSIONS  
ALL MUNICIPALITIES  
ALL COUNTY BOARDS OF EDUCATION  
STATE OF WEST VIRGINIA

West Virginia Code § 11-1C-8, as amended in 1998, authorizes the assessor to receive up to 2% of the previous year's projected tax collections. This money is to be used for the purpose of maintaining current valuations and performing periodic reevaluation of property.

In order to receive these funds, the assessor is required to prepare a budget detailing the proposed use of the money and submit the budget to the Property Valuation Training and Procedures Commission (PVC) by December 15<sup>th</sup> of each year. In addition, West Virginia Code § 11-1C-8 requires that a copy of the projected budget and justification is to be sent to the county commission, board of education, and all municipalities in the county. The PVC has directed the Property Tax Division to provide each entity with a copy of their assessor's proposed budget and justification. As of the date of this letter, neither the Property Tax Division nor the State Auditor's Office has reviewed the enclosed budget request. The levying body may present written evidence showing that a lesser amount than the amount requested by the assessor would be adequate. Written evidence to this effect should be submitted to the Property Tax Division on or before January 15, 2012. This information may be faxed to our office at 304-558-1843.

The PVC will meet January 18 - 19, 2012, and during that time will review the Proposed Budget Document. Prior to January 31, 2012, the PVC must approve a percent that the assessor will receive from your property tax levies for the upcoming fiscal year.

After the PVC has approved a percent for each county assessor, the percent will be certified to the State Auditor's Office. Each county sheriff and levying body will be notified of the amount due from his or her property tax levies for the 2012-2013 Fiscal Year. The percent so certified should be used to calculate the property tax levy rate and to complete the levy page of the entity's budget.

If you have any questions or need clarification regarding the enclosed budget request, you may contact your county assessor or me at 304-558-3940.

RECEIVED

DEC 27 2011

Sincerely,

Jeff Amburgey, Chairman

Property Valuation Training and Procedures Commission

Jefferson County Commission

JA/aj  
Enclosure

PROPERTY VALUATION TRAINING  
AND PROCEDURES COMMISSION

RECEIVED

DEC 08 2011

Pursuant to West Virginia Code § 11-1C-8 (b) State Tax Department  
Property Tax Division

Budget Documentation in Support  
of Request for Valuation Funds

PROPOSED VALUATION FUND BUDGET

JEFFERSON COUNTY, WEST VIRGINIA

Fiscal Year 2012 - 2013

SUMMARY OF CONTENTS

|                                                      |               |
|------------------------------------------------------|---------------|
| Declaration of Need - Submission Page.....           | Page 1        |
| Projected Revenue - Valuation Fund.....              | Page 2        |
| Projected Expenditure Schedule - Valuation Fund..... | Pages 3 - 6   |
| Summary.....                                         | Page 7        |
| Justification.....                                   | Pages 8 - 9   |
| Staffing / Funding.....                              | Pages 10 - 11 |

DECLARATION OF NEED

SUBMISSION PAGE

I, Angela L. Banks Assessor of Jefferson County,  
West Virginia, hereby declare that my valuation fund needs for the Fiscal Year 2012 - 2013  
will be 1.75% (enter percent) of the total proceeds from the regular levies of the county  
commission, county school board, and municipalities within the county.

This document and the attached written justification represents my projected expenditure  
budget for my valuation fund for the ensuing fiscal year as required to be submitted no later  
than December 15 each year by Section 8(b), Article 1C, Chapter 11 of the West Virginia  
Code. The following represents the number of real estate accounts and personal property  
accounts within Jefferson County.

| <u>Real Property</u>                             | <u>Personal Property</u>                         | <u>Grand Total</u>                                |
|--------------------------------------------------|--------------------------------------------------|---------------------------------------------------|
| Total Accounts: <u>29,812</u><br>(Real Property) | Total Accounts: <u>20,213</u><br>(Per. Property) | Accounts: <u>50,025</u><br>(Real & Per. Property) |

Respectfully Submitted:

Angela L. Banks  
Signature of Assessor  
12/5/11  
Date

PROJECTED REVENUE - VALUATION FUND  
FISCAL YEAR 2012 - 2013

I. FUND BALANCES PROJECTED TO BE CARRIED FORWARD ON JULY 1 OF THE FISCAL

A. PROJECTED FUND BALANCE AS OF JULY 1, 2012

|       |                                        |                             |
|-------|----------------------------------------|-----------------------------|
| (299) | Checking Account Balance June 30, 2012 | <u>\$30,500</u>             |
| (299) | Money Market Account                   | <u>\$0</u>                  |
| (299) | Certificates of Deposit                | <u>                    </u> |

B. OTHER AMOUNTS OWED VALUATION FUND

|       |                                                              |                             |
|-------|--------------------------------------------------------------|-----------------------------|
| (336) | Projected Map Sales Revenue<br>July 1, 2012 to June 30, 2013 | <u>                    </u> |
| (365) | Projected Interest Earned<br>July 1, 2012 to June 30, 2013   | <u>\$100</u>                |

SUBTOTAL: PROJECTED FUND BALANCE AND OTHER REVENUES \$30,600

II. PROJECTED PROCEEDS FROM THE REGULAR LEVY

|       |                       | PROJECTED TAX<br>PROCEEDS<br>FY 2012 - 2013 | PERCENT* OF LEVY<br>REQUESTED:<br><u>1.75%</u> (PERCENT) |
|-------|-----------------------|---------------------------------------------|----------------------------------------------------------|
| (380) | COUNTY COMMISSION     | <u>\$10,166,931</u>                         | <u>\$177,921</u>                                         |
| (380) | SCHOOL BOARD          | <u>\$16,157,733</u>                         | <u>\$282,760</u>                                         |
| (380) | COUNTY MUNICIPALITIES | <u>\$1,990,643</u>                          | <u>\$34,836</u>                                          |
|       | TOTAL                 | <u>\$28,315,307</u>                         |                                                          |

(380) SUBTOTAL: REVENUE PROJECTED FROM LEVY \$495,518

GRAND TOTAL OF REVENUES "I" & "II" \$526,118

\* Percent of levy requested may not exceed two percent (2%).

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND  
FISCAL YEAR 2012 - 2013

| Object No.      | No. of Employees | Personal Services<br>Personnel - Salaries & Wages | Valuation Fund    |                  |
|-----------------|------------------|---------------------------------------------------|-------------------|------------------|
|                 |                  |                                                   | Projected FY12-13 | Budgeted FY11-12 |
| (103)           |                  | Chief Deputy @                                    |                   |                  |
| (103)           | 4                | Appraisers @                                      | \$175,000         | \$210,000        |
| (103)           | 1                | Mappers @                                         | \$60,000          | \$57,000         |
| (103)           | 1                | Field/Data Asst. @                                | \$32,000          |                  |
| (103)           |                  | Office Staff @                                    |                   |                  |
| (103)           |                  | Computer Clerks @                                 |                   |                  |
| (103)           |                  | Other (Describe): @                               |                   |                  |
|                 |                  | @                                                 |                   |                  |
|                 |                  | @                                                 |                   |                  |
| (103)           | SUBTOTAL         |                                                   | \$267,000         | \$267,000        |
| <b>BENEFITS</b> |                  |                                                   |                   |                  |
| (104)           | FICA             |                                                   | \$20,426          | \$20,426         |
| (105)           | GROUP INSURANCE  |                                                   | \$78,000          | \$78,000         |
| (106)           | RETIREMENT       |                                                   | \$41,000          | \$37,380         |
| (108)           | OVERTIME         |                                                   | \$6,000           |                  |
| (109)           | EXTRA HELP       |                                                   | \$0               | \$0              |
|                 | W. Comp          |                                                   |                   | \$10,680         |

|                                    |                         |                         |
|------------------------------------|-------------------------|-------------------------|
|                                    | \$145,426               | \$146,486               |
| <b>SUBTOTAL: PERSONAL SERVICES</b> | <b><u>\$412,426</u></b> | <b><u>\$413,486</u></b> |

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND (cont.)  
FISCAL YEAR 2012 - 2013

| Object No. | Contractual Services                                                                     | Valuation Fund       |                     |
|------------|------------------------------------------------------------------------------------------|----------------------|---------------------|
|            |                                                                                          | Projected<br>FY12-13 | Budgeted<br>FY11-12 |
| (211)      | TELEPHONE                                                                                |                      |                     |
| (212)      | PRINTING (INCLUDING COMPUTER RUNS)<br>DESCRIBE:                                          |                      |                     |
| (213)      | UTILITIES                                                                                |                      |                     |
| (214)      | TRAVEL EXPENSES                                                                          | \$2,319              | \$2,319             |
| (216)      | MAINTENANCE & REPAIR - EQUIPMENT                                                         | \$4,500              | \$4,500             |
| (217)      | MAINTENANCE & REPAIR - AUTO & TRUCKS                                                     |                      |                     |
| (218)      | POSTAGE                                                                                  |                      |                     |
| (219)      | BUILDING/EQUIPMENT RENTS                                                                 |                      |                     |
| (220)      | ADVERTISING/LEGAL PUBLICATIONS                                                           |                      |                     |
| (221)      | TRAINING AND EDUCATION                                                                   | \$5,000              | \$8,000             |
| (222)      | DUES AND SUBSCRIPTIONS                                                                   |                      |                     |
| (223)      | PROFESSIONAL SERVICES                                                                    | \$15,000             | \$15,000            |
| (224)      | AUDIT COSTS                                                                              |                      |                     |
| (226)      | INSURANCE AND BONDS (INCLUDING<br>WORKERS COMPENSATION AND<br>UNEMPLOYMENT COMPENSATION) | \$10,680             |                     |
| (230)      | CONTRACTED SERVICES                                                                      | \$20,000             | \$15,000            |
|            | OTHER: (DESCRIBE AND INDICATE OBJECT NO.)                                                |                      |                     |

SUBTOTAL: CONTRACTUAL SERVICES \$57,499 \$44,819

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND (cont.)  
FISCAL YEAR 2012 - 2013

| Object No. | Commodities                                 | Valuation Fund       |                     |
|------------|---------------------------------------------|----------------------|---------------------|
|            |                                             | Projected<br>FY12-13 | Budgeted<br>FY11-12 |
| (341)      | MAPPING AND APPRAISAL<br>SUPPLIES/MATERIALS | \$11,693             | \$7,000             |
| (343)      | AUTOMOBILE SUPPLIES                         |                      |                     |
| (345)      | UNIFORMS                                    |                      | \$1,500             |
| (353)      | COMPUTER SOFTWARE                           | \$6,500              | \$6,500             |

**SUBTOTAL: COMMODITIES** **\$18,193** **\$15,000**

| Object No. | Capital Outlay                                                                                                         | Valuation Fund       |                     |
|------------|------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------|
|            |                                                                                                                        | Projected<br>FY12-13 | Budgeted<br>FY11-12 |
| (459)      | EQUIPMENT FOR PURCHASE THIS<br>FISCAL YEAR (12-13)                                                                     |                      |                     |
|            | DESCRIBE:<br>vehicle                                                                                                   | \$20,000             | \$20,000            |
|            | MONIES SET ASIDE FOR CAPITAL<br>PURCHASE OF EQUIPMENT IN FUTURE<br>YEARS (DESCRIBE) FOR PURCHASE OF:<br>_____<br>_____ |                      |                     |
|            | TOTAL PROJECT COST<br>\$ _____                                                                                         |                      |                     |
| (459)      | AMOUNT TO BE SET ASIDE FY12-13                                                                                         | \$18,000             | \$18,000            |
| (459)      | AMOUNT SET ASIDE IN PAST YEARS                                                                                         |                      |                     |

**SUBTOTAL: CAPITAL OUTLAY** **\$38,000** **\$38,000**

| Object No. | Contingencies                                                                                                                                         | Valuation Fund       |                     |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------|
|            |                                                                                                                                                       | Projected<br>FY12-13 | Budgeted<br>FY11-12 |
| (699)      | THE PROPERTY VALUATION TRAINING AND<br>PROCEDURES COMMISSION HAS APPROVED AN<br>AMOUNT, IF NECESSARY, OF UP TO 3% OF YOUR<br>TOTAL EXPENDITURE BUDGET |                      |                     |

**SUBTOTAL: RESERVED FOR CONTINGENCIES** **\$0** **\$0**

PROJECTED EXPENDITURE SCHEDULE - VALUATION FUND (cont.)  
FISCAL YEAR 2012 - 2013

| Object No. | ASSESSOR CAPITAL PROJECTS | Valuation Fund        |                      |
|------------|---------------------------|-----------------------|----------------------|
|            |                           | Projected<br>FY 12-13 | Budgeted<br>FY 11-12 |
| (966)      | GIS CAPITAL PROJECT       |                       |                      |
| (977)      | OTHER CAPITAL PROJECTS    |                       |                      |
|            | PLEASE DESCRIBE:          |                       |                      |
| 1          | \$ _____ for              |                       |                      |
| 2          | \$ _____ for              |                       |                      |
| 3          | \$ _____ for              |                       |                      |
|            |                           |                       |                      |

**SUBTOTAL: CAPITAL PROJECTS** \$0 \$0

**SUMMARY**

SUMMARY OF PROJECTED EXPENDITURES

|                                                                                                                             |                                        |                         |
|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------------------------|
| (101 - 110)                                                                                                                 | PERSONAL SERVICES (SUBTOTAL PAGE 3)    | <u>\$412,426</u>        |
| (211 - 240)                                                                                                                 | CONTRACTUAL SERVICES (SUBTOTAL PAGE 4) | <u>\$57,499</u>         |
| (341 - 353)                                                                                                                 | COMMODITIES (SUBTOTAL PAGE 5)          | <u>\$18,193</u>         |
| (459)                                                                                                                       | CAPITAL OUTLAY (SUBTOTAL PAGE 5)       | <u>\$38,000</u>         |
| (699)                                                                                                                       | CONTINGENCIES (SUBTOTAL PAGE 5)        | <u>\$0</u>              |
| (966 - 977)                                                                                                                 | CAPITAL PROJECTS (SUBTOTAL PAGE 6)     | <u>\$0</u>              |
|                                                                                                                             |                                        | \$526,118               |
| GRAND TOTAL: TOTAL OF PROJECTED EXPENDITURES TO BE<br>MADE FROM VALUATION FUND FOR THE ENSUING FISCAL YEAR<br>FY2012 - 2013 |                                        | <u><u>\$526,118</u></u> |

NOTE: PROJECTED REVENUES (PAGE 2) AND EXPENDITURES MUST BALANCE

\_\_\_\_\_ APPROVED \_\_\_\_\_% \_\_\_\_\_ APPROVED WITH ADJUSTMENTS \_\_\_\_\_%

\_\_\_\_\_  
*SIGNATURE*

PROPERTY VALUATION TRAINING  
AND PROCEDURES COMMISSION

\_\_\_\_\_  
DATE

**JUSTIFICATION**

The following information **MUST** be included in your justification:

1. A detailed explanation justifying your need for the percent requested.
2. A detailed explanation of your carryover from last year (if any).
3. A detailed explanation for amounts requested for expenditures. Please provide an explanation for any line item that has an amount other than zero.

**Explanation of Need for Percent (%) Requested:**

The Assessor's Valuation fund is needed to help maintain appraisals, Mapping, and training. I am requesting the same 1.75 percent as last year. Employees salaries, retirement and Insurance which do appraising and mapping are paid from this fund.

The carry over will be used for future vehicle (s) as needed.

Money has also been set aside for future servers, equipment and mapping/gis projects.

**JUSTIFICATION (cont.)**

A large, empty rectangular box with a black border, occupying most of the page. It is intended for the user to provide justification for the information on the page.

**Employees Paid Solely From General Fund**

Employee Name:

Monica Bennett \_\_\_\_\_

\_\_\_\_\_

Rhonda Fields \_\_\_\_\_

\_\_\_\_\_

Paula Hardy \_\_\_\_\_

\_\_\_\_\_

Karen Hill \_\_\_\_\_

\_\_\_\_\_

Vanda Hosby \_\_\_\_\_

\_\_\_\_\_

Rachel Silvious \_\_\_\_\_

\_\_\_\_\_

Hope Thompson \_\_\_\_\_

\_\_\_\_\_

Virginia Keeney \_\_\_\_\_

\_\_\_\_\_

Joan Mercer \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Employees Paid Solely From Valuation Fund (provide total annual salary)**

Employee Name and Annual Salary:

Employee Name and Annual Salary:

Matthew Barney \_\_\_\_\_

\_\_\_\_\_

Elizabeth Bowers \_\_\_\_\_

\_\_\_\_\_

Margaret Fazenbaker \_\_\_\_\_

\_\_\_\_\_

Jason Mickey \_\_\_\_\_

\_\_\_\_\_

Victoria Myers \_\_\_\_\_

\_\_\_\_\_

Russell Williams \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Paul Shroyer, Director of Financial Management

Department or Entity: County Commission

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

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

Subject: **Discuss OPEB**

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> |
|--------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Stephanie Grove, Assistant Prosecutor

Department or Entity: Prosecuting Attorney

Estimation of amount of time needed for appointment: 15 minutes

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

Subject: **Order to establish a segregated account for the collection of fees for Teen Court**  
**Order to establish an effective date to begin the collection of fees for Teen Court**

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: TEEN COURT PROGRAM

**ORDER CREATING TEEN COURT PROGRAM AND  
ESTABLISHING SPECIAL FUND**

**WHEREAS**, West Virginia Code § 49-5-13d was amended to authorize counties to adopt a mandatory fee when a county elects to institute a Teen Court Program, to fund that program; and

**WHEREAS**, West Virginia Code § 49-5-13d now provides "Each county that operates or wishes to operate, a Teen Court Program as provided in this section is hereby authorized to adopt a mandatory fee of up to five dollars (\$5.00) to be assessed as provided in this subsection. Assessments collected by the Clerk of the Court pursuant to this subsection shall be deposited into an account specifically for the operation and administration of a teen court program. The Clerk of the Court of conviction shall collect the fees established in this subsection and shall remit the fees to the Teen Court Program. Any mandatory fee established by the County Commission in accordance with the provisions of this subsection shall be paid by the Defendant on a judgment of guilty or a plea of nolo contendere for each violation committed in the County of any felony, misdemeanor or any local ordinance, including traffic violations and moving violations."

Accordingly, it is **ADJUDGED, ORDERED, AND DECREED** that a Mandatory Fee is established in accordance with the provisions of West Virginia Code § 49-5-13d in the amount of Five and 00/100 Dollars (\$5.00) to be paid by the Defendant on judgment of guilty or a plea of nolo contendere for each violation committed in the County of any felony, misdemeanor or any local ordinance and that the Clerk of the Circuit Court and the Clerk of the Magistrate Court shall collect the fee established herein and shall remit the fee to the Jefferson County Teen Court Program.

It is further **ORDERED** that a Special Fund, identified as Fund Number 77, be created and established in accordance with the provisions of W.Va. Code § 7-1-9. The fees collected under the authority of this Order shall be deposited in Fund 77 and shall thereafter be remitted to the Teen Court Program.

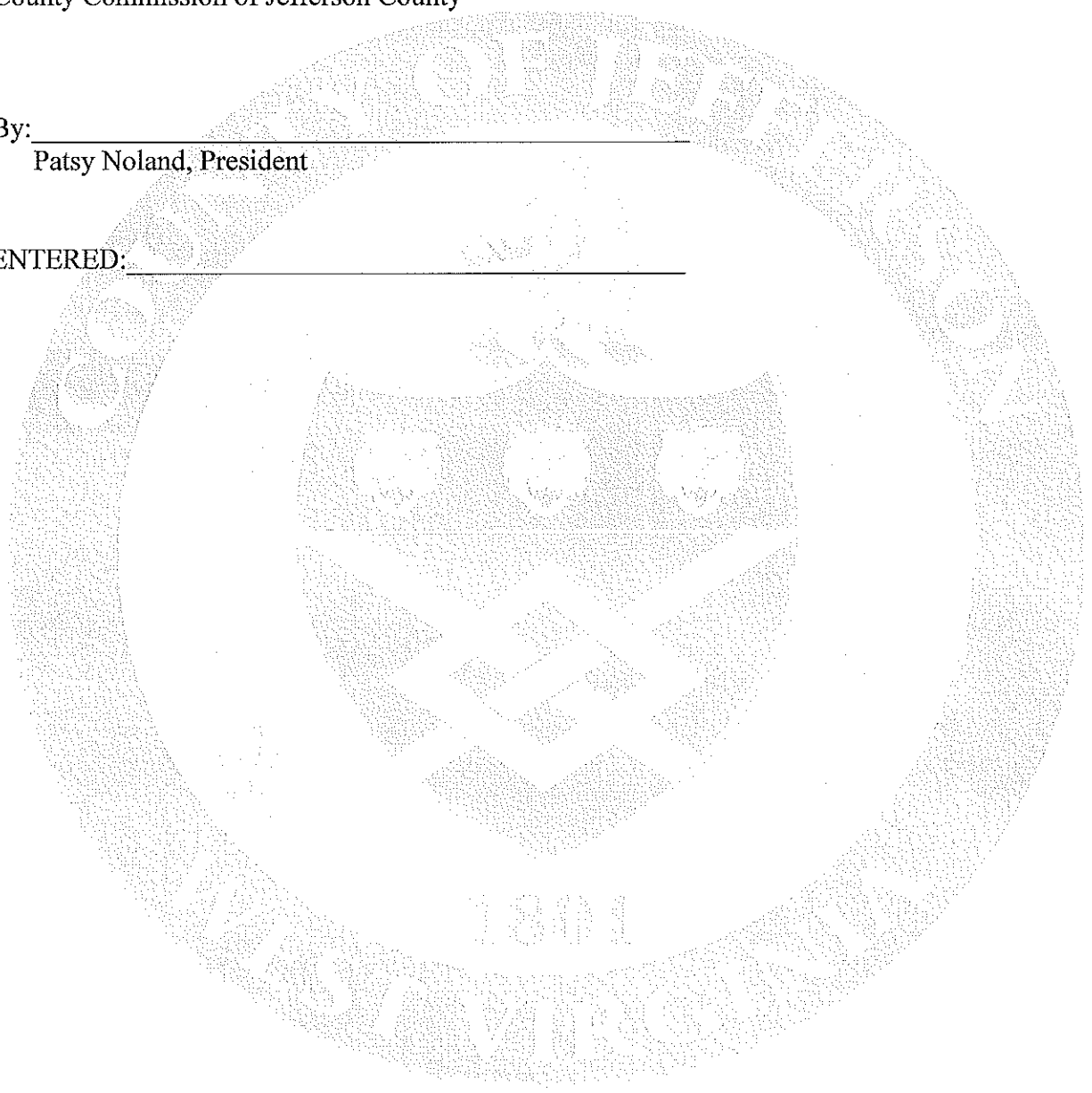
The Clerk of the County Commission of Jefferson County is directed to forward a certified copy of this Order to the Clerk of the Circuit Court of Jefferson County, West Virginia, and the Clerk of the Magistrate Court of Jefferson County, West Virginia.

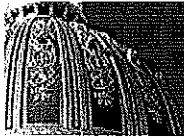
Upon a motion of \_\_\_\_\_, seconded by \_\_\_\_\_, this Order is approved and adopted by the County Commission of Jefferson County, West Virginia.

County Commission of Jefferson County

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

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





# West Virginia Legislature

2ND SESSION OF THE 80TH LEGISLATURE



## WEST VIRGINIA CODE

### §7-1-9. Creation of special funds.

In addition to all other powers and duties now conferred by law upon county courts, such courts are hereby authorized and empowered to create and establish, by proper order, special funds to be used for any purpose which such courts now or hereafter may by the provisions of chapter seven or article eleven, chapter eight of this code be authorized to accomplish.

Such courts are hereby authorized to allocate to and transfer into any special fund created pursuant to the provisions of this section, such sums raised by tax levies pursuant to the provisions of article eight, chapter eleven of this code, and such amounts of unexpended or surplus moneys in the county general fund or in any other special fund as they shall deem proper.

Expenditures from any special fund created pursuant to the provisions of this section shall be made only for the purpose for which the special fund was created and established: *Provided*, That in the event of a necessity or emergency the county court, by unanimous vote thereof and upon approval of the state tax commissioner, shall be empowered to transfer funds from any such special fund to the county general fund.

When the particular purpose for which any special fund created pursuant to the provisions of this section has been accomplished or completed, the county court may transfer any balance remaining therein to the general county fund.

Note: WV Code updated with legislation passed through the [2011 4th Special Session](#)

## RESOLUTION SUPPORTING TEEN COURT

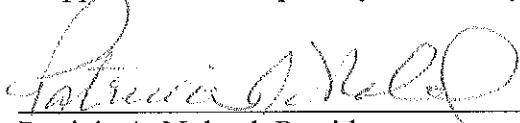
**WHEREAS**, West Virginia Code § 49-5-13d was amended to authorize counties to adopt a mandatory fee when a county elects to institute a Teen Court Program, to fund that program; and

**WHEREAS**, West Virginia Code § 49-5-13d now provides "Each county that operates or wishes to operate, a Teen Court Program as provided in this section is hereby authorized to adopt a mandatory fee of up to five dollars (\$5.00) to be assessed as provided in this subsection. Assessments collected by the Clerk of the Court pursuant to this subsection shall be deposited into an account specifically for the operation and administration of a teen court program. The Clerk of the Court of conviction shall collect the fees established in this subsection and shall remit the fees to the Teen Court Program. Any mandatory fee established by the County Commission in accordance with the provisions of this subsection shall be paid by the Defendant on a judgment of guilty or a plea of nolo contendere for each violation committed in the County of any felony, misdemeanor or any local ordinance, including traffic violations and moving violations" and

Accordingly, it is ADJUDGED, ORDERED AND DECREED that a Mandatory Fee is established in accordance with the provisions of West Virginia Code § 49-5-13d in the amount of Five and 00/100 Dollars (\$5.00) to be paid by the Defendant on judgment of guilty or a plea of nolo contendere for each violation committed in the County of any felony, misdemeanor or any local ordinance and that the Clerk of the Court shall collect the fee established herein and shall remit the fees to the Jefferson County Teen Court Program.

The Clerk of the County Commission of Jefferson County is directed to forward a certified copy of this Order to the Clerk of the Circuit Court of Jefferson County, West Virginia, and the Clerk of the Magistrate's Court of Jefferson County, West Virginia.

Upon a motion of Dale Manuel, seconded by Frances Morgan, the order pertaining to the Teen Court Fee is approved and adopted by the County Commission of Jefferson County, West Virginia.

  
Patricia A. Noland, President

  
Dale Manuel, Commissioner

  
Frances Morgan, Commissioner

  
Lyn Widmyer, Commissioner

  
Walt Pellish, Commissioner

Dated this 2<sup>nd</sup> Day of June, 2011



6

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

**AGENDA REQUEST FORM**

Name: Ralph Lorenzetti, Prosecuting Attorney

Department or Entity: Prosecutor

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

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

Subject: **Request a change in Classification and Compensation from legal secretary to legal assistant**

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:

Jefferson County, West Virginia  
Classification Appeal Request Form


Date of Request: 3-7-2017  
Current Position Classification Title: LEGAL ASSISTANT/PARA LEGAL  
Grade: 2 Step: 6 Current Salary: 30,803.87  
Department: PROSECUTING ATTORNEY Department Head: RALPH LORENZETTI  
Incumbent: C. DANNER  
How long has Incumbent been in position? JULY 1, 2011 Years          Months  
Who is requesting this appeal? RALPH LORENZETTI, PROS. ATTN

**A. Job Description Information\*:** [To be completed by the individual making the appeal]

1. Is the current job description accurate?  Yes  No  
2. If No, how does it differ? (Please give as much information as possible. You may attach a separate sheet.)

NEED TO CHANGE FROM LEGAL SEC./LEGAL ASSISTANT  
TO PARALEGAL  
CHANGE TO GRADE 3 - STERC - \$32,781.23

3. How long have you/this individual been doing the above work?          Years  
         Months SINCE EMPLOYED ON JULY 1, 2011

Employee Signature:   
Print Name: Cynthia Danner

Date 3-7-12

**B. Additional Comments:** [If additional space is needed, please attach a separate sheet]

MS. DANKER HAD BEEN A PARALEGAL AND AT A SUBSTANTIAL HIGHER SALARY AT HER FORMER POSITION. SHE TOOK A LOWER SALARY AT THIS OFFICE TO WORK CLOSER TO HER HOME. NEVERTHELESS, SHE HAS FUNCTIONED AS A PARALEGAL<sup>GRADE 4</sup> SINCE SHE STARTED WORKING HERE. THE GRADE 2 LEGAL SEC. IS NOT CONSISTANT WITH THE TASKS SHE IS ASSIGNED. FOR NOW SHE SHOULD BE ADVANCED TO GRADE 3 - LEGAL ASSISTANT.

**C. Organizational Information:** [To be completed by Department Head]

1. Have there been any organizational changes that affected this position in the last six months: retirements, terminations, layoffs, new responsibilities, etc.  Yes  No

If Yes, please detail:

HER RESPONSIBILITIES ARE CONSISTANT WITH THOSE OF A PARALEGAL

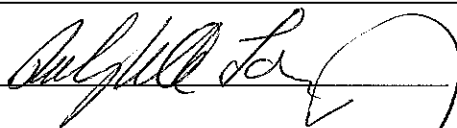
2. Does the organization chart of your unit still reflect the current structure?  Yes  No

If No, please submit a revised chart.

**D. Department Head Comments:** [If additional space is needed, please attach a separate sheet]

MS. DANKER HAS BEEN WORKING AS A PARALEGAL SINCE JOINING THIS OFFICE. A PROMOTION TO GRADE 4 IS NOT IN THE CURRENT BUDGET LIMITATION BUT A PROMOTION TO GRADE 3 - STEP C \$32,741.23 SHOULD BE APPROVED

DH Signature:



Print Name: RALPH LORENZETTI

PROSECUTING ATTORNEY

**E. Position Rating Criteria. [To be completed by the HR Director]**

1. Are the 13 factors rated accurately?  Yes  No

2. If No, in what way do they differ from the original position rating?

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3. Should more or less weight be given to any factor? [Please list each factor]

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**F. Hearing & Decision:**

Date Completed Form Received By HR Department: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date of Hearing: \_\_\_\_ / \_\_\_\_ / \_\_\_\_      Date Hearing Closed: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Decision:  Granted  Denied

If Granted, indicate new Classification Title, Grade, Step, and implementation date

New Classification Title: \_\_\_\_\_

Grade: \_\_\_\_\_ Step: \_\_\_\_\_ Implementation Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
County Administrator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**Additional Comments:**

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## Bi-Weekly/Annual Salaries for Jefferson County Government Adopted 10/14/10

| Grade | Pay Rate | Percentage Increase | Bi-Weekly Hours | Annual Salary |           |            |            |            |            |            |            |
|-------|----------|---------------------|-----------------|---------------|-----------|------------|------------|------------|------------|------------|------------|
|       |          |                     |                 | A             | B         | C          | D          | E          | F          | G          | H          |
| I     | 11.26    | 4.25%               | 70              | 20,500.00     | 21,371.25 | 22,279.53  | 23,226.41  | 24,213.53  | 25,242.61  | 26,315.42  | 27,433.82  |
|       |          |                     | 80              | 23,420.80     | 24,416.18 | 25,453.87  | 26,535.66  | 27,663.43  | 28,839.12  | 30,064.79  | 31,342.54  |
| II    | 14.08    | 3.75%               | 70              | 25,625.00     | 26,585.94 | 27,582.91  | 28,617.27  | 29,690.42  | 30,803.81  | 31,958.95  | 33,157.41  |
|       |          |                     | 80              | 29,286.46     | 30,384.70 | 31,524.13  | 32,706.28  | 33,932.77  | 35,205.25  | 36,525.44  | 37,895.15  |
| III   | 16.9     | 3.25%               | 70              | 30,750.00     | 31,749.38 | 32,781.23  | 33,846.62  | 34,946.63  | 36,082.40  | 37,255.08  | 38,465.87  |
|       |          |                     | 80              | 35,152.00     | 36,294.44 | 37,474.01  | 38,691.91  | 39,949.40  | 41,247.76  | 42,588.31  | 43,972.43  |
| IV    | 19.71    | 2.90%               | 70              | 35,875.00     | 36,915.38 | 37,985.92  | 39,087.51  | 40,221.05  | 41,387.46  | 42,587.70  | 43,822.74  |
|       |          |                     | 80              | 40,996.80     | 42,185.71 | 43,409.09  | 44,667.96  | 45,963.33  | 47,296.26  | 48,667.86  | 50,079.22  |
| V     | 28.16    | 2.50%               | 70              | 51,250.00     | 52,531.25 | 53,844.53  | 55,190.64  | 56,570.41  | 57,984.67  | 59,434.29  | 60,920.14  |
|       |          |                     | 80              | 58,572.80     | 60,037.12 | 61,538.05  | 63,076.50  | 64,653.41  | 66,269.75  | 67,926.49  | 69,624.65  |
| VI    | 36.6     | 2.25%               |                 | 66,625.00     | 68,124.06 | 69,656.85  | 71,224.13  | 72,826.68  | 74,465.28  | 76,140.75  | 77,853.91  |
| VII   | 42.24    | 2.25%               |                 | 76,875.00     | 78,604.69 | 80,373.29  | 82,181.69  | 84,030.78  | 85,921.47  | 87,854.71  | 89,831.44  |
| VIII  | 53.5     | 1.45%               |                 | 97,375.00     | 98,786.94 | 100,219.35 | 101,672.53 | 103,146.78 | 104,642.41 | 106,159.72 | 107,699.04 |

**Jefferson County, West Virginia  
Classification Plan**

| Grade Level                         | Current Position Title               |
|-------------------------------------|--------------------------------------|
| I                                   | Receptionist                         |
|                                     | Addressing Assistant                 |
| II                                  | Receptionist (Attorney)              |
|                                     | Zoning Appeals Asst.                 |
|                                     | Office Assistant                     |
|                                     | Receptionist (Attorney)              |
|                                     | Clerk (Assessor)                     |
|                                     | Tax Deputy (Sherff)                  |
|                                     | Administrative Assistant (Sheriff)   |
|                                     | Addressing Specialist                |
|                                     | Secretary                            |
|                                     | Dispatcher (I)                       |
|                                     | Deputy Clerk (Circuit Court)         |
|                                     | Maintenance Worker (Parks & Rec)     |
|                                     | Tax Appraiser                        |
|                                     | Laborer I                            |
|                                     | Custodian                            |
| III                                 | Admin. Assistant                     |
|                                     | Research Assistant                   |
|                                     | Planning Assistant                   |
|                                     | Permit Clerk                         |
|                                     | Dispatcher (II)                      |
|                                     | Legal Assistant                      |
|                                     | GIS Technician                       |
|                                     | Admin. Asst/Bond Admin.              |
|                                     | Laborer II                           |
|                                     | Assistant Tax Deputy (Sheriff)       |
|                                     | Administrative Clerk (Circuit Court) |
|                                     | Ordinance Officer                    |
|                                     | Personnel Assistant (Assessor)       |
|                                     | Senior Clerk (Assessor)              |
|                                     | Senior Appraiser                     |
| Preschool Coordinator (Parks & Rec) |                                      |

**Jefferson County, West Virginia  
Classification Plan**

|    |                                          |
|----|------------------------------------------|
|    | Recreation Specialist                    |
|    | Asst. Impact Fee Coordinator             |
|    | Animal Control Officer                   |
| IV | IT Specialist                            |
|    | Administrative Assistant/Bonds           |
|    | Para Legal                               |
|    | Assistant Victim Advocate                |
|    | Research Assistant (Dev. Authority)      |
|    | Executive Assistant                      |
|    | EMD Coordinator                          |
|    | Mechanic                                 |
|    | Program Mgr. (Security)                  |
|    | Bldg. Plans Reviewer                     |
|    | Building Inspector                       |
|    | Public Safety Super.                     |
|    | Mapper (Assessor)                        |
|    | Chief Deputy Clerk (County Clerk)        |
|    | Offcie Manager (Sheriff)                 |
|    | Animal Control Super.                    |
|    | Appraisal Coordinator                    |
|    | Maintenance Supervisor (Parks & Rec)     |
| V  | Planner                                  |
|    | Land Dev. Inspector                      |
|    | Engineer                                 |
|    | Senior Victim Advocate                   |
|    | Agriculture Development Officer          |
|    | Chief Circuit Court Clerk                |
|    | GIS Specialist                           |
|    | Deputy County Administrator              |
|    | Deputy Director                          |
|    | Capital Projects Mgr.                    |
|    | Senior Chief Deputy Clerk (County Clerk) |
|    | Dep. Director of Comunication            |
|    | Chief Tax Deputy (Sheriff)               |
|    | Chief Deputy Clerk (Assessor)            |
|    | Assistant Recreation Director            |

**Jefferson County, West Virginia  
Classification Plan**

|      |                                  |
|------|----------------------------------|
| VI   | Capital Planning Director        |
|      | Dir. Homeland Security           |
|      | Dir. of Dev. Authority           |
|      | Maintenance Director             |
|      | Parks and Recreation Director    |
| VII  | Communication Dir.               |
|      | Chief CO. Engineer               |
|      | Director of Financial Management |
|      | Assistant Prosecuting Attorneys  |
|      | Planning Director                |
| VIII | Chief Deputy Prosecutor          |
|      | County Administrator             |

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

AGENDA REQUEST FORM

Name: Roger Goodwin

Department or Entity: Department of Engineering

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

Subject: Bond reduction and/or release.

Please provide the County Commission with a description of your request or presentation, including any background information: Complete release of the Construction Bond security for RAI Properties, LLC – Lot 44 Burr Industrial Park/DMV Office Building (File #S04-15) – Letter of Credit #246 with The Bank of Charles Town, Charles Town, West Virginia.

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): I authorize a complete release of the remaining \$27,600.00 construction bond amount for RAI Properties, LLC – Lot 44 Burr Industrial Park/DMV Office Building (File #S04-15).

- Attachments: Bond Release Letter  
 Bond Release Request Report  
 Site Map



## JEFFERSON COUNTY COMMISSION

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

Phone: (304) 728-3284 - Fax: (304) 725-7916

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT

*Patsy Noland*

VICE PRESIDENT

*Dale Mammel*

COMMISSIONER

*Frances Morgan*

COMMISSIONER

*Walt Pellish*

COMMISSIONER

*Lyn Widmyer*

March 22, 2012

Mr. Robert Baronner, President

Bank of Charles Town

P. O. Box 906

Charles Town, West Virginia 25414

RE: Irrevocable Letter of Credit #246 dated January 13, 2006, for RAI Properties, LLC –  
Lot 44 Burr Industrial Park/DMV Office Building (PCFile #S04-15).

Dear Mr. Baronner:

The Jefferson County Commission authorizes a complete release of the remaining \$27,600.00 from the construction bond for RAI Properties, LLC /Lot 44 Burr Industrial Park DMV Office Building (PC File #S04-15). This project is located on the east side of Old Route 9 at its intersection with Ruland Road. The work appears to be 100% complete.

In summary, you are hereby authorized to fully release the remaining amount for the above referenced Letter of Credit #246, originally issued in the amount of \$323,492.00. Please contact the Jefferson County Department of Engineering at (304)-728-3257 if you have any questions.

Sincerely,

Patricia A. Noland, President  
Jefferson County Commission

PAN:rfb

cc: Mr. Jimmy Gross  
RAI Properties, LLC  
Department of Engineering

COUNTY ADMINISTRATOR  
*Tim Bowde*

DEPUTY COUNTY ADMINISTRATOR  
*Sandy Shusher McDonald*

**BOND REDUCTION or RELEASE REQUEST - REPORT**

Date Received: 02 / 21 / 2012

J.C.P.C. File No. 504 - 15

Consultant/Engineer/Firm Name: R.A.I. PROPERTIES, LLC

Mailing Address: 150 E. BURR BLVD.

City: KEARNEYSVILLE State: WV Zip: 25430

Contact Person: JIMMY GROSS Phone: 304+728-0192

Project/Subdivision Name: BURR INDUSTRIAL PARK

Section/Phase: DMV BUILDING Lots: PORTION LOT 44

Review Comments:

The bond ~~release~~ reduction is Approved as Submitted.  The bond release/reduction request is Denied.

Add items/revise as shown per our comments on your attached bond release/reduction form & resubmit reduction/release request to our office for review and approval.

Some site work has progressed beyond the required "milestone" site inspections that are to be performed by our office. As a result, you will need to schedule the inspections with our Land Development Inspector, and/or provide the certifications noted on the attached "Third-Party Certifications" checklist. Please collect all the required third-party certifications and submit them all at one time along with a copy of this report and the checklist.

Bonding Policy & Unit Cost Figures attached for your use.

Comments: RECOMMEND RELEASE OF BOND

Approved for:  
BOND RELEASE  
By [Signature] 03/09/12  
County Engineer Date

Original Bond Amt. \$ 281,297<sup>26</sup> + 15% Cont. \$ 42,194<sup>01</sup> = Total Original Bond Amt. \$ 323,492

Total Current Bond Amount \$ 27,600.00

Cost of Work Remaining \$ 0.00 + Contingency Amount \$ 0.00

= Approved for Revised Bond Amount \$ 0.00

Reviewed By: JOSEPH L. KENT Title: L.D.I.

Signature: [Signature] Date: 03 / 09 / 2012



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

**AGENDA REQUEST FORM**

Name: Nichelle Hosby

Department or Entity: Commission Office

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

Date Requested – 1<sup>st</sup> Choice: 3/22/2012

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

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

Subject: Discussion concerning the Commission meeting on Thursday, April <sup>5</sup>~~12~~, 2012

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

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

Attachments:



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

**AGENDA REQUEST FORM**

Name: Lyn Widmyer

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

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

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

Date Requested – 2<sup>nd</sup> Choice: March 29, 2012

If a specific date is needed, please provide reason for specific date: **This policy should be discussed during budget session.**

Subject: **Require that all contracts for \$10,000 or more be reviewed and re-bid a minimum of once every 3 years.**

Please provide the County Commission with a description of your request or presentation, including any background information: **Jefferson County has contracts that are over 3 years old that have never been revisited or rebid. This policy would require that all contracts be reviewed and re-bid to assure tax payers are getting the best services for the least expense.**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Approve policy to require all contracts for \$10,000 or more be reviewed and rebid a minimum of once every 3 years.**

Attachments:



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

**AGENDA REQUEST FORM**

Name: Nichelle Hosby

Department or Entity: County Commission

Estimation of amount of time needed for appointment: 3 Minutes

Date Requested – 1<sup>st</sup> Choice: 3/22/12

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

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

**Subject: Appointment of John Reisenweber to the Eastern Panhandle Regional Planning and Development Council (Region 9) for an unexpired term ending June 30, 2012**

Please provide the County Commission with a description of your request or presentation, including any background information: **This position was held by the past Director of the Development Authority, therefore there is a current vacancy that needs to be filled**

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve): **Move to appoint John Reisenweber to the Eastern Panhandle Regional Planning and Development Council (Region 9) for an unexpired term ending June 30, 2012**

Attachments:

**Board of  
Directors  
2011-2012**

Mark Dyck  
President

Howard Mills  
Vice President

Ann Paonessa  
Secretary/Treasurer

James D. Campbell  
Linda Case  
Helen Deitner  
Paul Espinosa  
Annette Gavin  
Conrad C. Hammann  
Joshua Householder  
Eric Lewis  
Howard Mills  
P. David Mills  
Walter Pellish  
James A. Tolbert  
Karan Townsend

**Staff**

John Reisenweber  
Executive Director

Shepherd Ogden  
Agriculture  
Development Officer

Elizabeth Wheeler  
Administrator, JC  
Farmland Protection  
Board

Whitney Barrett  
Research Assistant

Lane Donley  
Administrative  
Assistant

PO BOX 237  
CHARLES TOWN  
WV 25414

304/728-3255  
F 304/728-3133

WWW.JCDA.WV

**JEFFERSON COUNTY**  
DEVELOPMENT AUTHORITY

March 13, 2012

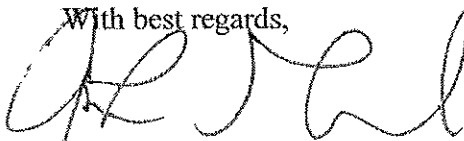
Ms. Patsy Noland  
President  
Jefferson County Commission  
250 West Washington Street  
Charles Town, WV 25414

Dear President Noland:

It is my understanding that the Jefferson County Commission is required to appoint a representative to the Region 9 Council. Previously, the county had always appointed the Executive Director of the JCDA. By way of this letter, I respectfully request that you appoint me to replace the previous Executive Director.

Thank you very much for your consideration.

With best regards,



John Reisenweber  
Executive Director

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

**AGENDA REQUEST FORM**

Name: Nichelle Hosby

Department or Entity: Commission

Estimation of amount of time needed for appointment: 5 minutes

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

**Subject: Appointment of a County Commissioner as a liaison to the Teen Court Program**

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> |
|--------------------------------------------------------------------------------------------|

**AGENDA REQUEST FORM**

Name: Sandy McDonald, Interim County Administrator

Department or Entity: County Commission

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

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

**Subject: Animal Welfare Society - Approval of Grant Contract, Resolution and Letter of Agreement**

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): **Motion to approve the grant contract, resolution and letter of agreement for the Animal Welfare Society and to authorize the President of the Commission to affix her signature to the appropriate documents**

**Attachments: Contract, Resolution and letter of agreement**

# JEFFERSON COUNTY COMMISSION CHARLES TOWN, WV

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## *RESOLUTION*

The County Commission of Jefferson County, met on March 22, 2012 with a quorum present and passed the following Resolution:

**WHEREAS**, The Jefferson County Commission has agreed to assist the Jefferson County Animal Welfare Society. The project will include an addition of an isolation room and a newborn room, as well as the purchase of equipment and other improvements as funds permit, with funds made available through the Governor's Community Participation Grant program in the amount of \$25,000.

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

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

Signed: \_\_\_\_\_  
COUNTY CLERK

09LEDA0774N



# JEFFERSON COUNTY COMMISSION

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

Phone: (304) 728-3284 - Fax: (304) 725-7916

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT  
*Patsy Noland*

VICE PRESIDENT  
*Dale Manuel*

COMMISSIONER  
*Frances Morgan*

COMMISSIONER  
*Walt Pellish*

COMMISSIONER  
*Lyn Widmyer*

Letter of Agreement  
Community Participation Grant  
between the  
Jefferson County Commission  
and the  
Animal Welfare Society of Jefferson County

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the Jefferson County Commission and the Animal Welfare Society of Jefferson County its officers, agents, and representatives.

WITNESS THAT:

WHEREAS, the Jefferson County Commission has promised and agreed to act as funding agency to assist Animal Welfare Society of Jefferson County to perform specific tasks through funding from the Governor's Community Participation Grant Program.

NOW, THEREFORE, the parties hereby mutually agree as follows:

1. The Jefferson County Commission will serve as funding agency for the Animal Welfare Society of Jefferson County.
2. The Animal Welfare Society of Jefferson County agrees to abide by the terms and conditions of the Governor's Community Participation Grant Program Contract between the West Virginia Development Office and the Jefferson County Commission as contained herein. (attached)
3. This agreement shall be signed by the authorized officers, agents or representatives of the Animal Welfare Society of Jefferson County and the President of the Jefferson County Commission.

JEFFERSON COUNTY COMMISSION

\_\_\_\_\_  
President

ANIMAL WELFARE SOCIETY OF JEFFERSON COUNTY

By: \_\_\_\_\_  
Title: \_\_\_\_\_

09LEDA0774N

ACTING COUNTY ADMINISTRATOR  
*Sandy Shusher McDonald*

**GOVERNOR'S COMMUNITY PARTICIPATION  
GRANT PROGRAM CONTRACT**

**between the**

**WEST VIRGINIA DEVELOPMENT OFFICE**

**and the**

**JEFFERSON COUNTY COMMISSION**

**THIS AGREEMENT**, entered into this 1st day of July, 2010, by the West Virginia Department of Finance and Administration on behalf of the West Virginia Development Office hereinafter called the "WVDEVO" and the Jefferson County Commission and its authorized officers, agents, and representatives, hereinafter called the "Grantee."

**WITNESS THAT:**

**WHEREAS**, the WVDEVO has promised and agreed to assist the Grantee to perform such tasks hereafter described in the scope of services, which is to be partially financed by funds made available through the Governor's Community Participation Grant program.

**NOW, THEREFORE**, the parties hereto do mutually agree as follows:

1. **Assistance of the Grantee.** The WVDEVO hereby agrees to assist the Grantee including all authorized officers, agents, and representatives, to perform such tasks and functions as set forth below in the scope of services.
2. **Scope of Services.** The Grantee, or its designated agent, shall do, perform and carry out, in a satisfactory and proper manner as determined by the WVDEVO, and appropriate regulatory agencies, if required, all duties, tasks, and functions necessary to improve and expand the Animal Welfare Society of Jefferson County facility. The project will include the addition of an isolation room and a newborn room, as well as the purchase of equipment and other improvements as funds permit.
3. **Personnel.** The Grantee represents that it has, or will secure at its own expense, personnel with the necessary qualifications and experience required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with WVDEVO.
4. **Time Performance.** The Grantee will commence its duties under this Contract on July 1, 2010, and such duties shall be undertaken and completed in such sequences as to assure their expeditious completion in the light of the purpose of the Contract; but, in any event, all of the services required hereunder shall be completed by June 30, 2012. The completion date of this contract may only be extended by mutual written agreement of both parties dependent on the reappropriation of funds under the Governor's Community Participation Grant program. If no such agreement exists, the Grantee shall not receive payment for services rendered or work performed relative to this grant after June 30, 2012.

5. **Compensation.** In consideration of the services rendered by the Grantee, the WVDEVO agrees to pay the Grantee the sum of \$25,000. This amount constitutes complete compensation for all services rendered. In no instance shall the agreed upon compensation exceed \$25,000 without the written consent of the Governor of the State of West Virginia.

6. **Method of Payment.** In order to receive payments under the terms of this Agreement, the Grantee shall submit the following: (a) a Letter of Transmittal containing a progress report, and (b) a Request for Payment Financial Report. The final ten percent shall be made available upon submission of certification of completion and acceptance of the project by the Grantee. Upon receipt of said documents, the WVDEVO shall review the same for reasonableness and appropriateness.

7. **Changes.** The WVDEVO and the Grantee may, from time to time, require changes in the scope of the services of the work to be performed hereunder. Such changes, including any increase or decrease in the amount of the Grantee's compensation and work to be performed, which are mutually agreed upon by and between the WVDEVO and the Grantee, shall be incorporated in written amendments to this Contract.

8. **Sub-Grantees and Reversion of Property.** The Grantee may administer funds on behalf of sub-grantees, provided that such a sub-grantee is certified as a nonprofit organization by the United States Internal Revenue Service and the West Virginia Secretary of State's Office. Should such a sub-grantee cease to exist, all commodities or supplies purchased with funds provided under the auspices of this Contract by or for the sub-grantee shall become the property of the Grantee.

9. **Competitive Bid Procedures.** Competitive bidding shall be pursued in all instances. The Grantee must follow the more stringent of either state or local purchasing regulations. The West Virginia Purchasing Division requirements, at a minimum, are as follows: Commodities and services expected to cost \$2,500 or less require no bids, however, competition is encouraged. Purchases between \$2,500.01 and \$5,000 require three verbal bids to be documented on a verbal bid quotation summary. Purchases \$5,000.01 to \$25,000 require three written bids.

**The Grantee shall solicit competitive, sealed bids for commodities and supplies related to this project which have an estimated value of over \$25,000. Any attempts by the Grantee to segregate the project into sections having an estimated value of less than \$25,000 shall be cause for termination of this agreement under the provisions of Paragraph 28.** These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

The Grantee shall also, where feasible, solicit sealed bids by listing the project in the F. W. Dodge Reports, sending requests by mail to prospective suppliers or contractors, and by posting notice on a bulletin board in a public place. The Grantee shall have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance with these procedures.

10. **Project Wage Rates.** Every contract involving construction, reconstruction, demolition, improvement, enlargement, painting, decoration, alteration, and/or repair work which involves the employment of any contractor and/or subcontractor necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such contract, must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. **This law applies to all construction contracts, regardless of cost.**

**The receipt and utilization of funds procured under this agreement mandate that all construction contracts necessary for the undertaking and completion of this project, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.**

Such provisions shall include the payment of the Fair Minimum Wage Rates as determined by the West Virginia Commissioner of Labor for each craft or classification of all workmen needed to perform the contract in the locality in which the public work is performed. For projects involving federal funds which are covered by the provisions of the Davis Bacon Act (40 U.S.C. 276-a 276a-5), the Grantee shall cause the contractor and/or subcontractors to pay the higher wage rate, federal or state.

Further, the Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bid documents. The Grantee shall also have available upon request for review by the WVDEVO or its designated representative, bid documents and other evidence of compliance including copies of contractor's payrolls.

11. **Construction**. The Grantee shall procure construction contracts in accordance with West Virginia Code §5-22-1. **The state and its subdivisions shall, except as provided in this section, solicit competitive bids for every construction project exceeding \$25,000 in total cost.**

**Further, the receipt and utilization of funds procured under this agreement mandate that ALL CONSTRUCTION CONTRACTS NECESSARY FOR THE UNDERTAKING AND COMPLETION OF THIS PROJECT, regardless of the source of funds utilized to pay such construction contracts, must comply with the provisions of West Virginia Code § 21-5A.**

The term construction shall mean any construction, reconstruction, improvement, enlargement, painting, decorating, or repair of any public improvement let to contract. These bids shall be obtained by public notice as a Class II legal advertisement in compliance with the provisions West Virginia Code §59-3. This notice shall be published by the Grantee in the newspaper with the largest circulation serving the general area once a week for two successive weeks preceding the final bid date.

Any contracts under this agreement must comply with the West Virginia Act on Wages on Construction of Public Improvements, West Virginia Code §21-5A. This law applies to all construction contracts, regardless of cost. The Grantee shall note this requirement in the advertisement for bids and print these wage rates on all bidding blanks.

The Grantee shall designate the time and place for opening such construction bids in accordance with West Virginia Code §5-22-2.

12. **Bonding**. The Grantee shall secure bonding in accordance with West Virginia Code §5-22-1. All bids submitted pursuant to this chapter shall include a valid bid bond or other surety as approved by the state of West Virginia or its subdivisions. Following the solicitation of such bids, the construction contract shall be awarded to the lowest qualified responsible bidder, who shall furnish a sufficient performance and payment bond: provided, that the state and its subdivisions may reject all bids and solicit new bids.

In the procurement of contracts or subcontracts for construction of less than \$100,000, the Grantee shall follow local or State requirements relating to bid guarantees, performance bonds, and payment bonds, provided that the Grantee's and State's interests are adequately protected and that such contracts can be executed in a timely manner.

**In the procurement of contracts or subcontracts for construction that exceed \$100,000, the Grantee shall obtain the following:**

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. This bid guarantee shall consist of a firm commitment such as bid bond, certified check, or other negotiable instrument accompanying a bid that the bidder will, upon acceptance of the bid, execute the contractual documents as may be required with the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. This performance bond shall be executed by the successful contractor in connection with the contract to secure fulfillment of the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. This payment bond shall be executed in connection with a contract to assure payment is required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

13. **Architecture and Engineering.** The Grantee shall procure architectural or engineering services in accordance with of the West Virginia Code §5G. In the procurement of architectural and engineering services for projects estimated to cost \$250,000 or more, the Grantee shall publish a Class II legal ad in compliance with West Virginia Code §59-3. In the procurement of services for projects estimated to cost less than \$250,000, the Grantee shall conduct discussions with three or more professional firms.

14. **Design-Build.** The Grantee shall procure design-build projects in accordance with West Virginia Code §5-22A-1. This applies solely to building projects. Highways, water, sewer, and all other public works projects are specifically prohibited from using the design-build method.

15. **Environmental and Historical Assessment.** The Grantee shall comply with all applicable federal, state and local environmental and historical preservation laws and regulations. The Grantee acknowledges this requirement and certifies that the project will be in compliance with such laws and regulations.

16. **Equal Employment Opportunity.** With respect to employment in carrying out the program objectives, the Grantee agrees that it will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap.

17. **Facilities Accessible to the Handicapped.** The Grantee shall require any facilities constructed under the auspices of this Contract to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117.1-1961, as modified (41CFR101-17.1703 and (13CFR309.14)). The Grantee shall be responsible for conducting inspections to ensure compliance with these specifications.

18. **Facilities Operation.** The Grantee shall operate and maintain all facilities constructed under the auspices of this Contract in accordance with minimum standards as may be required or prescribed by the applicable federal, state and local statute, law, ordinance or regulation as to actual construction procedures, as well as maintenance and operation of such facilities upon completion.

19. **Interest of Members of WVDEVO and Others.** No officer, member or employee of the WVDEVO or officer, member or employee of the Grantee who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or has any personal or pecuniary interest, nor shall any officer, member of, or

employee of, the Grantee or any member of its governing body, or officer, member, or employee of the contractor have any interest, direct or indirect, in this Contract or the proceeds thereof.

20. **Officials Not To Benefit.** No member of the Legislature of the State of West Virginia, or individual performing a service for the Grantee in connection with this project, shall be admitted to any share thereof or to any benefit to arise from this Agreement.

21. **Inspections of Project Records.** At any time during normal business hours and as often as the WVDEVO or its designated representative may deem necessary, there shall be made available to the WVDEVO or its designated representative for examination, all of its records with respect to all matters covered by this Contract and permit the WVDEVO or its designated representative to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records and personnel, conditions of employment and other data relating to all matters covered by this Contract during the entire time period beginning with project approval and ending three years after the final disbursement of grant funds.

22. **Project Audits.** (a) The Grantee shall cause an audit of this program to be included in the audit of the Grantee performed by the West Virginia State Auditor's Office, Chief Inspection Division, or its designated representative in accordance with West Virginia Code §6-9-7. The audit shall be performed in conformance with generally acceptable accounting procedures.

(b) In accordance West Virginia Code §12-4-14, if the grantee is not audited by the West Virginia State Auditor's Office and the grantee received state funds or grants in the amount of fifteen thousand dollars or more, the grantee shall file an audit of the disbursement of funds with the legislative auditor's office. The audit shall be filed within two years of the disbursement of funds or grants by the grantee and shall be made by an independent certified public accountant at the cost of the corporation, association or other organization, and must show that the funds or grants were spent for the purposes intended when the grant was made. State funds or audits of state funds or grants under fifteen thousand dollars (\$15,000) may be authorized by the joint committee on government and finance to be conducted by the legislative auditor's office at no cost to the grantee.

23. **Reporting.** The Grantee shall submit any reports requested by the WVDEVO concerning financial status and program progress. Failure to provide such reports as required by WVDEVO in a timely manner shall be cause for termination of this Contract under the terms of Paragraph 7.

24. **Fiscal Management.** The Grantee shall be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided under this Contract, as well as funds provided as the Grantee's matching share.

25. **Political Activity.** No officer or employee of the Grantee whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the activities expressly prohibited by the Hatch Act.

26. **Repayment.** The Grantee shall refund to the State any expenditures determined to be made for an ineligible purpose for which State funds were received.

27. **Resolution of Disputes.** Resolution of disputes between the State and the Grantee concerning administrative and programmatic matters during the terms of this Agreement shall be initiated through consultation and discussion at the State's Administrative Offices with final decision on questions of policy or fact being determined by the Director of the Community Development Division or his/her designated representative. Nothing in this Agreement shall be construed as making the final decision on a question of law, or to limit in any

manner any remedies or recourses available under applicable laws. Citizen's complaints or disputes regarding Grantee performance or actions relative to the approved project are the responsibility of the Grantee.

28. **Termination of Contract for Cause.** If, through any cause, the Grantee shall fail to fulfill in a necessary and proper manner his obligations under this Contract, or if the Grantee shall violate any of the covenants, agreements, or stipulations of this Contract, the WVDEVO shall thereupon have the right to terminate this Contract by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. The Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed on the described project.

Notwithstanding the above, the Grantee shall not be relieved of liability to the WVDEVO for damages sustained by the WVDEVO by virtue of any breach of the Contract by the Grantee, and the WVDEVO may withhold any payments to the Grantee for the purpose of set-off until such time as the exact amount of damages due the WVDEVO from the Grantee is determined.

29. **Termination for Convenience of WVDEVO.** The WVDEVO may terminate this Contract at any time by giving written notice to the Grantee of such termination and specifying the effective date of termination. If the Contract is terminated by the WVDEVO as provided herein, the Grantee will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Grantee covered by this Contract, less payments of compensation previously made.

30. **Termination by the Grantee.** The Grantee may unilaterally rescind this agreement at any time prior to the commencement of the project. After project commencement, this agreement may be rescinded, modified, or amended only by mutual agreement. A project shall be deemed commenced when the Grantee makes any expenditure or incurs any obligation with respect to the project.

31. **Signing.** This Contract shall be signed by the Executive Director of the West Virginia Development Office and by the President of the Jefferson County Commission upon authorization of the Jefferson County Commission by adoption and passage of a resolution, motion or similar official action.

**IN WITNESS WHEREOF, the WVDEVO and the Grantee have executed this Agreement as of the date first above written.**

**STATE OF WEST VIRGINIA  
WEST VIRGINIA DEVELOPMENT OFFICE**

\_\_\_\_\_  
**J. Keith Burdette, Executive Director**

**JEFFERSON COUNTY COMMISSION**

By: \_\_\_\_\_  
**Patricia Noland, President**

Federal Employee Identification Number

\_\_\_\_\_  
55 6 000 333  
F.E.I.N.



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

**AGENDA REQUEST FORM**

Name: Nichelle Hosby

Department or Entity: County Commission

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

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: Ratify the signing of the Letter of Support for the City of Ranson, WV's DOT TIGER IV Application

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:

## **Debbie Stellato**

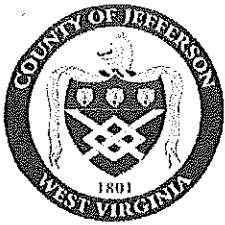
---

**To:** ablake@cityofransonwv.net  
**Subject:** Letter of Support  
**Attachments:** City of Ranson - Support 2012.pdf

Andy:

The letter is attached.

Debbie Stellato  
Administrative Assistant  
Jefferson County Commission  
Phone: 304-728-3335



## JEFFERSON COUNTY COMMISSION

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

Phone: (304) 728-3284 - Fax: (304) 725-7916

Web: [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

PRESIDENT  
*Patsy Noland*

March 19, 2012

VICE PRESIDENT  
*Dale Manuel*

The Honorable Ray LaHood  
Secretary of Transportation

COMMISSIONER  
*Frances Morgan*

1200 New Jersey Avenue SE  
Washington, DC 20590

COMMISSIONER  
*Walt Pellish*

### **Re: Support for the City of Ranson, WV's DOT TIGER IV Application**

COMMISSIONER  
*Lyn Widmyer*

Dear Secretary LaHood:

On behalf of the Jefferson County Commission, I write to express my strong support for the City of Ranson, West Virginia's request for TIGER IV funding to finalize the Ranson-Charles Town Green Corridor Revitalization project. Ranson and its partner, the City of Charles Town, are currently underway with a comprehensive initiative to revitalize their adjacent and linked downtowns and idled brownfields, and federal funding will help ensure that this redevelopment effort promotes livability for the decades to come.

The Cities of Ranson and Charles Town intend to leverage federal funding with substantial local commitments in order to finalize 'complete street' improvements to the main Ranson/Charles Town commercial roadway and link this corridor to a new regional Commuter Center for bus and rail transit access. This transportation project will be planned within the context of a new Ranson, utilizing form-based smart code system that links together a green downtown approach with the undeveloped, outlying areas of the City. When complete, this 'green corridor' will use sustainable transportation investments to link key community, housing, and economic centers and demonstrate how small, rural cities on the fringe of a major metropolitan area can foster sustainable economic development, clean transportation, and community livability with the right planning and infrastructure investments.

It is our hope that, with federal support, the Cities of Ranson and Charles Town can continue to strengthen their commitment to sustainable development and livability. I fully support Ranson's application for TIGER IV funding and look forward to playing a role in the continued revitalization of Ranson and Charles Town as this project moves forward.

Sincerely,

Dale Manuel, Vice President  
Jefferson County Commission

ACTING COUNTY ADMINISTRATOR  
*Sandy Slusher McDonald*



Commission Office Use Only

Date on Agenda:

Appt Time or New Business:

14

### 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:



5cc  
- JCSO  
- Co. Clerk  
- Co. Comm.  
- Assessor  
- Pro Atty  
3/9/12 AW

Co. Comm

RECEIVED

MAR 09 2012

AW

JEFFERSON COUNTY

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



### THE COUNTY LEGISLATIVE LINE Friday, March 10<sup>th</sup>, 2012

#### Capitol Quotes:

*"Piggybacking – it's a legal term." Political Subdivisions attorney explaining an amendment to SB 167, our credit card acceptance bill; the amendment will allow county offices to piggyback on a vendor if credit cards are already accepted in the sheriff's tax office (no bids required)*

*"Are you sure you don't want an increased fee? We could get it vetoed that way." Sen. Plymale to a DMV representative, referring to a DMV fee increase bill that passed the Legislature last year and was vetoed by the Governor*

*"This bill is trying to create a devolution of power." Del. Moore on SB 487 which would give control of coalbed methane funds from the state Development office to counties*

*"I'd like to concur with my friend from McDowell." Del. O'Neal*

*"Thank you, brother." Del. Moore*

*"Isn't it a fact that the great bulk of the jail bills are paid by counties." Del. Frazier objecting to an amendment to SB 526 that would give part of a county option transfer tax to municipalities; the amendment failed*

*"We continue to suffer from the rocking chair syndrome where we have a little activity but we really don't go anywhere." Del. Ireland on his frustration with regional jail bills and substance abuse*

RECEIVED

*"I respect that they can make a judgment that's best for them." Del. Fleischauer referring to county commissions' ability to enact provisions of SB 526 or not*

*"I don't practice in that area although I'm becoming more knowledgeable, unfortunately." Del. Manchin commenting on a bill dealing with divorce & alimony*

*"We are creating a single class and providing a tax benefit to people who understand the rules of the game." Sen. McCabe about HB 4068, providing \$1,000 assessed value of all antique*

*"I've got some antique buildings." Del. Facemire in a tongue-in-cheek remark about antique cars*

*"I hate to think we shortchanged our kids by pandering to a small interest group." Sen. Plymale, referring to money for education that might be lost if antique cars are given special treatment*

"Big Girls Don't Cry" is my theme song for the session! We have seen issues die for no apparent reason, the most important being the salary bill.

The session ends at midnight on March 10<sup>th</sup> although there are so few active bills, relatively speaking, that I really don't know why the Legislature couldn't adjourn before midnight. I think there is concern that the press will criticize them for adjourning early but if there's nothing left to do, there's nothing left to do!

Our SB 167 credit card acceptance bill may get amended into another bill in the House Friday. It didn't get out of House Judiciary but mainly because they just ran out of time. I'm keeping my fingers crossed that it works and counties will have this ability if they want to offer it.

HB 4068, antique cars given assessed value of \$1,000, was the subject of lengthy discussion in Senate Finance. They did a strike and insert amendment putting in the provisions of Com Sub for SB 460 which both raises the minimum appraised value of regular cars to \$700 and gives antique cars assessed value of \$1,000. The bill passed with an amendment to the antique value to \$5,000. Del. Ireland spoke to the bill saying it offers "equality and simplicity." The tax department's fiscal note on Com Sub for SB 460 (now HB 4068) states that it will be an increase of \$1.5 million although that may be overestimated.

Here's an update on some bills:

SJR 9 – "Boy Scout Amendment" for property tax exemption appears to be dead and may be a study resolution.

SB 31 – County Clerks' bill to allow for consolidating precincts where feasible by increasing the maximum number to 3,000 registered voters appears to be dead; pending in House Judiciary

SB 167 – Authorizing counties & municipalities to accept credit/debit cards for payment appears to be dead unless we are successful in getting it amended into another bill

SB 342 – "Public Safety and Offender Accountability Act," appears to be set for passage although will probably have to go to conference committee

SB 354 – Allowing county commissions to appoint a temporary successor to a vacant county office for 30 days prior to making a permanent appointment appears to be dead; pending in House Judiciary

SB 365 – A non-state representative on the PEIA Finance Board has completed legislative action. Yea!!

SB 437 – Governor's substance abuse bill will be going to conference committee for sure; several differences in House & Senate version but neither have any funding for treatment

SB 468 – Authorizing Courthouse Facilities Improvement Authority to issue bonds appears to be dead pending in House Finance; may become a study resolution. The bill had no money attached to it and we're not quite sure what there is to study!

SB 469 – OPEB bill has been signed by the Governor; may be good news on how much it reduces the Annual Required Contribution, or OPEB liability but bad news for retirees (current & future) for the amount of premium they will be paying because of the greatly reduced subsidy

SB 487 – Coalbed Methane Gas Distribution frees up some funds that are not getting to counties and gives counties more control; appears to be set for passage

SB 526 – County option additional transfer tax appears to be dead; county commission could add to transfer tax at their discretion for use to pay regional jail bills (50%) and fund substance abuse treatment (50%); died in House Finance

SB 608 – Prosecutors bill to allow for search warrant to draw blood sample from DUI suspect appears to be dead; pending in House Judiciary

SB 637 – Maintenance of voter registration lists, a Secretary of State's bill *opposed* by County Clerks, appears to be dead

HJR 113 – County Option Homestead Exemption Amendment appears to have died in Senate Judiciary

HB 4018 – Making Assessors sell documents to licensed real estate appraisers appears to be dead in Senate Government Organization

HB 4068 – Making Assessors value antique cars at \$1,000 has now incorporated Com Sub for SB 460 with a value of \$5,000 and a minimum appraised value for vehicles increased from \$200 to \$700

HB 4257 – Provides for late voter registration for military and military personnel; amended on Thursday by Sen. Wells to add "national security employees;" Senate version does *not* include any overseas voter unless they are military or "national security;" set for passage in Senate on Friday

HB 4488 – Reforming a county commission, including the option of election by magisterial district, passed out of Senate Government Organization but may be dead since it's also referenced to Senate Judiciary (Del. Doyle's bill but we don't know who actually wants it)

We think all the salvage value bills are dead so that's good news.

The House of Delegates recognized its many members who are not running for re-election. Speaker Thompson became emotional as he called the names, some of whom have served for many years.

The Legislature adjourns Sine Die at midnight Saturday and then goes into special session for the budget.

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

**FROM: PATTI HAMILTON**



**THE COUNTY LEGISLATIVE LINE  
Monday, March 12<sup>th</sup>, 2012  
"The Fall-Out"**

**Capitol Quotes:**

*"They'll still take cash and checks." Del. Manchin's response to Del. Sobonya when she asked if credit cards would be optional (Del. Manchin amended SB 167, county authority to accept credit & check cards, into SB 618)*

*"The phrase that comes to mind is lions and tigers and bears, oh my." Del. Kump, speaking on the House floor against SB 477, a bill regulating exotic animals*

*"We're going to hold the Senate's position." Sen. Prezioso to Sen. Chafin responding to why they were going to conference committee over a few thousand dollars in HB 4068, valuation of antique cars*

*"The Senate is a family, a big, dysfunctional family, but a family nonetheless." Sen. Karen Facemyer in her farewell speech on her last 'last night' in the Senate*

It's over! I know the demise of the salary bill for county officials was very disappointing and frustrating but at least we didn't have an experience like what happened to a couple of bills. Two bills passed both bodies with unanimous support and went to conference committees to iron out the differences between House and Senate versions (one having to do with concussions in sports and the other with hearing aids). The conference committees became a clash of ideology and personalities and both bills failed for lack of agreement in conference. Now that would have been a really awful fate for our salary bill! I keep getting reassurances that "next year" will be the time to do it but that is little comfort when you've gone six

years without a salary increase. However, it does give us time to educate and promote the legislation plus find ways to improve our approach.

A total of **214 bills completed legislation** as the session crawled to a close on Saturday. Changes in rules of procedure plus the transparency that real time web site posting has added to the process makes for a very slow pace on the last day in stark contrast to the bustle of just a few years ago. **The House passed 101 bills and the Senate passed 113.** Senate Finance advanced only 88 bills through the committee this session. According to the Gazette, if you take away appropriations, rules, and other required financial bills, only 54 were substantive. Here's a rundown of some of the bills that completed legislative action that will affect county government:

**SB 100 – Removes requirement for Circuit Clerks to charge 3 x postage for certain documents and changes to actual postage (this bill was important to the Senate Judiciary Chairman)**

**SB 161 – Mandatory reporting of child abuse & neglect; adds persons who are to report (this is at least in part a reaction to the Penn State coach situation)**

**SB 365 – Adds a non-state representative on the PEIA Finance Board; this was a WVACo legislative priority and is important for the over 800 non-state entities that are in a separate pool from the State for PEIA but have no direct voting representation on the governing board**

**SB 434 – A Circuit Clerks' legislative priority that will add the date of birth and last 4 digits of social security number to suggestion & suggestee execution, making it easier to identify**

**SB 437 – The Governor's substance abuse bill was one of the most controversial of the session due to the pharmaceutical implications; the bill passed and part of the deal in conference committee provides a \$7.5 million appropriation in the budget for treatment rather than the \$5 million that the Governor first intended**

**SB 469 – OPEB bill has been signed by the Governor; preliminary figures from PEIA indicate that the Annual Required Contribution (the amount that must be booked on financial statements as a liability but does not require**

payment) will be reduced to \$79 (currently it is \$794)

**SB 477 – Limiting possession of wild & exotic animals; involves the Sheriff or County Animal Control Officer for inspections. This bill actually prompted more calls and emails than antique cars! Legislators heard from just about everyone who owns any animal from a parakeet to a boa constrictor!**

**SB 487 – Coalbed Methane Gas Distribution frees up approximately \$4 million that is sitting in an account in the WV Development Office and cannot be used; the money goes to county economic development authorities and this bill gives counties more control**

**SB 618 – This is a bill having to do with payments to DMV & Magistrate Court. Our credit card bill, Com Sub for SB 167, was amended into this bill on the House Floor on Friday and the Senate concurred. Thanks to Del. Tim Manchin for making the amendment. The bill also contains the provisions of HB 4030 which prioritizes the allocation of court costs. The bigger issue with court costs is the amount of delinquency, currently \$56 million in magistrate courts alone. Those court costs fund many county-related programs including community corrections, regional jail partial reimbursement fund, and courthouse facilities improvements, and all are falling short.**

**HB 2521 – This will save money for counties by eliminating the requirement for Circuit Clerks to serve domestic violence orders by certified mail.**

**HB 3128 – A petition for expungement replaces a motion in this bill but there is no fee authorized for filing the petition.**

**HB 4068 – Starting out as salvage value for antique vehicles, this bill now requires Assessors to assess all motor vehicles in an amount equal to 60% of the lowest values or 60% of \$700, whichever is higher (an Assessors' legislative priority, raising it from \$200). It also adds a new section that provides that any vehicle registered as an antique motor vehicle and is not used for general transportation shall be assigned an assessed value of \$5,000. According to the Tax Department's fiscal note, this bill could add about \$1.5 million to personal property tax revenue.**

**HB 4257 – Provides for same day late voter registration for military and**

military personnel; amended on Thursday by Sen. Wells to add "national security employees" but does not include any non-military overseas voters (unless a late amendment got sneaked in)

HB 4605 – Winning my award as the "dumbest" bill of the session, this bill adds an extra \$20 fee to marriage licenses (\$35 to \$55) unless the couple can present a certificate to the County Clerk showing they have completed a state-sanctioned "premarital education" course. The bill doesn't provide any means for a County Clerk to check or validate the certificate, nor does it provide for any process for what they're supposed to do with the certificates, if anything. The additional \$20 is to go to the State Treasurer for deposit in the "Marriage Education Fund."

Checking Bills: On the legislative web site, make sure you **wait for the "enrolled version" which is the final version of the bill.** It can be substantially different from previous versions. We will have hard copies of all enrolled bills at the Association office. Also, when checking bills on the web site, it's important to know that the Senate does not post amendments to House bills so, once again, wait for the final version.

#### **What Happened To.....**

All salvage bills died except the Governor's "cracker incentive" bill which required a \$2 billion investment. Yea!!

SB 31 – County Clerks' bill to allow for consolidating precincts where feasible by increasing the maximum number to 3,000 registered voters died in House Judiciary

SB 167 – Authorizing counties & municipalities to accept credit/debit cards was dead but the Municipal League & I revived it by rolling it into SB 618; problem is we don't like HB 4030 which is also amended into SB 618!

SB 342 – "Public Safety and Offender Accountability Act" appeared to be set for passage although in a much reduced form from its original version but got bogged down in the House, put on the inactive calendar, and died

SB 354 – Allowing county commissions to appoint a temporary successor to a vacant county office for 30 days prior to making a permanent appointment died in House Judiciary

**SB 468 – Authorizing Courthouse Facilities Improvement Authority to issue bonds died in House Finance and may be an interim study**

**SB 518 – Prohibiting convicted felons from running for office, the reaction to a person convicted of election fraud filing for Sheriff, died (the person has since withdrawn)**

**SB 608 – Prosecutors bill to allow for search warrant to draw blood sample from DUI suspect appears died in House Judiciary**

**SB 637 – Maintenance of voter registration lists, a Secretary of State's bill *opposed* by County Clerks, died**

**HJR 113 – County Option Homestead Exemption died in Senate Judiciary but may be an interim study**

**HB 4018 – Making Assessors sell documents to licensed real estate appraisers died in Senate Government Organization; therefore the release or not of these documents will continue to be a policy of each Assessor's office**

**HB 4488 – Reforming a county commission, including the option of election by magisterial district, died in Senate Judiciary but may be an interim study**

***As soon as all bills are acted upon by the Governor, summaries of all legislation affecting counties will be sent to every county official.***

**NOTICE OF PUBLIC HEARING  
COUNTY COMMISSION OF JEFFERSON COUNTY**

The County Commission of Jefferson County will hold a public meeting on Thursday, March 22, 2011 at 7:00 p.m. in the County Commission meeting room located at the Old Charles Town Library on the ground floor, 200 E. Washington Street, Charles Town, West Virginia 25414.

The purpose of the Public Hearing is to approve the Levy Estimate for Fiscal Year 2013. Also at this public hearing, the Commission will receive public comment concerning the County's budget.

The draft FY13 budget and documents are available at the following website:  
[www.jeffersoncountywv.org](http://www.jeffersoncountywv.org)

Anyone wishing to provide comment may do so at this meeting or by email at [info@jeffersoncountywv.org](mailto:info@jeffersoncountywv.org).

The public is invited to attend.

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

Jefferson County, West Virginia  
 Estimated Budget-FYE June 30, 2013 @ 102.75% of Prior Years Taxes  
 With suggested reduction to Budget Request

| Line No. | Accts                            | Revenue Classification                                          | Proposed Budget FYE 6/30/2013 |
|----------|----------------------------------|-----------------------------------------------------------------|-------------------------------|
|          | Equity and Fund Balance Accounts |                                                                 |                               |
|          | 299                              | Carryover Cash balance-added at bottom                          | 3,991,390                     |
| 1        | 301-001                          | Ad Valorem Taxes-Current & Public Utility                       | 10,331,982                    |
| 2        | 301-002                          | Ad Valorem Taxes-1st Prior Year                                 | 650,000                       |
| 3        | 301-003                          | Ad Valorem Taxes-2nd Prior Year                                 | 115,356                       |
| 4        | 301-004                          | Ad Valorem Taxes-3rd Prior Year                                 | 28,000                        |
| 5        | 301-005                          | Ad Valorem Taxes-4th & Other PY                                 | 1,300                         |
| 6        | 301-006                          | Supplemental taxes                                              | 173,000                       |
| 7        | 301-007                          | Land Sale Surplus                                               | 2,000                         |
| 8        | 301-008                          | Delinquent & Nonentered Land                                    | 39,000                        |
| 9        | 301-099                          | Tax Discounts                                                   | (192,758)                     |
| 10       | 302                              | Interest and Publication Fees on Taxes                          | 344,000                       |
| 11       |                                  | Total all tax years, interest, publication fees minus discounts | 11,491,880                    |
| 12       | 304                              | Property Transfer Taxes                                         | 335,000                       |
| 13       | 306                              | Oil and Gas Severance Tax                                       | 20,000                        |
| 14       | 307                              | Horse Racing                                                    | 18,000                        |
| 15       | 308                              | Wine and Liquor Tax                                             | 12,000                        |
| 16       | 309                              | Hotel Occupancy Tax                                             | 500,000                       |
| 17       | 317                              | License Decal Fee                                               | 100                           |
| 18       | 318                              | Permits-Building                                                | 169,000                       |
| 19       | 322                              | Federal Grants                                                  | 30,000                        |
| 20       | 325                              | Federal Payment in Lieu of Taxes                                | 16,000                        |
| 21       | 329                              | Sheriff's Service of Process                                    | 18,000                        |
| 22       | 330-000                          | Sheriff's Earnings                                              | 11,000                        |
| 23       | 330-001                          | Sheriff's Earnings-Arrest Fees                                  | 12,500                        |
| 24       | 331                              | County Clerks Earnings                                          | 170,000                       |
| 25       | 331-002                          | County Clerks Earnings-Preservation Fund                        | 1,200                         |

|    |                                        |                                       |            |
|----|----------------------------------------|---------------------------------------|------------|
| 26 | 332                                    | Circuit Clerks Earnings               | 83,000     |
| 27 | 333                                    | Prosecuting Attorney Earnings         | 1,000      |
| 28 | 334                                    | Accidents Reports                     | 3,000      |
| 29 | 336                                    | Map Sales                             | 4,500      |
| 30 | 340                                    | Rents, Magistrate Court               | 45,000     |
| 31 | 340-001                                | Rents, County Farm House              | 1,200      |
| 32 | 340-002                                | Rent-County Farm                      | 700        |
| 33 | 346-000                                | E-911 Fees                            | 1,310,000  |
| 34 | 346-001                                | EMG Comm-Signs                        | 500        |
| 35 | 348                                    | Franchise Fees                        | 350,000    |
| 36 | 350                                    | IRP Fees                              | 8,000      |
| 37 | 362                                    | Jail Fees-State reimbursement of cost | 100,000    |
| 38 | 365-000                                | Interest-GCF                          | 16,000     |
| 39 | 365-001                                | Interest-County Clerk                 | 800        |
| 40 | 365-002                                | Interest-Circuit Clerk                | 1,200      |
| 41 | 365-004                                | Interest-State Fees                   | 1,400      |
| 42 | 365-005                                | Interest-Racing Fees                  | 240        |
| 43 | 365-006                                | Interest-Video Lottery                | 2,500      |
| 44 | 366                                    | Miscellaneous Revenue                 | 20         |
| 45 | 367                                    | Sheriff's Commission                  | 12,000     |
| 46 | 370                                    | Table Games                           | 1,800,000  |
| 47 | 373-000                                | Video Lottery                         | 4,000,000  |
| 48 | 373-001                                | Video Lottery-Local                   | 100,000    |
| 49 | 382-000                                | Reimbursements-Local                  | 340,000    |
| 50 | 382-001                                | Reimbursements-Other                  | 18,000     |
|    | 394                                    | Reimbursements-General School Fund    | 310,000    |
| 51 | 399                                    | Transfers-AVF                         | 383,779    |
| 53 | Budgeted & Estimated Revenues          |                                       | 21,697,519 |
| 54 | Estimated June 30, 2012 Cash Carryover |                                       | 3,991,390  |
| 55 | Estimated Funds Available-Total        |                                       | 25,688,909 |

Current Year Budget & Estimated Expenditures

| Column (a) | Column (b)                                | Column (c)                    |
|------------|-------------------------------------------|-------------------------------|
| Dept       | Expenditure Classification                | Proposed Budget FYE 6/30/2013 |
| 401        | County Commission                         | Rev #1<br>2,377,557           |
| 402        | County Clerk                              | 927,138                       |
| 403        | Circuit Clerk                             | 658,186                       |
| 404        | Sheriff-Treasurer                         | 598,045                       |
| 405        | Prosecuting Attry                         | 1,791,883                     |
| 406        | Assessor                                  | 629,144                       |
| 407        | Assessor-AVF                              | 383,779                       |
| 408        | Statewide Computer Network                | 47,772                        |
| 412        | Agricultural Agent                        | 138,211                       |
| 413        | County Election, Employees                | 272,147                       |
| 415        | Magistrate Court, phone cost              | 4,100                         |
| 424        | Courthouse                                | 1,301,635                     |
| 425        | Other Buildings                           | 753,000                       |
| 428        | Data Processing Softwares & Prof Services | 94,500                        |
| 429        | Region 9 Planning & Development Council   | 19,854                        |
| 431        | Economic Development                      | Rev #1<br>464,485             |
| 433        | GIS Addressing Dept                       | 312,562                       |
| 439        | Planning & Zoning, Employee Salaries      | 419,600                       |
| 440        | Engineering, Employee Salaries            | 745,611                       |
| 451        | Zoning                                    | 163,372                       |
| 700        | Law Enforcement, Employee Salaries        | 3,126,047                     |
| 701        | Service of Process, Employee Salaries     | 1,000                         |
| 704        | Charges by other Gov't-Regional Jail Cost | 1,200,000                     |
| 711        | Emergency Services, Employee Salaries     | 259,579                       |
| 712        | Communication Center                      | 2,034,832                     |
| 715        | JC Emergency Services Agency              | 2,187,500                     |
| 716        | Animal Control                            | 325,954                       |
| 717        | Central Garage                            | 318,083                       |

|                                       |                                          |        |                               |
|---------------------------------------|------------------------------------------|--------|-------------------------------|
| 800                                   | Local Health Department-Contributions to |        | 10,000                        |
| 808                                   | Solid Waste Authority                    |        | 35,000                        |
| 900                                   | Parks & Recreation                       |        | 488,041                       |
| 903                                   | Arts & Humanities Contributions          |        | 25,000                        |
| 909                                   | Historical Commission                    |        | 25,000                        |
| 911                                   | Visitors Bureau                          |        | 250,000                       |
| 916-1                                 | Libraries-Shepherdstown                  |        | 60,000                        |
| 916-2                                 | Libraries-Shepherdstown-Capital Outlay   |        | 0                             |
| 916-3                                 | Libraries-Bolivar Harpers Ferry          |        | 60,000                        |
| 916-4                                 | Old Charles Town Library                 |        | 60,000                        |
| 916-5                                 | South Jefferson Public Library           |        | 60,000                        |
| 952                                   | Other Gov't-Senior Center                |        | 0                             |
| 953                                   | Other Gov't-Public Transit               |        | 13,823                        |
| 975                                   | Capital Outlay-County Clerk-Loan         |        | 29,300                        |
| 976                                   | Capital Outlay-Circuit Clerk             |        | 20,000                        |
| 986                                   | Capital Outlay-County Commission         | Rev #1 | 2,000,000                     |
| 986-1                                 | Depreciation Expense for Capital Outlay  | Rev #1 | 997,169                       |
| 986-1                                 | GIS Software                             |        | 0                             |
| 980                                   | Capital Outlay-Law Enforcement           |        | 0                             |
| 980-1                                 | Capital Outlay-Animal Control            |        | 0                             |
| 983                                   | Capital Outlay-Elections                 |        | 0                             |
| 987                                   | Capital Outlay-Courthouse                |        | 0                             |
| 987                                   | Capital Outlay-New Phone System          |        | 0                             |
| Total estimated expenditures and uses |                                          |        | 25,688,909                    |
| Estimated Surplus/(Deficit) Balance   |                                          |        | 0                             |
|                                       |                                          |        | Proposed Budget FYE 6/30/2013 |

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

**AGENDA REQUEST FORM**

Name: Paul Shroyer, Director of Financial Management

Department or Entity: County Commission

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

Date Requested – 1<sup>st</sup> Choice: March 22, 2012

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

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

Subject: **Approval of FY2013 Budget**

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:**





WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

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

Earl Ray Tomblin  
Governor

Paul A. Mattox, Jr., P. E.  
Secretary of Transportation/  
Commissioner of Highways

March 7, 2012

To Whom It May Concern:

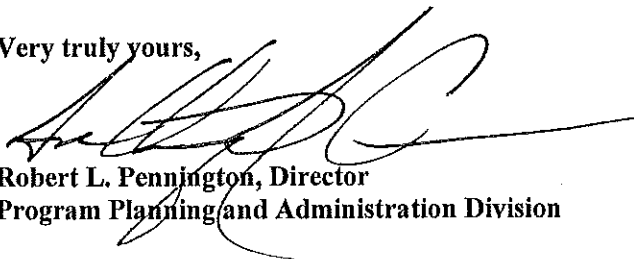
The Statewide Transportation Improvement Program (STIP) is a financially constrained document required to show planned Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) expenditures for federal fiscal years 2012-2017. One of the requirements to funding any projects with FHWA or FTA funds is that each proposed project undergo a public "review and comment period". Therefore, additions or deletions to the STIP and certain changes to projects currently in the STIP must meet this requirement before federal funds can be obtained. Accordingly, I am again requesting your assistance in making available (to anyone who wishes to review them) the attached listing of proposed amendment to the approved 2012-2017 STIP.

All written comments are to be received no later than March 29, 2012, and should be addressed to:

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

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

Very truly yours,

  
Robert L. Pennington, Director  
Program Planning and Administration Division

RLP:Cb

Attachment

cc: Mr. Kevin Burgess, Federal Highway Administration – w/ attachment  
Ms. Brigid Hynes-Cherin, Federal Transit Administration – w/ attachment  
Ms. Kathleen Zubrzycki, Federal Transit Administration – w/ attachment  
Ms. Susan O'Connell, Division of Public Transit – w/ attachment

RECEIVED

MAR 13 2012

Jefferson County Commission

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) FFY 2012-2017  
PROGRAM AMENDMENT FOR 2012

| COUNTY                                                                                 | FFY  | DISTRICT | GROUP | FUNDING OBLIGATION DATE | FUND TYPE | PHASE | ROUTE   | PROJECT NAME                       | TYPE OF WORK                                     | STATE PROJ. NUMBER | FEDERAL PROJECT NUMBER | TOTAL PHASE COST | FEDERAL DOLLAR COST | FEDERAL COST CHANGE |
|----------------------------------------------------------------------------------------|------|----------|-------|-------------------------|-----------|-------|---------|------------------------------------|--------------------------------------------------|--------------------|------------------------|------------------|---------------------|---------------------|
| <b>PROJECT COMMENTS</b>                                                                |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| BOONE                                                                                  | 2012 | 1        |       | 6/28/2012               | NHS       | CON   | US119   | HARLESS-JULIAN                     | DIAMOND GRIND, JOINT REPAIR                      | S303 119 01638 00  | NH0119385D             | \$3,500,000      | \$2,800,000         | \$1,600,000         |
| 133% COST INCREASE; AMD 1 - ADD NEW PROJECT                                            |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| GREENBRIE                                                                              | 2012 | 9        |       | 4/28/2012               | IM        | CON   | 1064    | DAWSON-SAM BLACK CHURCH            | RESURF(2"), REMOVE OIL PAVE SHL                  | S313 64 15006 00   | IM0544145D             | \$2,400,000      | \$2,160,000         | \$786,780           |
| ORIGINAL PROJECT WAS AUTHORIZED IN FFY 2011, CONSTRUCTION TO BE SUPPLEMENTED BY \$2.4M |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| HARRISON                                                                               | 2014 | 4        |       | 10/28/2013              | BR        | ENG   | CO02309 | ANMOORE RUN #3 BR                  | REPL                                             | S317 23/9 00813 00 | BR0239004D             | \$200,000        | \$160,000           | \$48,000            |
| CANCEL GROUPED PROJECT - WORK ADDED TO S317-23/9-8.40                                  |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| HARRISON                                                                               | 2015 | 4        |       | 10/28/2014              | BR        | ROW   | CO02309 | ANMOORE RUN #3 BR                  | REPL                                             | S317 23/9 00813 00 | BR0239005D             | \$60,000         | \$48,000            | \$16,000            |
| CANCEL GROUPED PROJECT - WORK ADDED TO S317-23/9-8.40                                  |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| HARRISON                                                                               | 2016 | 4        |       | 10/28/2015              | BR        | CON   | CO02309 | ANMOORE RUN #3 BR                  | REPL                                             | S317 23/9 00813 00 | BR0239006D             | \$2,350,000      | \$1,880,000         | \$1,435,584         |
| CANCEL GROUPED PROJECT - WORK ADDED TO S317-23/9-8.40                                  |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| HARRISON                                                                               | 2014 | 4        |       | 12/28/2013              | BR        | ROW   | CO02309 | ANMOORE RUN BR #1, #2, #3 & #4     | REPL                                             | S317 23/9 00840 00 | BR0239002D             | \$120,000        | \$96,000            | \$94,400            |
| SCOPE CHANGE, NAME CHANGE & COST UPDATES - ADD ANMOORE RUN #2, #3 & #4                 |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| HARRISON                                                                               | 2015 | 4        |       | 12/28/2014              | BR        | CON   | CO02309 | ANMOORE RUN BR #1, #2, #3 & #4     | REPL                                             | S317 23/9 00840 00 | BR0239003D             | \$4,700,000      | \$3,760,000         | \$3,472,240         |
| SCOPE CHANGE, NAME CHANGE & COST UPDATES - ADD ANMOORE RUN #2, #3 & #4                 |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| LOGAN                                                                                  | 2015 | 2        |       | 1/28/2015               | EB        | CON   | WW010   | S MADISON BRNCH - N RUM CREEK CONN | PAVING                                           | S323 10 01256 05   | EB0010223D             | \$12,000,000     | \$9,600,000         | \$1,600,000         |
| 20% COST INCREASE (\$2M)                                                               |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |
| RANDOLPH                                                                               | 2012 | 8        |       | 5/28/2012               | NHS       | CON   | US033   | HARDING-AGGREGATES RD              | CONC OIL, JOINT REPAIR, DIAMOND GRIND, PAVED SHL | S342 33 7777?      | NH00337???             | \$4,000,000      | \$3,200,000         | \$0                 |
| ADD NEW PROJECT - PAVEMENT PRESERVATION PROGRAM                                        |      |          |       |                         |           |       |         |                                    |                                                  |                    |                        |                  |                     |                     |



2309 Washington Street, East  
Charleston, WV 25311  
E-mail: [info@ccawv.org](mailto:info@ccawv.org)  
Phone: (304) 345-4639  
Fax: (304) 346-3512

MEMORANDUM

To: All County Commissioners & Staff

From: Vivian Parsons

Date: March 14, 2012

Re: County Government Essay Contest

---

I am pleased to announce the first annual CCAWV County Government Essay Contest! I'm very excited about this new endeavor! One of the goals of CCAWV is to increase information and public awareness about county government and the office of County Commissioner. As an initiative of this goal we are excited to partner with West Virginia educators to encourage students to learn and write about their county government!

I want to encourage county commissioners' to help promote this contest!!!

Go talk to 8th grade classes, tell them about what you do, encourage them to participate in the Essay Contest, set up a visit for them to attend real county commission meeting, or hold a "mock" county commission meeting with them!!!

April is National County Government Month! It's a great opportunity to get out there and promote your office!

**Following are some tidbits from our promotional plan...**

--We have contacted the State Board of Education and have partnered with them to get the word out to 8th grade classes. (Was sent yesterday and I've already had one interested teacher contact me!)

--We are encouraging individual county commissions to promote the contest with their county school systems and also announce locally with a press release. (We will send an example you can use soon!)

--CCA'WV will provide each county commission with 50 or so of our "what do county commissioners' do?" brochures - If a county wants more, we will order them for you at our cost (about 25 cents each). Commissioners can go to schools in your area and give a talk about being a county commissioner and hand out the brochure...great campaigning activity! A packet of info will be coming to your county soon!

--The winning essay will be featured on the Association website and in the Association newsletter.

--The winner will be announced on April 27, 2012!



## 2012 County Government Essay Contest



April is "National County Government Month" and the **County Commissioners' Association of WV (CCAWV)** is hosting an essay contest for 8th grade students across West Virginia.

There will be a monetary prize for the Student winner and for the Teacher/classroom who encouraged participation... **\$250 for each.** (A \$250 savings bond for the Student and \$250 for the Teacher to be used for classroom activities.)

One of CCAWV's goals is to increase information and public awareness about county government. As an initiative of this goal we are excited to partner with West Virginia educators to encourage students to learn and write about their county government.

Student participants are asked to write or type a 500-word essay on the topic.....

***"How does my county government make life better for me?"***

A committee of commissioners and CCAWV Staff will serve as judges of the contest. All entries must be postmarked no later than **April 13, 2012** to qualify. Entries should be mailed to:

**2012 County Government Essay Contest  
County Commissioners' Association WV  
2309 Washington Street, East  
Charleston, WV 25311**

For more information, please contact Vivian Parsons at CCAWV [Vivian@ccawv.org](mailto:Vivian@ccawv.org) or at 304-345-4639.

***A winner will be announced on April 27, 2012 to coincide with National County Government Month celebrations!***



## For Immediate Release

Date: \_\_\_\_\_, 2012

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

## 2012 County Government Essay Contest

(City - date) -- April is "National County Government Month" and the County Commissioners' Association of WV (CCAWV) is hosting an essay contest for 8th grade students across West Virginia. There will be a monetary prize for the Student winner and for the Teacher's classroom that encouraged participation.

"One of CCAWV's goals is to increase information and public awareness about county government. As an initiative of this goal we are excited to partner with West Virginia educators to encourage students to learn and write about their county government," says Vivian Parsons, Executive Director of the organization.

The \_\_\_\_\_ (county) \_\_\_\_\_ County Commission encourages all eighth grade students in our county to participate in this contest. "We want you to know more about what we do and are ready, willing, and able to lend support to your efforts. You may contact us by calling \_\_\_\_\_ (name & phone number) \_\_\_\_\_," said County Commission President \_\_\_\_\_ (name) \_\_\_\_\_.

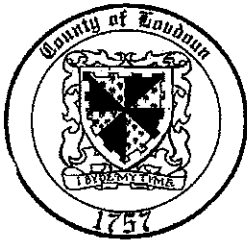
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**2012 County Government Essay Contest  
County Commissioners' Association WV  
2309 Washington Street, East  
Charleston, WV 25311**

For contest guidelines or more information, please contact Vivian Parsons, [vivian@ccawv.org](mailto:vivian@ccawv.org) or at 304-345-4639.

A winner will be announced on April 27, 2012 to coincide with National County Government Month celebrations!



Loudoun County, Virginia

Department of Planning  
1 Harrison Street, S.E., 3<sup>rd</sup> Floor, P.O. Box 7000, MSC #62  
Leesburg, VA 20177-7000  
Telephone (703) 777-0246 • Fax (703) 777-0441

March 7, 2012

Tim Boyde, County Administrator  
Jefferson County, West Virginia  
PO Box 250  
Charles Town, WV 25414-0250

Dear Mr. Boyde:

As part of the legal notice requirements contained in Section 15.2-2204 (amended) of the Code of Virginia, the following regulations must be addressed relating to notification of adjacent localities:

“When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use ..., involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as above required, written notice shall also be given by the local commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.”

In accordance with these regulations, this is to inform you that on **March 28, 2012** the Loudoun County Planning Commission will hold a public hearing on a Comprehensive Plan Amendment (CPAM) regarding Northstar Boulevard (Route 659 Relocated) and Belmont Ridge Road (Route 659).

The proposed CPAM 2012-0001, Northstar Boulevard/Belmont Ridge Road would revised Chapter 2, Appendix 1, Appendix 2, Appendix 3, and the *Revised 2030 Countywide Transportation Plan Map* of the 2010 Countywide Transportation Plan, adopted June 15, 2010, amended through January 19, 2011. The proposed amendment changes text and maps in order to increase the planned ultimate condition of a segment of Northstar Boulevard from the Prince William County line to Braddock Road from 2 lanes (two-lane undivided rural arterial) within a 70-foot right-of-way to 6 lanes (urban six-lane median divided section with curb and gutter) within a 150-foot right-of-way. The amendment also proposes to increase the planned ultimate condition of a segment of Belmont Ridge Road from Croson Lane (Route 645) to Route 7 from 4 lanes (four-lane median divided urban arterial) within a 150-foot right-of-way to 6 lanes (urban six-lane median divided section with curb and gutter) within a 150-foot right-of-way.

This public hearing will take place in the Board of Supervisors Meeting Room, County Government Center, 1 Harrison Street, S.E., Leesburg, VA, on **Wednesday, March 28, 2012**, to be discussed no earlier than **7:00 p.m.** Written comments can be provided to the Loudoun County Planning Commission, c/o Loudoun County Department of Planning, 1 Harrison St., S.E., 3<sup>rd</sup> Floor, P.O. Box 7000, MSC #62, Leesburg, Virginia, 20177-7000 (attention: Marie Genovese).

A copy of the staff report is available on the Planning Commission website at <http://www.loudoun.gov/planning> and in the Loudoun County Planning Department. Although not subject to consideration by the Planning Commission or public hearing comment, map and text updates that reflect changes that occurred through previously approved CPAMs, land development applications, or VDOT route renumbering, are also being addressed concurrently with CPAM 2012-0001. A second notification letter will be sent to you on March 23, 2012.

Should you have any questions, please call 703-777-0246.

Sincerely,

Marie Genovese, AICP  
Project Manager

CPAM 2012-0001, Northstar Boulevard/Belmont Ridge Road

RECEIVED

MAR 13 2012

Jefferson County Commission

**Project Name:** Bluefield Colonial Intermodal Center Mixed-Use Transit Oriented Development

**Project Location:** Bluefield WV

**Funding:** \$600,000 FTA Section 5309 (80/20) (Federal)  
\$150,000 (Local Match - Toll Credits)

**Project Description:**

The City of Bluefield proposes to construct a mixed-use development in the heart of the historic downtown. The first phase of the development is approximately 2 acres in size. It will be anchored by a transit plaza which will provide better access, safety and convenience to bus patrons. Bluefield Area Transit (BAT) is a Section 5311 transit provider. Primary objectives of the project include improving transit facilities, stimulating economic development and private investment in downtown and providing links to various modes of transportation.

A master plan for the project has been prepared and approved by the Bluefield Board of Directors (City Council). Bluefield has received a \$600,000 grant from FTA (Section 5309) for environmental and design/engineering work, and intends to meet their local match requirement through state provided toll-revenue tax credits.

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

| Week Ending Date                                       | Week Ending<br>March 10, 2012 |
|--------------------------------------------------------|-------------------------------|
| <b>To be Deposited on:</b>                             | March 16, 2012                |
| Amount Played                                          | 87,746,806.41                 |
| Amount Won                                             | 78,601,566.68                 |
| Amount Promo                                           | 250,003.00                    |
| MWAP Contribution                                      | <u>5,350.22</u>               |
| <b>Adjusted Gross Terminal Revenue</b>                 | <b><u>8,889,886.51</u></b>    |
| Administrative Costs @ 4%                              | 0.00                          |
| Excess Lottery Fund @ 4%                               | 355,595.47                    |
| <b>Net Terminal Revenue</b>                            | <b><u>8,534,291.04</u></b>    |
| Surcharge @ 10%                                        | 853,429.11                    |
| State Share Excess @ 58%                               | 494,988.88                    |
| Track Share of Capital Reinvestment @ 42%              | 358,440.23                    |
| <i>Track Share of Capital Reinvestment @ 42% - 96%</i> | \$ 344,102.62                 |
| <i>Track Share of Capital Reinvestment @ 42% - 4%</i>  | \$ 14,337.61                  |
| <b>Adjusted Net Terminal Revenue</b>                   | <b><u>7,680,861.93</u></b>    |
| Racetrack @ 46.50% / 42%                               | 3,225,962.01                  |
| Lottery Fund @ 30% / 0%                                | 0.00                          |
| Excess Lottery Fund @ 0% / 41%                         | 3,149,153.40                  |
| Race Track Purses @ 7% / 14% / 8%                      | 614,468.95                    |
| Workers' Compensation Debt Reduction @ 7% / 0%         | 0.00                          |
| Employee Pension Fund @ 1% / .5%                       | 38,404.31                     |
| Greyhound Development @ .75%                           | 57,606.46                     |
| Thoroughbred Development @ .75%                        | 57,606.46                     |
| Racing Commission @ 1%                                 | 76,808.62                     |
| County/Municipality @ 2%                               | 153,617.24                    |
| <b>3% Funds:</b>                                       |                               |
| Tourism Promotion Fund @ 1.375%                        | 106,611.85                    |
| Development Office Promotion Fund @ .375%              | 28,803.23                     |
| Research Challenge Fund @ .5%                          | 38,404.31                     |
| Capitol Renovation and Improvement Fund @ .6875%       | 52,805.93                     |
| 2004 Capitol Complex Parking Garage Fund @ .0625%      | 4,800.54                      |
| <b>1% Funds:</b>                                       |                               |
| State Capitol Complex Parking Garage @ 1%              | 0.00                          |
| Cultural Facilities and Capitol Resources @ .5%        | 0.00                          |
| Capitol Dome and Capitol Improvements @ .5% / 1%       | <u>76,808.62</u>              |
|                                                        | <b><u>7,680,861.93</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<br>ADJ. NET<br>REVENUE | TO<br>JEFFERSON<br>COUNTY | TO<br>FIVE<br>CITIES | BOLIVAR<br>8.19% | CHARLES<br>TOWN<br>41.20% | HARPERS<br>FERRY<br>2.24% | RANSON<br>34.78% | SHEPHERDS<br>TOWN<br>13.59% |
|---------------------------------------|------------------------------|---------------------------|----------------------|------------------|---------------------------|---------------------------|------------------|-----------------------------|
| 2 days ending:<br>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               | \$ 22,081.70     | \$ 8,620.43                 |
| 09/03/11                              | \$ 161,675.52                | \$ 80,837.76              | \$ 80,837.76         | \$ 6,620.61      | \$ 33,305.16              | \$ 1,810.77               | \$ 28,116.37     | \$ 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     | \$ 9,804.58                 |
| 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                |
| 02/25/12                              | \$ 155,223.56                | \$ 77,611.78              | \$ 77,611.78         | \$ 6,356.40      | \$ 31,976.05              | \$ 1,738.51               | \$ 26,993.38     | \$ 10,547.44                |
| 03/03/12                              | \$ 151,927.72                | \$ 75,963.86              | \$ 75,963.86         | \$ 6,221.44      | \$ 31,297.10              | \$ 1,701.60               | \$ 26,420.23     | \$ 10,323.49                |
| 03/10/12                              | \$ 153,617.24                | \$ 76,808.62              | \$ 76,808.62         | \$ 6,290.63      | \$ 31,645.15              | \$ 1,720.51               | \$ 26,714.04     | \$ 10,438.29                |
| Subtotal                              | \$ 5,125,649.16              | \$ 3,018,856.30           | \$ 2,106,792.86      | \$ 172,546.34    | \$ 867,998.62             | \$ 47,192.18              | \$ 732,742.57    | \$ 286,313.15               |

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 | 2/25/2012        | 77,611.78 |
| 3/7/2009                 | 48,837.13 | 3/6/2010          | 76,936.85 | 3/5/2011          | 74,535.34 | 3/3/2012         | 75,963.86 |
| 3/14/2009                | 96,025.39 | 3/13/2010         | 71,007.37 | 3/12/2011         | 66,979.48 | 3/10/2012        | 76,808.62 |
| 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>3018856.3</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    |

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2072861.62

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The Jefferson County Commission proposes to name persons to serve on the following Authorities, Boards, Commissions, or Committees on Thursday, March 29, 2012, or as soon thereafter as the Commission may decide:

**Development Authority - (5) Three year terms ending April 5, 2015**

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

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

**SPIRIT OF JEFFERSON:**

**PLEASE ADVERTISE ON:**

**February 29, 2012, March 7, 14 & 22, 2012**

**THANKS - JEFFERSON COUNTY COMMISSION**